

LAKEWOOD BOARD OF EDUCATION

Business Office
200 Ramsey Avenue
Lakewood, NJ 08701

***REQUEST FOR PROPOSAL
(RFP)***

Broker of Record Services

EUS/RFP #01-1718

Submission Date:

Thursday, May 4, 2017
10:00 am

**LAKEWOOD BOARD OF EDUCATION
REQUEST FOR PROPOSALS (RFP)**

The Board of Education of Lakewood, New Jersey, solicits proposals for the School Year 2017-2018.

Proposal No. EUS 01-1718 Title: BROKER OF RECORD FOR HEALTH AND PRESCRIPTION BENEFITS

All necessary proposal specifications and proposal forms may be secured upon written request to:

Regina Robinson
Interim School Business Administrator, Board Secretary
Lakewood Board of Education
200 Ramsey Avenue
Lakewood, NJ 08701
E mail dpiasentini@lakewoodpiners.org

Proposals must be sealed and delivered to the Business Office, Office of the Interim School Business Administrator, Lakewood Public Schools, on or before date and time indicated below. The envelope is to bear the following information:

Title: BROKER OF RECORD SERVICES FOR SCHOOL YEAR ENDING JUNE 30, 2018

Proposal No.: EUS 01-1718

Name and Address of the Respondent: _____

Date: Thursday, May 4, 2017

Time: 10:00A.M.

The proposal opening process will begin on the above date and time in the Board of Education Meeting Room, Lakewood, New Jersey. Proposals may also be submitted to the Interim School Business Administrator or his designee at the proposal opening meeting, in the Board Meeting Room, prior to the advertised date and time. On the advertised date and time, the Interim School Business Administrator shall publicly receive and open all proposals. No proposals shall be received after the time designated in the advertisement. (N.J.S.A. 18A:18A-21(b)). The Board of Education does not accept electronic (e-mail) submission of Competitive Contracting proposals.

All respondents are required to comply with the requirements of N.J.S.A. 10:5-31 et seq., Affirmative Action Against Discrimination and N.J.A.C. 17:27-1 et seq.

A Non-Collusion Affidavit and a Contractor Questionnaire/Certification also must be filed with the proposal. The proposal package will also include other documents that must be completed and returned with the proposal. Failure to comply complete and submit all required forms, may be cause for disqualification and rejection of the proposal.

The Board of Education reserves the right to reject any or all proposals pursuant to N.J.S.A. 18A:18A-2(s), (t), (x), (y), 18A:18A-4(a), 18A:18A-22, and to waive any informalities.

Regina Robinson
Interim School Business Administrator, Board Secretary

LAKEWOOD BOARD OF EDUCATION

Business Office
200 Ramsey Avenue
Lakewood, NJ 08701



**REQUEST FOR PROPOSAL
(RFP)**

**TECHNICAL
SPECIFICATIONS**



Ms. Regina Robinson
Interim School Business Administrator
Board Secretary

LAKEWOOD BOARD OF EDUCATION
Lakewood, New Jersey 08701

BROKER OF RECORD – EMPLOYEE HEALTH BENEFITS

EUS/RFP #01-1718

A. PURPOSE

The Lakewood Board of Education seeking proposals from qualified respondents as follows:

BROKER OF RECORD – EMPLOYEE HEALTH BENEFITS

B. SCOPE OF SERVICE – (Technical Criteria)

Part I - Background

The Lakewood Board of Education soliciting proposals from licensed insurance producers in New Jersey to perform insurance brokerage services and to represent the board as Broker of Record for Employee Health Benefits.

The Lakewood Board of Education a K-12 regional public school district, serving 6,500 students. The district employs approximately 1,000 employees who receive employee health benefits.

The district's current coverage and carriers are as follows:

Major Medical Insurance	NJSHBP	January 1, 2018
Prescription	Benecard	January 1, 2018
Dental	MetLife	July 1, 2017
Vision	NVA	July 1, 2017

All activities pertaining to employee health benefits are coordinated through the office of Human Resources-Health Benefits Coordinator. The Health Benefits Coordinator receives assistance from time to time from both the Superintendent's Office and the Business Office personnel.

Part II - Services

The Broker of Record for Employee Health Benefits shall provide insurance brokerage services for the district, including but not limited to the following:

- **Procure Health Insurance Coverage**

The broker will be responsible for negotiating, analyzing and recommending any and all health insurance coverage for the school district. The broker will prepare all bid specifications in compliance with the Public School Contracts Law, for marketing health insurance coverage and evaluating all responses received when requested. The Broker of Record, when requested, is to market and provide competitive proposals for district review, evaluation and consideration.

- Review Health Insurance Coverage Bargaining Group Contracts

The broker is required to familiarize himself with the present health insurance coverages and present employee contracts of the school district to allow for comprehensive comparison and analysis of submitted proposals as to ensure equal or better coverage to existing applicable plans. The broker is to review present policies and plans for accuracy, compliance and financial prudence and make any or recommendations to the district.

The broker is to identify all issues and exposures as it pertains to health benefits and to inform the district of the latest developments affecting the insurance.

The broker is to provide any recommendations upon completion of reviews that would be a cost benefit savings to the district will be in compliance with the employee contracts.

The broker is to provide assistance to the Business Office in the budget planning process, including the evaluation and impact of rate changes to health benefits costs and premiums. Broker should be able to provide the Business Office with reasonable projected renewal figures during the budget process.

- Monitor Federal and State Law and Code

The broker is required to be knowledgeable of all Federal and State law and code as it pertains to health benefits coverage to provide the latest updates to the school district, especially to the Health Benefits Coordinator and Interim School Business Administrator. The broker is to provide all assistance in implementing any or all Federal and State law and code as it pertains to health benefits.

- Monitor Carrier Compliance and Claims Services

The broker will monitor and ensure carrier compliance with all plans, commitments and facilitate working relationships with the carrier and the school district.

The broker is responsible for monthly review and analysis of claims and financial data, including identifying allowable and unallowable claim costs, and relevant discounts, rebates and credits for the district.

- Attendance at Meetings

The Broker and professional staff must attend board of education meetings, board committee meetings, negotiations meetings, **when requested**. At these meetings and especially negotiations meetings, the broker will provide support and suggestions for the school district as it pertains to health benefits coverage.

- Liaison and Intermediary for District

The broker will serve as a liaison and intermediary with all insurance carriers, on the district's behalf in resolving any or all concerns, complaints or disputes with health insurance coverage. The broker will also bring carriers to make presentations to employees when requested.

- Managing District's Health Benefits Program and Employee Online Portal

The broker will assist the Health Benefits Coordinator of the school district in managing all aspects of the health benefits programs, including any or all enrollment activities.

The Broker of Record will work with the Health Benefits Coordinator in setting up and maintaining the district online employee benefits link on the district website that fully explains any and all coverage under health benefit plans.

The broker shall assist the district in evaluating settling employee grievances relating to health benefits issues.

- Broker Availability

The Broker of Record and/or his professional staff shall be available to district officials during working hours and reasonable after working hours for telecommunications and/or electronic communication support.

- Broker Assistance to District Retirees

When requested by the district, the broker shall provide to the district any guidance as it pertains to health benefit plans to district retirees.

The respondent must provide a detailed explanation how he will provide the services to the school district. Respondents are referred to Section G – Roman numeral I – Letter A - Description of Services for guidance.

C. QUALIFICATIONS OF RESPONDENTS/RELATIVE EXPERIENCE (Management Criteria)

(1) Business Organization

- The broker must maintain its principal business office within the State of New Jersey;
- The broker shall have, at a minimum, three (3) or more licensed professionals on staff whose major focus work will be to represent the interests of the LAKEWOOD BOARD OF EDUCATION;
- The broker shall be able to designate a dedicated account manager to handle services required by the school district;
- The broker shall be able to provide contracted services outside the normal business working hours, when necessary, at no additional cost to the district; and
- The broker must be actively licensed as a New Jersey insurance broker for a minimum of ten (10) years.

