**REQUEST FOR QUOTATION**

**Re-Bid of T# 2838 NJDOT Disadvantaged Business Enterprise Certification Program**

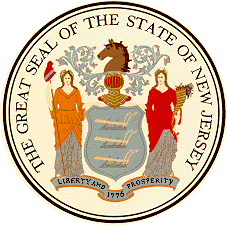
**STATE OF NEW JERSEY**

Honorable Philip D. Murphy, Governor

Honorable Sheila Y. Oliver, Lt. Governor

**DEPARTMENT OF TRANSPORTATION**

Francis K. O’Connor, Commissioner



**October 17th, 2024**

**Important Dates**

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| --- | --- |
| **Question Cut-Off:** | October 29th, 2024 @ 10:00 AM  Email: [dot-ems\_bid.procurement@dot.nj.gov](mailto:dot-ems_bid.procurement@dot.nj.gov) |
| **Answers to Bid Questions:** | Bidders are encouraged to monitor the NJDOT – EMS website daily for updates, changes and responses to questions through the submission due date.  <http://www.nj.gov/transportation/business/procurement/ems/current.shtm> |
| **Bid Opening:** | November 12th, 2024, 2024 @ 10:00 AM  Email: [dot-ems\_bid.procurement@dot.nj.gov](mailto:dot-ems_bid.procurement@dot.nj.gov)  Please identify the Project Name in the subject line of your e-mail. Quotes sent to any other e-mail address may result in the quote being rejected.  The quote must be submitted in PDF format. No other format will be accepted. |
| **Procurement Contact:** | Nikki Ghorbani  Email: [dot-ems\_bid.procurement@dot.nj.gov](mailto:dot-ems_bid.procurement@dot.nj.gov) |

**1.0 Purpose**

The purpose of this Request for Quotation is to solicit Quotes for a qualified consultant to increase the opportunities for minority and women-owned small businesses to participate in federally funded projects through a Disadvantaged Business Enterprise (DBE). Specifically, through certification, the DBE program will accomplish the following objectives:

* To ensure nondiscrimination in the award and administration of USDOT-assisted contracts in the Department’s highway, transit, and airport financial assistance programs;
* To create a level playing field on which Disadvantaged Business Enterprises (DBE) can compete fairly for USDOT-assisted contracts;
* To ensure the Department’s DBE program is narrowly tailored in accordance with applicable law;
* To ensure only firms that fully meet eligibility standards are permitted to participate as DBEs;
* To help remove barriers to the participation of DBEs in USDOT-assisted contracts;
* To assist the development of firms that can compete successfully in the marketplace outside the DBE program; and
* To provide appropriate flexibly to recipients of Federal financial assistance in establishing and providing opportunities for DBEs.

The intent of this Bid Solicitation is to award a Master Blanket Purchase Order (Blanket P.O.) to that responsible Vendor {Bidder} whose Quote, conforming to this Bid Solicitation is most advantageous to the State, price and other factors considered. The State may award any and all price lines. The State, however, reserves the right to separately procure individual requirements that are the subject of the Blanket P.O. during the Blanket P.O. term, when deemed by the Director of the Division of Purchase and Property (Director) to be in the State’s best interest.

The State of NJ Standard Terms and Conditions (SSTC) accompanying this Bid Solicitation will apply to all Blanket P.O.s made with the State of New Jersey. These terms are in addition to the terms and conditions set forth in this Bid Solicitation and should be read in conjunction with them unless the Bid Solicitation specifically indicates otherwise.

