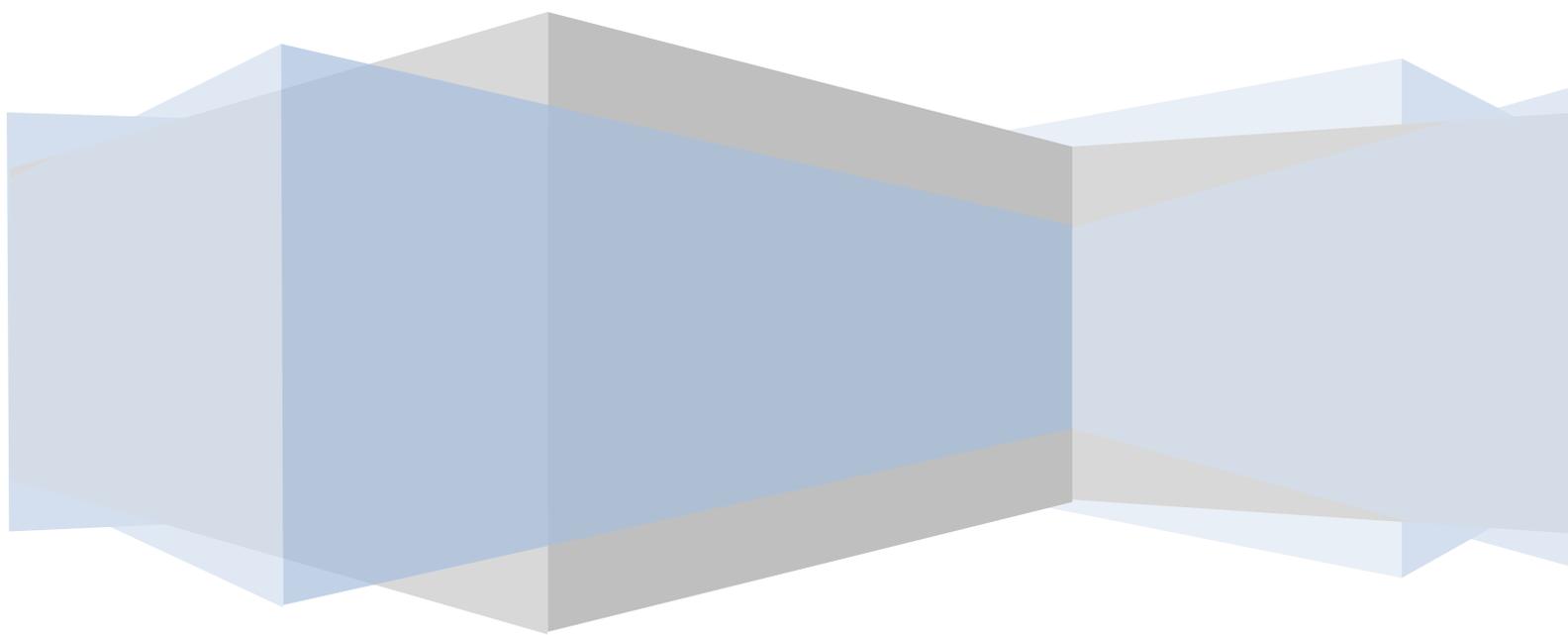


Freehold Township Board of Education

Comprehensive Security Audit Request for Proposal

Proposals Due: May 11, 2018 – 2:00 PM





"...prepare all students to be responsible citizens and life long learners."

Freehold Township Schools

Robert M. DeVita, Business Administrator/Board Secretary

732-462-8400 ext. 8809 ♦ 732-462-5939 fax

rdevita@freeholdtp.k12.nj.us

REQUEST FOR PROPOSALS COMPREHENSIVE SECURITY AUDIT

NOTICE is hereby given that the Freehold Township Board of Education is accepting sealed Proposals for a Comprehensive Security Audit until **2:00 PM on May 11, 2018**. Proposals should be submitted on the required forms, in a sealed envelope labeled **Comprehensive Security Audit** and delivered to the Office of the Business Administrator as provided below:

**Freehold Township Board of Education
Attn: Mr. Robert M. DeVita, Business Administrator
384 West Main Street
Freehold Township, NJ 07728**

The Board assumes no responsibility for proposals that are improperly mailed or misdirected.

Upon release of this Request for Proposals (RFP), all vendor communications concerning this information request must be directed in writing no later than **4:00 PM on May 2, 2018** to the Business Administrator, who is the only authorized contact person for the RFP. Any contact or lobbying regarding this RFP with any elected, appointed official or employee of the School District or Township other than the Business Administrator can and will result in disqualification. Any oral communications will be considered unofficial and non-binding on the School District.

