

EXHIBIT A



Integrated Lightning Prediction and Warning System

TOWNSHIP OF WEST ORANGE
ESSEX COUNTY, NEW JERSEY

10

Request for Bids

One (1) lighting prediction and warning system for Stagg Field and Rock Spring Golf Club

Bid Submission Date:
Thursday, September 15, 2022

11:00 A.M.
Prevailing Time



TOWNSHIP OF WEST ORANGE * 66 MAIN STREET * WEST ORANGE, NJ 07052
(973) 325-4056

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ADVERTISEMENT

NOTICE TO BIDDERS

The Township of West Orange, County of Essex, State of New Jersey is seeking bids from companies for the following goods and/or services:

Lighting prediction and warning system for Stagg Field and Rock Spring Golf Club

Bid forms may be obtained in person at the Township of West Orange, 66 Main Street, Purchasing Room 111, West Orange, NJ 07052, during regular business hours, 8:30 a.m. to 4:30 p.m. M-F, online at www.westorange.org, or a request can be emailed to: preynolds@westorange.org.

Sealed proposals, clearly marked with the title and name and address of party making same, addressed to the Township of West Orange, Attn: Purchasing Dept. will be received by mail, or hand delivery, at the Municipal Building, 66 Main Street, West Orange, NJ 07052 by **Thursday September 15, 2022 at 11:00 a.m.** and will be publicly opened and read at that time in the Council Chambers on the same day. No bids received after that time will be considered.

Bidders are required to comply with the Affirmative Action pursuant to N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.3 and NJ Business Registration Certification pursuant to P.L. 2004 c.57. The Township Council reserves the right to reject any or all proposals submitted and also to increase or diminish any or all of the quantities which in their judgment be necessary.

Panayiota Reynolds
Purchasing Agent

GENERAL INSTRUCTIONS TO BIDDERS

1. The Township of West Orange reserves the right to reject any or all bids, or to waive any informalities in the bids, and unless otherwise specified by the bidder, to accept any item in the bid, should it be deemed in the best interest of the Township of West Orange to do so.
2. In case of default by the bidder or contractor, the Township of West Orange may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.
3. The bidder, if awarded a contract, agrees to protect, defend and save harmless the Township of West Orange against any damage for payment for the use of any patented material process, article or devise that may enter into manufacture, construction, or form a part of the work covered by either order or contract, and the bidder further agrees to indemnify and save harmless the Township of West Orange from suits or actions of every nature and description brought against it, for, or on account of any injuries or damages received or sustained by any party or parties by, or from any of the acts of the contractor, his servants or agents.
4. The contractor shall maintain sufficient insurance to protect against all claims under Workers Compensation, General Liability and Automobile and shall be subject to approval for adequacy of protection and certificates of such insurance shall be provided to the Township of West Orange when required.
5. It is to be understood by the bidder that this bid is submitted on the basis of specifications prepared by the Township of West Orange and the fact that any bidder is not familiar with these specifications or conditions will not be accepted as an excuse.
6. Each bid must be signed in ink by the person authorized to do so.
7. Bidders must use the proposal form furnished by the Township of West Orange when submitting their bid, if applicable.
8. Non-Collusion Affidavit must be completed and included with bid.
9. Insert prices for furnishing all of the material and/or labor described or required. Prices shall be net, including any charges for packing, crating, containers, etc. and all transportation charges fully prepaid by the contractor. F.O.B. destination and placement at locations specified by the Township of West Orange. No additional charges will be allowed for any transportation costs resulting from partial shipments made at the vendor's convenience when a single shipment is ordered.
10. **Equipment must be available for delivery and installation within 30 days of award.**
11. Payments will be made upon the approval of vouchers with the requirements of the Township of West Orange and subject to the Township of West Oranges customary procedures.
12. Contract will be awarded on a (Line Item) or (Lump Sum) basis, if applicable.

