KEANSBURG BOARD OF EDUCATION 100 Palmer Place Keansburg, New Jersey 07734

REQUEST FOR PROPOSAL (RFP)

PROFESSIONAL SERVICES
FORENSIC AUDIT
RFP 17-004

Louise B. Davis
Interim School Business Administrator/Board Secretary

Submission Date:

Thursday, October 20, 2016 11:00 A.M.

ETHICS IN PURCHASING

Statement to Vendors

School District Responsibility

Recommendation of Purchases

It is the desire of the Keansburg 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 Board of Education or anyone proposing to do business with the Board.

Vendor Responsibility

Offer of Gifts, Gratuities -- Prohibited

Any vendor doing business or proposing to do business with the Keansburg Board of Education, 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 Keansburg Board of Education 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 Board of Education, 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 Keansburg 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 Board of Education.

Louise B. Davis
Interim School Business Administrator,
Board Secretary

TO: All Vendors

UNAUTHORIZED ORDERS

Official Notification

Authorized Purchases

The Keansburg 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 Keansburg 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 the School Business Administrator at (732) 787-2007 if any Board employee attempts to place an order without an authorized purchase order.

You will NOT Get Paid!

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

Authorized Signatures

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

Louise B. Davis
Interim School Business Administrator/Board Secretary

INSERT ADDRESSES OF DISTRICT'S SCHOOLS AND FACILITIES

Joseph Bolger Middle School* 100 Palmer Place

Joseph C. Caruso 81 Frances Place

Port Monmouth School 142 Monmouth Rd.

Keansburg High School 140 Port Monmouth Rd.

*Also houses: Superintendent Office Central Office Pupil Personnel



REQUEST FOR PROPOSAL

GENERAL SPECIFICATIONS



Louise B. Davis

Interim School Business Administrator, Board Secretary

Request for Proposal (RFP)

PROFESSIONAL SERVICES- FORENSIC AUDIT

Instructions for Respondents

1. PROPOSALS ARE TO BE SUBMITTED TO:

Louise B. Davis Interim School Business Administrator/Board Secretary Keansburg Board of Education 100 Palmer Place Keansburg, New Jersey 07734

BY: 11:00 a.m. PREVAILING TIME ON: Thursday, October 20, 2016

by mail, delivery service or in person. Proposals that are submitted are to be sealed.

2. Proposals must be placed in a sealed envelope/package and marked as shown below on the front of the envelope/package. Proposals <u>must be</u> submitted in <u>duplicate</u> on the submittal forms as provided, and in the manner designated. The Board requires one original and one duplicate copy of the Proposal package. The duplicate is necessary for processing the Proposals. Respondents should also keep a complete copy of the Proposal packet, exactly as submitted.

Envelope Label Information: District: Keansburg Board of Education

Proposal No.: RFP 17-04

Project: Professional Services-Forensic Audit

Date: Thursday, October 20, 2016

Time: 11:00 a.m.

Respondent: Name of Company

Address

City, State Zip

Failure to properly label the Proposal envelope may lead to the rejection of the Proposal!

The Keansburg Board of Education does not accept electronic (e-mail) submission of Bids or Proposals.

3. PURPOSE

The Keansburg Board of Education is soliciting Request for Proposals (RFP's) for the purpose of entering into Contract for Professional Services-Forensic Audit -2013-2016 Review of Technology and Maintenance Contracts

4. AFFIRMATIVE ACTION REQURIEMENTS

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, the Certificate of Employee Information Report, 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."

5. AWARD OF CONTRACT; RESOLUTION; NUMBER OF DAYS

Any contract awarded under this process shall be made by resolution of the Keansburg 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).

6. BRAND NAME OR EQUIVALENT

Whenever the Board of Education requests a brand name for a particular item, it will consider a "brand name or equivalent". If the respondent desires to bid an equivalent item the respondent shall do the following:

- a. On the Proposal Form, write in ink next to the item requested, the respondent's substitute item, including brand name, model number and full description of item. This is the only change to the Proposal Form the Board will accept.
- b. Provide a sample of the substitute item if requested. The sample item must be provided before or at the time of the Proposal opening. With the sample item shall be a paper, brochure or illustrative literature outlining the brand/manufacturer name, model number and full description of item.

- c. If a sample is not required the Board requests a brochure, pamphlet, or illustrative literature that outlines the specifications of the item including manufacturer's name, model number, etc.
- d. Failure to provide a sample item or literature about substitute bids when requested may be cause for disqualification of that item from the Proposal.
- e. It is the responsibility of the respondent to demonstrate equivalency of items offered.

7. 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.

