CITY OF LINDEN

REQUEST FOR QUALIFICATIONS FOR MUNICIPAL MARKETING SERVICES

CITY OF LINDEN

Contract Term

JANUARY 1, 2017 – DECEMBER 31, 2017

SUBMISSION DEADLINE

December 8, 2016

1:00 pm Purchasing Office #202

ADDRESS ALL PROPOSALS TO:

PURCHASING DEPARTMENT
CITY HALL, 301 NORTH WOOD AVENUE
LINDEN, NEW JERSEY 07036

ATTN: ANN MARIE WHELAN, PURCHASING AGENT

GENERAL INFORMATION & SUMMARY

ORGANIZATION REQUESTING PROPOSAL

CITY OF LINDEN
301 NORTH WOOD AVENUE
LINDEN, NJ 07036

CONTACT PERSON

ANN MARIE WHELAN
PURCHASING AGENT
PURCHASING DEPARTMENT B 3RD FLOOR
(908) 474-8444

PURPOSE OF REQUEST

The City of Linden is requesting legal proposals from qualified individuals and firms to provide ("contractor(s)" or "proposer(s)") to provide project management and coordination services of a specialized nature to the City of Linden. Proposals will be evaluated in accordance with the criteria set forth in this RFQ. One or more individuals/firms may be selected to provide services.

The City, acting through its Office of the Chief Financial Officer ("CFO"), invites the submission of Qualifications in order to establish a firm of record with expertise and demonstrated experience in the development and implementation of a marketing and advertising municipal strategy, and to help promote the municipality and its offerings to residents and non-residents. The firm will assist the City in generating a marketing plan and strategy, the procurement of marketing and communications support services, creation of selected marketing materials, support services for public outreach activities, and other related marketing functions and work products, to enhance the integrity of the City's image. Services and deliverables may include the development and the marketing of the City's brand and develop

It is important to note that the City is a distinct legal entity from contiguous or "sister" agencies, including Linden Public Schools, New Jersey Turnpike Authority, and New Jersey Transit. This RFQ relates solely to the City and its assets and services and does not encompass the City's sister agencies.

This RFQ is being issued by the CFO as part of an organized and integrated effort to bring economic value to Linden taxpayers and residents through an enhanced marketing development plan. It is expected that the marketing program and its efforts will present a value proposition to citizens in terms of more consistent and effective municipal messaging, advertising and brand visibility.

Firms with demonstrated experience in brand marketing and advertising, online and digital marketing, etc., with an interest in making their services available to the City, are invited to respond to this RFQ.

For purposes of this RFQ**, "Broker" or "Consultant"** means the:
Respondent selected for the pool and awarded a contract to perform Services as a result of the RFQ process. **"Chief Financial Officer"** means the chief financial officer of the City appointed by the Mayor. **Chief Procurement Officer** ("**CPO**") means the Chief Procurement Officer for the City**.**
"**Respondents**" means: the companies or individuals that submit Qualifications in response to this RFQ.
The documents submitted will be referred to as "**Qualifications**."

This RFQ is divided into six (6) distinct asset categories as indicated in the Asset Category Descriptions described below. **Respondents may submit responses for any one asset category or combination of asset categories.** The City, at its own discretion, may elect to Pre-Qualify a Respondent for any asset category or combination of asset categories for which the Respondent has submitted its Qualifications.

The City reserves the right to award one or more agreements per category of asset to qualified firms for that asset category as a result of this RFQ. The City may (but is not obligated to) issue RFPs for specific proposals to entities in the relevant Asset Category pool for a specific asset.

Additionally, the City reserves the right to issue a separate solicitation to the public for any initiative that would be covered by an asset category hereunder, notwithstanding that a pool of qualified brokers have been created by this RFQ for that asset category, or to award a contract without any such solicitation document to an entity not within the pool for that category.

