

**BOROUGH OF FREEHOLD**

**COUNTY OF MONMOUTH**

**#2023/25**

**ORDINANCE AMENDING AND SUPPLEMENTING TITLE 3 (REVENUE AND FINANCE)**

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough has undertaken a review and analysis of the purchasing system and procedures of the Borough.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Freehold as follows:

**Section 1**

Title 3 “Revenue and Finance” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline

**3.08.070 Criminal Conviction to Serve as Grounds for Disqualification from Award of Contract.**

Any department, division or agency, of the Borough of Freehold, which advertises for bids for goods and/or services shall request of all prospective bidders, through a questionnaire to be inserted in the bid specifications section, that the bidder disclose any Municipal, County, State or Federal criminal conviction, in this State or any other State.

Any conviction set forth in the questionnaire, including a conviction of any one principle of a corporation, may serve as the basis of a rejection of the bid by the Borough of Freehold.

Any acceptance and/or rejection by the Borough, based upon a prior conviction, shall not take place unless and until there has been a responsibility hearing held by the Borough Administrator, or his designee, of the Borough and recommendation submitted to the Municipal Council.

Any bid received by the Borough without a disclosure statement attached may not to be considered a responsible bid.

If after the awarding of the contract, the bidder is found to have been convicted of a crime, such falsification of information by the bidder or his or her agent shall be grounds for the termination of the contract.

## **Section II**

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

## **Section III**

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

## **Section IV**

This Ordinance shall take effect upon final passage and publication in accordance with Law.

Introduction: October 2, 2023

Public Hearing/Adoption: October 16, 2023