



PART II:

**TO BE COMPLETED BY CONTRACTOR**  
**CERTIFICATION OF INCLUSION OF REQUIRED CONTRACT PROVISIONS**

The undersigned contractor hereby certifies that all applicable Required Contract Provisions including, but not limited to, the following:

FOR FEDERAL PROJECTS	FOR WHOLLY STATE FUNDED PROJECT
<ul style="list-style-type: none"><li>• Required Contract Provisions for Federal Aid Construction Contracts (FHWA 1273 Rev. 1994)</li><li>• Standard Federal Equal Employment Opportunity Construction Contract Specifications (Executive Order #11246)</li><li>• Notice of Requirement for Affirmative Action to Ensure Equal Opportunity (Executive Order #11246)</li><li>• State of New Jersey Equal Employment Opportunity For Contracts Funded by FHWA</li><li>• Disadvantaged Business Enterprise Utilization Attachment – FHWA Funded Contracts or Emerging Small Business Enterprise Utilization Attachment</li><li>• Equal Employment Opportunity Special Provisions</li><li>• Special Contract Provisions for Investigating, Reporting, and Resolving Employment Discrimination and Sexual Harassment Complaints</li><li>• Incentive Program Disadvantaged Business Enterprise Utilization - Attachment for FHWA Funded Contracts</li><li>• Training Special Provisions</li><li>• General Wage Determinations Issued Under the Davis-Bacon and Related Acts</li><li>• New Jersey Department of Labor Prevailing Wage Rate Determination</li><li>• New Jersey Department of Transportation Code of Ethics for Vendors</li><li>• Subsection 107.03 of the said Standard Specifications as amended or supplemented.</li></ul>	<ul style="list-style-type: none"><li>• State of New Jersey Equal Employment Opportunity for Contracts Funded by Wholly State Funds</li><li>• Payroll Requirements for 100% State Projects</li><li>• Small Business Enterprise Utilization Attachment for 100% State Funded Contracts (March 2004)</li><li>• Minority/Female Outreach &amp; Training Program for Wholly State Funded projects</li><li>• Americans with Disabilities Act 100% State Funded Contracts</li><li>• Equal Employment Opportunity Special Provisions Construction Contracts Funded by Wholly State Funds</li><li>• Training Reimbursement</li><li>• New Jersey Department of Labor Prevailing Wage Rate Determination</li><li>• New Jersey Department of Transportation Code of Ethics for Vendors</li><li>• Subsection 107.03 of the said Standard Specifications as amended or supplemented.</li></ul>

have been included in, and made a binding part of, a written, signed agreement represented by this Form DC-18 between:

\_\_\_\_\_

AND

\_\_\_\_\_

(Contractor)

(Subcontractor)

In addition, the following information pertinent to this subcontract is submitted:

Estimated Subcontract Work Start Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Estimated Subcontract Work Completion Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

PART III:

**TO BE COMPLETED BY CONTRACTOR**  
**FOR DBE/ESBE/SBE SUBCONTRACTORS ONLY**

TO BE COMPLETED FOR DBE/ESBE PROGRAM SUBLET APPROVAL REQUESTS FOR FEDERAL PROJECTS

1) Total Project DBE/ESBE Goal \_\_\_\_\_%

2) Subcontractor percentage this sublet =  $\frac{\text{Actual subcontract \$ amount}}{\text{Total \$ contract bid amount}} = \$ \text{_____} \times 100 = \text{_____} \%$

3) Previous DBE/ESBE participation \_\_\_\_\_% + Line 2 \_\_\_\_\_% =

Accumulative DBE/ESBE % participation this project: \_\_\_\_\_%

4) Previous DBE/ESBE sub actual \$ \_\_\_\_\_ + \$ \_\_\_\_\_ = Total Current Actual DBE/ESBE \$ \_\_\_\_\_  
Actual subcontract amount

