

# **BROKER OF RECORD SPECIFICATIONS**

**CLEMENTON BOARD OF EDUCATION**  
**Business Office**  
*4 Audubon Avenue*  
*Clementon, New Jersey 08021*

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

**Broker of Record - Employee Health Benefits**

**EUS 01-15**

Submission Date:

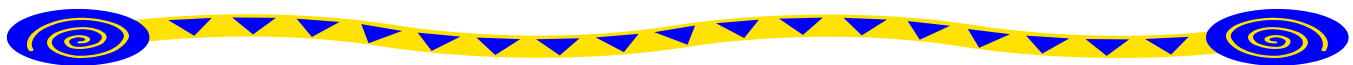
Wednesday, May 3, 2017  
12:00 Noon

**CLEMENTON BOARD OF EDUCATION**  
*Business Office*  
*4 Audubon Avenue*  
*CLEMENTON, New Jersey 08021*



**REQUEST FOR PROPOSAL  
EUS**

**TECHNICAL  
SPECIFICATIONS**



**Joanne E. Clement**  
Business Administrator  
Board Secretary  
Purchasing Agent

**CLEMENTON BOARD OF EDUCATION  
Business Office  
Clementon, New Jersey 08021**

**REQUEST FOR PROPOSAL**

**BROKER OF RECORD - EMPLOYEE HEALTH BENEFITS**

**EUS 01-14**

**A. PURPOSE**

The Clementon Public School District is seeking proposals through the EUS procurement process from qualified respondents as follows:

Broker of Record - Employee Health Benefits

**B. SCOPE OF SERVICE – (Technical Criteria)**

**Part I—Background**

The Clementon Board of Education is 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.

1. Background

The Clementon Public School District has an enrollment of approximately 500 students. The district currently employs approximately one hundred (100) full time employees who receive employee health benefits.

The district has one (1) bargaining groups and at present.

2. Current Coverage and Carriers

<u>Type of Coverage</u>	<u>Name of Provider</u>	<u>Term End Date</u>
Medical Insurance	Ameri-Health	June 30, 2018
Prescription	Ameri-Health	June 30, 2018
Dental	Horizon	June 30, 2018

(CEA is the Education Association of Clementon—employee bargaining group for the teachers.)

3. Coordination of Activities—Employee Health Benefits—Human Resources

All activities pertaining to employee health benefits are coordinated through the Business office.

**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**

Broker will be responsible for negotiating, analyzing and recommending any or all health insurance coverage for the school district. Broker will prepare all bid specifications for marketing health insurance coverage and evaluate all responses received when requested. The broker of record, when requested, is to market and to provide competitive proposals for district review, evaluation and consideration.

- **Review Health Insurance Coverage/Bargaining Group Contracts**

Broker is required to familiarize himself with the present health insurance coverage's and present employee contracts of the school district to allow for a comprehensive comparison and analysis of

submitted proposals as to ensure equal or better coverage to existing applicable plans. Broker is to review present policies and plans for accuracy, compliance and financial prudence and make any or recommendations to the district.

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.

Broker is to provide any recommendations upon completion of reviews that would be a cost benefit savings to the school district while being in compliance with the employee contracts.

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 Administrator with reasonable projected renewal figures during the budget process.

- **Monitor Federal and State Law and Code**

Broker is required to knowledgeable of all Federal and State law and code as it pertains to health benefits coverage and to provide the latest updates to the school district, especially to the Health Benefits Coordinator. Broker is to provide all assistance in implementing any or all Federal and State law and code as it pertain to health benefits.

- **Monitor Carrier Compliance/ Claims Services**

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

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**

Broker and professional staff must attend Board of Education meeting, board committee meetings, negotiations meetings, when requested. At these meeting 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**

Broker will serve as 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.

Broker will arrange with carriers to make presentations to employees when requested.

- **Managing District's Health Benefits Program/Employee Online Portal**

The broker will assist the Business Administrator in managing all aspects of the health benefits programs, including any or enrollment activities.

The broker of record will work with the Business Administrator in setting up and maintaining a district on line employee benefits link on the district website that fully explains any or all coverage under the health benefits plans.

Broker shall assist the district in evaluating and 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 in a detailed explanation how he/she 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 and work will be to represent the interests of the Clement Public School District.

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.

The broker must be actively licensed as a New Jersey insurance broker for a minimum of ten (10) years.

