



## NJ ZIP VENDOR APPLICATION READ ME

This document provides screen shots of the application on a step-by-step basis. Please review in advance of submitting an application, and use as you work through the process. If you have any questions as you advance, please reach out to [njzip@njeda.com](mailto:njzip@njeda.com) with the title “Vendor application – Questions – [your organization name]”.

Before you start, you should have the following information/documentation ready:

- Company information (legal name, entity type, address, contact information, and EIN)
- Vehicle information
  - o Vehicle make/model
  - o Vehicle type
  - o Vehicle motive technology
  - o Vehicle weight class
- Specification sheets

*Must corroborate vehicle capabilities, charging/fueling needs, design appropriate to Applicant’s planned use, and eligibility as a zero emission vehicle. Specifications should include at a minimum, vehicle manufacture(s)/make, model (if custom, provide specification sheets for at least the motor, drive train, chassis, and battery or hydrogen fuel cell or other zero emission motive technology), zero emission technology, weight (GVWR), range, and, if a BEV, battery capacity (kW)*

- Self-certification

*Must be signed by OEM, on OEM letterhead, certifying that the vehicle is designed in compliance with all applicable state and federal requirements for operation, including the Federal Motor Vehicle Safety Standards (FMVSS) issued by the National Highway Traffic Safety Administration (NHTSA), found in Title 49 of the code of Federal Regulations (CFR)*

- Tax Clearance Certificate listing NJ EDA

*This can be accessed through [https://www16.state.nj.us/NJ\\_PREMIER\\_EBIZ/jsp/home.jsp](https://www16.state.nj.us/NJ_PREMIER_EBIZ/jsp/home.jsp) for NJ registered businesses. If this has been requested and is not yet available, documentation of the request can be uploaded in lieu. Vendor may be approved 'at risk', but no agreements can be signed until final tax clearance documentation is received.*

- Proof of 12 months of experience

*Proof can include: sales records, manufacturing records, business registration or company foundation documents, cached web history indicating eligible vehicles for sale or in development, public press releases, and/or relevant dealership agreements. If the dealership applying as a vendor has less than 12 months of experience selling, please upload proof of the experience of the manufacturer, and proof of the agreement between the dealership and manufacturer for such sales.*

- If applying for the 25% manufacturing bonus:
  - o *Proof that 25% of the cost of the vehicle is expended in New Jersey, including but is not limited to the total vehicle cost, price sheets for materials, hourly labor rates and payroll, Federal 941, WR-30.*

If you are approved as a Vendor, you will be notified and your organization and all submitted vehicles will show in the Purchaser Application. When a purchaser selects you and one of your vehicles, you will receive a notification. At such time, you will need to provide the following additional information/documentation:

- Vehicle warranty

*For this vehicle, indicating at a minimum 3 years or 50,000 miles of coverage, covering parts and labor for, at a minimum, motor, drivetrain, and battery/fuel cells/other zero emission technology (and their related controls and auxiliary support systems)*

- Charging/fueling development plan

*Provide either specifications for planned charging/fueling infrastructure and anticipated counts and locations OR timeline/methodology by which charging plans will be developed. Final plans due prior to voucher redemption.*

- Vehicle delivery plan

*Document that provides anticipated date of delivery and contingencies.*

- Maintenance plan

*Document that outlines in-state servicing plan for maintenance of Applicant's vehicle(s) aligned with industry norms and current best practices implemented by or before vehicle delivery*

- If applying for the driver readiness and training bonus:

- o Training and demo proposal materials

*Proposed dates, trainer bios (demonstrating subject matter expertise), and agendas for 8 training sessions in the year following voucher approval, including at least an overview of the technology, operation, and safety of zero-emission medium-duty vehicles (associated with, for example, operation, charging, and/or maintenance). Proposed dates and management 4 demonstration sessions in year following voucher approval. Locations for such sessions must serve the pilot communities.*



# NJ ZIP VENDOR APPLICATION WALK THRU

## Opening page

NJEDA Application Center

Home | My Applications | English | Victoria Carey

## NJEDA Online Application Center

Welcome to the NJEDA's online application for the NJEDA Online Application Center. We look forward to helping you as you grow your business in New Jersey!

NJ ZIP Purchaser Application



NJ ZIP Vendor Application

## Welcome page

### NJ ZIP Vendor

Read!