The work contemplated is professional in nature. It is understood that the Consultant acting as an individual, partnership, corporation or other legal entity, is of professional status, licensed to perform in the State of New Jersey and licensed for all applicable professional discipline(s) requiring licensing and will be governed by the professional ethics in its relationship to the City. It is also understood that all reports, information, or data prepared or assembled by the Consultant under a contract awarded pursuant to this RFQ are confidential in nature and Contractor will not make such reports, information, or data available to any individual or organization, except to the City, without the prior written approval for the City.

The Consultant must comply with Linden Ordinance on Advertising Guidelines (see Exhibit B) that was recently adopted on types of allowable advertising and marketing.

Please review and find Ordinance attached.

The Consultant shall be financially solvent and each of its members if a joint venture, its employees, agents or Subcontractors of any tier shall be competent to perform the services required under this RFQ document. The firm selected will be expected to provide and Economic Disclosure Statement as described herein and be current on all taxes, fees, fines and other compensation payable to the City.

PERIOD OF CONTRACT

January 1, 2017 – December 31, 2017

CONTRACT FORM

The successful proposer shall be required to execute the City Of Linden form contract, which includes the indemnification, insurance, termination and licensing provisions

It is also agreed and understood that the acceptance of the final payment by Contractor shall be considered a release in full of all claims against the City of Linden arising out of, or by reason of, the work done and materials furnished under any Contract awarded.

DETAILED REQUIREMENTS OF THE REQUEST FOR QUALIFICATIONS FOR PROJECT MANAGEMENT AND COORDINATION SERVICES.

1. **CITY OF LINDEN FACTS AND FIGURES** - The City of Linden is a municipal governmental entity. The City was incorporated in 1925 and operates under N.J.S.A 40:41A-1 et seq. The legislative authority and responsibilities of the City of Linden is vested in the elected 11-member Council. The Governing Body sets policy, adopts the operating and capital budgets for the City, enacts ordinances, and sets the direction of how the City of Linden will provide government services. The Mayor is the City's chief executive officer and carries out the policies adopted by the Council.

The City's population is estimated at over 40,000, consisting of an approximate area of 11 square miles. The City employs approximately 586 people in about 29 departments and agencies. It owns administration buildings, courthouse buildings, recreation facilities, and parks. The City's operating budget is approximately $100,688,144.28. It provides significant and diverse services to its residents, including those in the senior, disabled, veterans, and other communities.

2. NATURE/ SCOPE OF -

The City has launched a Municipal Marketing Initiative to enhance the City's local, regional, national, and international status and visibility. To advance this Initiative, the City seeks a qualified firm to deliver municipal marketing, branding and advertising production, communication support consulting services, and implementation oversight to market and promote City assets.

The purpose of this initiative is to differentiate Linden from other suburban communities in the area by developing a brand which may be used to market the City to prospective businesses, developers, residents and visitors. The agency must create an image for Linden that can be easily and effectively utilized across multiple communicative mediums such as advertisements, signs, social media marketing materials, digital and conventional collateral and coordination with Linden's newly established website.

The branding and marketing strategy developed should equip Linden with vital tools to help accomplish economic development goals of establishing a thriving downtown community.

The Consultant must have relevant successful experience in brand-development, brand marketing, and brand-management and the development of innovative programs that reflect the City's goal of enhanced municipal visibility/viability in promoting the brand image of the City.

Description of Services.

The objective of this RFP is to procure marketing and communications support services, creation of selected marketing materials, support services for public outreach activities, and other related marketing functions and work products. Services to be performed include:

A. Provide strategic marketing support for special projects including special projects related to municipal promotions and City events. This will include developing and providing a variety of promotional, publicity and advertising plans, communication and informational materials consistent with specifications provided by the City.

B. Provide advice and recommendations to City managers or City officials for development and implementation of designated marketing projects. Assist City entities and departments as assigned to provide approved marketing services (agencies include: City Council, Office of the Mayor, Department of Public Works, Department of Parks and Recreation, Linden Cultural & Heritage Committee. Linden Mayor's Youth Commission, etc.).