8. **CERTIFICATE (CONSENT) OF SURETY** REQUIRED X NOT REQUIRED

When required, each respondent shall submit with its Proposal a certificate from a surety company stating that the surety company will provide the contractor with a performance bond in an amount equal to the amount of the contract (N.J.S.A. 18A:18A-25). Such surety company must be licensed and qualified to do business in the State of New Jersey. The certificate (consent) of Surety, together with a power of attorney, must be submitted with the Proposal.

Failure to submit or to sign the Certificate (consent) of Surety will be cause for disqualification and rejection of Proposal.

9. COORDINATION OF ACTIVITIES

The following people will coordinate the activities for this Proposal

A. Request for Proposal Process

Louise B. Davis Interim School Business Administrator/Board Secretary Email:ldavis@keansburg.k12.nj.us

B.	Title of Proposal	
	Name of Official	
	Position Title	
	Fmail [.]	

10. CRIMINAL HISTORY BACKGROUND CHECKS—N.J.S.A. 18A:6-7.1--REQUIREMENT

All providers for the services of this contract shall provide to the school district, prior to commencement of contract, evidence or proof that each employee assigned to provide services and that comes in regular contact with students, has had a criminal history background check, and that said check indicates that no criminal history record information exists on file for that worker.

Failure to provide a proof of criminal history background check for any employee coming in regular contact with students, prior to commencement of contact, may be cause for breach of contract.

If it is discovered during the course of the contract that an employee has a disqualifying criminal history or the employee has not had a criminal history background check, that employee is to be removed from the as a service provider immediately.

11. 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

12. 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 School Business Administrator/Board Secretary 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.

13. 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 of Education that must be returned with Proposal.

- · Acknowledgement of Addenda
- Affirmative Action Questionnaire or Certificate of Employee Information Report
- Chapter 271 Political Contribution Disclosure Form
- Contractor/Vendor Questionnaire and Certification
- Iran Disclosure of Investment Activities
- Non Collusion Affidavit
- Proposal Form
- Stockholders' Disclosure/ Ownership Declaration

14. 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.

15. 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.

^{*}Please check your RFP package for these forms!

16. FINANCIAL GUARANTEE AND BONDING REQUIREMENTS

Please note: The name, address, and phone number of the Bond Underwriter as well as the Bond Number shall be included with all bonds submitted to the Board of Education.

Financial Guarantee

REQUIRED X NOT REQUIRED

Each Proposal when required shall be accompanied by a bid bond, cashier's check or certified check for ten percent (10%) of the amount of the total contract, but not in excess of \$20,000 (twenty-thousand dollars). This guarantee shall be made payable to the Keansburg Board of Education. Such deposit shall be forfeited upon refusal of a respondent to execute a contract; otherwise, checks shall be returned when the contract is executed. The financial guarantee check for unsuccessful respondents will be returned as soon after the Proposal opening as possible but in no event later than (10) days after the Proposal opening.

Uncertified business checks, personal checks or money orders are not acceptable.

All bid bonds submitted must be signed and witnessed with original signatures. The Board will not accept facsimile or rubber stamp signatures on the bid bond. Failure to sign the bid bond by either the Surety or Principal shall be deemed cause for disqualification of the Proposal. The Attorney-in-Fact who executes the bond on behalf of the surety shall affix to the bond a certified and current copy of the Power of Attorney.

The Board of Education will only accept bid bonds from companies that are licensed and qualified to do business in the State of New Jersey. Such a list may be available upon request to the State of New Jersey, Department of Banking and Insurance, CN 325, Trenton, New Jersey 08625.

Failure to submit or failure to sign the financial guarantee shall be cause for disqualification and rejection of Proposal.

17. 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.

18. GENERAL CONDITIONS

A. <u>Authorization to Proceed</u> -- Successful Vendor/Contractor No service shall be rendered by the successful contractor unless the vendor/contractor receives an approved purchase order authorizing the vendor/contractor to render the service.

B. Award of Contract

It is the intention of the Board of Education to award the contract to the respondent(s) 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.

C. Contracts

Upon notification of award of contract by the Board of Education, the successful vendor shall sign and execute a contract and return it, together with the following:

- Certificate of Liability Insurance with the Keansburg Board of Education names as an additional insured.(If required) or Professional Liability Insurance (If required)
- Affirmative Action Evidence in the form of Certificate of Employee Information Report as issued by the Department of Treasury.
- 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 shall be returned to:

Interim School Business Administrator/Board Secretary

Failure to execute the contract and return said contract and related documents within the prescribed time may be cause for a delay in payment for services rendered or products received or the annulment of award by the Board of Education with any financial security becoming property of the Board of Education. The Board of Education reserves the right to accept the Proposal of the next lowest responsible respondent.