Welcome to the NJ ZIP Vendor Portal! Please create a vendor account, including at least 1 qualifying zero-emission medium-duty vehicle record. If you have already created a vendor account below, you can access it to view status and add additional vehicles. Once you are an approved vendor, your Status below will show as "Approved".

Please do not create multiple vendor records.

NOTE: This is not a COVID grant program.

To view a list of vehicle purchase records associated to your company, please click [here](#).



Create

Application ID ↑	Organization Name	Status Reason	Employer Identification Number (EIN)	Created On	Modified On	Submit On
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# Application Page 1: Entity information

## Organization

### Information

**Organization Name \***

*The full name of your registered legal entity.*

**Doing Business As**

*Does your business operate under a different name?*

**Entity Type \***

*What is the ownership structure of the vendor?*

### Primary Contact Information

**This contact will receive all notifications associated with this vendor account and related applications from buyers. Please ensure this is an active contact.**

**First Name \***

**Last Name \***

**Title \***

**Phone \***

**Email \***

**Email (Confirm) \***

**Employer Identification Number (EIN) \***

*The 9 digit Federal Tax ID number of your organization*

[Next](#)

**Entity Type \***

Sole Proprietorship

Sole Proprietorship

Partnership

General Partnership

Limited Partnership

Limited Liability Partnership

C Corporation

Subchapter S Corporation

Limited Liability Corporation

Government Body

Nonprofit Organization

Single Member LLC

Other

## Application Page 2: Entity information (con't) and vehicle creation

### Mailing Address

Street Address \*

Street Address 2

Suite, Apt, Floor?

City \*

State \*

Zip Code \*

Country \*

### Vehicles

Please create a minimum of one qualifying vehicle record below, and then return to the record to upload supporting documentation.

Please note that the vehicle make and model will be how buyers identify and select the correct vehicle; include the appropriate descriptors (e.g., if you have a vehicle model that has two different range options, indicate this in the model name and create two different vehicle records)

After creating a vehicle record, upload supporting documentation for each vehicle through the following process:

- Select vehicle record by clicking the Name [e.g., "VHCL-XXXXX"]
- The vehicle record window will appear. Scroll to the bottom and click "Add files"
- A pop up will appear, allowing you to upload files. For each record, you must upload:
  - Specification sheet(s)
  - Self-certification of vehicle compliance with Federal and State requirements"
- Check off each file you have uploaded
- Click Submit to save upload and return to previous page,
- Repeat for each vehicle record. When all files are uploaded, click 'Next' to proceed"

Read!

 [+ Create](#)

Name ↑	Account	Vehicle Make	Vehicle Model	Is 25% or more of vehicle produced within NJ?	Is the vehicle a zero emission vehicle?	What is the vehicle type?	What is the vehicle weight?	Status Reason	Created On
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There are no records to display.

[Previous](#)

[Next](#)

A pop up window will appear when you click "Create". See next page for details. You should create a record for each vehicle type you anticipate selling through this program. \*\*\*PLEASE NOTE\*\*\* You must submit at least one vehicle to apply as a vendor. You can come back to add more after application at any time.

## Vehicle create pop up

Create ×

### General Information

**Provide link to the Vendor website that indicates eligible vehicle for sale \***

**Vehicle Make \***

**Vehicle Model (if custom, indicate in lieu) \***

**1** **Is the vehicle a zero emission vehicle? \***

*For the purposes of this program, a zero emission vehicle is defined as "a vehicle that emits no tailpipe pollutants from the onboard source of power, such as particulates, hydrocarbons, carbon monoxide, ozone, lead, and various oxides of nitrogen."*

**2** **What is the vehicle weight? \***

**Is this vehicle in compliance with all applicable state and federal requirements for operation, including the Federal Motor Vehicle Safety Standards (FMVSS) issued by the National Highway Traffic Safety Administration (NHTSA), found in Title 49 of the code of Federal Regulations (CFR)? \***

**3** **What is the vehicle type? \***

**4** **Is 25% or more of the vehicle, by cost, produced within NJ? \***

**Submit**

\*\*\*PLEASE NOTE\*\*\* Vehicle makes and models that you enter here will appear to you purchasers when they go into their side of the application portal and select you as their vendor. Ensure that whatever description you utilize will be identifiable and distinct (e.g., if there are two versions of a model, a 150 mile range version and a 250 mile range version, this should be noted in the model name, and two separate records would be necessary).