TO BE COMPLETED FOR SBE PROGRAM SUBLET APPROVAL REQUESTS FOR 100% STATE FUNDED PROJECTS

1) Project targets SBE Category 4 \_\_\_\_\_%; SBE Category 5 \_\_\_\_\_%

2) Subcontractor % this sublet  $\frac{\text{Actual subcontract amount}}{\text{Total \$ contract bid amount}} = \$ \text{_____} \times 100 = \text{_____} \%$

3) Previous SBE Category 4 participation \_\_\_\_\_% + Line 2 \_\_\_\_\_% = Accumulative SBE Category 4 \_\_\_\_\_%

Previous SBE Category 5 participation \_\_\_\_\_% + Line 2 \_\_\_\_\_% = Accumulative SBE Category 5 \_\_\_\_\_%

4) Previous SBE Category 4 sub actual \$ \_\_\_\_\_ + \$ \_\_\_\_\_ = Total Current Actual SBE Category 4 \$ \_\_\_\_\_  
Actual subcontract amount

Previous SBE Category 5 sub actual \$ \_\_\_\_\_ + \$ \_\_\_\_\_ = Total Current Actual SBE Category 5 \$ \_\_\_\_\_  
Actual subcontract amount

Part IV:

**TO BE COMPLETED BY CONTRACTOR**  
**POST AWARD MINORITY CERTIFICATION**

PROJECT DESCRIPTION

\_\_\_\_\_ HEREBY CERTIFIES, IN ACCORDANCE WITH THE  
(Contractor)

DEPARTMENT OF TRANSPORTATION'S PROVISIONS FOR UTILIZATION OF MINORITY AND FEMALE OWNED BUSINESS ENTERPRISES THAT:

1. SAID CONTRACTOR NOTIFIED THE PROJECT RESIDENT ENGINEER IN WRITING ON \_\_\_\_\_ OF THE TYPE OF WORK SUBJECT TO SUBLET, AND THE APPROXIMATE VALUE THEREOF.
2. SAID CONTRACTOR GAVE MINORITY AND FEMALE FIRMS AT LEAST EQUAL CONSIDERATION WITH NON-MINORITY FIRMS IN NEGOTIATIONS FOR ANY SUCH SUBCONTRACT.
3. PENDING APPROVAL, SAID CONTRACTOR INTENDS TO SUBLET, AS FOLLOWS:

\_\_\_\_\_  
(Item numbers)

IN THE AMOUNT OF \$ \_\_\_\_\_ UNDER AN AGREEMENT REACHED  
(Actual subcontract amount)  
WITH  
\_\_\_\_\_  
(Subcontractor)

The undersigned hereby furnishes and certifies that all of the information in Parts I - IV for the subcontract represented by the attached Form DC-18 is true and correct:

Sworn and subscribed to before me on this

\_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
Notary Public  
(Not an Officer of the Firm)

Contractor  
\_\_\_\_\_

By  
Signature of an Officer  
\_\_\_\_\_  
Title

PART V:

**TO BE COMPLETED BY SUBCONTRACTOR**

Commissioner of Transportation  
Trenton, New Jersey

We are/I am fully acquainted with the Standard and Supplementary Specifications (as amended) and Special Provisions issued by the New Jersey Department of Transportation, in accordance with which a contract was awarded for the construction of the project known as:

\_\_\_\_\_ (Project Description, Route & Section, Federal Project No. etc.)

and particularly with Subsection 108.02 of the said Standard Specifications which provides ( in part ):

The consent to the subcontracting of any part of the Work shall not be construed as an approval of the said subcontract or of any of its terms, but is to operate only as an approval of the Contractor's request for the making of a subcontract between the Contractor and its chosen subcontractor. It is understood that any consent of the Commissioner for the subcontracting of any Work of the Contract in no way relieves the Contractor from its full obligations for all Work under the Contract, nor the surety of its obligations under the bond. The Contractor shall at all times give its personal attention to the fulfillment of the Contract and shall keep the Work under control. The Contractor shall be responsible for all work of subcontractors, which work shall conform to the provisions of the Contract Documents.