The respondent must provide all information about the organization of the business as noted above and in **Section II Management Criteria—Letter A Business Organization**.

#### **(2) Qualifications and Relative Experience**

The broker must provide documentation that he/she has experience as broker of record for employee health benefits as follows:

1. Minimum of five (5) public schools in New Jersey;
2. Of the five (5) public schools, one (1) of the public schools in New Jersey must have an employee coverage population of a minimum of one hundred (100) employees or more; and
3. 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.

### **E. COORDINATION OF ACTIVITIES**

All activities for this contract will be coordinated through the office of:

Joanne E. Clement, School Business Administrator,  
Board Secretary, Purchasing Agent  
[clemboc@CLEMENTON.k12.nj.us](mailto:clemboc@CLEMENTON.k12.nj.us)  
(856) 783-2300

## **F. FEE SCHEDULE/COST PROPOSAL (Cost Criteria) -- Fee**

All respondents are required to disclose their percentage commission that is paid to them by the insurance company(ies).

**All respondents are to provide the above information for one, two and three year contracts. The Board of Education will be the final authority in determining the length of the contract.**

## **G. PRESENTATION PACKAGE** – Submit with the EUS Response

The Clementon Public 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**

#### **A. 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.
- Information requested in Section C Qualifications; Relative Experience

#### **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:

- 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; and

- Other information concerning the firm and/or individuals of the firm that would assist the school district in the evaluation process.
- Availability of personnel, facilities, equipment and other resources to provide the services requested.
- Information requested in Section C Qualifications; Relative Experience.

### III. Cost Criteria

#### A. Fee Proposal -- Fee

All respondents are required to disclose their percentage commission that is paid to them by the insurance company(ies).

**All respondents are to provide the above information for one, two and three year contracts. The Board of Education will be the final authority in determining the length of the contract.**

#### B. 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/her 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 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
	A. Description of Services	
II.	Management Criteria	25
	A. Business Organization	5
	B. Qualifications; Relevant Experience	20
III.*	Cost Criteria	50
	A. Fee Proposal	



*\*The Office of the Purchasing Agent will assist in the evaluation of the Cost Criteria of all proposals received.*

**I. EVALUATION OF PROPOSALS --**

Joanne E. Clement, Business Administrator, Board Secretary, Purchasing Agent will review and evaluate all proposals as they pertain to the procurement process.

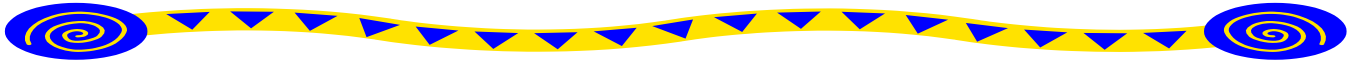
**J. AWARD OF CONTRACT – EUS AWARD**

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. 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 Board of Education to award the contract for broker of record at the May 22, 2017 Regular Public Meeting.

**CLEMENTON BOARD OF EDUCATION**

*Business Office  
4 Audubon Avenue  
Clementon, New Jersey 08021*



**REQUEST FOR PROPOSAL**

**Model Evaluation  
Criteria Scoring Form**



**Joanne E. Clement**  
Business Administrator  
Board Secretary  
Purchasing Agent

**CLEMENTON BOARD OF EDUCATION**

*Business Office  
4 Audubon Avenue  
Clementon, New Jersey 08021*

**Evaluation Criteria**  
**Scoring Form**

**EUS #01-15**

Date: **Friday, May**

**Broker of Record - Employee Health Benefits**

Name of Respondent \_\_\_\_\_

	<b><u>Category</u></b>	<b><u>Value Points</u></b>
I.	Technical Criteria Description of Services	25
II.	Management Criteria A. Business Organization 5 B. Qualifications; Relevant Experience 20	25
III.*	Cost Criteria -- (Completed by Business Office)	50
	<b><i>TOTAL SCORE</i></b>	100

\*The Office of the 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: \_\_\_\_\_

**CLEMENTON BOARD OF EDUCATION**

*Business Office  
4 Audubon Avenue  
CLEMENTON, New Jersey 08021*

**Proposal Form**

**Broker of Record  
Employee Health Benefits  
EUS 01-15**

**Name of Firm:** \_\_\_\_\_

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 activities and services outlined in the proposal.

- **Fee Amount**

All respondents are required to disclose their percentage commission that is paid to them by the insurance company(ies).