## Pop up box 1: Confirmation of ZEV

Is the vehicle a zero emission vehicle? \*

▼

- Yes - a battery electric vehicle
- Yes - a fuel cell electric vehicle
- Yes - a different zero emission technology
- No

## Pop up box 2: Confirmation of vehicle weight class

What is the vehicle weight? \*

▼

- Class 2b: 8,501 - 10,000 lbs
- Class 3: 10,001 - 14,000 lbs
- Class 4: 14,001 - 16,000 lbs
- Class 5: 16,001 - 19,500 lbs
- Class 6: 19,501 - 26,000 lbs
- Other

## Pop up box 3: Confirmation of vehicle type

▼

- Pick up truck
- Single-unit (e.g., step in box truck/van) short haul truck (less than 200 mile range)
- Single-unit (e.g., step in box truck/van) long haul truck (more than 200 mile range)
- Combination-unit (e.g., tractor/trailer truck) short haul truck (less than 200 mile range)
- Combination-unit (e.g., tractor/trailer truck) long haul truck (more than 200 mile range)
- School bus (less than 15 passengers)
- School bus (more than 15 passengers)
- Transit bus (more than 15 passengers)
- Shuttle bus (less than 15 passengers)
- Garbage/refuse truck
- Other specialty vehicle

▼

If 'yes' is selected for the manufacturing in NJ bonus:

Is 25% or more of the vehicle, by cost, produced within NJ? \*

Yes

Address of Vehicle Manufacturer (If manufactured in multiple locations, indicate the location of major final assembly)

Street Address \*

Street Address 2

Suite, Apt, Floor?

Zip Code \*

City \*

State \*

## Application Page 2: Vehicle Creation (con't)

\*\*\*PLEASE NOTE\*\*\* Once you have created a vehicle record, you will see this screen. You must click back into the vehicle record to upload the required documents per vehicle.

Create

Name ↑	Account	Vehicle Make	Vehicle Model	Is 25% or more of vehicle produced within NJ?	Is the vehicle a zero emission vehicle?	What is the vehicle type?	What is the vehicle weight?	Status Reason	Created On
VHCL-0000020		Sample	Sample	Yes	Yes - a battery electric vehicle	Garbage/refuse truck	Class 3: 10,001 - 14,000 lbs	Approved	4/5/2021 3:46 PM





## Vehicle create pop up: Scroll to bottom

You must upload all documentation relevant to your vehicle, which will be shown based on your answers to the prior questions in the application. The below screen shot shows all of the possibilities. Your screen may look different if you are not applying for bonus criteria.

**Documents**

- Specifications Sheet**  
*Must corroborate vehicle capabilities, charging/fueling needs, design appropriate to Applicant's planned use, and eligibility as a zero emission vehicle. Specifications should include at a minimum, vehicle manufacture(s)/make, model (if custom, provide specification sheets for at least the motor, drive train, chassis, and battery or hydrogen fuel cell or other zero emission motive technology), zero emission technology, weight (GVWR), range, and, if a BEV, battery capacity (kW).*
- Self-Certification**  
*Must be signed by OEM, on OEM letterhead, certifying that the vehicle is designed in compliance with all applicable state and federal requirements for operation, including the Federal Motor Vehicle Safety Standards (FMVSS) issued by the National Highway Traffic Safety Administration (NHTSA), found in Title 49 of the code of Federal Regulations (CFR)*
- Proof of 25% NJ Manufacturing**  
*Proof includes but is not limited to the total vehicle cost, price sheets for materials, hourly labor rates and payroll, Federal 941, WR-30.*

[Add files](#)

There are no folders or files to display.

[Submit](#)

## Application Page 3: Documentation Upload

You must upload all documentation relevant to your application, which will be shown based on your answers to the prior questions in the application. The below screen shot shows some of the possibilities. Your screen may look different if you are applying for bonus criteria.

### Documents

- Tax Clearance Certificate listing NJ EDA**  
*This can be accessed through [https://www16.state.nj.us/NJ\\_PREMIER\\_EBIZ/jsp/home.jsp](https://www16.state.nj.us/NJ_PREMIER_EBIZ/jsp/home.jsp) for NJ registered businesses. If this has been requested and is not yet available, documentation of the request can be uploaded in lieu. Vendor may be approved 'at risk', but no agreements can be signed until final tax clearance documentation is received.*
- Proof of 12 Months of Experience**  
*Proof can include: sales records, manufacturing records, business registration or company foundation documents, cached web history indicating eligible vehicles for sale or in development, public press releases, and/or relevant dealership agreements.*

[Add files](#)

There are no folders or files to display.

