

Township of Monroe



Township of Monroe

**Request for Proposals
Electricity and Natural Gas Supply
May 6, 2024 11:30 A.M.**

*Township of Monroe
125 Virginia Avenue
Williamstown, NJ 08094
(856) 728-9800
www.monroetownshipnj.org*

Township of Monroe

Notice of Request for Proposals
Electric Supply
Under the Fair and Open Process

Pursuant to the Fair and Open Process and in accordance with *N.J.S.A. 40A:11-1 et. seq.*, proposals are requested by the Monroe Township at its offices at 125 Virginia Avenue, Williamstown, NJ 08094 by **May 6, 2024 at 11:30 A.M.**, local prevailing time, for:

Qualified Third Party Supplier for Electric and Gas Supply

The purpose of this request is to enter into a contract with a Third Party Supplier (TPS) to provide electricity or natural gas supply to the Monroe Township accounts listed in the RFP.

A qualified business entity will be selected through a competitive, quality-based, fair and open process, conditions, and services with any or all business entities responding to the request. Township of Monroe, as permitted by law, may at its sole discretion decide not to proceed at all or to proceed with a portion of the electricity and/or natural gas supply. Township of Monroe reserves the right to interview any or all proposers.

Full copies of the Notice of Request for Electric and Natural Gas Proposals are available on Monroe Township's website www.monroetownshipnj.org and from the Clerk's Office, achiselko@monroetownshipnj.org at 125 Virginia Avenue, Williamstown, NJ 08094.

All questions regarding the Request should be made in writing via email to Mr. Andrew Bakey, P.E. of Bakey Energy Consulting abakey@docbakey.com with a copy to Aileen Chiselko, Clerk's Office, achiselko@monroetownshipnj.org.

Aileen Chiselko, RMC
Municipal Clerk

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General Information

The Township of Monroe in Williamstown, NJ, is requesting responses from qualified Third Party Suppliers (TPS) that are capable of providing electricity or natural gas to its facilities including:

1. Municipal Building and Library (Solar Power)
2. Other Municipal Buildings and Recreation Department
3. Traffic Lights

The Township of Monroe’s goal is to execute an electricity and natural gas contract for these facilities for a term of 13 or 25 months.

Responses shall be in accordance with the “Response Submittal Requirements” as set forth below and must be submitted no later than **11:30 A.M. on May 6, 2024**, local prevailing time.

Electric and Gas Procurement Schedule and Specifications

RFP Issued	Tuesday, April 16, 2024
Questions, Sample Contracts, and Sample Bills Due	Tuesday, April 23, 2024 by 12pm
Indicative Electric and Gas Prices Due	May 6, 2024 by 11:30am
Executable Electric Prices Due	May 6, 2024 by 11:30am

Legal Entity Name	Township of Monroe
Start Date	June 1, 2024
Terms	8 and 13 months
Electric Products	1) Fixed Price 2) Seasonal Load Following – Library and Municipal Building Only
Utility	Atlantic City Electric Company
Number of Electric Accounts	76
Estimated Annual Usage	Monroe Twp – 1,558,000 kWh Traffic Lighting/Street – 1,090,000 kWh Total – 2,648,000 kWh

Facility Electric Account Information

The facility locations and account numbers are outlined below:

Monroe Twp - Atlantic City Electric Accounts 2024			
Municipal Buildings	Account Name	Traffic/Street Lighting	Account Name
5501 0739 864	Municipal Bldg - Solar Power	5500 1764 376	Rt.322&Tuckahoe
5500 1513 534	Library Unit B - Solar Power	5501 1994 476	RT 322 &S. Main
Municipal Buildings	Account Name	5501 1994 807	RT322& Main St
5500 1513 039	Library Unit C	5500 0780 753	RT322& New Brook
5500 1512 395	Library Unit D	5500 1668 189	BHP& Corkery Ln
5500 1468 937	Ambulance Bldg	5501 1765 330	BHP& Piney Hollo
5500 1513 922	713 Marsha LIB	5500 1469 315	RT 42& Sicklervi
5500 1490 907	CRC	5500 1469 679	RT 322& Clayton
5501 2033 779	I-H House	5500 1466 576	RT42&Kennedy SL
5500 0247 621	WFS	5500 1467 756	RT322& whitehal
5500 0534 176	Historical Society	5500 1493 158	RT 322&Downer Rd
5500 3851 767	PWBB	5000 4371 469	9POPLAR ST TRAFIC
5500 1579 006	PWG	5500 0780 225	5RT 555 & Cross K
5500 9414 149	MTPD Gar	5500 1492 788	Rt 42 & Lake Ave
5500 1467 426	Duffy Sen Bldg	5500 1764 376	Rt 322& Tuckahoe
5500 2140 056	331 S. Blackhorse Pike	5500 1533 250	BHP&Corkery@whit
5500 1490 907	CRC	5500 1215 700	RT 42& Ckeys-Ber
5002 3222 842	Cecil Fire CO	5500 1215 486	Rt322&Sickler
5500 5474 303	PCC	5500 9237 300	Radix&Sicklerville
5500 1492 101	Parks Mower Shop	5500 1359 342	Rt 42&B lin Cro
5501 1925 041	Reading Room	5501 0313 413	Hurville-ckeys
5500 7220 415	PWGO	5500 9326 301	Blue Bell&Corke
5501 2033 399	Parks Storage	5500 1468 093	Rt 322&CorkeryFH
5500 1491 707	B & G	5500 1467 012	2Rt610&Franklinvi
5500 0107 221	CFS	5500 9596 929	New Brooklyn RD
5500 7194 990	Church St LL Bldg	5500 9326 731	Tuckahoe&cla ton
5500 7219 615	PWO	5500 9236 799	E Malaga RD
5500 4458 000	WFSS	5500 1445 646	E Malaga RdCons
5001 6280 955	Matisse Wat Ret	5501 1994 229	RT 322 & S Main Street
5002 5150 041	295 Whitehall Road	5500 1491 343	Malaga& Winslow
5002 7585 459	Sicklerville Road	5500 1466 576	Rt 43& Kennedy Blvd
		5500 9236 799	E Malaga Rd
		5500 1490 519	Wmstown Sicklerville
Parks & Recreation		5500 1492 382	BHP
5501 2021 204	CH Street Softball	5501 1856 287	Water Street
5500 1530 298	Owens FB & Hockey	5503 0993 608-	TuckahoeTwelve Oaks Drive
5500 7303 732	Owens Softball	5503 0933 455	Glassboro Road
5500 8605 663	OWENS PARK	5500 0690 101	Glassboro & Main
5500 0896 252	SR League Field	5500 0829 758	Street lighting
5500 1468 432	Owens Park Consention stand	5500 0850 077	Multiple Loc
5500 7743 887	Church Street Softball Field	5500 0850 515	Street Lighting
5500 1764 004	Duffy Parking Lot	5500 0851 075	Various Location
5500 8730 156	Wireless Church	5500 1578 453	PWY #1
5001 0627 722	322 & Fries Mill Rd Signal	5500 6162 634	PWY #2
		5501 2021 618	Church Street Parking Lot
		5500 1445 307	Rosetree
		5500 1762 859	Holiday Lights
		5503 4362 149	301 Bluebell RD

Estimated Annual Natural Gas Account Usage

Account ID	Account Name	Meter ID	Address	dekatherms
0355920000	WILLIAMSTOWN FIRE STATION	3741803308	1200 GLASSBORO AND WMS RD	436
1398820000	MONROE TWP	1257015649	313 S MAIN ST, #COMMUNITYBLDG	563
2285820000	TWP OF MONROE	2280116779	713 MARSHA AVE	18
3600030000	CECIL FIRE STATION	1083923921	295 WHITEHALL RD	805
4285820000	TWP OF MONROE	4280116005	713 MARSHA AVE APT A	77
4935301399	Monroe Township	8216261925	30 HALL ST	112
5285820000	TWP OF MONROE	5280116434	713 MARSHA AVE APT C	34
6186820000	MONROE TWP MUNICIPAL COMPLEX	3178994078	125 VIRGINIA AVE	980
7419820000	DEPT OF PUBLIC PROP/MONROE TWP	7410153677	305 BLUE BELL RD	145
7578820000	MONROE TWP MEMORIAL LIBRARY	7570160552	401 S MAIN ST	107
8137820000	TOWNSHIP OF MONROE/POLICE GARAGE	2989974259	125 VIRGINIA AVE APT B 313 S MAIN ST,	15
8219820000	MONROE TWSP/IRELAND HOFER HOUS	8210153752	#IRELANDHOFFERHOUSE	326
8994920000	MONROE TWP	5854893734	1040 GLASSBORO RD	746
9216820000	MONROE TWP	7837368068	713 MARSHA AVE	487
9717820000	MONROE TWP	6668020078	555 S MAIN ST	702

5,551

Electric Product Specifications

1) All other Municipal Buildings and Parks/Recreation Department

Fully Bundled Fixed Price – Prices to include all electricity supply costs to Atlantic City Electric Company including Energy, All PJM Ancillary Services, Renewable Portfolio Standards, Line Losses, Capacity, Transmission and NJ SUT. (100% bandwidth)

2) Traffic Lighting

Fully Bundled Fixed Price – Prices to include all electricity supply costs to Atlantic City Electric Company including Energy, All PJM Ancillary Services, Renewable Portfolio Standards, Line Losses, Capacity, Transmission and NJ SUT. (100% bandwidth)

3) Library and Municipal Building

Seasonal Load Following Fixed Price with Fixed Adder and Pass through Capacity, Transmission and Line Losses.