**CLEMENTON BOARD OF EDUCATION**

*Business Office  
4 Audubon Avenue  
Clementon, New Jersey 08021*

**Proposal Form – (Continued)**

**Broker of Record  
Employee Health Benefits  
EUS 01-15**

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

Name \_\_\_\_\_

Address \_\_\_\_\_ P.O. Box \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Federal Tax ID Number \_\_\_\_\_

Phone Number (    ) \_\_\_\_\_ Extension \_\_\_\_\_

Fax No. (    ) \_\_\_\_\_ E-Mail \_\_\_\_\_

Authorized Agent \_\_\_\_\_ Title \_\_\_\_\_

**Agent's Signature** \_\_\_\_\_ Date \_\_\_\_\_

All proposals must be received no later than **Wednesday, May 3, 2017, 12:00 NOON**. All proposals are to be sent to:

Joanne E. Clement, Business Administrator  
Board Secretary, Purchasing Agent  
4 Audubon Avenue  
P.O. Box 388  
Clementon, New Jersey 08021  
Phone # 856-783-2300

**CLEMENTON BOARD OF EDUCATION**

*Business Office  
4 Audubon Avenue  
CLEMENTON, New Jersey 08021*



**REQUEST FOR PROPOSAL**

**GENERAL  
SPECIFICATIONS**



**Joanne E. Clement**  
Business Administrator  
Board Secretary  
Purchasing Agent

## **K. AFFIRMATIVE ACTION REQUIREMENTS**

Each respondent 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:

- i. Appropriate evidence that the respondent is operating under an existing federally approved or sanctioned affirmative action program; or
- ii. A certificate of employee information report approval issued in accordance with N.J.A.C. 17:27-4; or
- iii. 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 submission of proposal. However, the Board will accept in lieu of the Questionnaire, Affirmative Action Evidence stapled to the Affirmative Action Questionnaire form.

"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.

## **L. AUTHORIZATION TO WORK – PURCHASE ORDER REQUIRED**

No service shall be rendered unless the successful respondent receives an approved purchase order authorizing the respondent to render the service.

## **M. BUSINESS REGISTRATION CERTIFICATE** (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:32-44 as amended by P.L. 2004 – Chapter 57, all respondents shall submit with their proposal package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey. Failure to provide the New Jersey Business Registration Certification with the proposal package, or prior to the award of contract, will be cause for the rejection of the entire proposal.

### **Goods and Services Contracts**

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract: **1)** The contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; **2)** prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; **3)** during the term of this contract, the contractor and its affiliates shall collect, remit, and notify all subcontractors and their affiliates that they must collect and remit to the Director of the New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.

## **N. CONTRACTS**

Upon notification of award of contract by the Clementon Board of Education, the successful respondent shall sign and execute a formal contract agreement with the Board of Education.

The successful respondent shall sign and execute said contract and return it together with documents required by the district such as but not limited to:

- Professional Liability Certificate;
- Criminal History Background evidence;
- Other required documents as may be outlined in the proposal specifications.

Within ten (10) days of receipt of notification of award of contract, the executed contracts and related documents must be returned to:

Joanne E. Clement, Business Administrator,  
Board Secretary, Purchasing Agent  
Clementon Board of Education  
4 Audubon Avenue  
P.O. Box 388  
Clementon, New Jersey 08021

**O. DISCLOSURE of ACTIVITIES IN IRAN Form N.J.S.A. 18A18A-49.4**

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. 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.

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.

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

**P. DOCUMENTS, MISSING/ILLEGIBLE**

The respondent shall familiarize himself with all forms\* provided by the Board 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 Purchasing Agent at (973 470-5598) for duplicate copies of the forms. This must be done before the proposal submission. 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.

**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 EUS 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.**

**Q. 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 bid package may be cause for disqualification and for the bid 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 of Education that must be returned with proposal.

- Acknowledgement of Addenda
- Affirmative Action Questionnaire or Affirmative Action Evidence
- Chapter 271 – Political Contribution Disclosure Form
- Disclosure of Activities in Iran Form N.J.S.A. 18A18A-49.4
- Non Collusion Affidavit
- Proposal Form
- Stockholders' Disclosure/ Ownership Declaration
- Contractor/Vendor Questionnaire and Certification

\*Please check your bid package for these forms!