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## Application Page 5: Application certification

\*\*\*PLEASE NOTE\*\*\* This application must be certified by an authorized representative, defined as:

- for a corporation, by a principal executive officer at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a governmental entity, by the contact person (business administrator, manager, mayor, etc.);
- for other than above, by the person with legal responsibility for the application.

### Certification of Application

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Eligibility of financial assistance by the New Jersey Economic Development Authority (NJEDA) is determined by the information presented in this application. Any changes in the status of the proposed project from the facts presented herein could disqualify the project. Only Board Members of the governing board of the particular program for which you are applying, by resolution, may take action to determine project eligibility and to authorize the issuance of funds.

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I, THE UNDERSIGNED, BEING DULY SWORN UPON MY OATH SAY:

- I affirm, represent, and warrant that the information contained in this application and in all associated attachments submitted herewith is to the best of my knowledge true and complete and that the funding applied for herein is not for personal, family, or household purposes. \*
  - I understand that if such information is willfully false, I am subject to criminal prosecution under N.J.S.A. 2C:28-2 and civil action by the NJEDA which may at its option terminate its financial assistance. \*
  - I authorize the New Jersey Department of Law and Public Safety to verify any answer(s) contained herein through a search of its records, or records to which it has access, and to release the results of said research to the NJEDA. \*
  - I authorize the NJEDA to provide information submitted to it by or on behalf of the applicant to any bank or State agency which might participate in the requested financing with the NJEDA. \*
  - I certify my understanding that an electronic signature of this Application and any Approval Letter or Agreement shall be a binding on the parties. \*
  - I certify that the firm is not in default with any other program administered by the State of New Jersey. \*
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## Application Page 6: Application signature and submission

\*\*\*PLEASE NOTE\*\*\* This application must be signed by an authorized representative, defined as:

- for a corporation, by a principal executive officer at least the level of vice president;
- for a partnership, by a general partner;
- for a sole proprietorship, by the proprietor;
- for a governmental entity, by the contact person (business administrator, manager, mayor, etc.);
- for other than above, by the person with legal responsibility for the application.

### Electronic Signature

Pursuant to written policy, the New Jersey Economic Development Authority allows documents to be signed electronically and hereby agrees to be bound by such electronic signatures. Please confirm that you, as a signatory to this document, also agree to be bound by electronic signatures.

I agree to be bound by electronic signatures. \*

I am an Authorized Signer for this organization and I accept the above terms and conditions. \*

Full Name \*

Previous

Submit



**\*\*\*PLEASE NOTE\*\*\* YOU MUST CLICK "SUBMIT" IN ORDER FOR NJEDA TO RECEIVE THE APPLICATION.**

## Application Page 7: Application confirmed submitted

### Confirmation

Thank you for submitting your vendor application! You will receive a confirmation email soon from **CRMnoreply@njeda.com**. Please check your junk or spam for this email if you do not receive this in your inbox. We will reach out to you with any questions or requests for additional information. You will receive formal confirmation when your submission is approved.

# NJ ZIP VENDOR – PURCHASER SELECTION WALK THRU

If you are selected by a purchaser as a vendor, you will receive email notification of this. At this point, you will be able to access purchase records associated with your entity. The process for this is provided below.

## Welcome Page

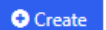
### NJ ZIP Vendor

Welcome to the NJ ZIP Vendor Portal! Please create a vendor account, including at least 1 qualifying zero-emission medium-duty vehicle record. If you have already created a vendor account below, you can access it to view status and add additional vehicles. Once you are an approved vendor, your Status below will show as "Approved".

Please do not create multiple vendor records.

NOTE: This is not a COVID grant program.

To view a list of vehicle purchase records associated to your company, please click [here](#).

 Create

Application ID ↑	Organization Name	Status Reason	Employer Identification Number (EIN)	Created On	Modified On	Submit On
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## Purchase records page

### Vendor Vehicle Purchase List

To return back to the main Vendor page, click [here](#).