13. Award will be made by Township of West Orange within sixty (60) days after receipt of bids.
14. Prevailing Wage & Labor Laws. The New Jersey prevailing Wage Act (P.D. 1963, Chapter 150) and provisions of the State Labor Laws shall be complied with by the successful bidder in construction contracts.
15. The Township of West Orange is exempt from any State sales tax or Federal excise tax.
16. The contract, if applicable, shall be in effect for one (1) year from date of award unless otherwise stated. Continuation of the terms of this contract beyond December 31 is contingent on availability of funds in the following year's Budget and in the event of unavailability of such funds; the Township of West Orange reserves the right to cancel this contract.
17. Bids may be hand delivered or mailed per legal notice to bidders. In case of mailed bids, the Township of West Orange assumes no responsibility for bids after the designated date and time and will return late bids to the bidder unopened.
18. Mandatory: Bidder shall provide copy of their Business Registration Certificate. In addition, Contractors providing services for regarding construction or repair of a public building must provide copy of Public Works Contractor Registration Certificate.
19. No interpretation of the meaning of the specifications will be made to any bidder orally. Every request for such interpretations should be in writing to the Purchasing Agent and to be given consideration must be received at least Seven (7) days prior to the date fixed of the opening bids. Any and all such interpretations and any supplemental instruction will be mailed to all prospective bidders (at the respective addresses furnished for such purpose) not later than three (3) days prior to the date fixed for the opening of bids. Failure of any bidder to receive any such addenda or interpretations shall not relieve any bidder from any obligation under his bid submitted. All addenda so issued shall become part of the contract document.
20. Mandatory: Bidder shall submit Disclosure of Ownership Form stating the names and addresses of all stockholders in the corporation or partners in the partnership, who own a 10% or more of its stock, or any class, or of all individual partners in the partnership who own a 10% or greater interest therein, as the case may be.
21. Pay to Play – Notice of Disclosure Requirement- P.L. 2005, Chapter 271, Section 3 Reporting (N.J.S.A. 19:44A-20.27)
 - a. Any business entity that received \$50,000.00 or more in contracts from government entities in a calendar year is required to file an annual disclosure report with ELEC. The instruction and form are available on ELEC website.
 - b. Annual Disclosures require submission by March 30th of each year covering contracts and contributions for the prior calendar year.
 - c. At a minimum, a list of all business entities that file an annual disclosure report will be listed on ELEC's website at www.elec.state.nj.us
 - d. If you have any questions please contact ELEC at: 1-888-313-ELEC (3532) toll free NJ or 609-292-8700.

- e. In addition, pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange respondents shall disclose all political contributions of two hundred dollars (\$200) or more made within the preceding five (5) years to any elected officials of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office
22. In case of default by the bidder or contractor, the Township of West Orange may procure the articles or services from other sources and hold the bidder or contractor responsible for any excess cost occasioned thereby.

SPECIFICATIONS

It is the intent of this specification to provide for the purchase and installation of one (1) lighting prediction and warning system for Stagg Field and Rock Spring Golf Club. The product shall feature technology that measures the changes and shifts in the earth's electrostatic atmosphere, provide audible warning and safe return to play notifications through the use of integrated air horn clusters. The product shall also provide visual warnings of danger through the use of strobe lights and have the ability to communicate warnings to multiple alarm stations through the RF frequencies or better.

The following specification is based upon a Thorguard TG360 system. The Township's Recreation Department has evaluated different types of lightning prediction systems and has determined that this product is best suited for the Township's needs in safety, quality, performance, and standardization. This specification is not to be interpreted as restrictive, but rather as a measure of the safety, quality and performance against which all lightning prediction systems bid will be compared.

In comparing proposals, consideration will not be confined to price only. Contract will be awarded for the product which best serves the interests of the Township when cost, product, safety, quality and delivery are considered. The Township of West Orange reserves the right to reject any or all bids or any part thereof, and to waive any minor technicalities. A contract will be awarded to the bidder submitting the lowest responsible bid meeting the requirements.