D. Renewal of Contract; Availability and Appropriation of Funds—When Applicable
The Board of Education may, at its discretion, request that a contract for certain services be
renewed in full accordance with N.J.S.A. 18A:18A-42. The School Business
Administrator/Board Secretary, may negotiate terms for a renewal of contract Proposal and
present such negotiated Proposal to the Board of Education. All multi-year contracts and
contract renewals are subject to the availability and appropriation annually of sufficient
funds as may be needed to meet the extended obligation.

The Board of Education is the final authority in awarding renewals of contracts. Contracts for professional services may be awarded only for twelve (12) months and cannot be renewed.

E. Term of Contract

The successful respondent, to whom the contract is awarded, will be required to do and perform the work/services and to provide and furnish the materials in connection therewith in accordance with the plans and specifications on or before the date listed in the <u>Technical Specifications</u>.

F. Purchase Order Required; Notice to Proceed

No contractor or vendor shall commence any project or deliver any goods until he is in receipt of an approved purchase order authorizing work to begin or goods to be delivered.

G. <u>Deadline for Submitting Proposals</u>

All Proposals shall be addressed to:

Louise B. Davis
Interim School Business Administrator/Board Secretary

All Proposals are to be received by the Board of Education no later than

Thursday October 20, 2016 11:00 a.m.

Proposals received after the date and time noted shall not be accepted or considered.

H. Number of Copies to be Submitted -- One (1) Original; One (1) Copy
The district requires one (1) original Proposal and one (1) copy to be submitted at the Proposal date and time. Other instructions on submission may found in the technical specifications section.

19. INSURANCE AND INDEMNIFICATION ☐ Required X Not Required

The respondent, to whom the contract is awarded for any service work or construction work, shall secure, pay the premiums for and keep in force until the contract expires, insurance of the types and amounts listed below:

Commercial General Liability

\$2,000,000. General Aggregate

\$2,000,000. Products

\$1,000,000. Personal Injury

\$1,000,000. Each Occurrence Combined Single Limit for Bodily Injury and

Property Damage

\$50,000. Fire Damage

\$5,000. Medical Expense

Excess Umbrella Liability

\$4,000,000

\$1,000,000 Sexual Harassment

- (A) Insurance Certificate When Required
 - a. The contractor must present to the Board of Education an insurance certificate in the above types and amounts before any work or service begins.
 - b. Automobile liability insurance shall be included to cover any vehicle used by the insured.
 - c. The certificate holder shall be as follows:

Keansburg Board of Education c/o The Business Office

d. Additional Insured Claim -- The contractor must include the following clause on the insurance certificate.

"Keansburg Board of Education is named as an additional insured"

OTHER INSURANCES

<u>WORKERS COMPENSATION</u> Evidence of adequate Workers Compensation Insurance as required by the laws of the State of New Jersey and the United States, must be available for perusal. The minimum limits are the following, unless a greater amount is required by law:

Bodily Injury by Accident \$1,000,000. Each Accident Bodily Injury by Disease \$1,000,000. Policy Limit Bodily Injury by Disease \$1,000,000. Each Employee Automobile Liability \$1,000,000 Per Occurrence

(B) Indemnification

The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the Board and its agents, employees and Board members, from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses (including, but not limited to, attorney's fees) in connection therewith on account of the loss of life or property or injury or damage to any person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract or the performance of services by the contractor under the agreement or by a party for the whole contract is liable. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this agreement.

The contractor is to assume all liability of every sort incident to the work, including property damage caused by him or his men or by any subcontractor employed by him or any of the subcontractor's men.

19(a) INSURANCE; PROFESSIONAL LIABILITY - CERTIFICATE REQUIRED

X 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 Keansburg Board of Education c/o The Business Office

and remain in full force during the term of Contract.

20. INTERPRETATIONS AND ADDENDA

Respondents are expected to examine the RFP with care and observe all their requirements. A Pre-Submission Proposal Conference will be held at a time, date and location identified in the Public Notice for this RFP. This Conference will afford the respondents the opportunity to make comments and strongly recommended. Recipients of the RFP package will have the option of submitting submit questions regarding this RFP. Attendance at the Pre-Proposal Conference is

comments and questions at the Pre-Proposal Conference. All questions about the meaning or intent of this RFP, all interpretations and clarifications considered necessary by the District's representative in response to such comments and questions will be issued by Addenda mailed or delivered to all parties recorded by the District as having received the 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 School Business Administrator 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 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.

