

2. "MBE/WBE/SBE Participation Report," to be filed with the Authority by the 10th day of each month in the form incorporated herein by reference as subchapter Appendix 2.

19:32-5.13 Sanctions on school facilities projects

(a) The performance evaluation of a contractor shall be negatively affected by noncompliance with the hiring and subcontracting requirements set forth in its contract with the Authority and in this subchapter.

(b) The evaluation of proposals submitted by a consultant shall be negatively affected by the consultant's noncompliance with the subcontracting requirements set forth in prior contracts with the Authority and this subchapter.

(c) Because the Authority cannot and will not pay for contractual services that are not performed or contractual obligations that are not met, the Authority shall reduce the contractor's or consultant's compensation by a maximum of one and a half percent of the contract price if the contractor or consultant does not fully satisfy the subcontracting requirements set forth in the contract. This reduction in the contract price may be effectuated either by the withholding of all or part of future payments to the contractor or consultant or by a reduction in the amount of retainage otherwise due for release to the contractor or consultant upon contract.

19:32-5.14 Consultant and contractor training

(a) The Authority may fund and provide training for MBE, WBE and SBE consultants and contractors, to enhance their ability to compete for awards of projects and bids on school facilities projects.

(b) Consultants and contractors that graduate from the Authority's training program described in this section shall

be eligible for additional support services which the Authority may develop through the New Jersey Development Authority or other similar State agency*. These services may include, but are not limited to:

1. A mentoring assistance program;
2. A performance bond and financial guarantee program; and
3. A School Capital Access Program ("SCAP") for mobilization and working capital for the benefit of classified companies that:
 - i. Seek school facilities project contracts; and
 - ii. Meet the financial evaluation criteria of the Authority's financing programs, set forth at N.J.A.C. 19:31-3.4.

19:32-5.15 Prompt payment of subcontractors

Contractors and consultants shall comply with the provisions of N.J.S.A. 52:32-40 and 52:32-41, concerning the prompt payment of subcontractors.

19:32-5.16 Assessment of data from school facilities projects

The Authority shall utilize the data obtained from the reporting and data collection system to perform assessments of the overall status of the program. These assessments shall evaluate the extent to which overall goals have been met and shall register the impact of the programs.

19:32-5.17 Additional representations

The Authority may require consultants and contractors to make such additional representations to the Authority and to enter into such covenants and agreements with the Authority as are necessary to carry out the purposes of this subchapter.

APPENDIX 1

NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY

The information below must be provided pursuant to N.J.A.C. 19:30-3.4.

The completed original of this form MUST BE RETURNED ON A WEEKLY BASIS WITHIN TEN (10) DAYS OF THE PAYMENT OF WAGES TO:

NJ Economic Development Authority
Division of School Construction
36 West State Street, P.O. Box 990
Trenton, NJ 08625

Please circle one: Construction Manager Contractor Subcontractor

Name: _____

Address: _____ PO Box _____

City: _____ State: _____ Zip: _____

Phone: _____

Fax: _____

PROJECT INFORMATION

NJEDA PROJECT NUMBER: _____

PROJECT NAME: _____

PROJECT LOCATION: _____

SCHOOL DIST: _____ COUNTY: _____

PAYROLL WEEK ENDING DATE: _____

PLEASE NOTE: Self-employed contractors MUST report hours worked and wages paid.

PLEASE NOTE: Self-employed contractors must file this form with the IRS.															DEDUCTIONS							NET
Social Security Number	Name	Trade	Race	Sex	HOURS WORKED EACH DAY							TOTAL HOURS	HOURLY RATE	GROSS PAY	FICA	FED TAX	STATE TAX	SUI/ DISAB.	OTHER DEDUCT	TOTAL DEDUCT	PAY	
					SUN	MON	TUE	WED	THUR	FRI	SAT											
City, State, Zip	Address																					
1	SSN																					
	Name																					
	Address																					
	City																					
	State																					
	Zip Code																					
2	SSN																					
	Name																					
	Address																					
	City																					
	State																					
	Zip Code																					
3	SSN																					
	Name																					
	Address																					
	City																					
	State																					
	Zip Code																					
4	SSN																					
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	Address																					
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	State																					
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5	SSN																					
	Name																					
	Address																					
	City																					
	State																					
	Zip Code																					
6	SSN																					
	Name																					
	Address																					
	City																					
	State																					
	Zip Code																					

MINORITY BUSINESS ENTERPRISE/WOMEN BUSINESS ENTERPRISE/SMALL BUSINESS ENTERPRISE - PARTICIPATION REPORT

TO:

TOTAL

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THIS PAGE MUST BE ACCOMPANIED BY AN EXECUTED PAGE 1. YOU MAY COPY THIS PAGE AS NEEDED.

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in Section 4(C) below.

THE FALSIFICATION OF ANY OF THE ABOVE STATEMENT MAY SUBJECT THE CONTRACTOR OR THE SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION. N.J.S.A. 34:11-56.25 ET SEQ. AND N.J.A.C. 12:60 ET SEQ. AND N.J.S.A. 34:11-4.1 ET SEQ.

(Rev. 2/01)