Name: Mr. Robert M. De Vita
Address: 384 West Main Street
Freehold Township, NJ 07728
Telephone: (732) 462-8400 Ext. 8809
E-mail: [Rdevita@freeholdtp.k12.nj.us](mailto:rdevita@freeholdtp.k12.nj.us)

The contract will be awarded to the proposer who is determined to be the most advantageous, to the District based upon the evaluation criteria. The Freehold Township Board of Education reserves the right to waive any and all guidelines and requirements herein and to reject any and all Proposals in accordance with the Public School Contracts Law. Competitive contracting shall be in conformance with all applicable federal, state and municipal laws including the Public School Contracts Law of the State of New Jersey N.J.S.A. 18A:18A-1 et seq. and 40A:11-4.5 Proposers are required to comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27.

By Order of the Freehold Township Board of Education,
Monmouth County, New Jersey

Robert M. DeVita, Business Administrator

384 West Main Street, Freehold, New Jersey 07728

A. BACKGROUND INFORMATION

The Freehold Township Board of Education is accepting proposals from qualified vendors to conduct a comprehensive audit of the school district's security processes and procedures in order to make recommendations for improvement and secure grant funding where possible.

B. PROPOSALS

Vendors must submit five copies (1 original and 4 copies) of your company's proposal to the attention of:

**Robert DeVita
School Business Administrator / Board Secretary
Freehold Township Board of Education
384 West Main Street
Freehold Township, NJ 07728**

Proposals must be sealed, marked "**Comprehensive Security Audit**" and be received by 2:00 PM on May 11, 2018. Any proposal not received by this deadline shall not be considered. All vendor communications concerning this information request must be directed in writing no later than 4:00 p.m. on May 2, 2018.

Proposals will be evaluated by a committee after the submission deadline. The Freehold Township School District shall be the only judge of the acceptability of the proposal and its conformance with the specifications provided herein.

Proposals must address the following three components and will be evaluated and awarded by providing the corresponding weights to the criteria as indicated.

- Technical Criteria = 65%
- Management Criteria = 20%
- Cost Criteria = 15%

The Board of Education shall have the right to reject all proposals for any of the reasons set forth in 18A:18A-22.

The successful proposal is subject to a written contract between the contractor and the Board of Education that is acceptable to the Board Attorney.

C. CRITERIA

Proposals will be evaluated by considering the following factors:

- How well the vendor's proposal demonstrates and understanding of the scope of the work and related objectives;
- The completeness and responsiveness of the proposal in relation to the specific RFP requirements;
- Whether the past performance of the vendor's proposed methodology has been documented;
- Innovative techniques proposed by the vendor; and
- Concerning the cost criteria, evaluators will consider not just how the cost of a given proposal compares with other proposal's costs, but specifically how its cost compare to that of proposals with similar scores in the technical areas.

Disclaimer:

The requirements presented are indicative of the district's desire to secure a comprehensive security audit and are not intended to be an exhaustive list or a list of disqualifiers for proposals that do not contain every feature. The successful proposal will be a best fit based upon the overall evaluation criteria, with cost as only one aspect.

A. TECHNICAL CRITERIA (50%)

The Freehold Township School District has an enrollment of approximately 3741, students configured in eight schools and two administrative offices.

Name	Address	Grades	Enrollment
Board Office	384 West Main Street	N/A	N/A
Bus Depot	60 Jackson Mills Road	N/A	N/A
Barkalow Middle School	498 Stillwells Corner Road	6 - 8	686
Eisenhower Middle School	279 Burlington Road	6 - 8	681
West Freehold School	100 Castronova Way	K - 5	524
Errickson School	271 Elton Adelphia Road	K - 5	438
Laura Donovan School	237 Stonehurst Blvd	K - 5	440
Applegate School	47 Jeanne Brennan Drive	K - 5	452
Catena School	275 Burlington Road	K - 5	479
Early Childhood Learning Center	510 Stillwells Corner Road	Pre-K	90

The successful audit must provide a narrative describing a planned approach with measurable results to address security and emergency planning best practice at all levels. The audit must specifically evaluate and analyze the following areas:

- The district's compliance with the August 2011 School Safety and Security Plan Checklist written by the New Jersey Department of Education
- Current district security practices compared with best practices from a national perspective
- Exterior access systems to each building
- Interior security procedures for each building
- Use of personnel for security purposes
- Response plans and drilling procedures
- Liability assessment
- Vendor / visitor process and security
- Building design and construction issues for security purposes
- Integration with law enforcement and emergency response
- Effectiveness of communication systems during emergency
- Review of current security camera placement

In addition to a comprehensive written evaluation of the areas noted above successful proposal must include:

- A proposed schedule to gather pertinent information, develop the audit and ultimately present it to the Board of Education
- A presentation of findings to the Board of Education at an evening meeting
- Review of recommendations with the district's leadership and security teams
- References from districts where successful audits have been completed. At least one reference should be from another New Jersey public school of similar size.