C. Design, develop, and deliver promotional materials for designated City initiatives and events.

D. Provide advice and recommendations for citywide marketing strategies, and improving citywide brand awareness.

E. Provide advice and recommendations for City managers or officials to successfully design, develop and implement marketing projects and sponsorship projects by creating vehicles to share ideas, knowledge, and success stories.

F. Provide media training and consulting as requested.

The successful proposer will provide management for the requested services. The successful proposer will be experienced and knowledgeable in communications and marketing disciplines. The proposer will establish a team leader who will manage services provided under the resulting contract. The City will not accept any substitutions of the team leader or other key personnel except for substitutions required for reasons outside the control of the successful proposer and upon written approval by the City. The successful proposer will be available on an on-call basis for any emergency situations.

Eventual use or marketing of any assets identified by Pre-Qualified Brokers are subject to the approval of the City, including a committee of various City officials that will determine whether marketing and branding services proposed by Brokers are appropriate and in the public interest., as well as rules to be of the Municipal Code. Some assets may be preempted from use due to existing contractual relationships, limitations due to tax exempt bond or grant funding restrictions for private use and some may be removed from consideration for some other reason. Any such preemption may be disclosed at any time during the contract by the City.

A preference will be given to a firm that is a certified Small Business Entity (SBE) with the State of New Jersey.

3. <u>STANDARD REQUIREMENTS OF TECHNICAL PROPOSAL</u> - Consultant should submit a technical proposal.

A. The name of the Consultant, the principal place of business and, if different, the place where the services will be provided.

B. Consultant must have a minimum of five (5) years of experience in project management, and a minimum of five (5) years of association with the City of Linden or other governmental entities.

C. The education, qualifications, experience, and training of all persons who would be assigned to provide services along with their names and titles.

D. Please provide a description of any particular area(s) of expertise you or your firm may possess that have not been included in the response provided above.

E. A statement that neither the firm nor any individuals assigned to this engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local agency.

F. An Affirmative Action Statement (copy of form attached).

G. A completed Non-Collusion Affidavit (copy of form attached).

H. A statement that the proposer will comply with the General Terms and Conditions required by the City and enter into the City's standard Professional Services Contract.

I. Provide a copy of the proposer's Business Registration Certificate.

4. <u>SPECIALIZED REQUIREMENTS OF TECHNICAL PROPOSAL</u> -

The Consultant must meet the following minimum qualifications.
Please include an explanation for each of the following in your proposal:

A. Consultant must have proven experience with branding campaigns, including the development and execution of market research, idea gathering, logo creation and the development of marketing strategies to carry out the municipal branding and visual communication process.

B. What is the Consultant's development approach for formulating a new brand (research-driven methodology which allows for meaningful results measurement?) as well as the creative approach (marriage of research and informational insights about the audience into creative messaging and relationship-building that taps into an audience's own ideas, needs, expectations, etc. to motivate them to action that supports the City's core objectives)?

C. Does the firm have experience working with municipal/government entities?

D. Give at least one example of a marketing/branding campaign the firm has executed which

encompasses the requirements of this project, including visual examples of logos created, etc. What were the results of this campaign?

E. Who from the firm will be working on our account (by specific staff person name, job title and relevant work experience) Who will be our day-to-day contact and what are his/her qualifications for managing this type of project?

5. <u>COST PROPOSAL</u> - submit with RFQ

6. <u>PROPOSAL EVALUATION</u> - The **City of Linden** will select the most advantageous proposals based on all of the evaluation factors set forth at the end of this RFQ. The city of Linden will make the award(s) that is (are) in their best interest.

Each proposal must satisfy the objectives and requirements detailed in this RFQ. The successful proposer shall be determined by an evaluation of the total content of the proposal submitted. The City of Linden reserves the right to:

a. Not select any of the proposals.

b. Select only portions of a particular proposer=s proposal for further consideration (However, proposers may specify portions of the proposal that they consider Abundled@.)

c. Award a contract for the requested services at any time within the calendar year after review of the Qualifications and approval of same by the City of Linden. Every proposal should be valid through this time period.

