



**STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY**

**33 WEST STATE STREET, P.O. BOX 230
TRENTON, NEW JERSEY 08625-0230**

SUBCONTRACTOR UTILIZATION PLAN INFORMATION

Subcontractor Utilization Plan Form

Any Vendor/Bidder intending to subcontract must complete the Subcontractor Utilization Plan. Vendors/Bidders are instructed to list all proposed subcontractors on the Plan. See attached form. Pursuant to N.J.S.A. 52:32-44, all subcontractors must have a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services and a copy of the registration certificate should be attached to this form.

Procedures for Small Business Subcontracting Set-Aside Contracts

If the RFP indicates there is a Small Business Subcontracting Set-Aside requirement for this contract and the Vendor/Bidder intends to utilize any subcontractors during the course of the contract(s) to be awarded as a result of this Bid Solicitation/Request for Proposal (RFP), the Vendor/Bidder will include small-business subcontracting targets pursuant to N.J.A.C. 17:13-4 and Executive Order 71. Each bidder is required to make a good faith effort to meet the set-aside subcontracting targets of awarding a total of twenty-five percent (25%) of the value of the contract to New Jersey-based, Division of Revenue - Small Business Enterprise Unit registered small businesses, with a minimum of five (5) percent awarded to each of the three categories set forth below, and the balance of ten (10) percent spread across the three categories.

Definitions

"Small Business" means a business that:

1. is independently owned and operated;
2. is incorporated or registered in and has its principal place of business located in the State of New Jersey;
3. has 100 or fewer full-time employees; and
4. has gross revenues falling in one of the following three categories:
 - a. 0 to \$500,000 (Category I);
 - b. \$500,001 to \$5,000,000 (Category II);
 - c. \$5,000,001 to \$12,000,000, or the applicable federal revenue standards established at 13 CFR 121.201, whichever is higher (Category III);

"Division of Revenue - Small Business Enterprise Unit Registered Small Business" means a small business that meets the New Jersey requirements and definitions of "small business" and has applied for and been approved by the Division of Revenue - Small Business Enterprise Unit as a small business.

**Suggested Procedure to Demonstrate a Good Faith Effort on
Small-Business Subcontracting Set-Aside Contracts**

If the RFP contains small-business subcontracting set-aside goals and a bidder intends to subcontract, the following actions should be taken to achieve the set-aside subcontracting goal requirements:

1. Attempt to locate eligible small businesses in Categories I, II and III appropriate to the RFP;
2. Request a listing of small businesses by Category from the Division of Revenue and Enterprise Services;
3. Record efforts to locate eligible businesses, including the names of businesses contacted and the means and results of such contacts;
4. Provide all potential subcontractors with detailed information regarding the specifications;
5. Attempt, whenever possible, to negotiate prices with potential subcontractors submitting higher than acceptable price quotes;
6. Obtain, in writing, the consent of any proposed subcontractor to use its name in response to the RFP; and,
7. Maintain adequate records documenting efforts to achieve the set-aside subcontracting goals.

Proposals should also contain the following items with the Plan, as applicable:

1. A copy of the Division of Revenue - Small Business Enterprise Unit Registered Small Business proof of registration as a small business for any business proposed as a subcontractor; and,
2. Documentation of the Vendor's/Bidder's good faith effort to meet the targets of the set-aside subcontracting requirements. The document(s) should contain sufficient detail to permit the Bid Review Unit of the Division of Purchase and Property to effectively assess the bidder's efforts to comply if the bidder has failed to attain the statutory goals.

If awarded the contract, the Vendor/Bidder shall notify each subcontractor listed in the Plan, in writing.

NOTE THAT A VENDOR'S/BIDDER'S FAILURE TO SATISFY THE SMALL-BUSINESS SUBCONTRACTING TARGETS OR PROVIDE SUFFICIENT DOCUMENTATION OF ITS GOOD FAITH EFFORTS TO MEET THE TARGETS WITH THE PROPOSAL OR WITHIN SEVEN (7) BUSINESS DAYS UPON REQUEST SHALL PRECLUDE AWARD OF A CONTRACT TO THE VENDOR/BIDDER.

Vendors/Bidders seeking eligible Small Businesses should contact:

New Jersey Division of Revenue and Enterprise Services- Small Business Enterprise Unit
33 West State Street - Fifth Floor
PO Box 026
Trenton, NJ 08625-0026
Telephone: (609) 292-2146
Fax: (609) 984-6679

Each Vendor/Bidder awarded a contract for a procurement which contains the set-aside subcontracting goal requirement shall fully cooperate in any studies or surveys which may be conducted by the State to determine the extent of the bidder's compliance with N.J.A.C. 17:13-1.1 et seq., and this Notice to All Vendors/Bidders.



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SUBCONTRACTOR UTILIZATION PLAN FORM

BID SOLICITATION #: _____

BID SOLICITATION TITLE: _____

VENDOR/BIDDER NAME: _____

VENDOR/BIDDER ADDRESS: _____

VENDOR/BIDDER PHONE NUMBER: _____

VENDOR/BIDDER EMAIL: _____

INSTRUCTIONS: List all businesses to be used as subcontractors.

SUBCONTRACTOR'S NAME: _____

SUBCONTRACTOR IS A SMALL BUSINESS:

YES

NO

IF YES, SMALL BUSINESS CATEGORY*:

I

II

III

SUBCONTRACTOR'S ADDRESS: _____

SUBCONTRACTOR PHONE NUMBER: _____

SUBCONTRACTOR EMAIL: _____

SUBCONTRACTOR FEIN: _____

TYPE(S) OF SERVICE(S) TO BE PROVIDED: _____

ESTIMATED VALUE OF SUBCONTRACT: _____

SUBCONTRACTOR'S NAME: _____

SUBCONTRACTOR IS A SMALL BUSINESS:

YES

NO

IF YES, SMALL BUSINESS CATEGORY*:

I

II

III

SUBCONTRACTOR'S ADDRESS: _____

SUBCONTRACTOR PHONE NUMBER: _____

SUBCONTRACTOR EMAIL: EMAIL: _____

SUBCONTRACTOR FEIN: _____

TYPE(S) OF SERVICE(S) TO BE PROVIDED: _____

ESTIMATED VALUE OF SUBCONTRACT: _____

Attach Additional Sheets If Necessary

* For those Vendors/Bidders listing Small Business Subcontractors: Attach copies of Division of Revenue - Small Business Enterprise Unit registration for each subcontractor listed. If Vendor/Bidder has not achieved established subcontracting set-aside goals, also attach documentation of good faith effort to do so in the relevant category in accordance with N.J.A.C. 17:13-4 and the Notice to All Vendors/Bidders.

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I hereby certify that this Subcontractor Utilization Plan (Plan) is being submitted in good faith. I certify that each subcontractor has been notified that it has been listed on this Plan and that each subcontractor has consented, in writing, to its name being submitted for this contract. Additionally, I certify that I shall notify each subcontractor listed on the Plan, in writing, if the award is granted to my firm, and I shall make all documentation available to the Division of Purchase and Property upon request. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; 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 am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title