The respondent shall provide all information about the organization of the business as noted above in Section II - Management Criteria-Letter A - Business Organization.

(2) Qualifications and Relative Experience

The Broker must provide documentation that he has experience as Broker of Record for Employee Health Benefits as follows:

- Minimum of five (5) public schools in New Jersey;
- Of the five (5) public schools, three (3) of the public schools in New Jersey must have an employee coverage population of a minimum of seven hundred-fifty (750) employees or more; and
- All documented experience must be within the past five (5) years.

The respondent must provide information and documentation of all qualifications and relative experience as noted above and in Section II-Letter B-Qualifications; Relative Experience.

D. CONTRACT PERIOD

The term of contract for Broker of Record – Employee Health Benefits shall be from July 1, 2017, through June 30, 2018. The board of education reserves the right to renew the contract for Broker of Record services in accordance with N.J.S.A. 18A:18A-42, for an additional two (2) years.

E. COORDINATION OF ACTIVITIES

All activities for this contract will be coordinated through the offices of

Ms. Regina Robinson
Interim School Business Administrator/Board Secretary
&
Mr. Justin Mandara
Health Benefits and Safety Coordinator

F. FEE SCHEDULE – PAYMENT

Flat Fee amount

The respondent shall state in the proposal and on the RFP Proposal Form, an all-inclusive flat fee amount that will be paid directly by the school district to the broker for services rendered as Broker of Record for Employee Health Benefits. The flat fee amount paid by the district to the broker will encompass the entire compensation the broker will receive.

Net of Commissions

The broker may not take any commissions or any other form of compensation or payment of any insurance carriers or providers for services rendered to the school district under this request for proposal. The broker will be paid a flat fee by the school district for services rendered. All respondents are to submit a signed statement that they fully understand the payment terms as specified here within.

Hourly Rate

All respondents are to provide hourly rate for extraordinarily services that may have to be provided by the Broker of Record. It is understood for this contract that the board considers any attendance to a board of education negotiations committee meeting, would constitute the implementation of the hourly rate to be paid to the consultant. Attendance at other board meetings and meetings with administrative personnel are part of the annual flat fee amount.

Expenses: travel and meals

The selected broker agrees that he is responsible for his expenses including travel and meals incurred in the rendering of services for this RFP.

G. PRESENTATION PACKAGE – Submit with the EUS/RFP Response

The school district seeks from all participating respondents' information that will assist the district in selecting the respondent who will provide the highest quality services at a fair and competitive price.

All respondents shall prepare a presentation package to be submitted with the RFP.

The Presentation Package shall include at a minimum the following:

I. Technical Criteria

Description of Services

Respondents should list all services to be rendered with their explanation in detail on how they will provide the services. Respondents shall also provide evidence of how services of similar type were provided to other public/private schools in New Jersey. (Success stories only). Respondents, by submitting a proposal acknowledge that they fully understand the scope of service, work and activity to be performed. Respondents are to provide evidence of any innovation and/or successful approach in providing the services requested.

II. Management Criteria

A. Business Organization

The respondent shall submit a full description of the business organization to include, but not be limited to:

- Name, address, phone, fax, website, e-mail address and other information of the professional firm or individual;
- An organizational chart noting the names of all principals and partners;
- Resumes of key staff members; and
- Other information concerning individuals of the professional firm that would assist the school district in the evaluation process.

B. Qualifications; Relevant Experience

Respondents shall submit documentation highlighting qualifications and experience they have that will assist the school district in the evaluation and selection process. Such documentation shall include, but not be limited to:

- Evidence of providing services as listed in the specifications to public/private school districts for a minimum of at least five (5) years;
- Three (3) letters of recommendation from public/private school districts in New Jersey;
- Copies of all professional or educational licenses that are required to perform the services as listed in the specifications;
- List of any judgments within the last three (3) years and/or a list of bankruptcy or organization proceedings within the last ten (10) years;
- Other information concerning the firm and/or individuals of the firm that would assist the school district in the evaluation process, and
- Availability of personnel, facilities, equipment and other resources to provide the services requested.

III. Cost Criteria

Flat Fee Amount

The respondent shall state in the proposal and on the RFP Proposal Form, an all-inclusive flat fee amount that will be paid directly by the school district to the broker for services rendered as Broker of Record for Employee Health Benefits. The flat fee amount paid by the district to the broker will encompass the entire compensation the broker will receive.

Net of Commissions

The broker may not take any commissions or any other form of compensation or payment from any insurance carriers or providers for services rendered to the school district under this request for proposal. The broker will be paid a flat fee by the school district for services rendered. All respondents are to submit a signed statement that they fully understand the payment terms as specified here within.

Hourly Rate

All respondents are to provide hourly rate for extraordinarily services that may have to be provided by the Broker of Record. It is understood for this contract that the board considers any attendance at a board of education negotiations committee meeting would constitute the implementation of the hourly rate to be paid to the broker. Attendance at other board meetings and meetings with administrative personnel are part of the annual flat fee amount.

Expenses: Travel and Meals

The selected broker agrees that he is responsible for his expenses including travel and meals incurred in the rendering of services for this RFP.

The fee schedule provided by the respondent shall be a significant part of the evaluation process as conducted by the district and respondents should provide a full detailed analysis of their fee proposal.

Contract expenses

Respondents are to note the following as it pertains to expenses related to the contract:

- Expenses; Related to Contract; Incidental

All incidental expenses related to this contract, incurred by the respondent to whom the contract is awarded, shall be the responsibility of the respondent. The Board will not reimburse any vendor for any incidental expenses related to the contract.

- Expenses Not Related to the Contract; District Procedures

There may be a circumstance where a request is made for the respondent to provide services not directly related to the contract. These services not related to the contract are not to be provided by the respondent. The district will procure these services separately.

- Extraordinary expenses

Extraordinary expenses to be incurred by the respondent in the performance of his duties may be brought to the board prior to the actual expenditure. The Board, upon recommendation of the appropriate administrator, may consider reimbursing the expense, or the Board may procure the services separately.

H. EVALUATION PROCESS; METHODOLOGY OF AWARDING CONTRACT

All EUS/RFP responses are to be evaluated on the basis of whose response is the most advantageous to the district, price and other factors considered, and whose response will provide the highest quality of service at fair and competitive prices.

The board of education will use a one hundred (100) point system in evaluating all proposals. The criteria to be evaluated are identified below:

	<u>Category</u>	<u>Value Points</u>
I.	Technical Criteria	25
II.	Management Criteria	25
III.*	Cost Criteria	50

**The Office of the Interim School Business Administrator will assist in the evaluation of the Cost Criteria of all proposals received.*

I. EVALUATION OF PROPOSALS -- Evaluation Committee

A committee may be selected to evaluate proposals that have been submitted. Committee members will be familiar with the need for services to be performed in the request for proposal.

Committee members, if chosen, will be identified in the final report submitted to the board and also in the award of contract resolution.

All proposals will be evaluated pursuant to guidance issued in N.J.A.C. 5:34-4.2-Model Evaluation Criteria and in accordance with guidance issued the Office of State Comptroller and its publication

Best Practices for Awarding Services Contracts

J. AWARD OF CONTRACT- EUS AWARD

It is the intention of the Lakewood Board of Education award the contract to the respondent whose response is the most advantageous to the board, price and other factors considered; and who will provide the highest quality service at fair and competitive prices. It is noted for the record that Extraordinary Unspecifiable Services (EUS) procurement process as defined in N.J.S.A. 18A:18A-37(a) and N.J.A.C. 5:34-2.1 et seq. will be used for this proposal.