The City of Linden shall not be obligated to explain the results of the evaluation process to any proposer.

7. <u>PROPOSAL LIMITATIONS</u> - This RFQ is not intended to be an offer, order or contract and should not be regarded as such, nor shall any obligation or liability be imposed on the City of Linden by issuance of this RFQ. The city of Linden reserves the right at the City of Linden's sole discretion to refuse any proposal submitted.

8. <u>USE OF INFORMATION</u> - Any specifications, drawings, sketches, models, samples, data, computer programs, documentation, technical or business information and the like (AInformation@) furnished or disclosed by the City of Linden to the proposer in connection with this RFQ shall remain the property of the City of Linden. When in tangible form, all copies of such information shall be returned to the City of Linden upon request. Unless such information was previously known to the proposer, free of any obligation to keep it confidential, or has been or is subsequently made public by the City of Linden or a third party, it shall be held in confidence by the proposer, shall be used only for the purposes of this RFQ, and may not be used for other purposes except upon such terms and conditions as may be mutually agreed upon in writing.

9. <u>GENERAL TERMS AND CONDITIONS</u>

A. The City of Linden reserves the right to reject any or all proposals, if necessary, or to waive any informalities in the proposals, and, unless otherwise specified by the proposer, to accept any item, items or services in the proposals should it be deemed in the best interest of the City of Linden to do so.

B. In case of failure by the successful proposer, the City of Linden may procure the articles or services from other sources, deduct the cost of the replacement from money due to the proposer under the contract and hold the proposer responsible for any excess cost occasioned thereby.

C. The proposer shall maintain sufficient insurance to protect against all claims under Workmen's Compensation, General, Professional and Automobile Liability.

D. Each proposal must be signed by the person authorized to do so.

E. The contract shall be in effect through December 31, 2017 unless otherwise stated.

F. Proposals may be hand delivered or mailed consistent with the provisions of the legal notice to proposers. In the case of mailed proposals, the City of Linden assumes no responsibility for proposals received after the designated date and time and will return late proposals unopened. Proposals will not be accepted by facsimile or e-mail.

G. In accordance with Affirmative Action Law, P.L. 1975, c.127 (N.J.A.C. 17:27) with implementation of July 10, 1978, successful proposers must agree to submit individual employer certifications and numbers or complete Affirmative Action employee information report (form AA-302). Also, during the performance of this contract, the contractor agrees as follows: (a) The contractor or subcontractor where applicable, will not discriminate against any employee because of age, race, creed, color, national origin, ancestry, marital status or 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 or handicap. 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 section for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause: (b) 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 or handicap; (c) 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 worker's representative of the contractor's commitments under this act and shall post copies of the notice; (d) the contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the treasurer pursuant to the P.L.
1975, c.127, as amended and supplemented from time to time.

H. By submission of the proposal, the proposer certifies that the service to be furnished will not infringe upon any valid patent, trademark or copyright and the successful proposer shall, at its expense, defend any and all actions or suits charging such infringement, and will save the City of Linden harmless in any case of any such infringement.

I. No proposer shall influence, or attempt to influence, or cause to be influenced, any county officer or employee to use his/her official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

J. No proposer shall cause or influence, or attempt to cause or influence, any Zoning Board officer or employee to use his/her official capacity to secure unwarranted privileges or advantages for the proposer or any other person.

K. Should any difference arise between the contracting parties as to the meaning or intent of these instructions or specifications, the City Law Department=s decision shall be final and conclusive.

L. The City of Linden shall not be responsible for any expenditure of monies or other expenses incurred by the proposer in making its proposal.

M. The checklist, affidavits, notices and the like presented at the end of this Request for Qualifications are a part of this Request for Qualifications and shall be completed and submitted as part of this proposal.