The United States Department of Transportation's (USDOT) Operating Administrations distribute substantial funds each year to finance construction projects initiated by state and local governments, and public transit and airport agencies. The Transportation Equity Act for the 21st Century (TEA-21), enacted June 9, 1998, authorized the Federal surface transportation programs for highways, highway safety, and transit for the six (6) year period 1998-2003. Section 1101(b) of the act (Disadvantaged Business Enterprises) states except to the extent that the Secretary determines otherwise, not less than 10% of the amounts made available for any program under Titles I, III, and V of this act shall be expended with small business concerns owned and controlled by socially and economically disadvantaged individuals. The Department's most recent update in the Infrastructure Investment and Jobs Act, [Pub. L. 117–58](https://www.govinfo.gov/link/plaw/117/public/58), November 15, 2021, 135 Stat. [429 (23 U.S.C. 101](https://www.govinfo.gov/content/pkg/USCODE-2020-title23/pdf/USCODE-2020-title23-chap1-sec101.pdf) note), Also known as the Bipartisan Infrastructure Law (BIL).  The Act describes Congress’s findings regarding the continued need for the DBE program due to the discrimination and related barriers that pose significant obstacles for minority and women-owned businesses seeking federally-assisted surface transportation work. Recipients of USDOT funds must develop and implement a DBE program that conforms to USDOT standards set forth in 49 CFR Part 26 (http://www.gpoaccess.gov/index.html).

The integrity of USDOT's Disadvantaged Business Enterprise program depends largely upon the establishment of systematic procedures to ensure that only bona fide small disadvantaged business firms are certified to participate in USDOT federally assisted programs. The USDOT Disadvantaged Business Enterprise Regulations 49 CFR Part 23 and 49 CFR Part 26 place primary responsibility for the certification process upon State Transportation Agencies, which are tasked with ensuring only bona fide, small firms, owned and controlled by a socially and economically disadvantaged individual(s) are certified.

The New Jersey Department of Transportation (NJDOT) has established a Disadvantaged Business Enterprise (DBE) Program in accordance with regulations of the USDOT, 49 CFR Part

26. The NJDOT has received federal financial assistance from the USDOT, and as a condition of receiving this assistance, the NJDOT has signed an assurance that it will comply with 49 CFR Part 26.

In general, to be eligible for the DBE program, persons must own 51% or more of a “small business”, establish that they are disadvantaged within the meaning of USDOT regulations, and prove they control their business. The following general guidelines were taken in part from the applicable regulation 49 CFR Part 26:

Eligibility Guidelines (in general):

* **Ownership:** Your business must be at least 51% owned by a socially and economically individual (s).
* **“Disadvantaged”:** You may be eligible if you are a member of a group of persons the Department considers as disadvantaged. The Department presumes certain groups are disadvantaged, including women, Black Americans, Hispanic Americans, Native Americans, Asian-Pacific Americans, Subcontinent Asian-Pacific Americans, or other minorities found to be disadvantaged by the U.S Small Business Administration (SBA). Persons who are not members of one of the above groups, and own and control their business, may also be eligible if they establish their "social" and "economic" disadvantage. The Department notes, for example, that people with disabilities have disproportionately low incomes and high rates of unemployment, and that many may be socially and economically disadvantaged. A determination of whether an individual with a disability meets DBE eligibility criteria is made on a case-by-case basis. More information on how social and economic disadvantage is determined can be found in Appendix E to 49 CFR Part 26. Link below.

[eCFR :: 49 CFR 26.67 -- Social and economic disadvantage.](https://www.ecfr.gov/current/title-49/subtitle-A/part-26/subpart-D/section-26.67)

* **Business Size Determination:** A firm (including its affiliates) must be a small business as defined by SBA standards. It must not have annual gross receipts over $30,720,000 million in the previous three (3) fiscal years. This threshold will be adjusted annually for inflation by the Secretary.
* **Personal Net Worth:** Only disadvantaged persons having a personal net worth (PNW) of less than $2,034,000 can be considered as a potential qualified DBE. Items excluded from a person's net worth calculation include an individual's ownership interest in the applicant firm, and his or her equity in their primary residence.
* **Independence:** The business must not be tied to another firm in such a way as to compromise its independence and control.
* **Control:** A SEDO must be the ultimate decision maker in fact, regardless of operational, policy, or delegation arrangements and must have an overall understanding of the business and its essential operations sufficient to make sound managerial decisions not primarily of an administrative nature.
* **Burden of Proof Allocation:** Applicants carry the initial burden of proof regarding their eligibility and must demonstrate that they meet all requirements concerning group membership or individual disadvantage, business size, ownership, and control.

