

**MOUNTAIN LAKES BOARD OF EDUCATION  
Business Office  
400 Boulevard  
Mountain Lakes, NJ 07046**

**REQUEST FOR PROPOSAL  
(RFP)**

**RFP: SCHOOL POLICY & REGULATION  
CONSULTING SERVICES**

**February 13, 2019**

RFP Opening Date

**10:00 a.m.**

RFP Opening Time

**H. Ronald Smith**  
Interim Business Administrator  
Interim Board Secretary  
Purchasing Agent

The Mountain Lakes Board of Education invites applications from interested attorneys to provide legal counsel services as per the following:

**Request for Proposal  
School Policy & Regulation Consulting Services**

All proposals must be submitted no later than **February 13, 2019 @ 10:00 a.m.**

**District Information**

The Mountain Lakes School District is a Type II, DFG-“J” District. Its governing body is a Board of Education consisting of 10 members, 9 elected by the voters of the Borough of Mountain Lakes, and 1 voting member representing Boonton Township. The District is comprised of four schools, one elementary school grades K-5, one middle school grades 6-8, one high school grades 9-12, and one school for the deaf and hard of hearing. The District currently has 337 employees and serves approximately 1,585 students. The District services approximately 172 special education students and sends approximately 18 children out of District for special needs.

**The District budget for 2018/2019**

General Fund	\$ 27,703,693
Service Revenue Fund	\$ 1,458,357
Debt Service Fund	\$ 1,148,125

**Award of Services**

The purpose of this request for proposal is to solicit information for the performance of school policy and regulation consulting services to the Mountain Lakes Board of Education. The selected contractor will be responsible for the performance of routine services as outlined within the RFP.

**Statement of Work**

The Contractor will furnish the labor, equipment, material, and services required to provide updates to the Board of Education and codify the Board bylaws and policies and administrative regulations, excluding job descriptions and forms of the Board in the following manner:

**Step 1 - The Board shall provide to the contractor:**

- the Board’s current policy and regulation manual;
- any existing collective bargaining agreements;
- any student, parent, and/or faculty handbooks; and
- any existing procedures with policy implications.

The contractor shall review these documents and classify them into a four-digit numbering system.

**Step 2** - The contractor's representatives shall meet in the school district with district school district representatives as determined by the Board to:

- review all of the policies and regulations/procedures of the Board for thoroughness and conformity with law, monitoring requirements, and all other requirements of the State;
- discuss areas in which policy/regulations are not currently included in the district's manual and propose such policies/regulations for the Board to consider including in the district's manual; and
- review current negotiated agreements, handbooks, and procedures to be sure there is no conflict between those documents and the existing and proposed policies/regulations of the Board.

**Step 3** - The contractor shall review all documents and prepare a DRAFT Policy and Regulation Manual incorporating information from Steps 1 and 2 to be considered by the Board. The DRAFT Manual shall be submitted to the district within ninety days of the Step 2 meeting with the contractor's representatives.

**Step 4** - School administrative staff shall review the DRAFT Manual and return the DRAFT Manual to the contractor with any revisions and/or changes "marked" on the DRAFT documents. The entire DRAFT with handwritten revisions must be submitted to the contractor.

**Step 5** - Upon the district's review and return of the DRAFT manual with handwritten revisions, the contractor shall re-process the DRAFT Manual incorporating the district's revisions and return PROOF Manual to the district within forty-five days of the contractor's receipt of the "marked-up" DRAFT Manual from the school district.

**Step 6** - The Board shall review and subsequently adopt the Manual. Any final revisions of the PROOF Manual by the Board or Administration shall be submitted to the contractor for final processing before adoption. Upon adoption, the contractor shall prepare a final hard copy Policy and Regulation Manual with Board adopted dates on each policy and regulation.

**Step 7** - The contractor, upon final adoption by the Board, shall submit adopted manual to the Board in Word and PDF format.

**Step 8** - Upon final adoption of the manual, the contractor shall train staff on the maintenance of school's policies and regulations using online software developed and supported by the contractor.

### **Contractor's Qualifications and Requirements of the Contractor**

1. **Policy and Regulation Guide Development** - The contractor shall submit the names of twenty New Jersey school districts that utilized the contractor to develop a new policy and regulation manual since January 2010.

2. **Hard Copy and Electronic Policy and Regulation Support System** - The contractor must have a policy and regulation support system available for contract by the school district that provides to the school district hard copy mailings of all recommended new and revised policy and regulation guides and an electronic online computer system school district staff can use to access these new and updated policies and regulations developed by the contractor based on new and/or revised statute or administrative codes after the policy and regulation manual is adopted by the Board. The contractor shall provide a list of all New Jersey school districts that currently use the contractor's policy and regulation support system.
3. **Electronic Policy and Regulation Manual** - The contractor shall have available for contract by the school district an option whereby the school district's policy and regulation manual can be electronically updated by school district personnel online on contractor provided web servers using no school district hardware, software, or staff. The contractor shall include additional details on this option. The contractor shall provide to the Board the names of twenty school district's currently using this electronic online policy and regulation manual option.
4. **Contractor Professional Staff** - The contractor shall submit the names and educational and professional experiences of the four contractor staff members who will be responsible for completing a majority of the policy and regulation manual development work with the district.