It is the intention of the Lakewood Board of Education award the contract for Broker of Record at the May 10, 2017 regular public meeting.



REQUEST FOR PROPOSAL

Model Evaluation Criteria Scoring Form



Ms. Regina Robinson
Interim School Business Administrator
Board Secretary

LAKEWOOD BOARD OF EDUCATION
Lakewood, NJ 08701

Evaluation Criteria
Scoring

Broker of Record – Employee Health Benefits

Name of Respondent _____

	<u>Category</u>	<u>Value Points</u>
I.	Technical Criteria	25
II.	Management Criteria	25
III.*	Cost Criteria	50
	<i>TOTAL SCORE</i>	100

*The Office of the Interim School Business Administrator will assist in the evaluation process of the cost criteria.

AWARD OF CONTRACT

It is the intention of the Board of Education to award the contract to the respondent whose response is the most advantageous to the board, price and other factors considered; and who will provide the highest quality service at fair and competitive prices.

Reviewer: _____

Points: _____

LAKEWOOD BOARD OF EDUCATION
Lakewood, NJ 08701

Broker of Record – Employee Health Benefits—Proposal Form
EUS/RFP #01-1718

The respondent by signing this proposal form acknowledges that he/she has carefully examined the proposal specifications and documents; and further acknowledges he/she understands and is able to render the scope of activity and services outlined in the proposal.

- **Flat Fee Amount**

The respondent shall state in the proposal and on the Proposal Form, an all-inclusive flat fee amount that will be paid directly by the school district to the broker for services rendered as Broker of Record for Employee Health Benefits. The flat fee amount paid by the district to the broker will encompass the entire compensation the broker will receive.

The flat fee amount for the contract year 2017-2018 is \$_____.

- **Net of Commissions**

The broker may not take any commissions or any other form of compensation or payment from any insurance carriers or providers for services rendered to the school district under this request for proposal. The broker will be paid a flat fee by the school district for services rendered. All respondents are to submit a signed statement that they fully understand the payment terms as specified here within.

- **Hourly Rate**

All respondents are to provide hourly rate for extraordinarily services that may have to be provided by the Broker of Record. It is understood for this contract that the board considers any attendance at a board of education negotiations committee meeting would constitute the implementation of the hourly rate to be paid to the broker. Attendance at other board meetings and meetings with administrative personnel are part of the annual flat fee amount.

Proposed Rate is \$_____ per hour

Name _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Phone Number () _____ Extension _____

Fax No. () _____ E-Mail _____

Authorized Agent _____ Title _____

Agent's Signature _____ **Date** _____

Reminder!

All proposals must be received no later than **Thursday, May 4, 2017 at 10:00 am**. All proposals are to be addressed and delivered to

Ms. Regina Robinson
Interim School Business Administrator
Board Secretary

LAKEWOOD BOARD OF EDUCATION
200 Ramsey Avenue
Lakewood, NJ 08701

LAKEWOOD BOARD OF EDUCATION

Lakewood, NJ 08701

ADVISORY INFORMATION FOR RESPONDENTS

1. PROMPTNESS OF RFP SUBMITTAL

It is the responsibility of the respondent to ensure that their RFP is presented in a sealed envelope at the District's Business Office, Office of the Interim School Business Administrator/Board Secretary or designee, prior to the advertised date and time fixed for the receipt of the EUS/RFP. This will occur promptly for this RFP on **Thursday, May 4, 2017 @ 10:00 a.m.** No extensions or exceptions will be made. The Business Office is opened Monday through Friday from **8:00 am – 4:00 pm** according to the school calendar and **8:30 am – 3:30 pm** during the summer. Access to the Business Office may be delayed because of security clearance. Respondents may also submit RFPs to the Interim School Business Administrator/Board Secretary or his designee at the RFP opening meeting held in the Board Conference Room at 200 Ramsey Avenue Lakewood, NJ 08701 prior to the advertised RFP opening date and time. Once again, RFPs will not be received after the time designated in the advertisement.

2. PARKING

Parking in the vicinity of the Board of Education Administration Building is at a premium. Allow enough time to locate a parking space. Parking is available in the board parking lot.

3. MAIL

Mail is brought to the Board Offices in mailbags, approximately **10:00 am** each day. The mail is then sorted within the district system, by departments. The Business Office routinely receives its mail at approximately **11:30 a.m.**

4. UPS / FED EX / AND OTHER EXPRESS DELIVERY SERVICES

Deliveries of this type are usually made from **10:00 a.m.** on. These items are brought only to the receptionist at the main building entrance. The receptionist then calls the various departments with a request to pick up their items. There may be some delay in getting RFPs to the Business Office.

5. HAND DELIVER BIDS – SUGGESTED PRACTICE

Keeping the aforementioned items in mind, the Board suggests that respondents arrange to hand deliver their RFPs to the Business Office, and personally turn it into the office of the Interim School Business Administrator/Board Secretary before the advertised date and time. Please understand that RFPs arriving after the advertised time for any reason, cannot be accepted or opened or considered.

Submission of Original Bid; Three Copies of the RFP

All RFPs are to be submitted in four copies; one (1) original; three (3) copies

LAKESWOOD BOARD OF EDUCATION
LAKESWOOD, NEW JERSEY



**REQUEST FOR PROPOSAL
EUS/RFP**

BROKER OF RECORD SERVICES

**GENERAL
SPECIFICATIONS**

Proposal Due Date

**Thursday, May 4, 2017
10:00 am**



LAKEWOOD BOARD OF EDUCATION
Lakewood, New Jersey

Request for Proposal EUS/RFP

Broker of Record Services

Purpose of Proposal

The LAKEWOOD BOARD OF EDUCATION, (Board) located in Lakewood, NJ, is soliciting competitive proposals from qualified respondents for Broker of Record services as here within specified.

The Board is soliciting competitive proposals to be in compliance with the New Jersey Public School Contracts Law (N.J.S.A. 18A:18A-1 et seq.,) and other applicable law and code. The Board will particularly adhere to the following

- Procurement Process Guidance—Extraordinary Unspecifiable Services (EUS)—N.J.S.A. 18A:18A-5 (a) (10)
- Award of Contract Guidance—N.J.S.A. 18A:18A-37 (a) (b)
- Best Practices for Awarding Services Contracts—Office of the New Jersey State Comptroller

Pursuant to this guidance, the Board will be asking for a number of forms to be completed and for a number of documents to be submitted by your company.

It is the desire to make this EUS/RFP a seamless process, in order to have your proposal to be considered for approval by the board of education. The Board asks your company to read the proposal package very carefully and seek guidance from your company officials for the completion and submission of the documents.

Rejection of Proposals

The Lakewood Board of Education advises all respondents that the failure to complete, sign or submit certain documents by the prescribed deadline, may make your proposal be considered as “non-responsive” pursuant to N.J.S.A. 18A:18A-2 (y) and therefore be rejected.

Submission of Proposals—Proposals are to be submitted to

The LAKEWOOD BOARD OF EDUCATION
Ms. Regina Robinson
Interim School Business Administrator/Board Secretary
200 Ramsey Avenue
Lakewood, New Jersey 08701

BY: 10:00 am PREVAILING TIME

ON: Thursday, May 4, 2017

Proposals may be submitted by mail, delivery service or in person no later than the specified date and time.

Proposals must be placed in a *sealed* envelope/package and marked as shown below on the front of the envelope/package. The Board requires one original and three (3) duplicate copies of the proposal package. The duplicates are necessary for processing the proposals. Respondents should also keep a complete copy of the proposal packet, exactly as submitted.