**This is a reprocurement of the services provided under the TREASURY AWARDED T2838 - Disadvantaged Business Enterprise Certification: NJDOT term Blanket P.O., presently due to expire on 12/25/2024. Vendors {Bidders} interested and are cautioned that this new Bid Solicitation {RFP} addresses current requirements and will be Advertised and Awarded By NJDOT EMS Procurement solely. This IS NOT a Treasury Bidding Opportunity through NJSTART.**

**2.0 Contract Specific Definitions**

**Disadvantaged Business Enterprise (DBE)** - A for-profit small business concern: (1) That is at least 51 percent owned by one or more individuals who are both socially and economically disadvantaged or, in the case of a corporation, in which 51 percent of the stock is owned by one or more such individuals; and (2) Whose management and daily business operations are controlled by one or more of the socially and economically disadvantaged individuals who own it.

**New Jersey Unified Certification Program (NJUCP)** - A Disadvantaged Business Enterprise (DBE) Unified Certification Program (UCP) has been established in the State of New Jersey in accordance with Title 49 CFR Parts 23 & 26 of the Code of Federal Regulation. As part of the NJUCP, Certifying Partners will make certification decisions on behalf of all United States Department of Transportation (USDOT) recipients, sub recipients and grantees in New Jersey with respect to participation in the USDOT DBE Program.

**On-Site Review** **Report** – Form created by DOT that must be filled out immediately after on-site reviews.

**Personal Net Worth** - The net value of the assets of an individual remaining after total liabilities are deducted. An individual's personal net worth does not include: The individual's ownership interest in an applicant or participating DBE firm; or the individual's equity in his or her primary place of residence. An individual's personal net worth includes only his or her own share of assets held jointly or as community property with the individual's spouse.

**Primary Industry Classification** - The North American Industrial Classification System (NAICS) designation which best describes the primary business of a firm. The NAICS is described in the North American Industry Classification Manual—United States, which is available on the Internet at the U.S. Census Bureau Web site: http://www.census.gov/eos/www/naics/.

**Small Business Administration (SBA)** - The United States Small Business Administration.

**SBA Certified Firm** - A firm that has a current, valid certification from or recognized by the SBA under the 8(a) BD or SDB programs.

**Small Business Concern** - A small business concern as defined pursuant to section 3 of the Small Business Act and Small Business Administration regulations implementing it (13 CFR part

121) that also does not exceed the $23.98 million cap on average annual gross receipts specified in §26.65(b).

**Socially and Economically Disadvantaged Individual** - Any individual who is a citizen (or lawfully admitted permanent resident) of the United States and who is:

1. Any individual who the New Jersey Department of Transportation finds to be a socially and economically disadvantaged individual on a case-by-case basis.
2. Any individual in the following groups, members of which are rebuttably presumed to be socially and economically disadvantaged:
3. Black Americans - which includes persons having origins in any of the Black racial groups of Africa;
4. Hispanic Americans - which includes persons of Mexican, Puerto Rican, Cuban, Dominican, Central or South American, or other Spanish or Portuguese culture or origin, regardless of race;
5. “Native Americans,” which includes persons who are enrolled members of a federally or State recognized Indian tribe, Alaska Natives, or Native Hawaiians;
6. “Asian-Pacific Americans,” which includes persons whose origins are from Japan, China, Taiwan, Korea, Burma (Myanmar), Vietnam, Laos, Cambodia (Kampuchea), Thailand, Malaysia, Indonesia, the Philippines, Brunei, Samoa, Guam, the U.S. Trust Territories of the Pacific Islands (Republic of Palau), Republic of the Northern Marianas Islands, Samoa, Macao, Fiji, Tonga, Kiribati, Tuvalu, Nauru, Federated States of Micronesia, or Hong Kong;
7. “Subcontinent Asian Americans,” which includes persons whose origins are from India, Pakistan, Bangladesh, Bhutan, the Maldives Islands, Nepal or Sri Lanka;
8. Women; and
9. Any additional groups whose members are designated as socially and economically disadvantaged by the SBA, at such time as the SBA designation becomes effective.
10. Being born in a particular country does not, standing alone, mean that a person is necessarily a member of one of the groups listed in this definition.