LOCATION OF INSTALLATION AND EQUIPMENT NEEDED

- Rock Spring Golf Course: 90 Rock Spring Road, West Orange, NJ 07052

One (1) Notification Unit

- Stagg Field: 385 St. Cloud Avenue, West Orange, NJ 07052

One (1) Control Unit and Notification Unit

EQUIVALENT PRODUCT

Bids will be accepted for consideration on any make or model that is equal or superior to the lightning prediction system specified. Decisions of equivalency will be at the sole interpretation of the Township of West Orange's Recreation Department. A blanket statement that equipment proposed will meet all

requirements will not be sufficient to establish equivalence. Original manufacturer's brochures of the proposed unit are to be submitted with the proposal. All modifications made to the standard production unit described in the manufacturer's brochures must be certified by the manufacturer and submitted with the bid, or the bid will be deemed "non-responsive" and rejected without further review.

If a bidder proposes equipment that varies from the equipment specified, the bidder must provide, deliver, and retrieve a demonstrator unit similar to the one proposed at no cost to the Township within thirty (30) days of the bid opening for an evaluation period of no less than five (5) business days.

INTERPRETATIONS

In order to be fair to all bidders, no oral interpretations will be given to any bidder as to the meaning of the specification documents or any part thereof. Every request for such a consideration shall be made in writing to the Township Purchasing Agent. Based upon such inquiry, the Township may choose to issue an Addendum in accordance with NJSA 40A:11-23.

GENERAL

This specification states the minimum requirements of the Township. All bids must be regular in every respect. Unauthorized conditions, limitations, or provisions shall be cause for rejection. The Township will consider as "irregular" or "non-responsive" any bid not prepared and submitted in accordance with the bid document and specification, or any bid lacking sufficient technical literature to enable the Township to make a reasonable determination of compliance to the specification.

It shall be the bidder's responsibility to carefully examine each item of the specification. Failure to offer a completed bid or failure to respond to each section of the technical specification (COMPLY: YES NO) will cause the proposal to be rejected without review as "non-responsive". All variances, exceptions and/or deviations shall be fully described in the appropriate section. Deceit in responding to the specification will be cause for rejection.

1. LIGHTNING PREDICTION SYSTEM

	YES	NO
1.1 Uses electrostatic atmospheric analysis for prediction	<u>X</u>	<u> </u>
1.2 System also detects lightning strikes including distance and direction	<u>X</u>	<u> </u>
1.3 Site specific storm data used for prediction and data retrained	<u>X</u>	<u> </u>
1.4 Generates an emergency notification system	<u>X</u>	<u> </u>

1.5 Provides heat index alerts	<u>X</u>	<u> </u>
1.6 Provide site's wind speed and direction, temperature, humidity, dew point and rainfall measurements	<u>X</u>	<u> </u>
1.7 Minimum 3 Year warranty on assembly unit	<u>X</u>	<u> </u>
1.8 Installation of units and services included	<u>X</u>	<u> </u>

2. WARNING SYSTEM

	YES	NO
2.1 Notifications communicated through the use of air horns	<u>X</u>	<u> </u>
2.2 Notifications visually communicated through strobe lights	<u>X</u>	<u> </u>
2.3 Able to communicate to multiple stations via RF system	<u>X</u>	<u> </u>
2.4 Minimum 2 year warranty on the product		

3. MANUALS

3.1 A parts manual shall be provided	<u>X</u>	<u> </u>
3.2 An operation and maintenance manual shall be provided	<u>X</u>	<u> </u>
3.3 All manuals shall be originals; photocopies are not acceptable	<u>X</u>	<u> </u>

4. EXCEPTIONS AND DEVIATIONS

Bidder shall fully describe every variance, exception and/or deviation. Additional sheets may be used if required.

N/A

Business Registration Certification and Public Works Contractor Registration Certification

Effective September 1, 2004, the State has expanded its Contractor Registration Program to local Government contracts, P.L. 2004, c57. All business organizations that do business with a local government agency are required to be registered with the State. The business must provide proof of that registration to the local government agency before that local government agency can enter into a contract with the business. A copy of the Business Registration Certificate must also be on file before any purchase order/voucher or other contracting document can be issued.

