

SANDRA D'ARZEN
Purchasing Agent

TOWN OF SECAUCUS

Municipal Government Center
Secaucus, NJ 07094
OR FAX TO (201) 271-3615

EXTREMELY URGENT

To: All Vendors

Re: Advisory Notice

C57 Laws of 2004 (S1778 signed June 29, 2004)

You are alerted to this law that expands the State Contractor Business Registration Program to local governments. The revision to the existing law requires all vendors doing business with local governments to be registered with the New Jersey Department of Treasury, Division of Revenue, and effective September 1, 2004. The town of Secaucus requires a copy of your Business Registration Certificate (sample copy attached) on file as soon as you receive it. Information about Business Registration Certificate is available on the New Jersey Department of Treasury; Division of Revenue web site: www.state.nj.us/treasury/revenue. The web site also permits you to check to see if you are already registered.

"Business organization" (as defined in the law) means an individual, partnership, association, joint stock company, trust corporation, or other legal business entity or successor thereof.

The revised law further provides that:

- 1) A copy of the Business Registration Certificate issued by the New Jersey Department of Treasury shall be provided at the time any bid or RFP is submitted; failure to do so is a fatal defect that cannot be cured.
- 2) A copy of the Business Registration Certificate shall be submitted before any purchase order or other contracting document can be issued. Failure to supply a certificate will prevent the County from being able to purchase from you.
- 3) Contractors are responsible for notifying subcontractors of the law's provisions.

It is anticipated that the Department of Treasury will promulgate rules, which may require further communication at a later date.

Sincerely,

Sandra D'Arzen
Purchasing Agent

EXTREMELY URGENT

BUSINESS REGISTRATION CERTIFICATE

A Business Registration Certificate serves two purposes:

- **For public contracting, as proof of valid business registration with the New Jersey Division of Revenue.** All contractors and subcontractors must provide this documentation when seeking to do business with the State of New Jersey, and other public agencies in this state. Proof of registration is also required for licensure with the Casino Control Commission.
- **To comply with Chapter 85, P.L. 2006, defined under N.J.S.A. 54A:7-1.2.** You must use the Business Registration Certificate if you are an unincorporated construction contractor performing work in NJ or you are a registered unincorporated contractor requesting proof of certification.

If you are a registered vendor but have not received the Business Registration Certificate in the mail, you may [obtain a certificate online](#). Please note that this certificate is not required by all businesses in New Jersey, but only those doing business with the public sector and with the casino service industry.

You may check the [online registration inquiry](#) to determine if the business is already registered. If you have not registered but are required to have this certificate, you will need to complete Form NJ-REG. Representatives of the Division's Client Registration activity are available to assist in the registration process by calling 609.292.9292.

Filing Form NJ-REG

In most cases, you may [submit Form NJ-REG online](#). Exceptions and additional requirements include:

- Any business including an out-of-state business with a presence or nexus in New Jersey, operating as a **corporation, limited partnership, limited liability company or limited liability partnership** must first obtain legal authority to operate in this State prior to submitting Form NJ-REG. Generally, this is accomplished by filing a [Certificate of Incorporation](#) or Formation with the Division. You may wish to review information concerning [getting registered](#) to assist with this process.
- **Out-of-state businesses** that believe they do not have state tax nexus will file a [paperform NJ-REG](#) in order to obtain a Business Registration Certificate. Business entities that file form NJ-REG only will be subject to a nexus review, initiated and conducted by the Division of Taxation.
- **Individuals or Unincorporated Construction Contractors** with no business tax or employer obligations may register using [Form Reg-A](#) instead of Form NJ-REG in order to obtain the Business Registration Certificate. Individuals who have created and are operating as a business entity (e.g. LLC) may not use Form REG-A.
- **Non-profit organizations** although required to register for tax purposes are not subject to the proof of registration requirement when contracting with public agencies in this state.

Public Contracts

When seeking a public contract, an affirmative action report (Form AA-302) will also be required. The Certificate of Registration may not be used as evidence of compliance with the affirmative action requirements and submitted in lieu of Form AA-302. Both forms will be required. The Division of Contract Compliance and Equal Employment Opportunity in Public Contracts provides guidelines for awarded public contracts.

In addition, answers to [frequently asked questions](#) are provided by the Division of Local Government. While designed for local government contracting, the FAQ page contains guidance that it is applicable to most New Jersey government procurement activities.

- [Registering for Tax Purposes](#)
- [Circular Letter Regarding Proof of Registration for State Government Contracting](#)
- [Instructions for Contracting with Local Government, Colleges and Universities, County Colleges and Boards of Education](#)
- [Guidelines and Regulations for Awarded Public Contracts](#)
- [Affirmative Action Employee Information Report \(Form AA-302\)](#)
- [Local Government Services' Flyer for Registering and Obtaining Proof of Registration](#)

Last Updated: Friday, 02/18/11

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New Jersey Division of Revenue

Revenue

BUSINESS REGISTRATION CERTIFICATE

A Business Registration Certificate serves as proof of valid business registration with the New Jersey Division of Revenue. Effective September 1, 2001, this document is required by all contractors or subcontractors doing business with the State of New Jersey as well as for purposes of licensure with the Casino Control Commission.

If you are a registered vendor but have not received this certificate in the mail, you may contact the Division's Client Registration activity at (609) 292-1730 and a certificate will be forwarded. Please note that this certificate is not required by all businesses in New Jersey, but only those doing business with the State of New Jersey State and the casino service industry.

You can check the Online Registration Inquiry to determine if the business is already registered for tax purposes. If you have not registered but are required to have this certificate, you will need to complete Form NJ-REG. Representatives of the Division's Client Registration Activity are available to assist in that process by calling (609) 292-1730. Online registration is available. Contractors and subcontractors who need a registration certificate but are not subject to New Jersey business taxes and do not have employer obligations with the State of New Jersey, may register by using Form Reg-A. This form may be downloaded for filing but is currently not available to be filed online.

If the business entity is other than a sole proprietorship or a partnership without employees, then you must also submit a "Public Records Filing for New Business Entity." You can also do this online from the same website. Click on #1 - "File a Certificate of Incorporation or New On-Line Business Certificate."

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, N.J. 08646-0252
TAXPAYER NAME:		TRADE NAME:
NAME OF BUSINESS		CONTRACTOR CERTIFICATION#
TAXPAYER IDENTIFICATION#		ISSUANCE DATE:
000-000-000		09/13/01
ADDRESS:		AUTHORIZING SIGNATURE
BUSINESS ADDRESS:		<i>[Signature]</i> Director, Division of Revenue
EFFECTIVE DATE:		This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.
08/16/85		
FORM-BRC(08-01)		

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