3.0 **SCOPE OF WORK**

Pursuant to 49 CFR 26 Subparts D and E, the Vendor {Contractor} shall review new DBE applications and make recommendations regarding the applicant firm’s eligibility to participate in the DBE Program. The DBE Certification Review Process shall include a desk audit of the applicant firm; an onsite review; and the preparation of a Certification Recommendation Report. The DBE Certification Review Process shall be completed within ninety (90) days of receiving all information required from the applicant firm under this section.

3.1 **DESK AUDIT**

The Vendor {Contractor} shall conduct a desk audit of the applicant firm in accordance with 49 CFR 26.28(c). The purpose of the desk audit is to:

1. Identify all individuals or holding companies with any ownership interest in the applicant firm;
2. Verify economic and social disadvantage;
3. Ensure that all required support documentation has been submitted;
4. Determine if additional information will be requested and;
5. Determine if applicant has active operations.

### DESK AUDIT PROCEDURE

### APPLICATION

The Vendor {Contractor} shall organize and assemble the application and supporting documentation. (Refer to the Supporting Documents Checklist form attached to the Uniform Certification Application). The Vendor {Contractor} shall process all application within ninety (90) days of receipt of the completed application. An application shall be considered complete when it contains all required supporting documentation.

#### APPLICATION PACKAGE REVIEW

The Vender {Contractor} shall review the application package to determine whether all required support documentation has been submitted, and to determine if additional information is required. The Vendor {Contractor} shall ensure that any requested documentation/information is actually relevant to the certification review.

#### ADDITIONAL INFORMATION

If additional information is required, the Vender {Contractor} shall request through online portal or prepare an initial letter to the applicant firm requesting additional information. The letter shall include a due date for submission of the additional information and advise the applicant firm that failure to respond may result in the rejection of their application. The applicant firm shall have fifteen (15) days from the date of the request to supply the additional information.

The Vendor {Contractor} shall monitor the timely receipt of the requested information. Upon receipt of the additional information, the contractor shall review it and make a determination as to the completeness of the certification file.

If the applicant firm fails to submit the additional information by the requested due date, the Vendor {Contractor} shall request through online portal or prepare and send a final request letter informing the firm that failure to respond within fifteen (15) days of the date of the request will result in the application being rejected.

#### DESK AUDIT REPORT

The Vendor {Contractor} shall complete a Desk Audit Report. The Desk Audit Report shall become part of the certification file and incorporated accordingly. After the consultant has received the required documents listed on the Uniform Certification Application Supporting Documents Checklist, the consultant shall send the documents and a completed Desk Audit Report to the State Contract Manager for approval of application completeness and suitability.

## ON-SITE REVIEW

After approval of the Desk Audit Report, the Vendor {Contractor} shall conduct an on-site review of the applicant firm in accordance with 49 CFR 26.83(c)(1). The purpose of the on-site review is to:

1. Verify the firm’s locations, personnel and operations;
2. Substantiate information/documentation contained in the applicant file;
3. Review business and financial records; and
4. Provide photographs of the firm’s equipment and/or warehouse.