Pursuant to the above, the undersigned agrees that if \_\_\_\_\_ enters into  
(Subcontractor)  
a subcontract with \_\_\_\_\_, the contractor for the above-named  
(Contractor)

contract, for the performance of a part of the work covered by the said contract then the subcontractor shall be bound by all provisions of the said contract and further agrees that the subcontractor shall make no claims against the Commissioner or its agents or employees, for any Work performed or thing done by reason of the said subcontract or for any other cause that may arise by reason of the relationship created between the contractor and the subcontractor by the subcontract.

PART VI: CERTIFICATION REGARDING DEBARMENT, SUSPENSION, DISQUALIFICATION,  
INELIGIBILITY, AND VOLUNTARY EXCLUSION

The undersigned subcontractor hereby certifies that neither the individual, partnership, corporation, or limited liability corporation applying to do subcontract work nor any of its corporate officers, stockholders, partners, or members are collectively or individually suspended, debarred, proposed for debarment, disqualified, declared ineligible, or voluntarily excluded from doing business by this or any State or sub-division thereof or the Federal Government.

PART VII:

FOR FEDERALLY FUNDED CONTRACTS ONLY  
CERTIFICATION OF INCLUSION OF REQUIRED CONTRACT PROVISIONS

The undersigned proposed subcontractor hereby certifies that the applicable Required Contract Provisions, Federal Aid Contracts, as stated in PART II of this DC-18, have been received and have been made a part of the proposed subcontract which is to be executed with the contractor and the provisions contained in Notice to Prospective Direct Federal and Federal Aid Contractors and Subcontractors, Equal Employment Opportunity have been received, if included in the Project's Specifications, and have been made part of the proposed subcontract which is to be executed with the contractor.

PART VIII: CERTIFICATION WITH REGARD TO THE PERFORMANCE OF PREVIOUS CONTRACTS  
OR SUBCONTRACTS SUBJECT TO THE EQUAL OPPORTUNITY CLAUSE AND THE FILING OF REQUIRED REPORTS

The proposed subcontractor hereby certifies that it has \_\_\_ has not \_\_\_ (check one) participated in a previous contract or subcontract subject to the equal opportunity clause, as required by Executive Orders 10925, 11114, or 11246, and that it has \_\_\_ has not \_\_\_ (check one) filed with the Joint Reporting Committee, the Director of the Office of Federal Contract Compliance, a Federal Government contracting or administering agency, or the former President's Committee on Equal Employment Opportunity, all reports due under the applicable filing requirements.

## **“CHECKLIST”**

### **Parts I to IV to be completed by Contractor**

- Part I** Complete name, address, and contractor ID number and project description.  
Include subcontractor name, address and contractor ID number.  
List all item numbers with description, unit price and total.  
Include all subtotals from additional sheets (if needed) and properly total the item prices.
- Part II** Complete names of firms and estimate start and completion dates.
- Part III** Complete ONLY IF THE SUBMITTED FIRM IS A DBE/ESBE/SBE, etc. and is being used to satisfy the participation % on the project.  
If Federally Funded, complete top portion.  
Line 1 is goal established in Contract and Bond.  
Line 2 is actual amount divided by the total contract bid amount as a percentage.  
Line 3 is an accumulation of prior line 2 percentages.  
Line 4 is prior DBE/ESBE dollars added to this actual amount and accumulated.  
If 100% State funded, then complete bottom portion with the appropriate split of SBE 4 or 5 dollars and sum as above.
- Part IV** Complete only for subcontracts not included on the original Form A submitted by the contractor prior to award.  
Complete project description and contractors name.  
Date resident engineer notification.  
List all item numbers, include the actual subcontract amount, subcontractor name.  
Sign, date, and notarize.