Name ↑	Vehicle Make (Vehicle)	Vehicle Model (Vehicle)	Organization Name (Related Purchaser Application)	Review Complete
<a href="#">VHPR-000029</a>	Information from purchaser shown here			

A window will pop up, allowing you to add specific information about each vehicle that a purchaser selected from you. Please ensure that you are familiar with the applicant before proceeding, to ensure that you can provide all the information necessary and that you were not selected in error. If you are unfamiliar with an applicant that selected you, please reach out to [njzip@njeda.com](mailto:njzip@njeda.com), title "Vendor received vehicle application in error" and provide the details.

## Vehicle + Purchaser specific information pop up

# Vendor Vehicle Purchase Edit

### Vehicle

VHCL-0000017



#### Vehicle Make

Test car VIC

#### Vehicle Model

Custom for XYZ - 100 mile range

Will the vehicle be warrantied for at least 3 years or 50,000 miles? \*

What is the anticipated delivery date of the vehicle? \*

1

Please provide charging/fueling plan details. \*

2

Will the vendor commit to provide two public training sessions? \*

3

Bonus: Is the vendor planning to provide publicly available driver readiness and training support, including 8 training sessions and 4 vehicle demo days?

### Documents

#### Vehicle Warranty

For this vehicle, indicating at a minimum 3 years or 50,000 miles of coverage, covering parts and labor for, at a minimum, motor, drivetrain, and battery/fuel cells/other zero emission technology (and their related controls and auxiliary support systems).

#### Charging/fueling Development Plan

Provide either specifications for planned charging/fueling infrastructure and anticipated locations OR timeline/methodology by which charging plans will be developed. Final plans due prior to voucher redemption.

#### Vehicle Delivery Plan

Document that provides anticipated date of delivery and contingencies.

#### Maintenance Plan

Document that outlines in-state servicing plan for maintenance of Applicant's vehicle(s) aligned with industry norms and current best practices implemented by or before vehicle delivery.

+ Add files

There are no folders or files to display.

## Vehicle + Purchaser Pop Up Box 1: Delivery date

What is the anticipated delivery date of the vehicle? \*

Within 3 months of receiving voucher approval

Within 4 - 6 months of receiving voucher approval

More than 6 months after receiving voucher approval

Will the vendor commit to provide two public training sessions?

## Vehicle + Purchaser Pop Up Box 2: Charging plans

Please provide charging/fueling plan details. \*

Will install new charging/fueling equipment (details attached) ▼

- Level One Charger
  - Level Two Charger
  - DCFC
  - Fueling Station or Other
- Level Two Charger Brand \*

Level Two Charger Count \*

Level Two Charger Volts \*

## Vehicle + Purchaser Pop Up Box 3: Bonus criteria

Driver Readiness and Training Bonus Materials

*Proposed dates, trainer bios (demonstrating subject matter expertise), and agendas for 8 training sessions in the year following voucher approval, including at least an overview of the technology, operation, and safety of zero-emission medium-duty vehicles (associated with, for example, operation, charging, and/or maintenance). Proposed dates and management 4 demonstration sessions in year following voucher approval. Locations for such sessions must serve the pilot communities.*



## Purchase records page (con't)

Once you have completed all the information within the purchase record, click 'submit'. This will bring you back to the purchase records page, and you will see that 'Review Complete' is listed as 'Yes'. Once you complete your review of all vehicles associated with a purchaser, they will receive an automated email to return to their application and submit it. You can return to view this page at any time.

## Vendor Vehicle Purchase List

To return back to the main Vendor page, click [here](#).

Name ↑	Vehicle Make (Vehicle)	Vehicle Model (Vehicle)	Organization Name (Related Purchaser Application)	Review Complete
VHPR-0000029	Test car VIC	Custom for XYZ - 100 mile range	45345	Yes



# APPENDIX A

## NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY LEGAL QUESTIONNAIRE

Applicant Name:

Persons (entities or individuals) applying for NJEDA programs are subject to the Authority's Disqualification/Debarment Regulations (the "Regulations"), which are set forth in N.J.A.C. 19:30-2.1, et seq. Applicants are required to answer the following background questions ("Legal Questionnaire") pertaining to causes that may lead to debarment, disqualification, or suspension from eligibility under the Regulations and Executive Orders 34 (Byrne 1976) and 189 (Kean 1988) after consideration of all relevant mitigating factors. Governmental entities are not required to submit this Legal Questionnaire and may leave it empty.