## **R. EVALUATION OF CRITERIA**

The school district intends to evaluate all proposals on the basis of the responses that are most advantageous to the district, price and other factors considered. Included in the evaluation process, but not limited to are:

- Experience and ability to perform services;
- Qualifications and references;
- Organization; staffing; facilities;
- Cost proposal - Fee;
- Knowledge of CLEMENTON Public School District and subject matter discussed in proposal;
- Other factors demonstrated in the respondent's presentation package that may be in the best interests of the school district.

## **S. 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.

## **T. INCIDENTAL EXPENSES**

All incidental expenses related to the services provided are the responsibility of professional service provider. The school district will not reimburse any provider for any incidental expenses related to the contract.

Travel – The proposal costs submitted by respondents shall include any or all costs pertaining to travel to and from any site where the services are to be performed. The Clementon Public School District will not pay any costs for travel. Travel time is not to be charged on any hourly or service rate. Travel time to and from the site of service is to be borne by the respondent.

## **U. INSURANCE; PROFESSIONAL LIABILITY – CERTIFICATE REQUIRED**

Required                       Not Required

The successful respondent to whom the contract is awarded shall provide to the Board of Education with contract documents a Professional Liability Insurance Certificate with the following limits:

\$1,000,000 Each Incident; Occurrence; Wrongful Act  
\$3,000,000 Aggregate

The insurance certificate name as to the certificate holder shall be as follows:

The CLEMENTON Board of Education  
c/o The Business Office  
4 Audubon Avenue  
Clementon, NJ 08021

and remain in full force during the term of contract.

## **V. INTERPRETATIONS AND ADDENDA**

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 Purchasing Agent and 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.

## **W. POLITICAL CONTRIBUTION DISCLOSURE STATEMENT – PAY TO PLAY**

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](http://www.elec.nj.us).

Pursuant to N.J.A.C. 6A:23A-6.3 (a1-4) 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 (a4)

All bidders shall submit with their bid package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the district to determine whether the vendor is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a2) Award of Contract.

X. **PRE-PROPOSAL MEETING**     **Applicable**     **Not Applicable**

**Y. SUBCONTRACTING; ASSIGNMENT OF CONTRACT**

Contractors, services providers, and all vendors with whom the Board of Education has an executed contract may not subcontract any part of any work done or consign any contract for goods or materials for the Board without first receiving written permission from the Purchasing Agent.

**Z. SUBMISSION DEADLINE**

The deadline to submit all EUS Packages is

**Wednesday, May 3, 2017  
12:00 Noon**

Submissions received after the date and time noted in the EUS Package shall not be considered.

**AA. SUBMISSION OF EUS PACKAGE – (Original and Copy)**

All EUS Proposal Packages including the Letter of Transmittal and the Presentation Package are to be in a **sealed envelope** bearing the title of the proposal and number of the proposal in front and are to be delivered to:

Joanne E. Clement, Business Administrator,  
Board Secretary, Purchasing Agent  
Clementon Board of Education  
4 Audubon Avenue  
P.O. Box 388  
Clementon, New Jersey 07055

Respondents are to include:

- One (1) original EUS Package with original signature
- Two (2) copies of the EUS Package

**BB. TERMINATION OF CONTRACT**

If the Board determines that the contractor has failed to comply with the terms and conditions of the bid and/or 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 District 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 District harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

## **CC. WITHDRAWAL OF PROPOSALS**

### **Before the Proposal Due Date**

The Purchasing Agent may consider a written request from a respondent to withdraw a proposal if the written request is received by the Purchasing Agent before the proposal due date. Any respondent who has been granted permission by the Purchasing Agent to have his/her proposal withdrawn cannot re-submit a proposal for the same project.

### **After the Proposal Due Date**

The Board of Education may consider a written request from a respondent to withdraw a proposal if the written request is received by the Purchasing Agent 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 respondent who wishes to withdraw a proposal must provide a certification supported by written factual evidence that an error or omission was made by the respondent 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 due date may be reviewed by the Purchasing Agent, the interested administrators; and/or the Board Attorney and a recommendation will be made to the Board of Education.

The Board of Education will be the final determining authority in permitting the proposal to be withdrawn.

## **DD. MISCELLANEOUS PROVISIONS**

### **1. Renewal of Contract**

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.

### **2. Errors or Omissions--Addenda**

If respondents discover any error, omission, ambiguity, conflict in the RFP specifications, the respondent shall immediately notify the Office of the Purchasing Agent of the school district. 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—Three (3) Copies**

Respondents are to submit the following number of copies of proposals to the Office of the Purchasing Agent:

One (1) Copy of Proposal with original signatures

Two (2) Copies of the Proposals

# ETHICS IN PURCHASING

## *Statement to Vendors*

### *School District Responsibility*

#### Recommendation of Purchases

It is the desire of the Clementon Board of Education to have all Board employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

School district officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 18A:18A-1 et seq.