NOTE:

Both of these properties have **solar power** and thus are seeking an index adder with 100% fixed load following prices in the winter (Dec, Jan, Feb) and (June, July, and August) with pass through capacity, transmission and line losses.

Gas Product Specifications

Fully Bundled Fixed Price – Prices to include all gas supply costs to SJ Gas City Gate including basis, line losses, and NJ SUT. (100% bandwidth)

Response Submittal Requirements

The Township of Monroe is requiring all bidders to submit their pricing in the spreadsheet titled “Township of Monroe Bid for Electricity and Natural Gas”. This spreadsheet will be attached to the email notification of the RFP and also be posted on the Township’s website. Bids will not be accepted if the spreadsheet is not filled out completely. Prices in the body of an email or attached as a pdf pricing sheet will not be accepted.

NOTE: Bidders will be asked to hold their prices for 24 hours to seek Council Approval.

Late Proposals

Proposals received by email after the date and time prescribed shall not be opened and will be returned unopened to the Supplier.

Response Evaluation & Criteria

The Township of Monroe will examine the responses to determine whether they are complete and accurate. The Selection Criteria used to evaluate the responses will be the following:

- 1) Pricing
- 2) Financial Strength
- 3) Credit Rating
- 4) Sample Contract
- 5) Sample Bill

Township of Monroe reserves the right to short list the suppliers based on the indicative round, extend the due dates, and delay the execution of contracts based on market conditions and review of responses. The Township of Monroe may also request a calculated billing sample with proposed prices from suppliers.

Response Submittal

Providers shall submit their responses via e-mail **no later than 11:30am**, local time prevailing, on **May 6, 2024** to:

Mr. Andrew Bakey, P.E.
Bakey Energy Consulting
Phone: (609) 217-3407
abakey@docbakey.com

Aileen Chiselko, RMC
Municipal Clerk
Township of Monroe
Email: achiselko@monroetownshipnj.org

RFP Questions

Any questions regarding this RFP should be in writing and directed via email to:

Mr. Andrew Bakey, P.E.
Bakey Energy Consulting
Phone: (609) 217-3407
abakey@comcast.net

Aileen Chiselko, RMC
Municipal Clerk
Township of Monroe
Phone: (856) 728-9800 ext. 217
Email: achiselko@monroetownshipnj.org

Disclaimer

The issuance of this RFP does not obligate the Township of Monroe to accept any of the resulting responses. The Township of Monroe makes no commitments, implied or otherwise, that this RFP process will result in a business transaction with one or more of the Providers. The Provider shall bear all costs associated with the preparation and submission of its response, and the Township of Monroe will in no case be responsible or liable for those costs, regardless of the conduct or outcome of the bidding process. Any Provider planning to submit a response is responsible for examining with appropriate care the complete Request for Proposal, and for informing itself with respect to all conditions that might in any way affect the cost or the performance of any work. Failure to do so will be at the sole risk of the Provider, who is deemed to have included all costs for performance of the work in its response, and no relief can be given for errors or omissions by the Provider. Should the Provider find discrepancies in, or omissions from, the Request for Proposal, or should their intent or meaning appear unclear or ambiguous, or should any other question arise relative to the Request for Proposal, the Provider shall promptly notify The Township of Monroe in writing.

Confidentiality

All information received by the Provider shall be treated as Confidential. Provider agrees not to permit any technical or commercial or pricing information to be shown or disclosed to anyone other than those who need it in connection with the work involved or to use the same for any other purpose other than performance of this project. Without limiting foregoing, the recipient acknowledges and agrees that: (1) The Township of Monroe will not be subject to any liability based on the information contained in this RFP, errors therein or omissions therefrom, whether or not any such errors or omissions were known or should have been known, or was responsible for or participated in its inclusion in or omission from this RFP; (2) the recipient will not copy, reproduce or distribute to any third party this RFP in whole or in part; (3) if the recipient does not wish to pursue a transaction, it will return this RFP to the Township of Monroe as soon as practicable, together with any other material relating to the Township of Monroe; (4) any proposed actions by the recipient which are inconsistent in any manner with the foregoing agreement will require the prior written consent of The Township of Monroe.