**The contractor shall provide the following costs for services:**

- A. Cost to completion the policy and regulation manual as outlined in this RFP – Steps 1 through 8 above.
- B. Annual and other costs of hard copy mailing of all new and revised policy and regulation guides to the district and an electronic online policy and regulation support system available to the district.
- C. Annual and other costs of the district having an electronic online policy and regulation manual.

**Selection Criteria**

The Board of Education will evaluate proposals using the following criteria:

1. Availability to meet the school policy and regulation consulting service meets the needs of the District.
2. Recommendations from at least five current public school clients (form provided for contacts).
3. Fee proposal (form provided).
4. Oral presentations may be required at the sole discretion of the Board of Education. If oral presentations are required, they will be scheduled after the submission of proposals. Proposer will not be compensated for making the presentation.
5. The Board of Education will select the most advantageous proposal based on all information presented or gathered in connection with the proposal and on all of the evaluation factors set forth. However, cost is important. The Board may, if deemed

useful, attempt to negotiate an acceptable fee with the most qualified proposer. The Board will make the award that is in the best interest of the District based on cost and other considerations.

**Proper Billing Expectations**

1. No block billing. Each separate task will be itemized and billed separately.
2. All billing will be in 1/10<sup>th</sup> of an hour increments.
3. Billing for research will be limited to four hours unless prior approval is granted.
4. No billing for intra-office conferences.
5. All litigation will be preceded with a litigation report which will include the following: summary of the case, potential exposure for the District, outline of future handling with timelines, and a budget describing potential and likely costs to the District. (This budget may be modified with prior consultation with the District.)

**Proposal**

Each contractor is required to submit the following information in its proposal:

**General Information**

- ❖ Two copies of your complete proposal signed by an authorized person of the firm.
- ❖ Description of why this contractor should be engaged by the Board. What is unique about this contractor? What do you understand about the Mountain Lakes BOE, its needs today and in the future? Is there any value added areas with this attorney?
- ❖ A list of all current New Jersey public school clients and length of service to each. Please identify the grade level of each school District and identify any that might be regional Districts.
- ❖ A list of all New Jersey public school clients that have terminated services in the past two years.

**Forms**

- ❖ Non-Collusion Affidavit properly notarized
- ❖ Public Disclosure Statement
- ❖ Letter of Federal Affirmative Action Approval
- ❖ Business Registration Certificate
- ❖ Proof of professional liability insurance
- ❖ Statement that the firm has Workers' Compensation and Employer's Liability insurance in accordance with New Jersey Law
- ❖ Public Agency Representation (form attached)
- ❖ Firm biography (form attached)
- ❖ Proposed Fee Structure (form attached)
- ❖ Political Contribution Disclosure Form (form attached)
- ❖ References (include a minimum of 3)
- ❖ Authorized signatures on all forms as indicated
- ❖ Two signed copies of your complete proposal by an authorized person of the firm with 3 additional copies for the Review Committee

Information beyond the minimum requirements may also be submitted.

Please address any questions to H. Ronald Smith, Interim School Business Administrator; all proposals are to be submitted in writing and received no later than **10:00 a.m. on February 13, 2019**. Proposals are to be submitted to:

H. Ronald Smith  
Interim School Business Administrator  
400 Boulevard  
Mountain Lakes, NJ 07046

The Board of Education intends to appoint the successful contractor on March 4, 2019.

To be completed and returned with the proposal form.

**Public Agency Representation**

(Please list any public agency you represented in the last 12 months.)

Contractor name:

\_\_\_\_\_

Board(s) of Education \_\_\_\_\_

Municipality(ies) \_\_\_\_\_

County(ies) \_\_\_\_\_

State Agency(ies) \_\_\_\_\_

Other (please specify) \_\_\_\_\_

**Please list any clients (i.e. Unions or Associations, etc.) that may be a potential conflict with the Mountain Lakes School District:**

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

To be completed and returned with the proposal form.

**Contractor Biography**

Contractor Name:

\_\_\_\_\_

Number of years practicing: \_\_\_\_\_

Average number of employees over the past three years: \_\_\_\_\_

Does your firm have the following specialized practice groups?

General:                    Y \_\_\_ N \_\_\_                    Contact: \_\_\_\_\_

Years of Experience in stated field \_\_\_\_\_

Other:

\_\_\_\_\_

You may attach or include a brochure of the firm profile to the proposal for the Board's further information. Please attach separate sheets, if needed.

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

**Proposed Fee Structure**

Please set forth the firm's proposal for the following professional service arrangements with the Mountain Lakes School District:

By signing this document, I attest the information to be true and complete to the best of my knowledge. I also attest that I have disclosed all relevant facts concerning services to be provided and the fees, charges or other remuneration that will be charged or received for providing the services described.