END OF GENERAL INSTRUCTIONS

BASIS OF AWARD

(To be completed by City evaluation committee)

EVALUATION FACTORS

A. Relevance and Extent of Qualifications, Experience, Reputation and Training of **Personnel to be assigned**

B. Knowledge of the subject matter to be addressed under this engagement

C. Relevance and Extent of Similar Engagements performed

D. Teclmical Proposal contains all required information

REQUEST FOR QUALIFICATIONS CHECKLIST

THIS CHECKLIST MUST BE COMPLETED AND SUBMITTED WITH YOUR PROPOSAL:

Please initial below, indicating that your proposal includes the itemized document.

A PROPOSAL SUBMITTED WITHOUT THE FOLLOWING DOCUMENTS IS CAUSE FOR REFUSAL.

INITIAL BELOW

A. An original and six (6) signed copies of your complete proposal. _____

B. Non-Collusion Affidavit properly notarized. _____

C. Authorized signatures on all forms. _____

D. Business Registration Certificate(s). _____

E. Affirmative Action Statement. _____

Note: N.J.S.A 52:32-44 provides that neither the City nor the City Zoning Board shall not enter into a contract for goods or services unless the other party to the contract provides a copy of its business registration certificate and the business registration certificate of any subcontractors at the time that it submits its proposal. The contracting party must also collect the state use tax where applicable.

THE UNDERSIGNED HEREBY ACKNOWLEDGES
THE ABOVE LISTED REQUIREMENTS.

NAME OF PROPOSER:

[redacted]

[redacted]

EXHIBIT A
N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)

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 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 for the provisions of this nondiscrimination clause.

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

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 any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2 or a binding determination of the applicable city 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 its 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.

Exhibit A (Continued)

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 Approval
_ 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 and EEO as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEO for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.

Exhibit B

Guidelines Regulating Advertising on City of Linden Facilities

The City of Linden ("City") intends that its advertising facilities ("Facilities") constitute nonpublic forums that are subject to the viewpoint-neutral restrictions set forth below. Certain forms of paid and unpaid advertising will not be permitted for placement or display on City Facilities. The Guidelines are subject to change in the discretion of the City.

The Facilities shall not be used for the display of any advertisement that falls within, one or more of the following categories, as determined by the City in its discretion:

(i) Demeaning or disparaging. The advertisement contains material that demeans or disparages an individual or group of individuals. For purposes of determining whether an advertisement contains such material, the City will determine whether a reasonably prudent person, using prevailing community standards, would believe that the advertisement contains material that ridicules or mocks, is abusive or hostile to, or debases the dignity or stature of, an individual or group of individuals.

(ii) Tobacco. The advertisement promotes the sale or use of tobacco or tobacco-related products, including depicting such products.

(iii) Profanity. The advertisement contains profane language.

(iv) Firearms. The advertisement either (a) contains an image of a firearm in the foreground of the main visual, or (b) contains image(s) of firearm(s) that occupy 15% or more of the overall advertisement.

(v) Violence. The advertisement contains an image or description of graphic violence, including, but not limited to (1) the depiction of human or animal bodies or body parts, or

fetuses, in states of mutilation, dismemberment, decomposition, or disfigurement, or (2) the depiction of weapons or other implements or devices used in the advertisement in an act or acts of violence or harm on a person or animal.

(vi) Unlawful goods or services. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, the use or possession of unlawful or illegal goods or services.

(vii) Unlawful conduct. The advertisement, or any material contained in it, promotes or encourages, or appears to promote or encourage, unlawful behavior or activities.

(viii) Obscene Material. The advertisement contains obscene material or images of nudity. For purposes of these Guidelines, the terms "obscene material" shall have the meanings contained in N.J.S.A. 2C:34-2(a), and the term "nudity" shall have the meaning as defined in Section 3-25 "Public Nudity" of the Revised General Ordinance of the City of Linden.

Exhibit B (Continued)

(ix) Prurient sexual suggestiveness. The advertisement contains material that describes, depicts, or represents sexual activities or aspects of the human anatomy in a way that the average adult, applying contemporary community standards, would find appeals to the prurient interest of a child or children or adults in sex. For purposes of these Guidelines, the term "child/children" shall have the meaning contained in N.J.S.A. 9:2-13(b), and for the purpose of this policy the term "minor or minors" shall have the same meaning as "child/children".