Contractors are responsible for notifying subcontractors.

Further information and registration can be obtained online from the NJ Treasury, Division of Revenue or by calling (609) 292-1730.

P.L. 1999 Chapter 238. The Public Works Contractor Registration Act specifies that no contractor or subcontractor shall bid on or engage in any contract (or part thereof) for public work which is subject to the provisions of the "New Jersey Prevailing Wage Act", P.L. 1963 C. 150 (c. 34:11-56.25 et seq.) for the construction, reconstruction, demolition, alteration, repair, or maintenance of a public building regularly open to and used by the general public or public institution, and includes any subcontractor or lower tier subcontractor of a contractor unless they are registered with the Commissioner of Labor

(REVISED 4/10)

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

~~The contractor or subcontractor will send to each labor union, with which it has a~~
collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

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 and the Americans with Disabilities Act.

(continued)

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at www.state.nj.us/treasury/contract_compliance)

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

REQUIRED EVIDENCE

AFFIRMATIVE ACTION REGULATIONS N.J. S.A. 10:5-31, et seq. (N.J.A.C. 17:27)

If awarded a contract, the Bidder will be required to comply with the requirements of N.J.S.A. 10:5-31, et seq., and N.J.A.C. 17:27. Within five (5) days after receipt of the notification of intent to award the contract, the Bidder shall present one of the following:

1. Appropriate evidence that the Contractor is operating under an existing federally approved or sanctioned affirmative action program; or
2. A Certificate of Employee Information Report Approval issued in accordance with N.J.A.C. 17:27-4; or
3. An initial Employee Information Report consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-4.

The Bidder must submit no later than three (3) days after the signing of the Contract an Initial Project Manning Table consisting of forms provided by the Affirmative Action Office and completed by Contractor in accordance with N.J.A.C. 17:27-7.

Bidders are referred to the Bidder's Information Section of the Bid Packet for a further description of the above requirements.

NO BIDDER MAY BE ISSUED A CONTRACT UNLESS THEY COMPLY WITH THE AFFIRMATIVE ACTION REGULATIONS OF N.J.S.A. 10:5-31, et seq.

The following questions must be answered by all Bidders:

1. Do you have a federally-approved or sanctioned Affirmative Action Program?
Yes ☒ (If yes, submit a copy of such approval.) *As per GSA contract ; SAM registration* No ☐
2. Do you have a State Certificate of Employee Information Report approval?
Yes ☐ (If yes, submit a copy of such approval.) *We have NO NJ employees* No ☒

The undersigned Bidder certifies that he is aware of the commitment to comply with the requirements of N.J.S.A. 10:5-31, et seq., and agrees to furnish the required documentation pursuant to the law.

COMPANY: THOR GUARD, INC NAME: Jason Wolk

SIGNATURE: [Signature] TITLE: Director of Finance

NOTE: A bid must be rejected as non-responsive if a Bidder fails to comply with requirements of N.J.S.A. 10:5-31, et seq., within stipulated time.



STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: THOR GUARD, INC.
Trade Name:
Address: 1193 SAWGRASS CORPORATE PARKWAY
SUNRISE, FL 33323-2847
Certificate Number: 1122230
Effective Date: January 25, 2005
Date of Issuance: July 28, 2021

For Office Use Only:

20210728153134089

AFFIDAVIT OF NON-COLLUSION

The undersigned bidder of full age, being duly sworn according to law depose and hereby specifically certifies that:

- A. To the best of the bidder's knowledge and belief, the annexed bid proposal for this project has not been prepared in collusion with any other bidder of like item or services and the prices, discounts, terms and conditions thereof have not been directly or indirectly communicated by or on behalf of the bidder to any person other than the recipient of the bid and will not be communicated to any person prior to the official opening of the bid.
- B. The bidder fully understands that no premiums, rebates, or gratuities are permitted either with, prior to, or after signing of contract. Any violation will result in cancellation and removal from the bid list.
- C. The bidder further certifies that the undersigned has the necessary authority, to sign this stipulation stating that the bidder has not entered into any agreement, or otherwise taken any action in restraint of free competitive bidding in connection with this bid.

