



NJ ZIP PURCHASER 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 with the title “Purchaser 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 Vendor name (in the NJ ZIP system)
 - o Vehicle make/model and counts
 - o Vehicle use
 - o Information on any vehicles being replaced (as necessary)
- Tax Clearance Certificate listing NJ EDA

This can be accessed through 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. Final tax clearance must be submitted prior to proceeding forward to agreement. If you are a government entity, this document is not required; NJEDA will verify that you are an eligible government entity.

- Proof of intent to purchase

Either Purchase Order from Vendor with contingency (i.e., PO is dependent upon receipt of voucher) OR quote from Vendor for the specified vehicle(s)

- Vehicle operation compliance plan

Document that demonstrates how 50% operation within the pilot communities and/or 75% operation within NJ will be tracked. Option for documentation include: telematics device specification or contract; fixed route maps and associated daily mileage; third-party tracking contract (e.g., battery supplier or vehicle manufacturer agreement); delivery/scheduled operation (historical); or proposed format for use records that will document daily use (purpose, distance, location) and track to the 50% and/or 75% requirement. Alternative methods to prove VMT may be considered on a case by case basis.

- If applying as a small business:

- o Staff count

Tax documented staff count, as appropriate to company type: e.g., Federal 941, WR-30, etc

- o Annual revenue

Tax documented revenue, as appropriate to company type: Federal 941 and e.g., NJ-CBT-100 (Schedule A), Form-1065, Form-1040 (Schedule C)

- If applying as a woman-, minority-, and/or veteran-owned business:
 - o NJ woman-, minority-, and/or veteran-owned business certification

This can be accessed through <https://www.njportal.com/DOR/SBERegistry> for registered businesses. If this has been requested and is not yet available, documentation of the request can be uploaded in lieu. The certificate will be required before the grant agreement is signed.

- If applying as a religious organization:
 - o Religious Activity Questionnaire

Please download, fill out, and upload this form here: <https://1e7pr71cey5c3ol2neoaoz31-wpengine.netdna-ssl.com/wp-content/uploads/2021/02/CV19L-Religious-Activity-Questionnaire-FINAL.pdf>

- If applying as a political organization:
 - o Political Activity Questionnaire

Please download, fill out, and upload this form here: <https://www.njeda.com/lobbying-political-activity-questionnaire-6-23-2020/>



NJ ZIP PURCHASER APPLICATION WALK THRU

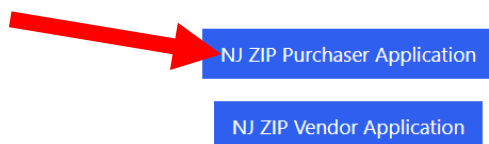
Opening page

NJEDA Application Center

🏠 | 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!



Welcome page

Welcome to the NJ ZIP Applicant Portal!

To be eligible for this pilot program, you must be a business or institution registered in New Jersey and plan to buy a new zero-emission, medium-duty vehicle, which will operate 50% or more of its vehicle miles within either the greater Camden or greater Newark areas.

Create a voucher application for your qualifying zero-emission medium-duty vehicle(s) purchase by clicking the "Create" button below. If you have already created an application below, you can access it by clicking the Application ID ["MOLA-XXXXX"] to complete the application process or view status.

Read!

Please note: A \$1,000 application fee will be assessed in order to submit your application. If you believe this fee poses an undue financial hardship, please email njzip@njeda.com, title "NJ ZIP Hardship Waiver Request – [Insert applicant business name]". Undue financial hardship is defined for this program as follows:

- For a for-profit entity, if the adjusted gross income reported on your business' most recent federal tax return is less than \$1,000,000
- For a non-profit entity, if the annual operating budget, defined in the entity's most recent federal filing (Form 990) as Total Expenses (Box 18), is less than \$1,000,000

You can apply for multiple vehicles within a single application, capped at \$1.5M.

NOTE: This is not a COVID grant program.



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

NJ ZIP Purchaser Create

Organization Name *

The full name of your registered legal entity

Doing Business As

Does your business operate under a different name?

