

Attachment – Affidavit of Apparel

AFFIDAVIT OF APPAREL PRODUCTION

STATE OF _____

COUNTY OF _____

I, _____, the _____
(Name) (President, Vice President, Owner/Partner)

of _____ (hereinafter “Bidder”) being first duly
(Bidder)

sworn, deposes and says:

1. I am authorized to act on behalf of the Bidder. I am personally acquainted with the operations of the Bidder, and have full knowledge of the factual basis comprising the contents of this Affidavit of Apparel Production (hereinafter “Affidavit”). The contents of this Affidavit are true to the best of my knowledge.
2. The Bidder submits this Affidavit as part of a bid proposal in response to a Request for Proposal issued by the Division of Purchase and Property, Department of the Treasury, State of New Jersey, as required by N.J.S.A. 34:6-158 et seq.
3. The following is a list of every location where apparel production will take place, including any subcontractor locations:
4. The following are the names, titles, and business addresses of the principal officers of each Subcontractor to be used for apparel production in fulfillment of the apparel contract:
5. All apparel production will be performed in the United States.
 - ☐ Yes
 - ☐ No

6. When purchasing or otherwise obtaining apparel from a vendor, including approving a vendor for participation in allowance or voucher programs, a public body shall require that all apparel production is in compliance with each of the following requirements, except in the case of a requirement that is adjudicated to be unenforceable because of preemption by federal law:
 - a. All apparel production under the contract shall be performed in the United States, except in cases in which the commissioner determines that it is not possible for the public body to obtain apparel produced in the United States which meets the necessary requirements of the public body;
 - b. Apparel production workers employed to produce the apparel shall be provided a work environment that is safe, healthy, and free of discrimination on the basis of race, national origin, religion, sex and sexual preference;
 - c. Apparel production workers employed to produce the apparel shall be provided non-poverty compensation at an hourly rate determined by the commissioner to be not less than the poverty line for a family of three, based on 40 hours of work a week for 50 weeks a year;
 - d. Apparel production workers employed to produce the apparel shall not be terminated except for just-cause and vendors and their contractors and sub-contractors shall provide a mechanism to resolve all disputes with apparel production workers;
 - e. Vendors and their contractors and sub-contractors shall adapt a neutrality position with respect to attempts to organize by their employees, and agree to voluntarily recognize a union when a majority of workers have signed cards authorizing union representation;
 - f. The facilities where the apparel production occurs shall be open to inspection by the commissioner, the board, or any political subdivision of this State, any other state or other governmental or intergovernmental unit with which the commissioner or the board cooperates or by any appropriate consortia in which the board or the commissioner participates pursuant to section 5 of this act; and
 - g. No contractor or sub-contractor involved in the providing or production of apparel has a pattern or practice of violation of legal employment protections, including laws and regulations governing wages and hours, discrimination, occupational safety and health, child labor, industrial homework, workers' compensation, and occupational safety and health.
7. Any changes to the information set forth in this Affidavit during the term of any awarded apparel contract must be immediately reported by Bidder to the Director, Division of Purchase and Property.
8. I understand that, if it is determined that the Bidder has violated N.J.S.A. 34:6-158 et seq., including any finding of a failure to provide truthful information within this Affidavit, the Director, Division of Purchase and Property, in conjunction with the Commissioner of the Department of Labor, may:
 - a. Reject the bid or rescind any contract awarded.

- b. Terminate this contract at the earliest feasible date.
 - c. Bar the Bidder from receiving pending or subsequent apparel contracts, unless preempted by federal law.
9. This Affidavit is submitted to the Division of Purchase and Property in order to induce the Division of Purchase and Property to accept a bid proposal, with knowledge that the Division of Purchase and Property relies upon the truth of the statements contained herein.

[Bidder]

By _____
[Name]
[Title]

SWORN AND SUBSCRIBED
TO BEFORE ME THIS

____ DAY OF _____, 20

NOTARY PUBLIC