Vendors submitting proposals may be interviewed prior to the Board of Education making a final selection from the proposals received.

B. MANAGEMENT CRITERIA (35%)

The proposal must demonstrate the vendor's ability to successfully provide the services discussed in the Technical Criteria as well as develop a scheduling timeline that best meets the Board of Education's needs. Descriptions should demonstrate the vendor's history and experience in developing security audits as well as a track record of delivering their services on time and on budget.

Proposal should contain evidence of the following:

- Description of business organization and staffing.
- Resume(s) of personnel responsible for the security audit and development of recommendations. Please identify if these individuals are employees or subcontractors of the company.
- Years of experience in providing these services to Public Schools.
- A list of underwritten contracts between your company and public school districts to deliver programs and services that meet the Technical Criteria of this RFP.
- Proposals should identify at least 5 public school districts (“Reference Districts”) that have a written contract with your company that would satisfy the Technical, Management and Cost Criteria. At least one district should be a New Jersey public school of similar size.
- The Reference District list must identify a person that has first-hand knowledge of the program in that school district and provide contact information for that person.
- Confirm how ongoing support will be available to the district at the end of the performance period.
- Must demonstrate a clear understanding of knowledge of the district and the scope of work.

C. COST CRITERIA (15%)

All costs including but not limited to:

- Comprehensive audit described herein
- Written report of findings and recommendations
- Presentation to district committees and Board of Education

D. PRICE GUARANTEE – Ninety (90) Days

When the Board of Education requests prices for supplies, materials and equipment, the winning vendor(s) shall agree to guarantee the proposal price(s) for a period of ninety (90) days from the award of contract. Winning proposers may extend the proposal price guarantee by written permission to the Freehold Township Board of Education.

E. WITHDRAWAL OF PROPOSAL

Before The RFP Opening

The Board of Education may consider a written request to withdraw a proposal if the written request is received by the School Business Administrator and/or the Assistant Business Administrator Assistant Secretary, Purchasing Agent before the advertised time for opening of proposals. **Any withdrawn proposal cannot be re- submitted.**

After The RFP Opening

A proposer who discovers a mistake or omission after proposals have been opened may request to withdraw the proposal provided the proposer gives immediate written notice to the Purchasing Agent of the mistake and/or omission and certification supported by clear evidence that he or she exercised reasonable care in the examination of the specifications and preparation of the proposal.

Any proposer who is granted permission by the Board of Education to withdraw the proposal under this clause is subject to forfeit any proposal guarantee.

F. VENDOR’S RESPONSIBILITY FOR PROPOSAL SUBMITTAL

It is the responsibility of the contractor 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.

G. DOCUMENTS, MISSING/ILLEGIBLE

The contractor shall familiarize himself with all forms* provided by the Board that are to be returned with the proposal. If there are any forms that the Board is to provide that are either missing or illegible, it is the responsibility of the contractor to contact the School Business Administrator at (732-462-8400, Ext. 8809) for duplicate copies of the forms. This must be done before the proposal date and time. The Board accepts no responsibility for duplicate forms that were not received by the contractor in time for the proposer 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 proposal 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.

- Affirmative Action Questionnaire or Affirmative Action Evidence – Attachment A
- Non Collusion Affidavit – Attachment B
- Stockholders' Disclosure/ Ownership Declaration – Attachment C
- Chapter 271 – Political Contribution Disclosure Form – Attachment D
- Contractor/Vendor Questionnaire/Certification - Attachment E
- DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN - Attachment F
- Americans with Disabilities Act of 1990 with Certification - Attachment G
- Business Registration Certificate

H. REQUIRED DOCUMENTATION

A. AFFIRMATIVE ACTION REQUIREMENTS (Attachment A)

Each contractor shall submit to the district one of the following three documents:

1. Appropriate evidence that the contractor is operating under an existing federally approved or sanctioned affirmative action program; or
2. A certificate of employee information report approval issued in accordance with N.J.A.C.17:27-4; or
3. 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. Failure to meet the requirements of this request may result in disqualifying the contractor from further consideration.

“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.”