21. IRAN DISCLOSURE OF INVESTMENT ACTIVITIES FORM N.J.S.A. 18A:18A-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. Respondents 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, respondents 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 Proposal shall be cause for rejection of the Proposal.

22. LIABILITY - COPYRIGHT

The Contractor (vendor) shall hold and save the Board of Education, its officials and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of his contract.

23. NON COLLUSION AFFIDAVIT

A notarized Non-Collusion Affidavit must be submitted with the Proposal package. (N.J.S.A. 52:34-15)

24. PAYMENTS

Every effort will be made to pay vendors and contractors within thirty (30) to sixty (60) days provided the Board of Education receives the appropriate documentation including but not limited to:

- Signed voucher by vendor;
- Packing Slips; and
- Invoices.

Payment will be rendered upon completion of services or delivery of full order to the satisfaction of the Board of Education, unless otherwise agreed to by written contract or mandated by N.J.S.A. 18A:18A-40.1. The Board may, at its discretion may make partial payments. All payments are subject to approval by the Board of Education at a public meeting. Payment may be delayed from time to time depending on the Board of Education meeting schedule.

Invoices

The invoice clearly outlines the goods received or services rendered and the date(s) the services were rendered.

- The invoice must include the full name and address of the company.
- The invoice must include the board of education purchase order number.
- The invoice must have the company's invoice number that may be used as reference.
- The invoice must list the goods or services rendered.
- The invoice must be submitted to the Business Office.
- Invoices must be submitted within thirty (30) days of service.

25. PERFORMANCE BOND

☐ REQUIRED **X** NOT REQUIRED

When required, the successful vendor shall furnish a Performance, Payment and Completion Bond in a sum of at least one hundred percent (100%) of the total amount payable by the terms of this Contract. Such bond shall be in the form required by Statute.

Such bond shall further carry a stipulation that no advance, premature, excessive or delayed payments by the Owner shall in any way affect the obligation of the Surety on its bond.

Such bond shall further stipulate that no payments made to the Contractor, nor partial or entire use of occupancy of the work by the Owner shall be an acceptance of any work or materials not in accordance with this Contract and the Surety shall be equally bound to the same extent as the Contractor.

It is expressly stipulated that the Surety for the Contractor on the project shall be obligated to make periodic inquiries of the Owner at reasonable times, to determine whether its Principal has performed or was performing the Contract in accordance with all of its terms and conditions, particularly in relation to the progress payments scheduled under said Contract with the Owner.

In the event the Contractor defaults or fails to perform or finish the work prescribed under the Contract for any reason whatsoever, it shall become the unqualified obligation of the Surety for the defaulting contractor to complete the Contract in accordance with its terms following receipt of notice from the owner of such default.

Successful respondent shall execute formal contract with the Board in the form required and in such number of counterparts as the Board may request. Such Performance, Payment and Completion Bond shall be furnished and such Contracts shall be executed and delivered by the successful respondent within ten (10) days after the receipt by the successful respondent of notice accepting his Proposal by the Board.

The Board of Education will only accept performance bonds from surety companies that are licensed and qualified to do business in the State of New Jersey.

26. 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.

27. POLITICAL CONTRIBUTIONS DISCLOSURE - REQUIREMENTS

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 respondents shall submit with their RFP 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 (a) (2) Award of Contract.

28. PRESENTATION AND INTERVIEWS

The Board of Education may at its option, require providers of its choice to attend interviews and make presentations to district officials. This process may only take place after Proposals have been opened and reviewed and prior to the completion of the evaluation. **Under no circumstances shall the provisions of the Proposal be subject to negotiation—N.J.S.A.** 18A:18A-4.5 (b)

29. PRE-SUBMISSION OF PROPOSAL MEETING (Pre-Proposal Conference Meeting)

The Keansburg Board of Education will hold a pre-submission of Proposal meeting on

N/A

DATE - TIME

in the (LOCATION / ADDRESS).

The purpose of this meeting is to review all legal and technical requirements of the Proposal. Respondents are encouraged to attend this meeting. Addenda to the Proposal may be issued as a result of the meeting.

30. RESPONDENT'S RESPONSIBILITY FOR PROPOSAL SUBMITTAL

It is the responsibility of the respondent to ensure that their Proposal is presented to the Business Office and officially received before the advertised date and time of the Proposal. It is understood and agreed upon that any person in the Board of Education will be absolved from responsibility for the premature opening of any Proposal not properly labeled and sealed.