### PRIOR TO ON-SITE REVIEW

The Vendor {Contractor} shall schedule an on-site review with the applicant firm at a time that is mutually convenient, confirm the date and time of the meeting. The Vendor {Contractor} shall complete the Desk Audit and the Desk Audit Report prior to scheduling the on-site review. The Vendor {Contractor} shall advise the applicant firm, in writing, that failure to participate in an on-site review will be considered failure to cooperate, and a reason for denial of DBE certification. The Vendor {Contractor} shall schedule the on-site review at the firm’s principal place of business. Additionally, the Vendor {Contractor} shall also perform an on-site review at a job site, if job site is available. The Vendor {Contractor} would only evaluate firms within the State of NJ.

When scheduling an on-site review, the Vendor {Contractor} shall advise the applicant firm’s owners, or their designee, in writing as to which records will be required for review. If information is located at several different locations, the Vendor {Contractor} shall advise the applicant firm’s owners to have all necessary information available at the on-site review.

### ON-SITE REVIEW FILING

The Vendor {Contractor} shall ensure that the on-site review report be part of the certification file and incorporated accordingly. The on-site review form shall be completed after the Vendor {Contractor} completes the Desk Audit and prior to completing the Recommendation Report.

## RECOMMENDATION REPORT

The Vendor {Contractor} shall prepare a Certification Recommendation Report. This report is the final product of all information which has been reviewed, and is an evaluation of the applicant firm’s compliance with the certification eligibility standards set forth in the regulations. The written Certification Recommendation Report shall be sufficiently comprehensive to persuade an objective party of the merits of the recommendation. Also, the report shall specifically address the following issues:

1. Ownership;
2. Control;
3. Independence;
4. “Disadvantaged” status;
5. Business size;
6. North American Industry Classification System (NAICS) codes; and
7. Personal net worth.

After the Vendor {Contractor} has received the required documents listed on the Supporting Documents Checklist, conducted the on-site review, Desk Audit and reviewed the file; the Vendor {Contractor} shall send a hard copy of the documents and Certification Recommendation report to the State Contract Manager.

## ON-SITE REVIEW UPDATE

Pursuant to 49 CFR 26.83(h), the Vendor {Contractor} shall conduct an on-site review update on a currently certified firm, four (4) years from the date of the firm’s most recent certification, or sooner if appropriate in light of changed circumstances, a complaint, or other information concerning the firm’s eligibility. Changes in circumstances shall include, but not be limited to, any changes affecting the firm’s ability to meet size; “disadvantaged” status; ownership; or control requirements of 49 CFR 26 Subparts D and E, or any material change in the information provided in the DBE application form.

The Vendor {Contractor} shall ensure that the On-Site Review Update Report is made a part of the DBE firm’s file and incorporated accordingly.

## LITIGATION SUPPORT

The Vendor {Contractor} shall provide expert testimony regarding any litigation resulting from work done as part of this Blanket P.O. {Contract} when requested by the New Jersey Unified Certification Program (NJUCP) Hearing Board except when the Vendor’s {Contractor’s} work is the subject of the lawsuit. The Board will consist of at least one member from each of the three agency partners, NJ Department of Transportation, NJ Transit, and The Port Authority of NY/NJ. Expert testimony support shall be provided at the awarded all-inclusive hourly rates and by the labor titles listed below:

**Supervising Auditor** - Oversees audit staff during audits and control consulting engagements that evaluate corporate management and operating practices. Oversees audit planning, field work, and audit reporting; prepares reports, and communicates findings and recommendations to line and senior management.

**Auditor** - Ensures compliance with established internal control procedures by examining records, reports, operating practices, and documentation. Verifies assets and liabilities by comparing items to documentation. Completes **audit** work papers by documenting **audit** tests and findings.

**Clerical Support** - Provides general office support that assists in the functioning of a company. They might work directly under an administrative assistant and be assigned basic tasks, such as filing or answering phones.

**Litigation Support Professional** - Assists attorneys in managing large-scale litigation. They design and implement databases for managing, sorting, indexing, abstracting and coordinating the large volumes of data produced in major litigation, particularly in preparation for trial.