B. NON-COLLUSION AFFIDAVIT (Attachment B)

A notarized Non-Collusion Affidavit must be submitted with the proposal. (N.J.S.A. 2A:93-6)

C. STOCKHOLDERS' DISCLOSURE (Attachment C)

All contractors 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)

D. POLITICAL CONTRIBUTIONS DISCLOSURE REQUIREMENTS (Attachment D)

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

Pursuant to N.J.A.C. 6A:23A-6.3 (a1-4) please note the following:

1. Award of Contract – Reportable Contributions – N.J.A.C. 6A:23A-6.3 (a2)

“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.”

2. Contributions During Term of Contract – Prohibited – N.J.A.C. 6A:23A-6.3 (a2,3)

“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.”

3. Chapter 271 Political Contribution Disclosure Form – Required – N.J.A.C. 6A:23A-6.3 (a4)

All proposers shall submit with their proposal 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 contractor is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a2) Award of Contract.

E. Contractor/Vendor Questionnaire/Certification (Attachment E)

F. DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN (Attachment F)

G. AMERICANS WITH DISABILITIES ACT OF 1990 CERTIFICATION (Attachment G)

Discrimination on the basis of disability in contracting for the purchase of goods and services is prohibited. The Contractor is required to read the American with Disabilities language attached hereto and made a part of this Contract as Exhibit A and agrees that the provisions of Title II of the Act are made a part of the Contract. The Contractor is obligated to comply with the Act and to hold the Board of Education harmless.

H. 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 contractors may submit with their proposal a copy of their “New Jersey Business Registration Certificate” as issued by the Department of Treasury of the State of New Jersey. The contractor that is awarded the contract shall provide the New Jersey Business Registration Certification to the district.

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.

I. COMPLIANCE WITH ALL LAWS -- *Where applicable*

Special attention is called to requirements for Public Liability and Property Damage Insurance, Workmen's Compensation Insurance, Social Security Act, Labor, Employment, Unemployment, Wages, Hours, Discrimination in Employment and Assignment of Contract.

The provisions of the New Jersey School Law shall bind all parties and interests to the Contract. Contractor shall comply with all Federal and State Laws, and all rules and regulations of health, public or other authorities controlling or limiting the methods, materials to be used or actions of those employed in work of this kind.

Any labor or material in addition to that described in the specifications and which is necessary to comply with these laws, rules, ordinances or regulations shall be provided by the Contractor.

Contractor shall keep himself informed of all existing and future State and Federal Laws in any manner affecting those engaged or employed in the work, and shall protect and indemnify the Owner, its officers, members and agents against any claim or liability arising from or based on the violation of any such law, ordinance, regulation order or defects.

Contractor is to comply with the New Jersey State Uniform Construction Code and the Township of Freehold Township Construction Code. Contractor is to obtain local municipal building permit and pay for same. Contractor is to aproposal by local inspection requirement.

The proposer 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:

General Liability - \$2,000,000. General Aggregate
\$1,000,000. Products/Completed Operations
\$1,000,000. Personal Injury
\$1,000,000. Bodily Injury & Property Damage
Combined Single Limit Each Occurrence
\$100,000. Damage to Rented Premises
\$5,000. Medical Expense

Coverage is to include: Blanket Broad Form Contractual Liability: no abuse or molestation exclusions; an "Aggregate Limit per Project" Endorsement

Important!

- a. The contractor must present to the Board of Education an insurance certificate in the above types and amounts as well as the supporting Policy Endorsement conferring additional insured status as required under “c” below before any work or service begins.
- b. Automobile liability insurance shall be included to cover any vehicle used by the insured. Automobile Limits shall be:
\$1,000,000 Bodily Injury & Property Damage Combined Single Limit Each Accident with the coverage been provided on a “symbol”1 basis.
- c. The contractor must include the following clause on the insurance certificate.
“Freehold Township Board of Education is named as an additional insured” with the wording that the insurance provided will be “primary and non-contributory”

The Contractor shall at all times hold and save harmless the Board of Education and the agents, representatives, and employees of the Board of Education against any and all suits, claims, costs, charges, and expense by reason of any damages or claims for damages arising from the negligence of the contractor, his agents, representatives and employees. 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.

OTHER INSURANCES

WORKERS COMPENSATION

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
Contract Liability	Same as General Liability
Automobile Liability	\$1,000,000 Per Occurrence

J. TERM OF CONTRACT

The successful contractor, 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 for the length of the contract.

K. 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.

L. 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.

Contractors, 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.

M. 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, attorneys 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. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this agreement.

N. LIABILITY – COPYRIGHT

The contractor shall hold and save the Freehold Township 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 uncopyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of his contract.