31. RIGHT TO KNOW LAW

All potentially hazardous materials or substances must be properly labeled in full accordance with the New Jersey Right to Know Law - N.J.S.A. 34:5A-1 et seq. All contractors or vendors who need additional information about the New Jersey Right to Know Law are to contact the:

New Jersey Department of Health Right to Know Program CN 368 Trenton, New Jersey 08625-0368 rtk@doh.state.nj.us

32. STOCKHOLDERS' DISCLOSURE

All respondents are hereby notified that every corporation and partnership, according to the provision of Chapter 33, Laws of 1977 of the State of New Jersey, must submit a statement prior to the receipt of the Proposal or accompanying the Proposal, setting forth the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock, of any class or of all partners in the

partnership, who own 10% or greater interest herein, as the case may be. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual partners 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. (N.J.S.A.52:25-24.2)

33. SUBCONTRACTING; ASSIGNMENT OF CONTRACT

Contractors, services providers, and all vendors with whom the Board of Education have an executed contract may not subcontract any part of any work done or assign any part of contract

for goods or materials for the Board without first receiving written permission from the School Business Administrator.

Contractors, service providers, and vendors using subcontractors assume all responsibility for work performed by subcontractors. The Board Business Office may require the following documents to be secured from all approved subcontractors:

- Insurance Certificate as outlined in the Proposal specifications;
- Affirmative Action Evidence as outlined in the Proposal specifications;
- New Jersey Business Registration Certificate; and
- Other documents as may be required by the Board of Education.

In cases of subcontracting, the Board of Education shall only pay the prime contractor. It is the sole responsibility of the prime contractor to ensure that all subcontractors are paid. The Board of Education shall not be responsible for payments to subcontractors and shall be held harmless against any or all claims generated against prime contractors for non-payment to subcontractors.

Transportation carriers hired by the vendor to deliver goods and materials are not considered to be subcontractors.

34. TAXES

As a New Jersey governmental entity, the Board of Education is exempt from the requirements under New Jersey state sales and use tax (N.J.S.A. 54:32B-1 et. seq.), and does not pay any sales or use taxes. Respondents should note that they are expected to comply with the provisions of said statute and the rules and regulations promulgated thereto to qualify them for examinations and reference to any and all labor, services, materials and supplies furnished to the Board of Education. Contractors may not use the Board's tax exempt status to purchase supplies, materials, service or equipment.

A contractor may qualify for a New Jersey Sales Tax Exemption on the purchase of materials, supplies and services when these purchases are used exclusively to fulfill the terms and conditions of the contract with the Board of Education. All contractors are referred to New Jersey Division of Taxation—Tax Bulletin S&U-3 for guidance. Again, contractors are not permitted to use the Board's tax identification number to purchase supplies, materials, services of equipment.

35. TERMINATION OF CONTRACT

If the Board 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 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.

36. WITHDRAWAL OF PROPOSALS

Before The Proposal Opening

The Interim School Business Administrator may consider a written request from a respondent to withdraw a Proposal if the written request is received by the *Interim* School Business Administrator before the advertised time of the Proposal opening. Any respondent who has been granted permission by the Interim School Business Administrator 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 of Education may consider a written request from a respondent to withdraw a Proposal, if the written request is received by the Interim School Business Administrator 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 School Business Administrator, the Director of Facilities, other interested administrators' and the Architect of Record for the project (if necessary) 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 and if the contractor/vendor fails to execute the contract the bid guarantee will be forfeited and become property of the Board of Education.

Keansburg BOARD OF EDUCATION

Business Office



Request for Proposal RFP

TECHNICAL SPECIFICATIONS



Louise B. Davis

Interim School Business Administrator Board Secretary

Scope of Work - Auditor

- 1. The firm shall provide forensic in depth audit/accounting/compliance services specific to the purchase and award of Contracts of Technology and Maintenance from the 2012-13 school year to present.
- 2. The firm shall prepare and submit a Report detailing the findings of the forensic in depth audit to the Keansburg Board of Education, and make a Presentation to the Board to discuss those findings.

Minimum Qualifications:

- 1. The firm must demonstrate their experience and expertise in conducting forensic audits of public entities, including staff that are Certified in Financial Forensics as well as Certified Fraud Examiners.
- 2. The firm must have been engaged during the last five years as independent Forensic Auditors.
- 3. The firm must be a member of the American Institute of Certified Public Accountants.
- 4. The firm must employ a minimum of three (3) certified public accountants who have been licensed in that capacity for a period of not less than five (5) years each prior to the date of appointment.
- 5. The firm must employ a minimum of one (1) public school accountant licensed and qualified in that capacity for a minimum of five (5) years prior to the appointment.
- 6. The firm must have a minimum of ten (10) years of experience in providing auditing services to Boards of education within the State of New Jersey.
- 7. The firm must maintain a current principal office within the State of New Jersey.
- 8. Describe any special services available to school Board clients.
- 9. Must provide a list of current public entity clients and School Board clients.