New Jersey Mailing Address

Street Address *

Street Address 2

Suite, Apt, Floor?

NJ Zip Code *

City *

State *

Primary Contact

First Name *

Last Name *

Title *

Phone *

Email *

Email (Confirm) *

Next

Application Page 2: Entity information (con't)

Organization Details

Is the Applicant Organization a commercial, industrial, or institutional entity? *

Institutional is defined as "serving a nonprofit or public purpose, such as a library, hospital, public school, institution of higher education, municipal utility, public recreation or cultural facility, or government entity. The term "government entity" local and municipal government entities, but for the purposes of this pilot, State government entities are not eligible."

Entity Type *

What is the ownership structure of the applicant?

Is the Applicant Organization a small business? *

For the purposes of the Program, a small business is defined as having 25 or fewer fulltime employees in total OR less than \$5M in annual revenue.

Employer Identification Number (EIN) *

The 9 digit Federal Tax ID number of your organization.

Is your business religiously affiliated? *

Is your business/organization involved in political activity and/or lobbying? *

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Is the Applicant Organization a commercial, industrial, or institutional entity? *

Yes, my entity is a for-profit business

Yes, my entity is an institutional organization

No, my entity is not a commercial, industrial, or institutional entity

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

If “small business” is selected, two additional pieces of information will be requested:

Is the Applicant Organization a small business? *

Yes

For the purposes of the Program, a small business is defined as having 25 or fewer fulltime employees in total OR less than \$5M in annual revenue.

Number of Full-Time W2 Employees listed on your WR-30 *

What is the entity's annual revenue based on its most recent business tax filing? *

Please be sure this amount matches the amount on your most recent business tax filing or financial statements.

Application Page 3: Demographics information

Demographic Information

Please select which of the following your entity self-identifies as: (Please choose all that apply)

- ☐ Minority Owned
- ☐ Woman Owned
- ☐ Veteran Owned
- ☐ Disabled Owned
- ☐ None
- ☐ I Do Not Wish to Identify

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Next

If minority-, woman-, or veteran-owned business is selected, additional questions will be asked. If your organization anticipates applying for related bonus criteria, you must have certification documentation, as shown below.

Demographic Information

Please select which of the following your entity self-identifies as: (Please choose all that apply)

☒ Minority Owned

Please specify race/ethnicity *

Is the organization a Minority Owned Business as certified by the state of NJ? *

☒ Woman Owned

Is the organization a Women Owned Business as certified by the state of NJ? *

☒ Veteran Owned

Is the organization a Veteran Owned Business as certified by the state of NJ? *

- ☐ Disabled Owned
- ☐ None
- ☐ I Do Not Wish to Identify

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Application Page 4: Vendor selection

****PLEASE NOTE**** If your Vendor is not yet approved, they will not appear when you search for them. On April 6, the application will open for them to apply. If you are attempting to apply on April 6, select “my vendor is not listed”. Your application progress will be saved until your vendor is approved; you will not be able to proceed past this page. NJEDA anticipates review and approval (or declination) of vendors may take 1 - 3 weeks from receipt of their application. If you are attempting apply at a later date, confirm with your vendor that they have applied and been approved.

Vendor Identification Page

Please select your Vendor from the drop down list below.

If you do not see your Vendor, please reach out to them to confirm they have submitted their application. It may take 1 - 3 weeks for a qualified Vendor to be listed after they submit.

Your progress will be saved on this application.

Vendor *

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[Next](#)

Lookup records

Search

✓ Account Name ↑	Doing Business As	Primary Contact
✓ 0 - My Vendor Is Not Listed		
Example vendor 1		
Example vendor 2		
Example vendor 3		

Select

Cancel

Remove value

i The form could not be submitted for the following reasons:

[You selected your Vendor was not listed, please reach out to them to confirm they have submitted their application. It may take 1 - 3 weeks for a qualified Vendor to be listed after they submit. Your progress on the application until this point has been saved.](#)

Application Page 5: Vehicle selection

Vehicle Purchases

Please create vehicle purchase record(s) for your vehicles below.