Envelope Label Information:

District:	<u>LAKEWOOD BOARD OF EDUCATION</u>
Proposal No.:	<u>EUS/RFP #01-1718</u>
Project:	<u>Broker of Record Services</u>
Date:	<u>Thursday, May 4, 2017</u>
Time:	<u>10:00 am</u>
Respondent:	<u>Name of Company</u>
	<u>Address</u>
	<u>City, State Zip</u>

AMERICANS WITH DISABILITIES ACT—Equal Opportunity for Individuals with Disability

The contractor and the Board of Education (hereafter "owner") do hereby agree that the provisions of Title 11 of the Americans With Disabilities Act of 1990 (the "Act") (42 U.S.C. S121 01 et seq.), which prohibits discrimination on the basis of disability by public entities in all services, programs, and activities provided or made available by public entities, and the rules and regulations promulgated pursuant there unto, are made a part of this contract. In providing any aid, benefit, or service on behalf of the owner pursuant to this contract, the contractor agrees that the performance shall be in strict compliance with the Act. In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Act during the performance of this contract, the contractor shall defend the owner in any action or administrative proceeding commenced pursuant to this Act. The contractor shall indemnify, protect, and save harmless the owner, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, of whatever kind or nature arising out of or claimed to arise out of the alleged violation. The contractor shall, at its own expense, appear, defend, and pay any and all charges for legal services and any and all costs and other expenses arising from such action or administrative proceeding or incurred in connection therewith. In any and all complaints brought pursuant to the owner's grievance procedure, the contractor agrees to abide by any decision of the owner which is rendered pursuant to said grievance procedure. If any action or administrative proceeding results in an award of damages against the owner, or if the owner incurs any expense to cure a violation of the ADA which has been brought pursuant to its grievance procedure, the contractor shall satisfy and discharge the same at its own expense.

The owner shall, as soon as practicable after a claim has been made against it, give written notice thereof to the contractor along with full and complete particulars of the claim, If any action or administrative proceeding is brought against the owner or any of its agents, servants, and employees, the *owner shall* expeditiously forward or have forwarded to the contractor every demand, complaint, notice, summons, pleading, or other process received by the owner or its representatives.

It is expressly agreed and understood that any approval by the owner of the services provided by the contractor pursuant to this contract will not relieve the contractor of the obligation to comply with the Act and to defend, indemnify, protect, and save harmless the owner pursuant to this paragraph.

It is further agreed and understood that the owner assumes no obligation to indemnify or save harmless the contractor, its agents, servants, employees and subcontractors for any claim which may arise out of their performance of this Agreement. Furthermore, the contractor expressly understands and agrees that the provisions of this indemnification clause shall in no way limit the contractor's obligations assumed in this Agreement, nor shall they be construed to relieve the contractor from any liability, nor preclude the owner from taking any other actions available to it under any other provisions of the Agreement or otherwise at law.

ANTI-DISCRIMINATION PROVISIONS—N.J.S.A. 10:2-1

N.J.S.A. 10:2-1. Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

- a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
- c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490 (C.18A:18A-51 et seq.).

AWARD OF CONTRACT; RESOLUTION; NUMBER OF DAYS

Any contract awarded under this process shall be made by resolution of the Board of Education. The award must be made within sixty (60) days of the receipt of the proposals, however subject to extension pursuant to N.J.S.A. 18A:18A-36 (a).

CONTRACTOR/VENDOR REQUIREMENTS—OFFICE OF THE NEW JERSEY STATE COMPTROLLER

Contractors/vendors doing business with the board of education are reminded of the following legal requirements pertaining to the Office of the New Jersey State Comptroller:

A. Access to Relevant Documents and Information—N.J.S.A. 52:15C-14 (d)

Private vendors or other persons contracting with or receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education shall upon request by the State Comptroller provide the State Comptroller with prompt access to all relevant documents and information as a condition of the contract and receipt of public monies. The State Comptroller shall not disclose any document or information to which access is provided that is confidential or proprietary. If the State Comptroller finds that any person receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education refuses to provide information upon the request of the State Comptroller, or otherwise impedes or fails to cooperate with any audit or performance review, the State Comptroller may recommend to the contracting unit that the person be subject to termination of their contract, or temporarily or permanently debarred from contracting with the contracting unit.

B. Maintenance of Contract Records—N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d).

The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

DEBARMENT, SUSPENSION, OR DISQUALIFICATION

The Board of Education will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred).

All respondents are required to submit a sworn statement indicating whether or not the respondent is, at the time of the proposal, included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List--Excluded Parties List System—System for Award Management—SAM.gov

DOCUMENTS, MISSING/ILLEGIBLE

The respondent shall familiarize himself with all forms* provided by the Board and ensure that are to be returned with the proposal. If there are any forms either missing or illegible, it is the responsibility of the respondent to contact the Board, for duplicate copies of the forms. This must be done before the proposal opening date and time. The Board accepts no responsibility for duplicate forms that were not received by the respondent in time for the respondent to submit with his proposal.

DOCUMENT SIGNATURES – ORIGINAL; BLUE INK

All documents returned to the Board shall be signed with an original signature in ink (blue). Failure to sign and return all required documents with the proposal package may be cause for disqualification and for the proposal to be rejected pursuant to N.J.S.A. 18A:18A-2(y) (non-responsive). The Board will not accept facsimile or rubber stamp signatures.

*Forms provided by the Board that must be returned with proposal.

- Affirmative Action Questionnaire or Certificate of Employee Information Report
- New Jersey Business Registration Certificate
- Chapter 271 – Political Contribution Disclosure Form
- Iran - Disclosure of Investment Activities
- Non Collusion Affidavit
- Proposal Form
- Stockholders' Disclosure/ Ownership Declaration
- Vendor Certifications

*Please check your EUS/RFP package for these forms!

EXAMINATION OF SPECIFICATIONS, ACKNOWLEDGEMENT

The respondent, by submitting a proposal, acknowledges that he has carefully examined the proposal specifications, documents, addenda (if any), and the site; and that from his investigation, he has satisfied himself as to the nature and location of the work, the general and local conditions and all matters which may in any way affect the work or its performance, and that as a result of such examination, he fully understands the intent and purpose thereof, his obligations thereunder, and that he will not make any claim for, or have any right to damages, because of the lack of any information.

Each respondent submitting a proposal for a service contract shall include in his proposal price all labor, materials, equipment, services, and other requirements necessary, or incidental to, the completion of the work, and other pertinent work as hereinafter described, in accordance with the proposal specifications and documents.

FALSE MATERIAL REPRESENTATION – N.J.S.A. 2C:21-34-97(b)

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award or performance of a government contract. If the contract amount is for \$25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds \$2,500.00, but is less than \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.00 or less, the offender is guilty of a crime of the fourth degree.

FORCE MAJEURE

Neither party shall be liable in damages for any failure, hindrance or delay in the performance of any obligation under this Agreement if such delay, hindrance or failure to perform is caused by conditions beyond the control of either party, including, but not limited to, Acts of God, flood, fire, war or the public enemy, explosion, government regulations whether or not valid (including the denial or cancellation of any export or other necessary license), court order, state funding, or other unavoidable causes beyond the reasonable control of the party whose performance is affected which cannot be overcome by due diligence.

Vendors, and/or contractors who have a contract with the Board of Education to provide goods or services cannot unilaterally claim an increase in the cost of the contract because of Force Majeure.

INTERPRETATIONS AND ADDENDA

Respondents are expected to examine the EUS/RFP with care and observe all their requirements. A Pre-Submission Proposal Conference may be held at a time, date and location identified in this EUS/RFP. This Conference will afford the respondents the opportunity to make comments and submit questions regarding this EUS/RFP. **Attendance at the Pre-Proposal Conference is strongly recommended.** Recipients of the EUS/RFP package will have the option of submitting comments and questions at the Pre-Proposal Conference. All questions about the meaning or intent of this EUS/RFP, all interpretations and clarifications considered necessary by the Board's representative in response to such comments and questions will be issued by Addenda mailed or delivered to all parties recorded by the Board as having received the EUS/RFP package. Only comments and questions responded to by formal written Addenda will be binding. Oral interpretations, statements or clarifications will be without legal effect.