### **Parts V to IX to be completed and/or certified to by the Subcontractor**

- Part V** Complete project description and firm name.
- Part VIII** For Federally Funded contracts, check Equal Opportunity Clause participation.
- Part IX** Complete subcontractor name, address.  
Current Prequalification Classification and Rating and Expiration Date, if any.  
Telephone number, Employer Identification Number and Actual Subcontract Amount.  
Fax Number, Email Address, Incorporation Date  
Complete Contract Schedule in full, add extra sheets if necessary.  
Complete EEO information, sign and notarize.

### **Subcontractor, have you?**

- Attached proof of your valid business registration issued by the Division of Revenue in the New Jersey Department of Treasury, pursuant to P. L. 2001, c.134 (N.J.S. 52:32-44).
- Attached proof of permits/licensing/certifications registry required by law. Current affected work types are: electrical, blasting, asbestos abatement, landscaping and lead abatement.

Attached proof of Pesticide Applicator Business and designated Licensed Commercial Pesticide Applicator is required for contractor performing any combinations of Landscape works, per NJDEP Pesticide Control Program N.J.A.C. 7:30-1-13.

- Attached proof of current “Public Works Contractor Registration” issued by the New Jersey Department of Labor, Division of Wage and Hour Compliance, pursuant to P. L. 2003, c.91 (N.J.S. 34:11-56.48).

**PART IX:**

**TO BE COMPLETED BY SUBCONTRACTOR**

PROPOSED SUBCONTRACTOR \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 CURRENT CLASSIFICATION RATING \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_  
 TELEPHONE NUMBER \_\_\_\_\_ EMAIL \_\_\_\_\_  
 FAX NUMBER \_\_\_\_\_ FEDERAL EMPLOYER ID # \_\_\_\_\_ INCORPORATION DATE \_\_\_\_\_

Give full information about all of your contracts, whether prime or subcontracts; whether in progress or awarded but not yet begun; or where you are low bidder pending formal award of contract.

OWNER	LOCATION	DESCRIPTION	ADJUSTED CONTRACT	AMOUNT COMPLETED AND BILLED	ADDITIONAL EARNED SINCE LAST ESTIMATE	BALANCE TO BE COMPLETED	ESTIMATED DATE OF COMPLETION
NJDOT WORK							
ALL OTHER WORK							
Attach additional sheets if needed		Subtotal of above					
		Subtotal from additional sheets					
TOTALS							

COUNTY OF .....SS: **Actual subcontract amount:** \$ .....

STATE OF .....S

..... being duly sworn according to law, under oath deposes and says:

1. That this person is authorized to execute this affidavit for and on behalf of the individual, partnership or corporation herein named below.
2. That this person hereby furnishes and certifies that all of the information in Parts V - IX for the subcontract represented by this DC-18 is true and correct.
3. That the undersigned, on behalf of the organization herein named, certifies that an Affirmative Action Program of Equal Opportunity, in support of PL 1975, C 127, the New Jersey "Law Against Discrimination" as supplemented and amended, as well as in accordance with Executive Order No. 11246 promulgated by the President of the United States, September 24, 1965 and Executive Order No. 11625, promulgated by the President of the United States, October 13, 1971 has been adopted by this organization by this organization to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, national origin, sex or age. Such action includes, but is not 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.
4. That documentation required by this program, as evidence of compliance, may be inspected at our office located at \_\_\_\_\_.
5. That our Equal Employment Officer is \_\_\_\_\_ located at \_\_\_\_\_.
6. That this affidavit certifies to the Department of Transportation of the State of New Jersey that this organization recognizes that one of the criteria in determining a "responsible" subcontractor under State contract specifications is active compliance with the aforesaid Equal Employment Opportunity Program.
7. That the Affirmative Action Program for Equal Employment Opportunity specified above is being continued by this organization and will be adhered to by our organization for the duration of this subcontract if the contract is award to us. That specific contract EEO special provisions, and training provisions if applicable, namely, Section 107 of the said standard specifications, will be made a part of the subcontract.

Sworn and subscribed to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Notary Public  
(Not an Officer of the Firm)

\_\_\_\_\_  
Subcontractor  
\_\_\_\_\_  
Signature of an Officer  
\_\_\_\_\_  
Title