#### Solicitation/Receipt of Gifts – Prohibited

School district officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the Clementon Board of Education or anyone proposing to do business with the Clementon School District.

### *Vendor Responsibility*

#### Offer of Gifts, Gratuities -- Prohibited

Any vendor doing business or proposing to do business with the Clementon Public School District, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the Clementon Public School District or to any member of the official's or employee's immediate family.

#### Vendor Influence -- Prohibited

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the Clementon Public School District, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

### *Vendor Certification*

Vendors or potential vendors will be asked to certify that no official or employee of the Clementon Board of Education or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the Clementon Board of Education.

**Joanne E. Clement**  
Business Administrator  
Board Secretary  
Purchasing Agent

**CLEMENTON BOARD OF EDUCATION  
BUSINESS OFFICE**

*4 Audubon Avenue  
P.O. Box 388  
Clementon, New Jersey 08021*

**Joanne E. Clement**

SCHOOL BUSINESS ADMINISTRATOR  
BOARD SECRETARY  
PURCHASING AGENT

VOICE: (856) 783-2300  
FAX: (856) 783-8929  
[clemboe@CLEMENTON.k12.nj.us](mailto:clemboe@CLEMENTON.k12.nj.us)

TO: All Vendors

**UNAUTHORIZED ORDERS**

**Official Notification**

**Authorized Purchases**

The Clementon Board of Education only recognizes purchases made through the approved purchase order process. All purchases require a:

**Written Purchase Order** with **authorized signatures** and a **Purchase Order Number**.

**Unauthorized Purchases**

Any Board of Education employee who orders and/or receives any materials, supplies or services without first going through the approved purchase order process has made an unauthorized purchase.

**Vendors' Responsibility**

• **Do NOT Honor Requests!**

Vendors are not to honor or accept any requests for goods or services unless the vendor receives a **written purchase order** with **authorized signatures** and a **purchase order number**.

• **Contact the Business Office!**

Please alert Mrs. Joanne E. Clement at (856) 783-2300 if any Board employee attempts to place an order without an authorized purchase order.

• **You will NOT Get Paid!**

The Clementon Board of Education will not be held responsible for any unauthorized orders or purchases.

**Authorized Signatures**

The Clementon Board of Education will only recognize purchase orders signed either by:

**Joanne E. Clement, Business Administrator,  
Board Secretary, Purchasing Agent**

# **CLEMENTON PUBLIC SCHOOLS**

## MISSION

In partnership with the community, we welcome our children to a supportive, multicultural educational environment. Clementon Public Schools demand excellence in teaching and learning and prepare students for further learning and productive employment in the 21<sup>st</sup> century.

## VISION

***Clementon Public Schools seek to be a community where:***

- All members of the community come together in a supportive alliance to educate, inspire and encourage students.
- There are high expectations for all students and staff.
- All students grow to fulfill their full potential, to value lifelong learning, and develop confidence.
- Each student develops into a contributing, responsible citizen.
- Learning is challenging and purposeful.
- Teaching and learning occur in a safe, drug-free and positive environment.
- Students are prepared for success in school, the world of work and their personal lives in an ever-changing world.

Clementon Public Schools will provide a model of a successful school district to the State and Nation.

## CORE BELIEFS

*Our core beliefs will serve as a foundation for performance management. Clementon Public School staff member is expected to conduct him/herself in a way that supports the values of the District.*

- ◆ *Students come first.*
- ◆ *All students can learn and succeed.*
- ◆ *Students are entitled to appropriate facilities in a safe and drug-free environment.*
- ◆ *Our students will meet and exceed the NJ Core Curriculum Standards.*
- ◆ *Each child is a distinctive individual with specific talents and abilities and deserves resources to match his/her needs.*
- ◆ *There is strength in diversity.*
- ◆ *Students deserve equal access to educational programs, resources and services.*
- ◆ *Students with special needs will be provided modified programs and supports to succeed in the general education curriculum.*
- ◆ *Family involvement and advocacy for students are critical to academic success.*
- ◆ *School based participation in the decision-making process leads to increased commitment and accountability.*
- ◆ *Teamwork within the District is necessary for success.*
- ◆ *General and special education staff share responsibility for planning and executing programs that encompass inclusive practices.*
- ◆ *It is the responsibility of the school district community to inspire students to become lifelong learners and to prepare them for careers.*
- ◆ *Mastery of technology is critical for success in the 21<sup>st</sup> Century.*
- ◆ *People with high self-esteem are better able to teach and learn.*
- ◆ *Positive adult and peer role models will have a beneficial impact on students.*
- ◆ *Schools should be the catalyst for positive societal change.*