**4.0 Quote Content**

A quotation must arrive at NJDOT in accordance with this RFQ, within the time frame indicated to the e-mail address noted in this RFQ. The quote should be submitted in two (2) sections with the content of each as indicated below.

1. Section 1 – Forms

The Vendor must submit all the forms listed on the checklist. The checklist and required forms can be found at the following link: <https://www.state.nj.us/treasury/purchase/forms/Waiver%20and%20DPA%20Contract%20Checklist.pdf>.

**All required DPA forms should be completed and submitted in their entirety with your bid.  Failure to submit the required DPA Forms may result in your bid being rejected.**

NOTE: The Vendor must be registered in NJSTART to qualify for an award. NJSTART registration link as follows: <https://www.njstart.gov/bso/>

1. Section 2 – Quote and Price
2. **TECHNICAL QUOTE**

In this section, the Vendor {Bidder} shall describe its approach and plans for accomplishing the work outlined in the Scope of Work section, i.e., Section 3.0. The Vendor {Bidder} must set forth its understanding of the requirements of this Bid Solicitation and its approach to successfully complete the Blanket P.O. The Vendor {Bidder} should include the level of detail it determines necessary to assist the evaluation committee in its review of the Vendor’s {Bidder’s} Quote.

1. **MANAGEMENT OVERVIEW**

The Vendor {Bidder} shall set forth its overall technical approach and plans to meet the requirements of the Bid Solicitation in a narrative format. This narrative should demonstrate to the State that the Vendor {Bidder} understands the objectives that the Blanket P.O. is intended to meet, the nature of the required work, and the level of effort necessary to successfully complete the Blanket P.O. This narrative should demonstrate to the State that the Vendor’s {Bidder’s} general approach and plans to undertake and complete the Blanket P.O. are appropriate to the tasks and subtasks involved.

Mere reiterations of Bid Solicitation tasks and subtasks are strongly discouraged, as they do not provide insight into the Vendor’s {Bidder’s} approach to complete the Blanket P.O. The Vendor’s {Bidder’s} response to this section should be designed to demonstrate to the State that the Vendor’s {Bidder’s} detailed plans and approach proposed to complete the Scope of Work are realistic, attainable and appropriate and that the Vendor’s {Bidder’s} Quote will lead to successful Blanket P.O. completion.

1. **BLANKET P.O. MANAGEMENT**

The Vendor {Bidder} should describe its specific plans to manage, control and supervise the Blanket P.O. to ensure satisfactory Blanket P.O. completion according to the required schedule. The plan should include the Vendor’s {Bidder’s} approach to communicate with the State Contract Manager including, but not limited to, status meetings, status reports, etc.

The quote must be submitted in PDF format. No other format will be accepted.

1. **PRICE SHEET**

The Vendor {Bidder} must submit its pricing using the State-Supplied Price Sheet accompanying this Bid Solicitation.

1. **PRICE SHEET INSTRUCTIONS**

The bidder must submit its pricing using the format set forth in the State-supplied price sheet/schedule(s) accompanying this RFP. Failure to submit all information required will result in the proposal being considered non-responsive. Each bidder is required to hold its prices firm through issuance of contract.

The Vendor {Bidder} shall provide Year 1, Year 2, Year 3, and Year 4 pricing in the yellow highlighted cells. The rest will be automatically calculated. The pricing for DBE Certification Tasks – Litigation Support will not be included in the proposal price.

**5.0 Negotiation and best and final offer (BAFO)**

After evaluating the quote, NJDOT may establish a competitive range and enter into negotiations with one (1) Bidder or multiple Bidders within this competitive range. The primary purpose of negotiations is to maximize the State’s ability to obtain the best value based on the mandatory requirements, evaluation criteria, and cost. Multiple rounds of negotiations may be conducted with one (1) Bidder or multiple Bidders. Negotiations will be structured by NJDOT to safeguard information and ensure that all Bidders are treated fairly.