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**Title and Signature of Authorized Representative**

*Interviews:* The Board may also wish to conduct interviews to complete this review. Arrangements for the interviews will be made by the Business Office.

To be completed and returned with the proposal form.

**AFFIRMATIVE ACTION QUESTIONNAIRE**

Re: **RFP: School Policy and Regulation Consulting Services**

RFP Date/Time: **February 13, 2019 @ 10:00 a.m.**

This form is to be completed and returned with the bid. 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

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

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, you must obtain an affirmative action *Employee Information Report (AA-302)*; a **sample** is attached. 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 \_\_\_\_\_

**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, gender identity or expression, disability, nationality 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, gender identity or expression, disability, nationality 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 inconspicuous 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, 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 agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with Good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

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, 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 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, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

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

Letter of Federal Affirmative Action Plan Approval  
Certificate of Employee Information Report  
Employee Information Report Form AA302

The contractor and its subcontractor shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant **to Subchapter 10 of the Administrative Code at N.J.A.C.17:27.**

To be completed and returned with the proposal form.

**Vendor Questionnaire/Certification**

**Re: RFP: School Policy and Regulation Consulting Services**

**RFP Date/Time: February 13, 2019 @ 10:00 a.m.**

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

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

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

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

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

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

References – Work previously done for School Systems in New Jersey

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

**Vendor Certification**

Direct/Indirect Interests

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

Gifts; Gratuities; Compensation

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

Vendor Contributions

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

I certify that I am not an official or employee of the Mountain Lakes 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**

To be completed and returned with the proposal form.

**NON-COLLUSION AFFIDAVIT**

**Re: RFP: School Policy and Regulation Consulting Services**

**RFP Date/Time: February 13, 2019 @ 10:00 a.m.**

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 the firm of \_\_\_\_\_  
(Position in Company) (Firm Name)

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

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

\_\_\_\_\_  
(Print Name of Contractor/Vendor)

Subscribed and sworn to: \_\_\_\_\_  
(Signature of Contractor/Vendor)

before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Month Year

\_\_\_\_\_  
(Print Name of Notary Public) (Signature of Notary Public)

My commission expires \_\_\_\_\_, \_\_\_\_\_.  
Month Day Year



To be completed and returned with the proposal form.

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

Re: **RFP: School Policy and Regulation Consulting Services**

RFP Date/Time: **February 13, 2019 @ 10:00 a.m.**

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

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

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

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

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

Address \_\_\_\_\_

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

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

Owner’s Name	Home Address	Title/Office Held	% Partnership/ Shares Owed

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.

– cont’d –

To be completed and returned with the proposal form.

**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (cont'd)**

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. If additional sheets are attached, please check here:

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

Address \_\_\_\_\_

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

\_\_\_\_\_  
**Authorized Agent**

\_\_\_\_\_  
**Title**

\_\_\_\_\_  
**Signature of Authorized Agent**

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

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

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

**Reportable Contributions**

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

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: \_\_\_\_\_

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

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

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

**40A:11-51** 1. a. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts there from to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-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.

**52:34-25** 2. a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefore, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-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. 52:34-25.

LIST OF AGENCIES WITH ELECTED OFFICIALS REQUIRED FOR
POLITICAL CONTRIBUTION DISCLOSURE
N.J.S.A. 19:44A-20.26

County Name: Morris

State: Governor and Legislative Leadership Committees
Legislative District #: 16, 21, 24, 25, & 26
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):

- Boonton Town Jefferson Township Mount Olive Township
Boonton Township Kinnelon Borough Mountain Lakes Borough
Butler Borough Lincoln Park Borough Netcong Borough
Chatham Borough Long Hill Township Parsippany-Troy Hills Township
Chatham Township Madison Borough Pequannock Township
Chester Borough Mendham Borough Randolph Township
Chester Township Mendham Township Riverdale Borough
Denville Township Mine Hill Township Rockaway Borough
Dover Town Montville Township Rockaway Township
East Hanover Township Morris Plains Borough Roxbury Township
Florham Park Borough Morris Township Victory Gardens Borough
Hanover Township Morristown Town Washington Township
Harding Township Mount Arlington Borough Wharton Borough

Boards of Education (Members of the Board):

- Boonton Town Lincoln Park Borough Netcong Borough
Boonton Township Long Hill Township Parsippany-Troy Hills Township
Butler Borough Madison Borough Pequannock Township
Chester Township Mendham Borough Randolph Township
Denville Township Mendham Township Riverdale Borough
Dover Town Mine Hill Township Rockaway Borough
East Hanover Township Montville Township Rockaway Township
Florham Park Borough Morris Roxbury Township
Hanover Park Regional Morris Hills Regional School Dist Of The Chathams
Hanover Township Morris Plains Borough Victory Gardens
Harding Township Mount Arlington Borough Washington Township
Jefferson Township Mount Olive Township West Morris Regional
Kinnelon Borough Mountain Lakes Borough Wharton Borough