O. SUBCONTRACTING; ASSIGNMENT OF CONTRACT

Contractors, services providers, and all contractors with whom the Board of Education has 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 Purchasing Agent.

Contractors, service providers, and contractors 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;
- Written certification that the subcontractor shall adhere to prevailing wages as provided through New Jersey State Law.

In cases of subcontracting, the Freehold Township 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 Freehold Township 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 contractor to deliver goods and materials are not considered to be subcontractors.

P. 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. 54:32B-1 et. Seq.), and does not pay any sales or use taxes. Proposers 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 Freehold Township Board of Education. Contractors may not use the Board's tax exempt status to purchase supplies, materials, service or equipment.

Q. TERMINATION OF CONTRACT

If the Board determines that the contractor has failed to comply with the terms and conditions of the proposal 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.

R. ETHICS IN PURCHASING

Statement to Vendors

School District Responsibility

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

School 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.

School 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 Freehold Township Board of Education.

Vendor Responsibility

Any vendor doing business or proposing to do business with the Freehold Township 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 Freehold Township School District or to any member of the official's or employee's immediate family.

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

Vendor Certification

Vendors will be asked to certify that no official or employee of the Freehold Township School District 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 Freehold Township Board of Education.

Submission Process

I. Proposal Submission Process, Format, and District Contacts:

A. General:

Vendors must submit five copies (one original and 4 copies) of the proposal to the RFP point of contact no later than **2:00 PM on May 11, 2018**. Proposals received after this date will not be considered.

B. Schedule:

COMPREHENSIVE SECURITY AUDIT PROPOSAL SCHEDULE	
Date	Action Step
April 12, 2018	Advertise RFP in Asbury Park Press
May 2, 2018 – 4:00 PM	Deadline for vendor questions regarding RFP
May 11, 2018 – 2:00 PM	Deadline for RFP Submissions to District Office
Week of May 14, 2018	Evaluation of proposals by district team
May 22, 2018	Award of Proposal at BOE Meeting

C. Proposal Format:

All proposals must contain the following information:

1. Transmittal Letter

Provide a one page letter of introduction. The letter should identify the vendor's point of contact for the duration of the proposal process and state that the contents of the proposal are valid until at least **July 10, 2018**. Please include contact information.

2. Executive Summary

The Executive Summary should summarize briefly the key points of the proposal with an emphasis upon features of the proposal that position it as a "best fit" solution given the criteria in the RFP.

3. Vendor Qualifications and Background

Submit a summary that provides the history, qualifications, and experience of the vendor. Successful case study summaries involving similar proposals will be helpful.

4. Proposal for Services

The proposal should address the technical and cost criteria detailed above.

5. Sample contract

The sample contract must detail all aspects of the anticipated agreement, including levels of support, fees, and anticipated costs. A proposal can also include levels of analysis at varying costs if this is perceived to be beneficial.

6. Price Proposal

The proposal should provide the vendor's best price for meeting the needs of this RFP. Include an itemized description of all that is included for that price.

7. References

Please supply contact information for three references for similar audits in the past five years. It is preferred that at least one reference be from a New Jersey Public School.

8. Attachments

Please include all required attachments with proposal.

- Affirmative Action Questionnaire or Affirmative Action Evidence – Attachment A
- Non Collusion Affidavit – Attachment B
- Stockholders' Disclosure/ Ownership Declaration – Attachment C
- Chapter 271 – Political Contribution Disclosure Form – Attachment D
- Contractor/Vendor Questionnaire/Certification - Attachment E
- DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN - Attachment F
- Americans with Disabilities Act of 1990 with Certification - Attachment G
- Business Registration Certificate

9. Additional Documentation

Please include any other documentation believed to be beneficial to the district in making a selection.

D. Confidential Information

If your proposal response contains trade secrets or proprietary information that should remain confidential, please indicate so clearly in your proposal.

E. District Contact

Robert M. DeVita, School Business Administrator
732-462-8400, Ext. 8809
Rdevita@freeholdtp.12.nj.us

F. Miscellaneous Legal Requirements

The Board of Education shall have the right to reject all proposals for any of the reasons set forth in N.J.S.A. 18A:18A-22. Proposals will remain open for at least sixty (60) days from the deadline for submission of proposals.