No interpretation of the meaning of the specifications will be made to any respondent orally. Every request for such interpretations should be made in writing to the Broker of Record must be received at least ten (10) days prior to the date fixed for the opening of proposals to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of a written addenda to the specifications. The addenda will be provided in accordance with N.J.S.A. 18A:18A-21(c) to the respondents by certified mail or certified fax no later than seven (7) days Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of proposals. All addenda so issued shall become part of the contract document.

PRESENTATION AND INTERVIEWS

The Broker of Record may at its option, require providers of its choice to attend interviews and make presentations to its staff and to the board of education. This process may only take place after proposals have been opened and reviewed and prior to the completion of the evaluation.

Interviews may take place at the Administrative Offices of the Lakewood Board of Education at 200 Ramsey Ave. Lakewood, NJ

The purpose of this meeting is to review all legal and technical requirements of the proposal as noted in the INTERPRETATIONS AND ADDENDA section.

RESPONDENT'S RESPONSIBILITY FOR PROPOSAL SUBMITTAL

It is the responsibility of the respondent to ensure that their proposal is presented to the Board and officially received before the noted date and time of the proposal. It is understood and agreed upon that any person in the office of the Interim School Business Administrator/Board Secretary will be absolved from responsibility for the premature opening of any proposal not properly labeled and sealed.

TERMINATION OF CONTRACT

If the Lakewood Board of Education determines that the contractor has failed to comply with the terms and conditions of the proposal upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties and or responsibilities in a timely, proper, professional and/or efficient manner, then the Board shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

Termination by the Board of the contract does not absolve the contractor from potential liability for damages caused the Board by the contractor's breach of this agreement. The Board may withhold payment due the contractor and apply same towards damages once established. The Board will act diligently in accordance with governing statutes to mitigate damages. Damages may include the additional cost of procuring said services or goods from other sources.

The contractor further agrees to indemnify and hold the Board of Education harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

WITHDRAWAL OF PROPOSALS

Before The Proposal Opening

The Board may consider a written request from a respondent to withdraw a proposal if the written request is received by the Board before the advertised time of the proposal opening. Any respondent who has been granted permission by the Board to have his/her proposal withdrawn cannot re-submit a proposal for the same advertised proposal project. That respondent shall also be disqualified from future proposals on the same project if the project is re-advertised.

After The Proposal Opening

The Board may consider a written request from a respondent to withdraw a proposal, if the written request is received by the Board within five (5) business days after the proposal opening. A request to withdraw a proposal after the specified number of days will not be honored.

The contractor/vendor who wishes to withdraw a proposal must provide a certification supported by written factual evidence that an error or omission was made by the contractor and that the error or omission was a substantial computational error or an unintentional omission or both.

The request to withdraw a proposal after the proposal opening may be reviewed by the Interim School Business Administrator, other interested administrators' and/or the Board Attorney and a recommendation will be made to the board of education. If the board of education grants permission to have the proposal withdrawn the contractor/vendor shall be disqualified from quoting on the same project if the project is re-advertised. If the contractor/vendor fails to meet the burden of proof to have the proposal withdrawn, the request to withdraw the proposal will be denied.

CONTRACT AGREEMENT—Purchase Order/Formal Agreement

The respondent, to whom the contract is awarded, shall sign and execute a formal contract agreement with the LAKEWOOD BOARD OF EDUCATION. An approved purchase order issued by the Board, shall authorize the Broker of Record to provide the services. A purchase order, pursuant to N.J.S.A. 18A:18A-2 (v) is considered to be a written contract and will suffice as a contract between the Board and the insurance company, until a formal contract has been prepared.

MISCELLANEOUS PROVISIONS

1. Renewal of Contract

The board of education reserves the right to renew the contract for insurance coverage as specified, in accordance with N.J.S.A. 18A:18A-42. The board of education is the final determining authority as to renewal of contracts.

2. Errors or Omissions--Addenda

If respondents discover any error, omission, ambiguity, conflict in the EUS/RFP specifications, the respondent shall immediately notify the Interim School Business Administrator. Any or all substantial changes to the specifications shall be distributed in accordance with N.J.S.A. 18A:18A-21(c) (1).

3. Copies of Proposals—One Original—Three (3) Copies

Respondents are to submit the following number of copies of proposals to the Broker of Record

One (1) Copy of Proposal with original signatures
Three (3) Duplicate Copies of the Proposal



REQUEST FOR PROPOSAL EUS/RFP

PROPOSAL DOCUMENTS REQUIRED DOCUMENTATION

The Lakewood Board of Education(Board) in seeking competitive proposals for Broker of Record services is required to be in compliance with the New Jersey Public School Contracts Law (N.J.S.A. 18A:18A-1 et seq.) and other applicable law and code. The Board is asking in the proposal package for a number of forms to be completed and for a number of procurement documents to be submitted with the proposal by your company.

The Request for Proposal (RFP) procurement guidance and documents are, but not limited to the following:

- Affirmative Action Requirements
- New Jersey Business Registration Certificate
- Iran Disclosure of Investment Activities
- Non-Collusion Affidavit
- Chapter 271 Political Contribution Disclosures—Pay to Play
- Stockholders' Disclosure
- Vendor Certifications

The Board asks your company to read the proposal package very carefully and seek guidance from your company officials for the completion and submission of the documents.

Rejection of Proposals

The failure to complete, sign or submit certain documents by the prescribed deadline, may make your proposal be considered as "non-responsive" pursuant to N.J.S.A. 18A:18A-2 (y) and therefore be rejected.



AFFIRMATIVE ACTION REQUIREMENTS

Each company shall submit to the LAKEWOOD BOARD OF EDUCATION, after notification of award, but prior to execution of a goods and services contract, **one** of the following three documents:

- Appropriate evidence that the contractor is operating under an existing federally approved or sanctioned affirmative action program;
- A certificate of employee information report approval issued in accordance with N.J.A.C.17:27-4; or
- An employee information report (Form AA302) provided by the Division and distributed to the public agency to be completed by the contractor, in accordance with N.J.A.C. 17:27-4.

Please note: A completed and signed Affirmative Action Questionnaire is required with the submission of this proposal. However, the Board will accept in lieu of the Questionnaire, Affirmative Action Evidence in the form of a current Certificate of Employee Information Report submitted with the bid/proposal.

If awarded a contract your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27 et seq., and the terms and conditions of the Mandatory Equal Employment Opportunity Language—Exhibit A.

Sample Certificate of Employee Information Report

Certification 111XX

CERTIFICATE OF EMPLOYEE INFORMATION REPORT

INITIAL

This is to certify that the contractor listed below has submitted an Employee Information Report pursuant to N.J.A.C. 17:27-1.1 et. seq. and the State Treasurer has approved said report. This approval will remain in effect for the period of 15-DEC-20XX to 15-DEC-20XX

SAMPLE COMPANY, INC.
33 WEST STATE STREET
TRENTON, NJ 08625


State Treasurer

VOID

All respondents are urged to submit with their response, a copy of their firm's Certificate of Employee Information Report. Failure to submit the Certificate at the time of the award will result in the rejection of the proposal.

To be completed and signed below & returned with proposal.

AFFIRMATIVE ACTION QUESTIONNAIRE

EUS/RFP 01-1718

Date: Thursday, May 04, 2017 @ 10:00a.m.

This form is to be completed and returned with the proposal. However, the Board will accept in lieu of this Questionnaire, a current Affirmative Action Evidence—Certificate of Employee Information Report.

1. Our company has a federal Affirmative Action Plan approval. ☐ Yes ☐ No

If yes, please attach a copy of the plan to this questionnaire.