***Note that this form has recently been modified.***  
***Please review in its entirety prior to providing any responses or certifications.***

### **DEFINITIONS**

Notwithstanding any terms defined elsewhere or otherwise herein, the following definitions shall govern in responding to this Legal Questionnaire:

"Affiliates" means any entities or persons having an overt or covert relationship such that any one of them directly or indirectly controls or has the power to control another. For the purposes of application for, or ongoing compliance with, Authority-administered programs, this includes:

- any entities or persons having an ownership interest in Applicant of 10% or greater;
- any entities in which Applicant holds an ownership interest of 10% or greater; and
- any entities that are named in the application and/or agreement, or that will receive a direct benefit from the financing, incentive, or other agreement with the Authority.

*Note that any entities or persons fitting these definitions will need to be listed in Part C below.*

"Legal Proceedings" means any civil, criminal, or administrative proceedings in a State or Federal court or administrative tribunal in the United States or any territories thereof.

### **RELEVANT TIMEFRAMES**

Responses should be given based on the following "look-back" periods:

- For civil matters, those that were either pending or concluded within 5 years of the reporting date;
- For criminal matters, those that were either pending or concluded within 10 years of the reporting date;
- For environmental regulatory matters, those that were either pending or concluded within 10 years of the reporting date; and
- For all other regulatory matters, those that were either pending or concluded within 5 years of the reporting date.



Note that in cases where Applicant has previously submitted and certified a legal questionnaire to the Authority, the Applicant may refer to its prior legal questionnaire and report only those matters that are new or have changed in status since the date of last reporting.

**Part A. Past Proceedings**

**Has Applicant, or any officers or directors of Applicant, or any Affiliates of Applicant, been found or conceded or admitted to being guilty, liable or responsible in any Legal Proceeding, or conceded or admitted to facts in any Legal Proceedings that demonstrate responsibility for any of the following violations or conduct? (Any civil or criminal decisions or verdicts that have been vacated or expunged need not be reported.)**

1. Commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract, or subcontract there under, or in the performance of such contract or subcontract.  

\_\_\_\_\_ Yes \_\_\_\_\_ No
2. Violation of the Federal Organized Crime Control Act of 1970, or commission of embezzlement, theft, fraud, forgery, bribery, falsification or destruction of records, perjury, false swearing, receiving stolen property, obstruction of justice, or any other offense indicating a lack of business integrity or honesty.  

\_\_\_\_\_ Yes \_\_\_\_\_ No
3. Violation of the Federal or State antitrust statutes, or of the Federal Anti-Kickback Act (18 U.S.C. 874).  

\_\_\_\_\_ Yes \_\_\_\_\_ No
4. Violation of any law governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivision.  

\_\_\_\_\_ Yes \_\_\_\_\_ No
5. Violation of the “Law Against Discrimination” (P.L. 1945, c169, N.J.S.A. 10:5-1 et seq., as supplemented by P.L. 1975, c127), or of the act banning discrimination in public works employment (N.J.S.A. 10:2-1 et seq.) or of the act prohibiting discrimination by industries engaged in defense work in the employment of persons therein (P.L. 1942, c114, N.J.S.A. 10:1-10, et seq.).  

\_\_\_\_\_ Yes \_\_\_\_\_ No
6. To the best of your knowledge, after reasonable inquiry, violation of any laws governing hours of labor, minimum wage standards, prevailing wage standards, discrimination in wages, or child labor.  

\_\_\_\_\_ Yes \_\_\_\_\_ No

7. To the best of your knowledge, after reasonable inquiry, violation of any law governing the conduct of occupations or professions of regulated industries.

\_\_\_ Yes \_\_\_ No

8. Debarment by any department, agency, or instrumentality of the State or Federal government.

\_\_\_ Yes \_\_\_ No

9. Violation of the Conflict of Interest Law, N.J.S.A. 52:13D-12 *et seq.*, including any of the following prohibitions on vendor activities representing a conflict of interest, or failure to report a solicitation as set forth below:

- (i) No person shall pay, offer or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any Authority officer or employee or special Authority officer or employee, as defined by N.J.S.A. 52:13D-13(b) and (e), with which such person transacts or offers or proposes to transact business, or to any member of the immediate family as defined by N.J.S.A. 52:13D-13(i), of any such officer or employee, or partnership, firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13(g).
- (ii) The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any Authority officer or employee or special Authority officer or employee from any person shall be reported in writing by the person to the Attorney General and the NJEDA Ethics Liaison Officer.
- (iii) No person may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such person to, any Authority officer or employee or special Authority officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to the Authority, or with any person, firm or entity with which he or she is employed or associated or in which he or she has an interest within the meaning of N.J.S.A. 52:13D-13(g). Any relationships subject to this subsection shall be reported in writing to the NJEDA Ethics Liaison Officer and the State Ethics Commission, which may grant a waiver of this restriction upon application of the Authority officer or employee or special Authority officer or employee upon a finding that the present or proposed relationship does not present the potential, actually or appearance of a conflict of interest.

