

NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF EQUAL OPPORTUNITY AND PUBLIC CONTRACT ASSISTANCE

BIDDING & CONTRACT REQUIREMENTS, SPECIFICATIONS TO COMPLY WITH  
SED REGULATIONS

I. ADVERTISEMENT

Advertisements for bids shall include a statement to the effect that the project or contract is funded in part by New Jersey Environmental Infrastructure Trust and the successful bidder must comply with all the provision of N.J.A.C. 7:22-9.1 et seq. for the participation of small business enterprises owned and controlled by socially and economically disadvantaged individuals (SEDs).

Advertisements must contain the following language, Pursuant to N.J.A.C. 10:5-33: "Bidders are required to comply with the requirements of P.L. 1975,c.127."

Special requirements of contractors to comply with the Project Plan developed by the project sponsor fulfilling SED utilization must be stated.

II. INSTRUCTION TO BIDDERS

"Small Business Concerns Owned and Controlled by Socially and Economically Disadvantaged Individuals (SEDs)"

This section shall briefly state the projects sponsor's requirement to comply with N.J.A.C. 7:22-3.17(a)24 and 7:22-4.17(a), or 7:22-6.17(a)24, which require that no less than 10 percent of the total amount of all contracts related to the project shall be awarded to SEDs. Note: where a project sponsor has a SED participation goal which exceeds 10 percent, the project sponsor's goal shall take precedence.

### III. GENERAL CONDITIONS

Contractor's Responsibility – This section must include a statement that a Contractor's plan to meet SED Utilization Requirements shall be submitted by the successful bidder within 30 days of contract award. The Contractor's Plan will include statements of how the SED participation requirement shall be achieved over the duration of the project. Additional guidance on implementation of SED Requirements are contained in the Supplementary Conditions.

Owner's Responsibility – This section must include the statements outlining all special requirements imposed by the project sponsor on the contractor to fulfill the SED Utilization Requirement. The Project Plan developed by the project sponsor must be restated in this section.

### IV. SUPPLEMENTARY CONDITIONS

The SED Requirements N.J.A.C. 7:22-9 et seq. must appear verbatim(see attachment)

Copies of Forms OEO-002 and OEO-003 shall be included.