Fees and Costs:

- 1. Must provide a not-to-exceed or lump sum cost (specify) to provide forensic auditing services for each program as outlined in the Scope of Work. Proposal is to identify the cost to audit each Program, Technology purchases and Contract and Maintenance purchases and Contracts separately as the Board may award a Contract for one, two, or all three Programs. (Depending upon how many issues are set forth in scope of work above). Proposal is to identify each separately as well as a total cost if one Contract was awarded to audit both Programs.
- 2. Must provide hourly rates for all levels of personnel and schedule to substantiate the cost proposal provided under item 1, above.
- 3. After completion of initial services, further forensic investigation may be requested. Proposal must include hourly rates of personnel that may be used for additional services.

Request for Proposal RFP

PROPOSAL DOCUMENTS AND REQUIRED DOCUMENTATION

All documents in this section shall be completed, signed and submitted with the Proposal package – Failure to submit the Proposal documents and other documents so specified may be cause to reject the Proposal for being non-responsive (N.J.S.A. 18A:18A-2(y)).



Louise B. Davis Interim School Business Administrator Board Secretary

To be completed, signed below & returned with Proposal.

Acknowledgement of Addenda

RFP #17-004 Proposal Date: Thursday, October 20, 2016, 11:00 am

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.

Signature		Date	
Name of Author	orized Representative		
City, State, Zip	Code		
		P.O. Box	
Name of Comp	pany		
⊐ No Addenda			
	<u>ADDENDA NO.</u>	ISSUING DATES	

To be completed and signed below & returned with Proposal. AFFIRMATIVE ACTION QUESTIONNAIRE

RFP 17-004 Date: Thursday, October 20, 2016 This form is to be completed and returned with the Proposal. However, the Board will accept in lieu of this Questionnaire, Affirmative Action Evidence Employee Information Report stapled to this page. ☐ Yes \square No 1. Our company has a federal Affirmative Action Plan approval. If yes, please attach a copy of the plan to this questionnaire. ☐ No If yes, please attach a copy of the certificate to this questionnaire. 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. Signature _____ Title ______ Date _____ Name of Company_____

Address _____

City, State, Zip

To be completed, signed below & returned with Proposal.

Keansburg Board of Education Business Office

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

The undersi	gned, being authori	zed and knowledgeable of the cire	cumstances, does hereby
certify that			(Business Entity) has
		al contributions to any elected off	
•		S.A. 19:44-20.26 during the twelv	e (12) months preceding this
award of contract:			
		Reportable Contributions	
Date of	Amount of	Name of Decinions	Name of
Contribution	Contribution	Name of Recipient Elected Official/	Contributor
Contribution	<u>oontribution</u>	Committee/Candidate	<u>contributor</u>
		•	
The Business Enti	ity may attach addit	ional pages if needed.	
□ No Donostoble	. O	lana ahaali (() if aanliaahla)	
□ No Reportable	e Contributions (P	lease check (✓) if applicable.)	
I certify that		(Business	Entity) made no reportable
contributions		(= 0.0000	=y,
to any elected office	cial, political candid	ate or any political committee as	defined in N.J.S.A. 19:44-20.26.
<u>Certification</u>			
Loortify that the in	oformation provided	above is in full compliance with F	Public Law 2005 Chapter 271
i ceruiy, mat me ii	normation provided	above is in full compliance with r	-ubilc Law 2005—Chapter 271.
Name of Authorize	ed 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 <u>N.J.S.A.</u> 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (<u>N.J.S.A.</u> 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:
 - o of the public entity awarding the contract
 - o of that county in which that public entity is located
 - o 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 <u>N.J.S.A.</u> 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 discloseable 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 <u>N.J.S.A.</u> 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 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.

P.L. 2005, c271 Page 2

19:44A-20.13 3. a. Any business entity making a contribution of money or any other thing of value, including an inkind 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 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. 52:34-25

County Name: Monmouth

State: Governor, and Legislative Leadership Committees

Legislative District #s: 10, 11, 12, 13, & 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):

Aberdeen Township Allenhurst Borough Allentown Borough Keansburg City Keansburg

Atlantic Highlands Borough Avon-by-the-Sea Borough

Belmar Borough

Bradley Beach Borough

Brielle Borough

Colts Neck Township

Deal Borough Eatontown Borough Englishtown Borough Fair Haven Borough

Farmingdale Borough Freehold Borough

Freehold Township Hazlet Township Highlands Borough Holmdel Township Howell Township Interlaken Borough

Keyport Borough Lake Como Borough

Little Silver Borough Loch Arbor Village Long Branch City

Manalapan Township

Manasquan Borough Marlboro Township Matawan Borough

Middletown Township Millstone Township

Neptune Township

Monmouth Beach Borough

Neptune City Borough Ocean Township

Oceanport Borough Red Bank Borough Roosevelt Borough Rumson Borough Sea Bright Borough Sea Girt Borough Shrewsbury Borough Shrewsbury Township Spring Lake Borough

Spring Lake Heights Borough

Tinton Falls Borough Union Beach Borough Upper Freehold Township

Wall Township

West Long Branch Borough

To be completed, signed below & returned with Proposal.