**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

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [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 Public Contracts Equal Employment Opportunity Compliance 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 Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

(REVISED 4/10)



**To be completed and signed below.**

**Return with proposal.**

**Acknowledgement of Addenda**

EUS #01-15

Proposal Date: Wednesday, May 3, 2017

The Respondent acknowledges receipt of the hereinafter enumerated Addenda which have been issued during period of bidding and agrees that said Addenda shall become a part of this contract. The respondent shall list below the numbers and issuing dates of the Addenda.

<u>ADDENDA NO.</u>	<u>ISSUING DATES</u>
_____	_____
_____	_____
_____	_____
_____	_____

**No Addenda Received**

Name of Company \_\_\_\_\_

Address \_\_\_\_\_ P.O. Box \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Name of Authorized Representative \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

**To be completed and signed below.**

**Return with proposal.**

**AFFIRMATIVE ACTION QUESTIONNAIRE**

**EUS 01-14**

**Date: Wednesday, May 3, 2017**

This form is to be completed and returned with the bid. However, the Board will accept in lieu of this Questionnaire, Affirmative Action Evidence Employee Information Report stapled to this page.

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/](http://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 \_\_\_\_\_

**To be completed and signed below.**

**Return with proposal.**

**CLEMENTON Board of Education  
Business Office  
4 Audubon Avenue  
Clementon, New Jersey 08021**

**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**

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

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**

<sup>1</sup> 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.”

**P.L. 2005, c.271**

**(Unofficial version, Assembly Committee Substitute to A-3013, First Reprint\*)**

**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 there from 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 therefore, 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.

**To be completed and signed below.**

**Return with proposal.**

Clementon Board of Education  
STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY  
**DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Solicitation Number: EUS 01-14

Bidder/Offeror: \_\_\_\_\_

**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/Chapter25Listpdf>. 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, 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 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 box below.

**PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION.**

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

***Certification:*** I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge 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 answers of information contained herein. I acknowledge 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 recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): \_\_\_\_\_ Signature \_\_\_\_\_

Title: \_\_\_\_\_ Date: \_\_\_\_\_

Name of Company: \_\_\_\_\_ City/State/Zip: \_\_\_\_\_

**To be completed and signed below.**

**Return with proposal.**

**NON-COLLUSION AFFIDAVIT**

**Broker of Record - Employee Health Benefits**

Re: Proposal for the Clementon Board of Education.

STATE OF \_\_\_\_\_)

Date: **Wednesday, May 3, 2017**

: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 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 Board of Education of the City of Clementon 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



**To be completed and signed below.**

**Return with proposal.**

**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP**

**Broker of Record - Employee Health Benefits**

Re: Proposal for the CLEMENTON Board of Education.

EUS# 01-14

Proposal Date: **Wednesday, May 3, 2017**

Please check one type of Ownership, complete the form, and execute where provided.

<input type="checkbox"/>	Corporation--	<input type="checkbox"/>	Limited Partnership--
<input type="checkbox"/>	Partnership--	<input type="checkbox"/>	Limited Liability Corp.--
<input type="checkbox"/>	Sole Proprietorship--	<input type="checkbox"/>	Limited Liability Partnership--
<input type="checkbox"/>	Sub Chapter S Corp.--	<input type="checkbox"/>	Other-_____

No corporation "or partnership" shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any material or supplies, the cost of which is to be paid with or out of any public funds, by the State or any county, municipality or school district, or any subsidiary or agency of the State, or by an authority, board or commission which exercises governmental functions, unless prior to the receipt of the bid or accompanying the bid of said corporation or said partnership, there is submitted a statement setting forth the names and all individual partners in the partnership who own a 10% or greater interest therein, as the case may be." If one or more such stockholder "or partner" is itself a corporation "or partnership", the stockholder holding 10% or more of that corporation "or partnership" the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be, continued until names and addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria established in this act, has been listed.