All references to the bidder are understood to include the undersigned and all principals, partners and officers of the bidder..

Date: September 13th, 2022

(Signature)

Jason Wolk

(Name and Title)

THOR GUARD, INC

(Company Name)

1193 SAWGRASS CORP PKWY

(Address)

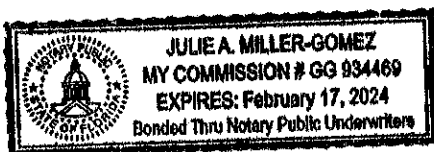
SUNRISE, FL. 33323

(Corporate Seal)

Subscribed and sworn to before me

this 13th day of September, 2022

Notary Seal



STOCKHOLDER DISCLOSURE CERTIFICATION

I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned. X

I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

PLEASE CHECK TYPE OF BUSINESS ORGANIZATION:

Partnership _____ Limited Partnership _____ Limited Liability Corp _____
Corporation _____ Sole Proprietorship _____ Limited Liability Partnership _____
Subchapter S Corp X

PLEASE CHECK APPROPRIATE BOXES AND SIGN BELOW

Name: Peter L. Townsend

Home Address: 105 Harbor Way

Hobe Sound, FL 33455

Stockholders

Name: Robert M. Dugan

Home Address: 1821 Canby Court

Marco Island, FL. 34145

Name: _____

Home Address: _____

Name: _____

Home Address: _____

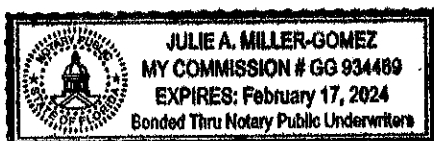
[Signature]
Owner or Representative Signature

Jason Wolk
Print Name & Title

NOTARY PUBLIC

Sworn before me this 13th day of September 20 22.

[Signature]



DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer: THOR GUARD, INC

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring, declaring the party in default and seeking debarment or suspension of the person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to submit a proposal:

- ☒ Is not providing goods or services of \$20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, and
- ☒ Is not a financial institution that extends \$20,000,000 or more in credit to another person or entity, for 45 days, or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

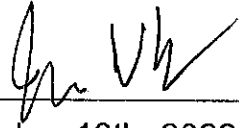
In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the New Jersey Turnpike Authority under penalty of perjury. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

Part 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

Name: _____ Relationship to Proposer: _____	
Description of Activities: _____ _____	
Duration of Engagement: _____ Anticipated Cessation Date: _____	
Proposer Contact Name: _____ Contact Phone Number: _____ _____	

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above referenced person or entity. I acknowledge that the Township of West Orange, State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Township to notify the Township in writing of any changes to the answers of information contained herein. I acknowledge 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 recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the Township of West Orange, State of New Jersey and that the Township at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): Jason Wolk Signature: 
Title: Director of Finance Date: September 13th, 2022

AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability

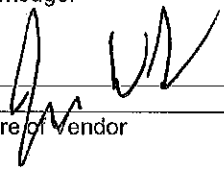
The contractor and the Township of West Orange, (hereafter "TOWNSHIP") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. §121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the TOWNSHIP pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the TOWNSHIP in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the TOWNSHIP, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind of nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the TOWNSHIP's grievance procedure, the contractor agrees to abide by any decision of the TOWNSHIP which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the TOWNSHIP, or if the TOWNSHIP incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The TOWNSHIP shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, if any action or administrative proceeding is brought against the TOWNSHIP or any of its agents, servants, and employees, the TOWNSHIP shall expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the TOWNSHIP or its representatives.

It is expressly agreed and understood that any approval by the TOWNSHIP of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the TOWNSHIP pursuant to this paragraph.