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

Bidder/Offeror:

PART 1: CERTIFICATION
BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX.

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/pdi/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

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

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 <u>listed</u> 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

Ouote Number:

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.

ADD AN ADDITIONAL ACTIVITIES ENTRY	
Bidder/Offeror Contact Name	Contact Phone Number
Duration of Engagement	Anticipated Cessation Date
Description of Activities	
Name	Relationship to bidden offeror
Name	Relationship to Bidder/Offeror

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:	

To be completed, signed below & returned with Proposal.

NON-COLLUSION AFFIDAVIT

Professional Services – Forensic Audit

Re: Proposal for the Keansburg	Board of Education.	
STATE OF	_) Date: Thursday, October 20, 2016	
COUNTY OF	_)	
l,	of the City of	
in the County of	and the State of	
of full age, being duly sworn acc	ording to law on my oath depose and say that:	
	Position in Company	
full authority so to do; that I have any collusion, discussed any or any action in restraint of free, constatements contained in said P knowledge that the Board of Ed	he above names contract, and that I executed the not, directly or indirectly, entered into any agree all parts of this Proposal with any potential bidders impetitive bidding in connection with the above nation of the City of relies upposal and in the statements contained in this afficient	ement, participated in s, or otherwise taken amed bid, and that all and made with full upon the truth of the
secure such contract upon an ag	erson or selling agency has been employed or reement or understanding for a commission, perce employees of bona fide established commercial	entage, brokerage or
	(Print Name of Contractor/Vendor)	
Subscribed and sworn to:	(SIGNATURE OF CONTRACTOR/VENDO	R)
before me this day of _	Month Year	
NOTARY PUBLIC SIGNATURE	Print Name of Notary Public	
My commission expiresM	onth Day Year	– Seal

To be completed, signed below & returned with Proposal. STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

Professional Services- Forensic Audit

DED #17 0		ard of Education.							
KCF #1/-U	RFP #17-004 Proposal Date: Thursday October 20, 2016								
Please check one t	Please check one type of Ownership, complete the form, and execute where provided.								
☐ Corp	oration	Limite	d Partnership						
☐ Partr	nership	☐ Limite	d Liability Corp						
☐ Sole	Proprietorship	☐ Limite	d Liability Partnership						
Sub	□ Sub Chapter S Corp □ Other-								
of the State, or by a receipt of the bid or setting forth the nai as the case may be stockholder holding greater interest in tuntil names and a ownership criteria ed. IT IS MANDATOR there are no persor be certified below a Name of Companadoress	an authority, board or confiaccompanying the bid of mes and all individual page." If one or more such as 10% or more of that contains a state of the contains and the contains a state of the contains and the con	nmission which f said corporation artners in the partners in t		tions, unless prior to the s submitted a statement greater interest therein, on "or partnership", the artners owning 10% or sure shall be, continued er, exceeding the 10% BID. In the event that					
City, State, Zip	ity, State, Zip List of Owners with Ten Percent (10%) or More Interest								
	List of Owners	with Len Per		_4					
wner's Name	Home Address		Title/Office Held	Percent (%) of Partnership Shares Owned					
wner's Name				Percent (%) of Partnership Shares					
wner's Name				Percent (%) of Partnership Shares					
wner's Name				Percent (%) of Partnership Shares					
NOTE: If you nee	Home Address	at provided abo	Title/Office Held Dive, please use an extra st	Percent (%) of Partnership Shares Owned					

(Form continued on next page) → → →

To be completed, signed below & returned with Proposal.

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (cont.)

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
ames of Principals	<u>Title</u>
se additional paper if needed. Check here	if additional sheets are attached.
ame of Company	
ddress	
ity, State, Zip	
uthorized Agent	Title
IGNATURE OF AUTHORIZED AGENT	

To be completed, signed below & returned with Proposal.