2. Our company has a N.J. State Certificate of Employee Information Report ☐ Yes ☐ No

If yes, please attach a copy of the certificate to this questionnaire.

3. If you answered **"NO"** to both questions No. 1 and 2, you must apply for an Affirmative Action Employee Information Report – Form AA302.

Please visit the New Jersey Department of Treasury website for the Division of Public Contracts Equal Employment Opportunity Compliance: www.state.nj.us/treasury/contract/compliance/

- Click on "Employee Information Report"
- Complete and submit the form with the appropriate payment to:

Department of Treasury
Division of Public Contracts/EEO Compliance
P.O. Box 209
Trenton, NJ 08625-0002

All fees for this application are to be paid directly to the State of New Jersey. A copy shall be submitted to the Board of Education within seven (7) days of the notice of the intent to award the contract or the signing of the contract.

I certify that the above information is correct to the best of my knowledge.

Name: _____

Signature _____

Title _____ Date _____

Name of Company _____

Address _____

City, State, Zip _____

EXHIBIT A
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)
N.J.A.C. 17:27
GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be 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. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act. The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

- Letter of Federal Affirmative Action Plan Approval;
- Certificate of Employee Information Report; or
- Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http:// www.state.nj.us/treasury/contract_compliance/](http://www.state.nj.us/treasury/contract_compliance/)).

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Purchase & Property, CCAU, EEO Monitoring Program as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(Revised: January, 2016)

STATE OF NEW JERSEY
Division of Purchase & Property
Contract Compliance Audit Unit
EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO REPORT FOR SECTION B, ITEM 11. For Instructions on completing the form, go to

SECTION A - COMPANY IDENTIFICATION

1 FID NO OR SOCIAL SECURITY	2 TYPE OF BUSINESS ☐ 1 MFG ☐ 2 SERVICE ☐ 3 WHOLESALE ☐ 4 RETAIL ☐ 5 OTHER	3 TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY
4 COMPANY NAME		
5 STREET	CITY	COUNTY STATE ZIP CODE
6 NAME OF PARENT OR AFFILIATED COMPANY (If None, So Indicate)		CITY STATE ZIP CODE
7 CHECK ONE IS THE COMPANY ☐ SINGLE ESTABLISHMENT EMPLOYER ☐ MULTI ESTABLISHMENT EMPLOYER		
8 IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ		
9 TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT		
10 PUBLIC AGENCY AWARDING CONTRACT		
CITY		COUNTY STATE ZIP CODE

Official Use Only	DATE RECEIVED	INAG DATE	ASSIGNED CERTIFICATION NUMBER
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SECTION B - EMPLOYMENT DATA

11 Report all permanent, temporary, and part time employees ON YOUR OWN PAYROLL. Enter only one figure on all lines and in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those who are covered by the contract. Report categories in columns 1, 2, & 3. **DO NOT SUBMIT AN EEO 1 REPORT.**

JOB CATEGORIES	ALL EMPLOYEES			MINORITY EMPLOYEE BREAKDOWN										
	COL 1 TOTAL (Cols 2 & 3)	COL 2 MALE	COL 3 FEMALE	WHITE	BLACK	HISPANIC	ASIAN	AMERICAN INDIAN	NON MIN	BLACK	HISPANIC	AMERICAN INDIAN	ASIAN	NON MIN
Officials/ Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part Time Employees														

12 HOW WAS INFORMATION AS TO RACE OR ETHNICITY OBTAINED? ☐ 1 Visual Survey ☐ 2 Employment Record ☐ 3 Other (Specify)	13 DATE OF PAYROLL PERIOD USED From _____ To _____
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SECTION C - SIGNATURE AND IDENTIFICATION

16 NAME OF PERSON COMPLETING FORM (Print)	SIGNATURE	DATE
17 ADDRESS NO. & STREET	CITY	STATE ZIP CODE

**INSTRUCTIONS FOR COMPLETING THE
EMPLOYEE INFORMATION REPORT (FORM AA302)**

IMPORTANT: READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM **AND TO SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE.** IF YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS FORM UNLESS YOUR ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

ITEM 1 - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

ITEM 5 - Enter the physical location of the company. Include City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

ITEM 8 - If "Multi-establishment" was entered in item 8, enter the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code. This is not applicable if you are renewing a current Certificate.

ITEM 11 - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category. DO NOT attach an EEO-1 Report.

Racial/Ethnic Groups will be defined:

Black: Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

Hispanic: Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander: Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands and Samoa.

Non-Minority: Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

ITEM 15 - If the answer to Item 15 is "No", enter the date when the last Employee Information Report was submitted by this company.

ITEM 16 - Print or type the name of the person completing the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN

THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDED THE CONTRACT IF THIS IS YOUR FIRST REPORT; AND FORWARD ONE COPY WITH A CHECK IN THE AMOUNT OF \$150.00 PAYABLE TO THE TREASURER, STATE OF NEW JERSEY (FEE IS NON-REFUNDABLE) TO:

NJ Department of the Treasury
Division of Public Contracts Equal Employment Opportunity Compliance
P.O. Box 206
Trenton, New Jersey 08625-0206 Telephone No. (609) 292-5473

BUSINESS REGISTRATION CERTIFICATE

Pursuant to N.J.S.A. 52:32-44 as amended, all bidders or companies providing responses for requested proposals, shall submit with their response package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey.

The Lakewood Board of Education requests that all respondents for this proposal submit a current New Jersey Business Registration Certificate with the proposal.

Failure to provide the New Jersey Business Registration Certification prior to the award of contract, will be cause for the rejection of the entire bid or proposal.

Goods, Services and Construction Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors:

A contractor shall provide the contracting agency with the business registration of the contractor and that of any named subcontractor prior to the time a contract, purchase order, or other contracting document is awarded or authorized. At the sole option of the contracting agency, the requirement that a contractor provide proof of business registration may be fulfilled by the contractor providing the contracting agency sufficient information for the contracting agency to verify proof of registration of the contractor, or named subcontractors, through a computerized system maintained by the State.

A subcontractor named in a bid or other proposal made by a contractor to a contracting agency shall provide a copy of its business registration to any contractor who shall provide it to the contracting agency pursuant to the provisions of subsection b. of this section. No contract with a subcontractor shall be entered into by any contractor under any contract with a contracting agency unless the subcontractor first provides the contractor with proof of a valid business registration. For bids and requests for proposals, the contracting agency must retain the proof of business registration in the file where documents relating to the contract are maintained. For all other contracts, proofs of business registration shall be maintained in an alphabetical file.

The contractor shall maintain and submit to the contracting agency a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods provided or services rendered or for construction of a construction project under the contract. A contracting agency shall not be responsible for a contractor's failure to comply with this subsection.

A contractor or a contractor with a subcontractor that has entered into a contract with a contracting agency, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on all their taxable sales of tangible personal property delivered into this State.

A contracting agency entering into a contract with a contractor, or a contractor with a subcontractor, shall include in its contract with that contractor, or a contractor with a subcontractor, for the term of the contract, a requirement that the contractor or subcontractor and each of their affiliates shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury the use tax due pursuant to the "Sales and Use Tax Act," P.L.1966, c.30 (C.54:32B-1 et seq.) on all their sales of tangible personal property delivered into this State.

For the purposes of this subsection, "affiliate" means any entity that (1) directly, indirectly, or constructively controls another entity, (2) is directly, indirectly, or constructively controlled by another entity, or (3) is subject to the control of a common entity. For purposes of this subsection an entity controls another entity if it owns, directly or individually, more than 50\% of the ownership interest in that entity.