The successful vendor shall comply with, and shall require that anyone providing services on behalf of the vendor in the performance of the awarded contract comply with, all applicable requirements of state and federal law. Without limiting the foregoing, the successful vendor and anyone providing services on its behalf in the performance of the contract shall comply with: (a) the anti-discrimination provisions of N.J.S.A. 10:2-1 et seq., the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq., N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27-1.1 et seq., N.J.A.C. 6:4-1.6, as recodified in N.J.A.C. 6A:7-1 et seq., Title VII of the Civil Rights Act of 1964 and Title 11 of the American With Disabilities Act of 1990; and (b) the conflict of interest standards of N.J.S.A 18A:12-21 et seq.

Pursuant to N.J.S.A. 52:25-24.2, vendors shall submit with their proposals, or prior to the Board's receipt of proposals, a statement setting forth the names and addresses of all stockholders if the

vendor is a corporation, or partners if vendor is a partnership, who own or control a ten percent (10%) or greater interest therein. If one or more stockholder or partner is itself a corporation or partnership, the vendor shall submit such further disclosures as are required by law and this RFP.

Pursuant to N.J.S.A. 52:32-44, all vendors shall submit with their proposals a copy of their "New Jersey Business Registration Certificate" as issued by the New Jersey Department of Treasury. Failure to provide the New Jersey Business Registration Certification with the proposal, or prior to award of a contract, will be cause for the rejection of the proposal.

All vendors shall submit with their proposal 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 N.J.A.C. 6A:23A-6.3. Any business entity doing business with a School District is precluded from making any reportable contributions to any member of the Board of Education during the term of the contract.

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.

After notification of award of contract but prior to execution of this Agreement, Service Provider shall submit to the Board, Office of Financial Services, one of the following documents;

- A. Copy of Letter of Federal Approval indicating that the vendor is under an existing federally-approved affirmative action program, or,
- B. Copy of Certificate of Employee Information Report issued in accordance with N.J.A.C., 17:27-1.1 et seq., as evidence of vendor's compliance with the regulations, or
- C. Copy of completed Initial Employee Information Report, Form AA302, that vendor submitted to the New Jersey Department of Treasury, Division of Contract Compliance/Equal Employment Opportunity in Public Contracts ("Division"),

The Board will furnish the vendor, upon request, with a blank AA302 report for completion. The Board and the successful vendor shall incorporate into the final contract the mandatory equal employment opportunity language required by N.J.A.C. 17:27 for goods, professional services, and general service contracts, attached hereto as Exhibit A, and the vendor agrees to comply fully with its terms.

Attachments

AFFIRMATIVE ACTION QUESTIONNAIRE

Comprehensive Security Audit RFP - Due: May 11, 2018 – 2:00 PM

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

1. Our company has a federal Affirmative Action Plan approval.

_____ YES _____ NO

A. If yes, a Photostat copy of said approval shall be submitted to the Board of Education within seven (7) working days of the notice of intent to award the contract or the signing of the contract.

2. Our company has a New Jersey State Certificate of Approval.

_____ YES _____ NO

A. If yes, a copy of the New Jersey State Certificate shall be submitted to the Board of Education within seven (7) working days of the notice of intent to award the contract or the signing of the contract.

3. If you answered **NO** to both questions above, an affirmative action *Employee Information Report (AA-302)* will be mailed to you. Complete the form and forward it to the Affirmative Action Office, Department of Treasury, CN 209, Trenton, NJ 08625. 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 of Company/Firm _____

Name of Authorized Agent _____

Title _____

SIGNATURE _____ **Date** _____

To be completed and signed below.

Return with Proposal

Appendix A

Form AA302
Rev. 1/00

NEW JERSEY FACILITY

STATE OF NEW JERSEY
Division of Contract Compliance & Equal Employment Opportunity
EMPLOYEE INFORMATION REPORT

IMPORTANT- READ INSTRUCTIONS ON BACK OF FORM CAREFULLY BEFORE COMPLETING FORM. TYPE OR PRINT IN SHARP BALLPOINT PEN. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11.

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 AWARDED CONTRACT	CITY	COUNTY	STATE	ZIP CODE
Official Use Only	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	COL. 3 FEMALE	***** MALE *****					***** FEMALE *****					
				BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	BLACK	HISPANIC	AMER. INDIAN	ASIAN	NON MIN.	
Officials/ Managers														
Professionals														
Technicians														
Sales Workers														
Office & Clerical														
Craftworkers (Skilled)														
Operatives (Semi-skilled)														
Laborers (Unskilled)														
Service Workers														
TOTAL														
Total employment From previous Report (if any)														
Temporary & Part-Time Employees	The data below shall NOT be included in the figures for the appropriate categories above.													