Vendor Questionnaire/Certification

Professional Services – Forensic Audit RFP # 17-004

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	Numb	per of Employees	
References – Work previousl	y done for Sch	hool Systems in New Jersey	
Name of District	Address	Contact Person/Title Phone	
1.		<u>. </u>	
		Vendor Certification	
Direct/Indirect Interests		<u> </u>	
person whose salary is payable are directly or indirectly interested relates, or in any portion of profit	in whole or in ed in this bid on ts thereof. If a etc., then pleas	Board of Education, nor any officer or employed part by said Board of Education or their immediate family memor in the supplies, materials, equipment, work or services to whe situation so exists where a Board member, employee, officer of se attach a letter of explanation to this document, duly signed be	nbers nich it of the
Gifts; Gratuities; Compensation			
	nsation, or offe	rm, business, corporation, association or partnership offered or ered any gift, gratuity or other thing of value to any school of Board of Education.	
Vendor Contributions			
declare and certify that I fully uppeared members.	ınderstand N.J	J.A.C. 6A:23A-6.3(a)(1-4) concerning vendor contributions to so	chool
certify that I am not an official o	r employee of t	the Board of Education.	
		ne in the second degree in New Jersey to knowingly make a ma ne negotiation, award or performance of a government contract.	
President or Authorized Agent		SIGNATURE	

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/.

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)

Form AA302 Rev. 11/11

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

				SEC	TION A - C	COMPAN	Y IDENTI	FICATIO	N	_			
1. FID. NO. OR SOCI	AL SECURIT	Y 2.	2. TYPE OF BUSINESS 1. MFG 2. SERVICE 3. WHOLESALI 4. RETAIL 5. OTHER					3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY					
4. COMPANY NAME	3												
5, STREET			CIT	Y		COL	JNTY	STA	TE	ZIP	CODE		
6. NAME OF PAREN	NT OR AFFILI	IATED C	OMPANY (IF	NONE	, SO INDICA	(TE)	CIT	Y	STA	TE	ZIP CC	DDE	_
7. CHECK ONE: IS T					LISHMENT I					BLISHMEN	T EMPLOYE	ER	_
8. IF MULTI-EST 9. TOTAL NUMBER 10. PUBLIC AGENC	OF EMPLOY	EES AT	ESTABLISH	MENT V	HE NUMBE WHICH HAS	BEEN AW.	ARDED TH	MENTS IN IE CONTR JNTY	ACT STA	TE	ZIP CC	DDE	_
					CI	1 1	COC	JIVI I	317	T.C.	211 00		
Official Use Only		D	ATE RECEIV	VED I	INAUG.DAT	Е	ASS	IGNED CE	ERTIFICAT	ION NUMI	BER		_
					SECTION	B - EMPL	OYMENT	DATA					_
11. Report all perma no employees in a par AN EEO-1 REPORT.	nent, temporar	y and party, enter a	t-time employ zero. Include	ees ON ALL en	YOUR OWN	N PAYROLL just those in	. Enter the minority/no	appropriat	e figr		nd in all colum 1, 2, & 3. De		
JOB CATEGORIES		COL. 2 MALE	COL. 3 FEMALE	BLAC	******	* MALE****		Alla.	BLACK	YEE BE	AMER.	ASIAN	NON MIN
Officials/ Managers	(Cois.2 &3)			BEAC		115							
Professionals				1	i i i								
Technicians			Y	1									
Sales Workers													
Office & Clerical													
Craftworkers (Skilled)													
Operatives (Semi-skilled)													
Laborers (Unskilled)													
Service Workers													
TOTAL													
Total employment From previous Report (if any)					Lavam 1 - 2	alanda I Sar	la e G	a fan th		to outco-	rian about		
Temporary & Part- Time Employees		T	he data belo	w shall	NOT be in	ciuded in i	ne ngure	s for the	арргоргіа	ic catego	ries above.		
12. HOW WAS INF	ORMATION A	AS TO RA	ACE OR ETHI	NIC GR	COUP IN SEC	TION B OB	TAINED	Emplo	THIS THE F byee Inform t Submitted	ation	REPO	NO, DATE RT SUBM D. (DAY)	ITTED
13. DATES OF PAY	YROLL PERIC	DD USED	То					1. YES	2. N	гоГ			
			SE	CTION	C - SIGNATU	RE AND IDE	NTIFICATION	ON					
16. NAME OF PERS	ON COMPLET	TING FOI	RM (Print or T	Type)	SI	IGNATURE		TIT	LE		DATE	DDAY	YEAR
17. ADDRESS NO.	& STREET	3	CITY	- 1	C	OUNTY	STA	ATE ZI	P CODE	PHONE (A	REA CODE,	NO.,EXTE	ENSION)

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 SUBMITTHE 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 _vour 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

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 AWARDING 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