If you do not see the vehicles you are purchasing from your Vendor, please reach out to them to confirm they have submitted the vehicles in their profile.

Your progress will be saved on this application.

Read!

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

- Select Vehicle Purchase record by clicking the Name [e.g., "VHPR-XXXX"]
- The Vehicle Purchase 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:
 - Proof of Intent to Purchase
 - Vehicle Operation Compliance Plan
- Check off each file you have uploaded
- Click Submit to save upload and return to previous page,
- Repeat for each Vehicle Purchase record. When all files are uploaded, click 'Next' to proceed"

 Create

Name ↑	Vehicle Make (Vehicle)	Vehicle Model (Vehicle)	What is the quoted price of the project?	How many vehicles of this model purchasing?	Vehicle
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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 are applying for a voucher for.

Vehicle create pop up

Create

1

Vehicle *

What is the pre-voucher quoted price (taxes not included) of this vehicle? Please give the price of one vehicle, if multiple are purchased of this type. *

2

What is the vehicle use? *

Are you purchasing a new vehicle? *

How many vehicles of this model are you applying for voucher for? *

Have you already registered the vehicles? *

Do you intend to purchase and register the vehicles within 6 months of voucher reservation? *

Have these vehicles previously received funding from any other NJ State programs, including but not limited to the Department of Environmental Protection's Volkswagon (VW) Settlement Fund grants? *

3

Is the vehicle intended for commercial, industrial, or institutional use (i.e., not personal)? *

For at least 3 continuous years after registration in New Jersey, will the vehicle(s) operate more than 50% of vehicle miles traveled within the greater Camden or greater Newark areas and/or will the vehicle registration address and vehicle be domiciled in greater Camden or greater Newark areas? *

For at least 3 continuous years following registration in New Jersey, will the vehicle(s) remain registered and operate more than 75% of vehicle miles traveled in New Jersey? *

What is one of the primary communities that the vehicle will be registered and/or operate within? *

Anticipated Annual Mileage *

Is this vehicle replacing another vehicle? *

Submit

Pop up box 1: Vehicle look up

Lookup records

✓

Vehicle Make

Vehicle Model

What is the vehicle type?

What is the vehicle weight?
↑

Provide link to the Vendor website

✓

Example Vehicle – Make – Model – Type (truck/bus/etc) – Class (2b – 6)

Example Vehicle – Make – Model – Type (truck/bus/etc) – Class (2b – 6)

Select

Cancel

Remove value

Pop up box 2: Vehicle use

What is the vehicle use? *

Bus: Transit bus (more than 15 passengers)

Bus: School bus

Bus: Shuttle/paratransit (less than 15 passengers)

Truck: pickup truck

Truck: Utility cargo van

Truck: Delivery, straight

Truck: Delivery, step van

Truck: regional haul freight

Truck: long haul freight

Specialty: Refuse/Garbage truck

Specialty: Ambulance

Specialty: Fire truck

Specialty: Tow truck

Specialty: Dump truck

Specialty: Bucket/Aerial Truck

Specialty: Snowplow/sander

Specialty: Sewer cleaner

Specialty: Street sweeper

Other

Pop up box 3: Locational eligibility

For at least 3 continuous years after registration in New Jersey, will the vehicle(s) operate more than 50% of vehicle miles traveled within the greater Camden or greater Newark areas and/or will the vehicle registration address and vehicle be domiciled in greater Camden or greater Newark areas? *

Yes, more than 50% of the vehicle miles traveled will be within greater Camden area
Yes, more than 50% of the vehicle miles traveled will be within greater Newark area
Yes, the vehicle registration address and vehicle will be domiciled in greater Camden area
Yes, the vehicle registration address and vehicle will be domiciled in greater Newark area
Yes, the vehicle will both operate in and be registered/domiciled in greater Camden area
Yes, the vehicle will both operate in and be registered/domiciled in greater Newark area
No

Application Page 5: Vehicle Selection (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.