SAMPLE AA 302

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)

NON-COLLUSION AFFIDAVIT

Comprehensive Security Audit RFP - Due: May 11, 2018 – 2:00 PM

STATE OF NEW JERSEY

COUNTY OF _____ :SS:

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 proposer 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 proposers, or otherwise taken any action in restraint of free, competitive proposing in connection with the above named proposal, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Freehold Township Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said proposal.

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 _____, _____.
Day Month Year

Print Name of Notary Public

NOTARY PUBLIC SIGNATURE

My commission expires _____, _____, _____. - Seal -
Month Day Year

To be completed, signed and returned with Proposal

Complete and Return with Proposal

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

Comprehensive Security Audit RFP - Due: May 11, 2018 – 2:00 PM

No corporation, partnership or limited liability company, 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 proposal or accompanying the proposal of said corporation, said partnership, said limited liability company, there is submitted a statement setting forth the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. If one or more such stockholder, partner or member is itself a corporation or partnership or limited liability company, the stockholder holding 10 percent or more of that corporation's stock or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company 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, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

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

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

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

Name of Company _____

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

<u>Owner's Name</u>	<u>Home Address</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** _____

This form shall be completed, signed and submitted with the proposal/proposal. The form continues on the next page.

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

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

This form shall be completed, signed and submitted with the proposal/proposal.

To be completed, signed and returned with Proposal

Freehold Township Board of Education
Comprehensive Security Audit RFP - Due: May 11, 2018 – 2:00 PM

Chapter 271
Political Contribution Disclosure Form

(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 19:44A-20.26

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

Reportable Contributions

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

The Business Entity may attach additional pages if needed.

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

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

Certification

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

Name of Authorized Agent _____

Signature _____ Title _____

Business Entity _____

Attachment D – Continued
Complete and Return with Proposal

271 - POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

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

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

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

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

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

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

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

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

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

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

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

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-1 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.

19:44A-20.26 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 proposals, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity proposing thereon or negotiating therefor, to submit along with its proposal 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-1 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. 19:44A-20.26

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

County Name: Monmouth

State: Governor, and Legislative Leadership Committees

Legislative District #: 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 | Interlaken Borough | Sea Bright Borough |
| Allenhurst Borough | Keansburg Borough | Sea Girt Borough |
| Allentown Borough | Keyport Borough | Shrewsbury Borough |
| Asbury Park City | Lake Como Borough | Shrewsbury Township |
| Atlantic Highlands Borough | Little Silver Borough | Spring Lake Borough |
| Avon-by-the-Sea Borough | Loch Arbour Village | Spring Lake Heights Borough |
| Belmar Borough | Long Branch City | Tinton Falls Borough |
| Bradley Beach Borough | Manalapan Township | Union Beach Borough |
| Brielle Borough | Manasquan Borough | Upper Freehold Township |
| Colts Neck Township | Marlboro Township | Wall Township |
| Deal Borough | Matawan Borough | West Long Branch Borough |
| Eatontown Borough | Middletown Township | |
| Englishtown Borough | Millstone Township | |
| Fair Haven Borough | Monmouth Beach Borough | |
| Farmingdale Borough | Neptune City Borough | |
| Freehold Borough | Neptune Township | |
| Freehold Township | Ocean Township | |
| Hazlet Township | Oceanport Borough | |
| Highlands Borough | Red Bank Borough | |
| Holmdel Township | Roosevelt Borough | |
| Howell Township | Rumson Borough | |

**Boards of Education
(Members of the**

Board): Allenhurst
Asbury Park City
Atlantic Highlands Borough
Avon Borough
Belmar Borough
Bradley Beach Borough
Brielle Borough
Colts Neck Township
Deal Borough
Eatontown Borough
Fair Haven Borough
Farmingdale Borough
Freehold Borough
Freehold Regional
Freehold Township
Hazlet Township
Henry Hudson Regional
Highlands Borough
Holmdel Township
Howell Township
Interlaken
Keansburg Borough
Keyport Borough
Little Silver Borough
Long Branch City
Manalapan-Englishtown Regional
Manasquan Borough
Marlboro Township
Matawan-Aberdeen Regional
Middletown Township
Millstone Township
Monmouth Beach Boro
Monmouth Regional
Neptune City
Neptune Township
Ocean Township
Oceanport Borough
Red Bank Borough
Red Bank Regional
Roosevelt Borough
Rumson Borough
Rumson-Fair Haven Regional
Sea Bright Borough
Sea Girt Borough
Shore Regional
Shrewsbury Borough
South Belmar
Spring Lake Borough
Spring Lake Heights Borough
Tinton Falls
Union Beach
Upper Freehold Regional
Wall Township
West Long Branch Borough