Negotiations will be conducted only in those circumstances where they are deemed by NJDOT to be in the State’s best interests and to maximize the State’s ability to get the best value. Therefore, the Bidder is advised to submit its best price quote in response to this solicitation since NJDOT may, after evaluation, make an award based on the content of the initial submission, without further negotiation and/or Best and Final Offer (BAFO), with any Bidder.

**10.0 Award**

1. Award of this contract will be based upon the lowest responsible bid and other factors considered
   1. The other factors considered are the following evaluation criteria categories, not necessarily listed in order of significance, which will be used to evaluate Quotes received in response to this Bid Solicitation. The evaluation criteria categories may be used to develop more detailed evaluation criteria to be used in the evaluation process.
   2. Each criterion will be scored and each score multiplied by a predetermined weight to develop the Technical Evaluation Score.
      1. Personnel: The qualifications and experience of the Vendor’s {Bidder’s} management, supervisory, and key personnel assigned to the Blanket P.O., including the candidates recommended for each of the positions/roles required;
      2. Experience of firm: The Vendor’s {Bidder’s} documented experience in successfully completing Blanket P.O. of a similar size and scope in relation to the work required by this Bid Solicitation; and
      3. Ability of firm to complete the Scope of Work based on its Technical Quote:  The Vendor’s {Bidder’s} demonstration in the Quote that the Vendor {Bidder} understands the requirements of the Scope of Work and presents an approach that would permit successful performance of the technical requirements of the Blanket P.O.
2. The New Jersey Department of Transportation (NJDOT) reserves the right to reject all bids.
3. NJDOT reserves the right to award this project in whole, in part or not make an award.

1. Awarded Contractors, along with their proposal amount will be posted on the NJDOT, Equipment Materials & Supplies, Awarded Projects’ webpage.
2. Award of this contract shall not be interpreted to mean approval to proceed until an authorized purchase order is issued to the contractor.
3. The award of this contract is based on the yearly cost. If the cost of a year exceeds the delegated purchasing authority, NJDOT reserves the right to re-advertise and subsequently re-award a new contract.

**11.0 Additional Notices & Requirements**

1. **DIANE B. ALLEN EQUAL PAY ACT**

Pursuant to N.J.S.A. 34:11-56.14(b), any employer, regardless of the location of the employer, who enters into a contract with a public body to perform any public work for the public body shall provide to the Commissioner of the New Jersey Department of Labor and Workforce Development, through certified payroll records required pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.), information regarding the gender, race, job title, occupational category, and rate of total compensation of every employee of the employer employed in the State in connection with the contract. The employer shall provide the commissioner, throughout the duration of the contract or contracts, with an update to the information whenever payroll records are required to be submitted pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.).

Information regarding the Diane B. Allen Equal Pay Act and its requirements may be obtained from the New Jersey Department of Labor and Workforce Development (LWD) web site at: <https://nj.gov/labor/equalpay/equalpay.html>

LWD forms may be obtained from the online web site at: <https://nj.gov/labor/forms_pdfs/equalpayact/MW-562withoutfein.pdf>

1. NJDOT is required to comply with P.L. 2012, c. 4, which requires all agencies to encourage awarded contractors to notify their employees of organ and tissue donation options.

“Organ and Tissue Donation: As defined in section 2 of P.L. 2012, c. 4 (N.J.S.A. 52:32-33), contractors are encouraged to notify their employees, through information and materials or through an organ and tissue awareness program, of organ donation options. The information provided to employees shall be prepared in collaboration with the organ procurement organizations designated pursuant to 42 U.S.C. §1320b-8 to serve in this State.”

1. **ANTI-DISCRIMINATION**

All parties to any contract with the State agree not to discriminate in employment and agree to abide by all anti-discrimination laws including those contained within N.J.S.A. 10:2-1 through N.J.S.A. 10:2-4, N.J.S.A. 10:5-1 et seq. and N.J.S.A. 10:5-31 through 10:5-38, and all rules and regulations issued thereunder are hereby incorporated by reference.

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.