If a contractor fails to provide proof of business registration upon request by the contracting agency for a contract that does not require bidding or a request for proposals, and the contracting agency determines that the purpose of that contract is of a proprietary nature with a contractor that does not have a business presence in New Jersey, the contracting agency shall provide the Division of Revenue, within 10 days of executing the contract, a copy of the contract, evidence of the contractor's taxpayer identification number, and a signed certification attesting to the proprietary nature of the contract and representing that the contracting agency made a diligent effort to obtain proof of a business registration from the contractor.

SAMPLES OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATES

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE
FOR STATE AGENCY AND CASINO SERVICE CONTRACTORS

TAXPAYER NAME: TAX REGISTRATION TEST ACCOUNT
TRADE NAME: CLIENT REGISTRATION
TAXPAYER IDENTIFICATION#: 970-097-382/500
SEQUENCE NUMBER: 0107530
ADDRESS: 847 ROEBLING AVE
TRENTON NJ 08611
ISSUANCE DATE: 07/14/04
EFFECTIVE DATE: 01/01/01
FORM-BRC(06-01)

DEPARTMENT OF TREASURY
DIVISION OF REVENUE
PO BOX 252
TRENTON NJ 08646-0252

John S. Tully
Acting Director

This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.

STATE OF NEW JERSEY
BUSINESS REGISTRATION CERTIFICATE

Taxpayer Name: TAX REG TEST ACCOUNT
Trade Name:
Address: 847 ROEBLING AVE
TRENTON, NJ 08611
Certificate Number: 1093907
Date of Issuance: October 14, 2004
For Office Use Only: 20041014112823533

All respondents are urged to submit with their response, a copy of their firm's New Jersey Business Registration Certificate. Failure to submit the Certificate prior to the award of contract will result in the rejection of the proposal.

IRAN DISCLOSURE OF INVESTMENT ACTIVITIES

The LAKEWOOD BOARD OF EDUCATION, pursuant to N.J.S.A. 18A:18A-49.4, shall implement and comply with Public Law 2012, c.25, Disclosure of Investment Activities in Iran—N.J.S.A. 52:32-55 et seq.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract, must complete a certification attesting, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran.

The Chapter 25 list is found on the Divisions website.

<http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

If the Board determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran under section 4 of P.L.2012, c.25 (C.52:32-58), the board shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L.2012, c.25 (C.52:32-59).

In addition, bidders must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes on the lower portion of the enclosed form.

The Board has provided within the specifications, a Disclosure of Investments Activities certification form for all persons or entities, that plan to submit a bid, respond to a proposal, or renew a contract with the board, to complete, sign and submit with the proposal.

Failure to complete, sign and submit the Disclosure of Investment Activities in Iran form with the proposal shall be cause for rejection of the proposal.

To be completed, signed below and returned with proposal.

LAKEWOOD BOARD OF EDUCATION
Lakewood, NJ

STATE OF NEW JERSEY -- DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Quote Number:

Bidder/Offoror:

PART 1: CERTIFICATION

BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that neither the person or entity, nor any of its parents, subsidiaries, or affiliates, is identified on the Department of Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran. The Chapter 25 list is found on the Division's website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review this list prior to completing the below certification. **Failure to complete the certification will render a bidder's proposal non-responsive.** If the Director finds a person or entity to be in violation of law, s/he shall take action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party

PLEASE CHECK THE APPROPRIATE BOX:

☐ I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. **I will skip Part 2 and sign and complete the Certification below.**

OR

☐ I am unable to certify as above because the bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2: PLEASE PROVIDE FURTHER INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

You must provide a detailed, accurate and precise description of the activities of the bidding person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name	Relationship to Bidder/Offoror
Description of Activities	
Duration of Engagement	Anticipated Cessation Date
Bidder/Offoror Contact Name	Contact Phone Number

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder; that the State of New Jersey is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):

Signature:

Do Not Enter PIN as a Signature

Title:

Date:

NON-COLLUSION AFFIDAVIT

A notarized Non-Collusion Affidavit shall be submitted with the proposal. The respondent has to certify that he has not directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidders, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

The respondent has to further warrant that no person or selling agency has been employed or retained to solicit or secure such contract upon an agreement or understanding for a commission, percentage, brokerage or contingent fee, except bona fide employees of bona fide established commercial or selling agencies maintained by the respondent.

The Lakewood Board of Education has provided a Non-Collusion Affidavit form here within the specifications package. All respondents are to complete, sign, have the signature notarized and submit the form with the proposal response.

Failure to submit the Non-Collusion Affidavit with the proposal may be cause for the disqualification of the proposal.

To be completed, signed below & returned with proposal.

**NON-COLLUSION AFFIDAVIT
EUS/RFP 01-1718**

Re: Proposal for the LAKEWOOD BOARD OF EDUCATION.

STATE OF _____) Date: _____
:SS:
COUNTY OF _____)

I, _____ of the City of _____
in the County of _____ and the State of _____

of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of
Position in Company
the firm of _____ and the
bidder/respondent making the Proposal for the above names contract, and that I executed the said
Proposal with full authority so to do; that I have not, directly or indirectly, entered into any
agreement, participated in any collusion, discussed any or all parts of this proposal with any potential
bidders, or otherwise taken any action in restraint of free, competitive bidding in connection with the
above named bid, and that all statements contained in said Proposal and in this affidavit are true and
correct, and made with full knowledge that the Lakewood Board of Education relies upon the truth of
the statements contained in said Proposal and in the statements contained in this affidavit in
awarding the contract for the said bid.

I further warrant that no person or selling agency has been employed or retained to solicit or
secure such contract upon an agreement or understanding for a commission, percentage, brokerage
or contingent fee, except bona fide employees of bona fide established commercial or selling agencies
maintained by

(Print Name of Contractor/Vendor)

Subscribed and sworn to: _____
(SIGNATURE OF CONTRACTOR/VENDOR)

before me this _____ day of _____,
Month Year

NOTARY PUBLIC SIGNATURE

Print Name of Notary Public

My commission expires _____, _____ Seal
Month Day Year

POLITICAL CONTRIBUTION DISCLOSURES – PAY TO PLAY

Annual Disclosure

A business entity as defined by law is advised of its responsibility to file an annual disclosure statement on political contributions with the New Jersey Election Law Enforcement Commission pursuant to N.J.S.A. 19:44A-20.13 (P.L. 2005 Chapter 271 section 3) if the business entity receives contracts in excess of \$50,000 from public entities in a calendar year. It is the business entity's responsibility to determine if filing is necessary. Additional information on this requirement is available from the New Jersey Election Law Enforcement commission at 1-888-313-3532 or at www.elec.nj.us.

Chapter 271 Political Contribution Disclosure Form

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county.

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

The Lakewood Board of Education has provided a Chapter 271 Political Contribution Disclosure Form within the specifications package for use by the business entity. The Board has also provided a list of agencies to assist the contractor. The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed Chapter 271 Political Contribution Disclosure form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

POLITICAL CONTRIBUTIONS/AWARD OF CONTRACTS

Pursuant to N.J.A.C. 6A:23A-6.3 (a) (1-4) please note the following:

Award of Contract -- Reportable Contributions -- N.J.A.C. 6A:23A-6.3 (a) (1)

"No board of education will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L.1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to a member of the board of education during the preceding one year period.

Contributions During Term of Contract – Prohibited -- N.J.A.C. 6A:23A-6.3 (a) (2-3)

"Contributions reportable by the recipient under P.L. 1973, c83 (codified at N.J.S.A. 19:44A-1 et seq.) to any member of the school board from any business entity doing business with the school district are prohibited during the term of the contract."

"When a business entity referred in 4.1(e) is a natural person, contribution by that person's spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity."

Chapter 271 Political Contribution Disclosure Form – Required -- N.J.A.C. 6A:23A-6.3 (a) (4)

All business entities shall submit with their bid/proposal package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the Board to determine whether the business entity is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a) (2) Award of Contract.