Name ↑	Vehicle Make (Vehicle)	Vehicle Model (Vehicle)	What is the quoted price of the project?	How many vehicles of this model purchasing?	Vehicle
VHPR-0000029	Volvo	XC90	\$0.00	1	VHCL-0000009

Vehicle create pop up: Scroll to bottom

Documents

☐ **Proof of Intent to Purchase ***
Either Purchase Order from Vendor with contingency OR quote from Vendor for the specified vehicle(s)

☐ **Vehicle Operation Compliance Plan ***
Document that demonstrates how 50% operation within the pilot communities and/or 75% operation within NJ will be tracked. Option for documentation include: telematics device specification or contract; fixed route maps and associated daily mileage; third-party tracking contract (e.g., battery supplier or vehicle manufacturer agreement); delivery/scheduled operation (historical); or proposed format for use records that will document daily use (purpose, distance, location) and track to the 50% and/or 75% requirement. Alternative methods to prove VMT may be considered on a case by case basis.

Add files

There are no folders or files to display.

Submit

Application Page 6: Vehicle Replacements

If you are replacing a vehicle that you currently own with the vehicle you are applying for, you must populate vehicle replacements for each of those vehicles being replaced. If you are not replacing any vehicles, you can skip this page by clicking “Next”.

Vehicle Replacements

Create

Name ↑	Vehicle Gross Vehicle Weight Rating (GVWR):	Vehicle Model Year	Engine Model Year	Vehicle Fuel Type
There are no records to display.				

Previous

Next

Vehicle replacements pop up

Create

Vehicle Gross Vehicle Weight Rating (GVWR): *

Vehicle Model Year *

Engine Model Year *

Vehicle Fuel Type *

Annual Fuel Usage (In Gallons) *

Scrapping Vehicle *

Scrapping is defined as rendering the vehicle inoperable and available for recycle; at a minimum, to cut a 3-inch hole in the engine block and disable the chassis by cutting the vehicle's frame rails complete in half.

Reselling Vehicle *

Application Page 7: Total voucher estimate

Voucher Amount

Potential Award Amount

\$0.00

This is an estimated award amount only. Actual award is subject to the review and approval of this program application and its corroborating documentation by the NJ Economic Development Authority and availability of funds. Additional criteria provided by your vendor may impact this amount.

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Application Page 8: Documentation upload

PLEASE NOTE You must upload all documentation relevant to your application, which will be show based on your answers to the prior questions in the application. The below screen shot shows all possibilities. Your screen may look different if you are not applying for bonus criteria or are not religiously or politically affiliated.

Documents

☐ **Tax Clearance Certificate listing NJ EDA**

This can be accessed through 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. Final tax clearance must be submitted prior to proceeding forward to agreement. If you are a government entity, check this box to proceed, but no upload is required.

☐ **Small Business Documentation: Staff Count**

Tax documented staff count, as appropriate to company type: e.g., Federal 941, WR-30, etc

☐ **Small Business Documentation: Annual Revenue**

Tax documented revenue, as appropriate to company type: Federal 941 and e.g., NJ-CBT-100 (Schedule A), Form-1065, Form-1040 (Schedule C)

☐ **Woman-, minority-, and/or veteran-owned business certification**

This can be accessed through <https://www.njportal.com/DOR/SBERegistry> for registered businesses. If this has been requested and is not yet available, documentation of the request can be uploaded in lieu.

☐ **Religious Activity Questionnaire**

Please download, fill out, and upload this form here: <https://1e7pr71cey5c3ol2neoaoz31-wpengine.netdna-ssl.com/wp-content/uploads/2021/02/CV19L-Religious-Activity-Questionnaire-FINAL.pdf>

☐ **Political Activity Questionnaire**

Please download, fill out, and upload this form here: <https://www.njeda.com/lobbying-political-activity-questionnaire-6-23-2020/>

[Add files](#)

There are no folders or files to display.

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Application Page 9: Legal questionnaire

Full Legal Questionnaire text can be found in Appendix A of this document. Sample of the page is shown below.

PLEASE NOTE This questionnaire 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.