**IT IS MANDATORY THAT THIS FORM BE COMPLETED AND SUBMITTED WITH BID.** In the event that there are no persons who own ten percent or more of the stock or ownership of the bidder, then such fact should be certified below as part of this disclosure.

Name of Company \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

**List of Owners with Ten Percent (10%) or More Interest**

<u>Owner's Name</u>	<u>Home Address</u>	<u>Title/Office Held</u>	<u>Percent (%) of Partnership Shares Owned</u>

**NOTE:** If you need more space than that provided above, please use an extra sheet for furnishing the above required information for any remaining persons or entities.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**(form continued on next page) →→→**

**To be completed and signed below.**

**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (con't)**

If your firm is not a corporation and/or partnership, please explain below how your firm is organized and include a list of the various principals.

Our firm, \_\_\_\_\_, is organized

\_\_\_\_\_  
\_\_\_\_\_

Names of Principals

Title

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Use additional paper if needed. Check here  if additional sheets are attached.

**Name of Company** \_\_\_\_\_

**Address** \_\_\_\_\_

**City, State, Zip** \_\_\_\_\_

Authorized Agent \_\_\_\_\_ Title \_\_\_\_\_

\_\_\_\_\_  
SIGNATURE OF AUTHORIZED AGENT

**To be completed and returned with the proposal form.**

**Vendor Questionnaire/Certification**

**Broker of Record - Employee Health Benefits  
EUS 01-14**

Name of Company \_\_\_\_\_

Street Address \_\_\_\_\_ PO Box \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Business Phone Number (\_\_\_\_) \_\_\_\_\_ Ext. \_\_\_\_\_

Emergency Phone Number (\_\_\_\_) \_\_\_\_\_

FAX No. (\_\_\_\_) \_\_\_\_\_ E-Mail \_\_\_\_\_

FEIN No. \_\_\_\_\_

Years in Business \_\_\_\_\_ Number of Employees \_\_\_\_\_

**References – Work previously done for School Systems in New Jersey**

	<u>Name of District</u>	<u>Address</u>	<u>Contact Person/Title</u>	<u>Phone</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

**Vendor Certification**

**Direct/Indirect Interests**

I declare and certify that no member of the CLEMENTON 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 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, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

**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 Clementon Board of Education.

**Vendor Contributions**

I declare and certify that I fully understand N.J.A.C. 6A:23A-6.3(a1-4) concerning vendor contributions to school board members.

I certify that I am not an official or employee of the Clementon Board of Education.

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**

**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-1 REPORT FOR SECTION B, ITEM 11. For Instructions on completing the form, go to: [http://www.state.nj.us/treasury/contract\\_compliance/pdf/aa302ins.pdf](http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf)

**SECTION A - COMPANY IDENTIFICATION**

1. FID. NO. OR SOCIAL SECURITY	2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 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: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> 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
<b>Official Use Only</b>	DATE RECEIVED	INAUG. DATE ASSIGNED CERTIFICATION NUMBER

**SECTION B - EMPLOYMENT DATA**

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures 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 in minority/non-minority categories, in columns 1, 2, & 3. *DO NOT SUBMIT AN EEO-1 REPORT.*

JOB CATEGORIES	ALL EMPLOYEES		PERMANENT MINORITY NON-MINORITY EMPLOYEE BREAKDOWN						
	COL. 1 TOTAL (Cols. 2 & 3)	COL. 2 MALE	WHITE	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON-MIN.	FEMALE
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	The data below shall NOT be included in the figures for the appropriate categories above.								

12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify)	14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/>	15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR
13. DATES OF PAYROLL PERIOD USED From: To:		

**SECTION C - SIGNATURE AND IDENTIFICATION**

16. NAME OF PERSON COMPLETING FORM (Print or Type)	SIGNATURE	TITLE	DATE MO DAY YEAR
17. ADDRESS NO. & STREET	CITY	COUNTY	STATE ZIP CODE PHONE (AREA CODE, NO., EXTENSION)

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 YOU 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 Philippines 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

TO All Respondents:

**REMINDER!**

Did you sign all of the bid documents?

All bid documents returned to the Board shall be signed with original signatures. Please try to use **blue ink**.

The Board will not accept facsimile or rubber stamp signatures.

Failure to sign all bid documents may be cause for disqualification and rejection of the bid.

\_\_\_\_\_,  
Business Administrator  
Board Secretary  
Purchasing Agent