REQUIRED FORMS

EXHIBIT A

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

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

The contractor or subcontractor, 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 afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted 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 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, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

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

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

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

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

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

(11/08)

The Township of Monroe
STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number: _____

Bidder/Offeror: _____

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX

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 or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging 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/Chapter25Listpdf>. Bidders must review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of 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.

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the 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 will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

**PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES
IN IRAN**

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the box below.

PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION.

Name: _____ Relationship to Bidder/Offeror _____	
Description of Activities _____ _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution

under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): _____ Signature _____

Title: _____ Date: _____

Name of Company: _____ City/State/Zip: _____

To be completed, signed below and returned with proposal.

The Township of Monroe

**Chapter 271
Political Contribution Disclosure Form
(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 52:34-25**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ (Business Entity) has made the following **reportable** political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26 during the twelve (12) months preceding this award of contract:

Reportable Contributions

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

The Business Entity may attach additional pages if needed.

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

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

Certification

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

Name of Authorized Agent _____

Signature _____ **Title** _____

Business Entity _____

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a “fair and open” process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an “interest” ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, “a contribution by that person’s spouse or child, residing therewith, shall be deemed to be a contribution by the business entity.” [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor’s responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor’s submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

¹ N.J.S.A. 19:44A-3(s): “The term “legislative leadership committee” means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures.

P.L. 2005, c.271

(Unofficial version, Assembly Committee Substitute to A-3013, First Reprint*)

AN ACT authorizing units of local government to impose limits on political contributions by contractors and supplementing Title 40A of the New Jersey Statutes and Title 19 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

40A:11-51 1. a. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-I et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

b. The provisions of P.L.2004, c.19 shall not be construed to supersede or preempt any ordinance, resolution or regulation of a unit of local government that limits political contributions by business entities performing or seeking to perform government contracts. Any ordinance, resolution or regulation in effect on the effective date of P.L.2004, c.19 shall remain in effect and those adopted after that effective date shall be valid and enforceable.

c. An ordinance, resolution or regulation adopted or promulgated as provided in this section shall be filed with the Secretary of State.

52:34-25 2. a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for Proposals, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity Proposal thereon or negotiating therefor, to submit along with its Proposal or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-I et seq.) and that were made by the business entity during the preceding 12 month period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or any continuing political committee. A business entity contracting with a county, municipality, independent authority, other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

The provisions of this section shall not apply to a contract when a public emergency requires the immediate delivery of goods or services.

b. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

c. As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate; and

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

19:44A-20.13 3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year \$50,000 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(1) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

e. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

4. This act shall take effect immediately.

* Note: Bold italicized statutory references of new sections are anticipated and not final as of the time this document was prepared. Statutory compilations of N.J.S.A. 18A:18A-51 is anticipated to show a reference to N.J.S.A. 40A:11-51 and to N.J.S.A. 52:34-25.

**List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 52:34-25**

INSERT LIST OF AGENCIES WITH ELECTED OFFICIALS



Supplier Name [Redacted]
Supplier Credit Rating [Redacted]

Township Properties

Estimated Annual Volume [Redacted] kWh

Fixed Price

Start and End	Term Months	Fully Bundled Fixed Price with 100% Bandwidth including NJSUT \$/kWh
6/1-12/31/2024	7	[Redacted]
6/1-5/31/2025	12	[Redacted]

Traffic Lights

Fixed Price

Start and End	Term Months	Fully Bundled Fixed Price with 100% Bandwidth including NJSUT \$/kWh
6/1-12/31/2024	7	[Redacted]
6/1-5/31/2025	12	[Redacted]

Library and Municipal Building

Seasonal Fixed Price with Pass through Capacity, Transmssion, and Line Losses

Start and End	Term Months	Hedged Months	Seasonal Load Following Energy Price including NJSUT \$/kWh	Index Adder (Incl A/S, ARR's, TLC's,AEPS, Supplier Fee, NJSUT \$/kWh)	Estimated Cacpity Costs \$/kWh	Estimated Transmission Cost \$/kWh
4/2024-3/2027	12	June, July, August 2024 December, January, February 2025	[Redacted]	[Redacted]	[Redacted]	[Redacted]

Billed Line Loss % [Redacted]



Township of Monroe



Supplier Name

[Redacted]

Volume Priced (dt)

[Redacted]

4/16/2024

Fixed Price

Start and End	Term Months	Fully Bundled Fixed Price \$/dt	Basis Only \$/dt
6/1/2024-5/31/2025	12	[Redacted]	[Redacted]