It is further agreed and understood that the TOWNSHIP assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the TOWNSHIP from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

I acknowledge:



Signature of Vendor

Political Contribution Disclosure Statement Pursuant to Chapter 2, Section 68 of the Revised General Ordinances of the Township of West Orange

Pursuant to Section 2-68.1 of the Revised General Ordinances of the Township of West Orange, please set forth below all political contributions in cash or in kind of two hundred (\$200.00) dollars or more made within five (5) years of the date of acceptance of a proposal for a negotiated contract with the Township of West Orange, or within five (5) years of the notice of award for a bid contract with the Township of West Orange, either directly or indirectly, by the individuals or any of the principals of the business entity completing this form or by the business entity itself, to any elected official of the Township of West Orange currently in office or any political organization affiliated with an elected official of the Township currently in office.¹

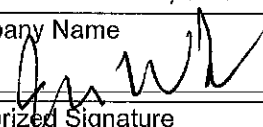
<u>Name of Individual/Entity Making Contribution</u>	<u>Amount of Contribution</u>	<u>Recipient of Contribution</u>	<u>Date of Contribution</u>

If you have <u>NOT</u> made any contributions within the scope of Section 2-68.1, as set forth above, please X the line to the right.	NONE
	X

I hereby certify under penalty of perjury that the information provided herein is true and accurate to the best of my knowledge, information and belief.

The current elected officials of the Township include the following: Mayor Robert D. Parisi; Councilwoman Cindy Matute-Brown, Councilman Bill Rutherford; Councilwoman Susan McCartney, Councilwoman Michelle Casalino; and Councilwoman Tammy Williams.

THOR GUARD, INC

 Company Name


 Authorized Signature
 Jason Wolk

 Printed Name
 September 13th, 2022

 Date

TOWNSHIP OF WEST ORANGE

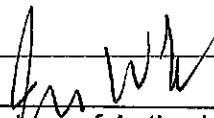
ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned Bidder hereby acknowledges receipt of the following addenda:
Please assign the number, date and initial.

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (Initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☒ No addenda was received.

Acknowledged for: _____ THOR GUARD, INC
(Company Name)

By:  _____
(Signature of Authorized Representative)

Name: _____ Jason Wolk
(Print)

Title: _____ Director of Finance

Date: _____ September 13th, 2022

PROPOSAL FORM

TO: Township of West Orange

The undersigned hereby declares that they have carefully examined the requirements of the specifications contained herein, and propose to furnish and deliver to the Township of West Orange the apparatus listed below.

One (1) lighting prediction and warning system for Stagg Field and Rock Spring Golf Club

- Rock Spring Golf Course: 90 Rock Spring Road, West Orange, NJ 07052

Notification Unit \$ 43,140.00

- Stagg Field: 385 St. Cloud Avenue, West Orange, NJ 07052

Control Unit and Notification Unit \$ 5,650.00

TOTAL PURCHASE PRICE: Total: \$ 48,790.00

(In Words) Forty Eight Thousand Seven Hundred Ninety and Zero Cents

SIGNED: 

BIDDER: THOR GUARD, INC

TITLE: DIRECTOR OF FINANCE

ADDRESS: 1193 Sawgrass Corp Pkwy

Sunrise, FL. 33323

DATE: September 13th, 2022

BIDDER'S CHECK LIST

	Check X
• Business Registration Certification	<u>X</u>
• Public Works Contractor Certificate	<u>X</u>
• Stockholders Disclosure Statement	<u>X</u>
• Affirmative Action Compliance Notice	<u>X</u>
• Iranian Disclosure Form	<u>X</u>
• Non Collusion Affidavit	<u>X</u>
• Proposal Form	<u> </u>
• Addenda Acknowledgment	<u>X</u>
• Township of West Orange Political Disclosure Statement	<u>X</u>
• AMERICANS WITH DISABILITIES ACT OF 1990 Equal Opportunity for Individuals with Disability	<u>X</u>

**Please provide one additional copy of entire bid package
which can be on a USB Flash Stick/Drive.**

END OF BID