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

3. Violation of the Federal or State antitrust statutes, or of the Federal Anti-Kickback Act (18 U.S.C. 874). *

4. Violation of any law governing the conduct of elections of the Federal Government, State of New Jersey or of its political subdivision. *

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.). *

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. *

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

Application Page 10: 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

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.

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 11: Application signature

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 *

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[Submit](#)

PLEASE NOTE Your vendor has been notified that you selected their vehicles. They will upload information relevant to your application. Once this is complete, you will receive a confirmation email, at which point you can sign, pay for, and submit your application.

 The form could not be submitted for the following reasons:

[Full Name is a required field.](#)

ERROR: You cannot sign at this time. Vehicle Purchase records are still awaiting review by the Vendor you selected. Please reach out to njzip@njeda.com with any questions.

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 *

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Application Page 12 - 15: Application payment

Select payment type – credit card or check. Your application will only be reviewed once payment is confirmed received. This fee is non-refundable. If you applied for and were approved for a hardship waiver, follow the instructions provided in that approval.

Payment Method

There is a \$1,000 non-refundable application fee, unless otherwise already approved through the hardship waiver. The application will only be reviewed once fee is received, if paying by check.

Payment Method *

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Confirmation of fee amount (either credit or check)

Application Fee

There is a \$1,000 non-refundable application fee.

Application Fee Id

FREQ-0330900

Application Id

MOLA-00065641

Fee Amount

\$1,000.00

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Application Fee

Amount Due: \$1,000

Make check payable to: New Jersey Economic Development Authority

Reference the Application ID number "MOLA-000000" from Confirmation page (next page) in the note field.

Address:

New Jersey Economic Development Authority

36 West State St

PO Box 990

Trenton, NJ 08625-0990

Application Fee Id

FREQ-0330900

Application Id

MOLA-00065641

Fee Amount

\$1,000.00

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Fee payment pages



Order Section

Amount	1,000.00 USD
Description	NJEDA MOLA-00065641
Invoice Number	FREQ-0330900

CHECKOUT



Order Section

Amount	1,000.00 USD
Description	NJEDA MOLA-00065641
Invoice Number	FREQ-0330900

Payment

PAYMENT CARD



Card Number *

Expiration Date(MMY) *

CVV2



Billing Address

Company

First Name

Last name

Address1

Address2

City

State/Province

Postal Code

Country

Email Address

Phone


SUBMIT PAYMENT

Application Page 16: Application submission

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

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Submit



Confirmation

Thank you for your voucher application for New Jersey Zero-Emission Incentive Program (NJ ZIP). 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.

If you have any questions in the interim, you may reach out to **njzip@njeda.com**.

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

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.

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.

Part C. Applicable Affiliates

Please provide a list of all entities or persons considered to be “Affiliates” of Applicant based upon the above definitions.

Name of Affiliate (Entity or Person)	Federal Employer Identification Number (EIN) (if applicable)

**CERTIFICATION OF LEGAL QUESTIONNAIRE
AND AUTHORIZATION TO RELEASE INFORMATION**

This certification shall be signed as follows:

- *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.*

I hereby represent and certify that I have reviewed the information contained in this Legal Questionnaire, and that the foregoing information is true and complete under penalty of perjury. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. I further agree to inform the New Jersey Economic Development Authority of any changes in the foregoing information which may occur prior to execution of any agreement with the Authority, and so long as any such agreement is in effect. Failure to disclose relevant matters may render the Applicant ineligible for the financial benefits sought and may subject the Applicant to disqualification, debarment, suspension, or referral to the office of the state's Attorney General.

The undersigned, on behalf of the Applicant, understands and acknowledges that information and documents provided to the New Jersey Economic Development Authority: (1) are subject to public disclosure during deliberations of the Authority at public meetings regarding the application and as set forth in the minutes of the Authority's public meetings; and (2) are subject to public disclosure under certain laws, including, but not limited to, the Open Public Records Act, N.J.S.A. 47A:1-1 *et seq.*, and the common law right-to-know.

Signature _____ Date _____

Printed Name/Title _____

Applicant Name _____ Date _____