(x) Political campaign speech. The advertisement contains political campaign speech. For purposes of these Guidelines, the term "political campaign speech" is speech that (1) refers to a specific ballot question, initiative petition, or referendum, or (2) refers to any candidate for public office.

(xi) Endorsement. The advertisement, or any material contained in it, implies or declares an endorsement by the City of any service, product or point of view, without prior written authorization of the City.

(xii) False, misleading, or deceptive commercial speech. The advertisement proposes a commercial transaction and the advertisement, or any material contained in it, is false, misleading, or deceptive.

(xiii) Libelous speech, copyright infringement, etc. The advertisement, or any material contained in it, is libelous or an infringement of copyright, or is otherwise unlawful or illegal or likely to subject the City to litigation.

(xiv) "Adult"-oriented goods or services. The advertisement promotes or encourages, or appears to promote or encourage, a transaction related to, or uses brand names, trademarks, slogans or other materials which are identifiable with, films rated "X" or "NC-17," video games rated M or AO, adult book stores, adult video stores, Go-Go Bars,

Gentlemen's Clubs, nude dance clubs and other adult entertainment establishments, adult telephone services, adult Internet sites, and escort services.

Advertisement of Alcoholic Beverages. Advertisements related to the sale of alcoholic beverages shall contain a statement, occupying at least 3% of the area of the advertisement, that indicates the legal drinking age in New Jersey and warns of the dangers of alcohol consumption during pregnancy, or in connection with the operation of heavy machinery, or while driving.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY
COUNTY OF UNION ss:

I AM _____

OF THE FIRM OF _____
UPON MY OATH, I DEPOSE AND SAY:

1. THAT I EXECUTED THE SAID PROPOSAL WITH FULL AUTHORITY SO TO DO;
2. THAT THE PROPOSER HAS NOT, DIRECTLY OR INDIRECTLY ENTERED INTO ANY AGREEMENT, PARTICIPATED IN ANY COLLUSION, OR OTHERWISE TAKEN ANY ACTION IN RESTRAINT OF FREE AIR AND OPEN COMPETITION IN CONNECTION WITH THIS ENGAGEMENT;
3. THAT ALL STATEMENTS CONTAINED IN SAID PROPOSAL AND IN THIS AFFIDAVIT ARE TRUE AND CORRECT AND MADE WITH FULL KNOWLEDGE THAT THE CITY OF LINDEN 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 ENGAGEMENT; AND
4. THAT NO PERSON OR SELLING AGENCY HAS BEEN EMPLOYED TO SOLICIT OR SECURE THIS ENGAGEMENT AGREEMENT OR UNDERSTANDING FOR A COMMISSION, PERCENTAGE, BROKERAGE OR CONTINGENT FEE, EXCEPT BONA FIDE EMPLOYEES OR BONA FIDE ESTABLISHED COMMERCIAL SELLING AGENCIES OF THE PROPOSER. (N.J.S.A. 34-25)

SUBSCRIBED AND SWORN TO

BEFORE ME THIS _____

OF_____20_____.

_____
(TYPE OR PRINT NAME OF
AFFIANT UNDER SIGNATURE)

_____
NOTARY PUBLIC

STOCKHOLDER DISCLOSURE CERTIFICATION

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

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

____ Partnership ____ Corporation ____ Sole Proprietorship

PLEASE CHECK APPROPRIATE BOXES ABOVE AND SIGN BELOW

Stockholders:

Name: _____

Home Address: _____

Name: _____

Home Address: _____

THIS STATEMENT MUST BE INCLUDED WITH BID SUBMISSION.

_____
(Signature)

_____
(Name & Title)

Subscribed and sworn before me this _____ Day of _____, 200

(Notary Public)

My commission expires:

"Corporate bidders not incorporated in the state of New Jersey may submit with their proposal or shall submit prior to award. A certificate from the office of the Secretary of State of New Jersey certifying that the said corporation is authorized to transact business in the State of New Jersey."