**Fire Districts (Board of Fire
Commissioners):**

Aberdeen Township Fire District No. 1
Aberdeen Township Fire District No. 2
Englishtown Borough Fire District No. 1
Freehold Township Fire District No. 1
Freehold Township Fire District No. 2
Hazlet Township Fire District No. 1
Howell Township Fire District No. 1
Howell Township Fire District No. 2
Howell Township Fire District No. 3
Howell Township Fire District No. 4
Howell Township Fire District No. 5
Manalapan Township Fire District No. 1
Manalapan Township Fire District No. 2
Manasquan Boro Fire District No.1
Marlboro Township Fire District No. 1
Marlboro Township Fire District No. 2
Marlboro Township Fire District No.3
Millstone Township Fire District No. 1
Neptune Township Fire District No. 1
Neptune Township Fire District No. 2
Ocean Township Fire District No. 1
Ocean Township Fire District No. 2
Spring Lake Heights Boro Fire District No.1
Tinton Falls Fire District No. 1
Tinton Falls Fire District No. 2
Wall Township Fire District No. 1
Wall Township Fire District No. 2
Wall Township Fire District No. 3

Contractor/Vendor Questionnaire/Certification

Comprehensive Security Audit RFP - Due: May 11, 2018 – 2:00 PM

Name of Company _____

Street Address _____ PO Box _____

City, State, Zip _____

Business Phone Number (____) _____ Ext. _____

Emergency Phone Number (_____) _____

FAX No. (____) _____ E-Mail _____

Years in Business _____ Number of Employees _____

References – Work previously done for School Systems in New Jersey

Name of District Address Contact Person/Title Phone

1. _____

2. _____

3. _____

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the Freehold Township 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 proposal or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the proposal, 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 Freehold Township Board of Education.

I certify that I am not an official or employee of the Freehold Township 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

**Attachment E – Continued
Complete and Return with Proposal**

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

Comprehensive Security Audit RFP

Proposer/Offeror:

PART 1: CERTIFICATION

PROPOSERS 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 proposal 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>. Proposers **must** review this list prior to completing the below certification. **Failure to complete the certification will render a proposer'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 proposer listed above nor any of the proposer's parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

I am unable to certify as above because the proposer 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 proposing person/entity, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

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

Name	Relationship to Proposer/Offeror	Delete
Description of Activities		
Duration of Engagement	Anticipated Cessation Date	
Proposer/Offeror Contact Name	Contact Phone Number	

ADD AN ADDITIONAL ACTIVITIES ENTRY

Certification: I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the proposer; 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: _____

APPENDIX B

**AMERICANS WITH DISABILITIES ACT OF 1990
Equal Opportunity for Individuals with Disability**

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

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

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

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

Certification

I certify, that the Contractor is in full compliance with and will continue to comply with the Americans with Disabilities Act 42, U.S.C. 12101 et. seq. and its implementing regulations.

Name of Authorized Agent _____

Signature _____ Title _____

Business Entity _____

**Attachment G – Continued
Complete and Return with Proposal**

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES 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 or sex. Except with respect to affectional or sexual orientation, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation or sex. Such action shall include, but not 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 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 or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act 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 employ minority and women workers consistent with the applicable county employment goals established in accordance with N.J.A.C. 17:27-5.2, or a binding determination of the applicable county employment goals determined by the Division, pursuant to 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, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation 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 personal 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 applicable 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, creed, color, national origin, ancestry, marital

status, affectional or sexual orientation 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

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Contract Compliance & EEO as may be requested by the Division 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 Contract Compliance & EEO for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

Appendix C

PROPOSAL SPECIFICATIONS FOR THE LABELING OF LIQUID, POWDER AND GASEOUS SUPPLIES DELIVERED TO THE FREEHOLD TOWNSHIP BOARD OF EDUCATION

RIGHT TO KNOW

1. All products that you deliver to the Freehold Township School District must be labeled in accordance with the New Jersey Right to Know Law (N.J.S.A. 34:5A-1 et. seq.)
 - A. The label must list the 5 predominant ingredients and any hazardous chemicals in the product.
 - B. Next to each chemical name will be the CAS number of that chemical.
 - C. The label must be attached to each container (bottle, box, can, bucket, etc.)
2. Material Safety Data Sheets (MSDSs) must accompany the first shipment of the product.
3. The Board of Education reserves the right to reject any shipment not in compliance with the above specifications.

TO All Proposers:

REMINDER!

Did you sign all of the proposal documents?

All proposal 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 proposal documents may be cause for disqualification and rejection of the proposal.

Mr. Robert M. DeVita
Business Administrator
Board Secretary
Purchasing Agent