- (iv) No person shall influence, or attempt to influence or cause to be influenced, any Authority officer or employee or special Authority officer or employee in his or her capacity in any manner which might tend to impair the objectivity or independence of judgment of the officer or employee.
- (v) No person shall cause or influence, or attempt to cause or influence, any Authority officer or employee or special Authority officer or employee to use, or attempt to use, his or her official position to secure unwarranted privileges or advantages for the person or any other person.

\_\_\_ Yes \_\_\_ No

(If Yes for any of the above, specify subsection)

10. Violation of any State or Federal law that may bear upon a lack of responsibility or moral integrity, or that may provide other compelling reasons for disqualification. Your responses to the foregoing question should include, but not be limited to, the violation of the following laws, without regard to whether there was any monetary award, damages, verdict, assessment or penalty, except that any violation of any environmental law in category (v) below need not be reported where the monetary award, damages, etc. amounted to less than \$1 million.

- (i) Laws banning or prohibiting discrimination or harassment in the workplace.
- (ii) Laws prohibiting or banning any form of forced, slave, or compulsory labor.
- (iii) The New Jersey Conscientious Employee Protection Act, N. J. Stat. Ann. § 34:19-1 *et seq.*, or other “Whistleblower Laws” that protect employees from retaliation for disclosing, or threatening to disclose, to a supervisor or to a public body an activity, policy or practice of the employer, that the employee reasonably believes is in violation of a law, or a rule or regulation issued under the law.
- (iv) Securities or tax laws resulting in a finding of fraud or fraudulent conduct.
- (v) Environmental laws, where the monetary award, penalties, damages, etc. amounted to more than \$1 million.
- (vii) Laws banning anti-competitive dumping of goods.
- (viii) Anti-terrorist laws.

- (ix) Criminal laws involving commission of any felony or indictable offense under State or Federal law.
- (x) Laws banning human rights abuses.
- (xi) Laws banning the trade of goods or services to enemies of the United States.

\_\_\_ Yes \_\_\_ No

**Part B. Pending Proceedings**

11. To the best of your knowledge, after reasonable inquiry, are Applicant, or any officers or directors of Applicant, or any Affiliates, a party to pending Legal Proceedings wherein any of the offenses or violations described in questions 1-10 above are alleged or asserted against such entity or person? With respect to laws banning or prohibiting discrimination or harassment in the workplace, please provide only information pertaining to any class action lawsuits.

\_\_\_ Yes \_\_\_ No

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If the answer to any of the foregoing questions is affirmative, you must provide the following information as an attachment to the application: (i) the case name and court/administrative agency (including jurisdiction and venue) in which such matters were tried or are pending; (ii) the charges or claims adjudicated or alleged; and (iii) a brief explanation of the circumstances giving rise to such matters. Also, for affirmative answers to question 1-10, please attach copies of document(s) reflecting the final resolution (e.g., final judgments, verdicts, plea bargains, consent orders, administrative findings, or settlement agreements).

Note that an Applicant may refer to or attach specific provisions of a 10-K/Q or other filings with the U.S. Securities and Exchange Commission (SEC); however, the Applicant should be aware that different laws apply to disclosures to the Authority. This means that the Authority does not have the same types of materiality thresholds as the SEC. The Applicant is expected to supplement its SEC filings to ensure that all relevant matters are disclosed to the Authority, including any matters that were below the SEC's materiality threshold and any matters that may have occurred after its most recent filing.

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Please Note: Eligibility is determined based on the information presented in the completed Application. If, at any time while engaged with the Authority the Applicant should become aware of any facts that materially alter or change its answers, or that render any of them incomplete or inaccurate, the Applicant has a duty to promptly report such facts to the Authority in writing. The Authority reserves the right to require additional clarifying or explanatory information from the Applicant regarding the answers given, to ask additional questions not contained in this Legal Questionnaire, and to perform its own due diligence investigations and searches.