The Chapter 271 Political Contribution Disclosure form shall be submitted with the response to the proposal or no later than ten (10) days prior to the award of contract. Failure to provide the completed and signed form shall be cause for disqualification of the proposal.

To be completed, signed below & returned with proposal.

LAKEWOOD BOARD OF EDUCATION

**Chapter 271
Political Contribution Disclosure Form
(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 52:34-25**

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that _____ (Business Entity) has made the following **reportable** political contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26 during the twelve (12) months preceding this award of contract:

Reportable Contributions

<u>Date of Contribution</u>	<u>Amount of Contribution</u>	<u>Name of Recipient Elected Official/ Committee/Candidate</u>	<u>Name of Contributor</u>

The Business Entity may attach additional pages if needed.

☐ **No Reportable Contributions** (Please check (✓) if applicable.)

I certify that _____ (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26.

Certification

I certify, that the information provided above is in full compliance with Public Law 2005—Chapter 271.

Name of Authorized Agent _____

Signature _____ Title _____

Business Entity _____

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - of the public entity awarding the contract
 - of that county in which that public entity is located
 - of another public entity within that county
 - or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit
- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

The enclosed list of agencies is provided to assist the contractor in identifying those public agencies whose elected official and/or candidate campaign committees are affected by the disclosure requirement. It is the contractor's responsibility to identify the specific committees to which contributions may have been made and need to be disclosed. The disclosed information may exceed the minimum requirement.

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the contractor's submission and is disclosable to the public under the Open Public Records Act.

The contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law. **NOTE: This section does not apply to Board of Education contracts.**

¹ N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

AN ACT authorizing units of local government to impose limits on political contributions by contractors and supplementing Title 40A of the New Jersey Statutes and Title 19 of the Revised Statutes.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

40A:11-51 1. a. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-I et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

b. The provisions of P.L.2004, c.19 shall not be construed to supersede or preempt any ordinance, resolution or regulation of a unit of local government that limits political contributions by business entities performing or seeking to perform government contracts. Any ordinance, resolution or regulation in effect on the effective date of P.L.2004, c.19 shall remain in effect and those adopted after that effective date shall be valid and enforceable.

c. An ordinance, resolution or regulation adopted or promulgated as provided in this section shall be filed with the Secretary of State.

52:34-25 2. a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-I et seq.) and that were made by the business entity during the preceding 12 month period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or any continuing political committee. A business entity contracting with a county, municipality, independent authority, other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

The provisions of this section shall not apply to a contract when a public emergency requires the immediate delivery of goods or services.

b. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

c. As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate; and

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

19:44A-20.13 3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year \$50,000 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(1) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

e. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

4. This act shall take effect immediately.

* Note: Bold italicized statutory references of new sections are anticipated and not final as of the time this document was prepared. Statutory compilations of N.J.S.A. 18A:18A-51 is anticipated to show a reference to N.J.S.A. 40A:11-51 and to N.J.S.A. 52:34-25.

List of Agencies with Elected Officials Required for Political Contribution Disclosure
N.J.S.A. 19:44A-20.26

County Name: Ocean

State: Governor, and Legislative Leadership Committees

Legislative District #s: 9, 10, & 30

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Clerk

Sheriff

Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

Barnegat Light Borough
Barnegat Township
Bay Head Borough
Beach Haven Borough
Beachwood Borough
Berkeley Township
Brick Township
Dover Township
Eagleswood Township
Harvey Cedars Borough
Island Heights Borough

Jackson Township
Lacey Township
Lakehurst Borough
Lakewood Township
Lavallette Borough
Little Egg Harbor Township
Long Beach Township
Manchester Township
Mantoloking Borough
Ocean Gate Borough
Ocean Township

Pine Beach Borough
Plumsted Township
Point Pleasant Beach Borough
Point Pleasant Borough
Seaside Heights Borough
Seaside Park Borough
Ship Bottom Borough
South Toms River Borough
Stafford Township
Surf City Borough
Tuckerton Borough

Boards of Education (Members of the Board):

Barnegat Township
Bay Head Borough
Beach Haven Borough
Berkeley Township
Brick Township
Central Regional
Eagleswood Township
Island Heights Borough
Jackson Township
Lacey Township

Lakehurst Borough
Lakewood Township
Lavallette Borough
Little Egg Harbor Township
Long Beach Island
Manchester Township
Mantoloking
Ocean Gate Borough
Ocean Township
Pinelands Regional

Plumsted Township
Point Pleasant Beach Borough
Point Pleasant Borough
Seaside Heights Borough
Seaside Park Borough
Southern Regional
Stafford Township
Toms River Regional
Tuckerton Borough

Fire Districts (Board of Fire Commissioners):

Brick Township Fire District No. 1
Brick Township Fire District No. 2
Brick Township Fire District No. 3
Dover Township Fire District No. 1
Dover Township Fire District No. 2
Jackson Township Fire District No. 1
Jackson Township Fire District No. 2

Jackson Township Fire District No. 3
Jackson Township Fire District No. 4
Lakewood Township Fire District No. 1
Little Egg Harbor Township Fire District No. 1
Little Egg Harbor Township Fire District No. 2
Little Egg Harbor Township Fire District No. 3
Plumsted Township Fire District No. 1

STATEMENT OF OWNERSHIP (N.J.S.A. 52:25-24.2)

Statement of Ownership

No business organization, regardless of form of ownership, shall be awarded any contract for the performance of any work or the furnishing of any goods and services, unless, prior to the receipt of the bid or accompanying the bid of said business organization, bidders shall submit a statement setting forth the names and addresses of all persons and entities that own ten percent or more of its stock or interest of any type at all levels of ownership.

The included Statement of Ownership shall be completed and attached to the bid proposal. This requirement applies to all forms of business organizations, including, but not limited to, corporations and partnerships, publicly-owned corporations, limited partnerships, limited liability corporations, limited liability partnerships, sole proprietorship, and Subchapter S corporations. **Failure to submit a disclosure document shall result in rejection of the bid as it cannot be remedied after bids have been opened.**

Not-for-profit entities should fill in their name, check the not-for-profit box, and certify the form. No other information is required.

To be completed, signed and returned with Bid/Proposal

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

City, State, ZIP: _____

Part I Check the box that represents the type of business organization:

- ☐ Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- ☐ Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- ☐ For-Profit Corporation (any type) ☐ Limited Liability Company (LLC)
- ☐ Partnership ☐ Limited Partnership ☐ Limited Liability Partnership (LLP)
- ☐ Other (be specific): _____

Part II Check the appropriate box

- ☐ The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**
- OR**
- ☐ No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II **other than for any publicly traded parent entities referenced above.** The disclosure shall be continued until names and addresses of every non-corporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the **Lakewood Board of Education** relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with the **School District** to notify the **School District** in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the **School District** to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

To be completed, signed below & returned with proposal.

Vendor Certification

Name of Company _____
Street Address _____ PO Box _____
City, State, Zip _____
Business Phone Number (____) _____ Ext. _____
Emergency Phone Number (____) _____
FAX No. (____) _____ E-Mail _____
FEIN No. _____

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the LAKEWOOD BOARD OF EDUCATION, nor any officer or employee or person whose salary is payable in whole or in part by said Board of Education or their immediate family members are directly or indirectly interested in this bid/proposal, or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the bid/proposal, a letter of explanation shall be attached to this document, duly signed by the president of the firm or company, which explains the possible interest.

Gifts; Gratuities; Compensation

I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift, gratuity or other thing of value to any school official, board member or employee of the LAKEWOOD BOARD OF EDUCATION.

Vendor Certifications

I declare and certify that I fully understand N.J.A.C. 6A:23A-6.3(a) (1-4) concerning vendor contributions to school board members.

I certify that my company is not debarred from doing business with any public entity in New Jersey.

I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

President or Authorized Agent

SIGNATURE