COLLINGSWOOD BOARD OF EDUCATION 200 LEES AVENUE COLLINGSWOOD, NJ 08108

REQUEST FOR PROPOSAL

A. <u>PURPOSE</u>:

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

Board of Education Solicitor

B. SCOPE OF SERVICE:

The Board of Education desires to appoint an attorney or firm who will be the primary legal representative of the Board of Education in any and all legal matters pertaining to the school district. Any experience or knowledge of matters that directly affect the Board of Education should be addressed.

C. QUALIFICATIONS AND REQUIREMENTS OF RESPONDENTS:

- 1. Solicitor's firm shall have three or more licensed professionals on staff whose major focus and work has been and remains providing professional services to and advising public entities.
- 2. The firm shall have at least ten (10) years experience in representing public entities.
- 3. The firm shall designate one professional within the firm who will be assigned to represent the interest of the School District. This individual shall have been admitted and/or licensed in his/her profession and be in good standing.
- 4. The firm and individuals assigned to work with the School District shall be well versed in all aspects of the School District's operations.

The Board of Education shall utilize a one hundred (100) point system in evaluating proposals.

Qualifications 25 points Relevant experience/Coordination 25 points Fee proposal/cost 50 points

D. CONTRACT PERIOD:

The term of contract for Request for Education Solicitor shall be from July 1, 2022 through June 30, 2023.

E. <u>COORDINATION OF ACTIVITIES:</u>

All activities for this contract will be coordinated through the Administrative Offices of the Collingswood Board of Education, 200 Lees Avenue, Collingswood, NJ 08108 and addressed to Beth Ann Coleman, Assistant Superintendent/Board Secretary, 856-962-5700 x. 1004, bcoleman@collsk12.org.

F. PRESENTATION PACKAGE – Submit the RFP Response

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

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

The following shall be included in the presentation package:

1. <u>Transmittal Letter</u> - Proposal

Each respondent shall submit a transmittal letter with the RFP that identifies the person submitting the proposal and includes a commitment by that person to provide the service required by the Collingswood Board of Education.

2. <u>Description of Services</u>

All respondents should list all services to be rendered with their explanation in detail of how the services will be provided. Respondents by submitting a proposal acknowledge that they fully understand the scope of work, activity, and service.

3. Qualifications – Relevant Experience

All respondents shall submit evidence and documentation highlighting qualifications and experience they have that will assist the district in the evaluation and selection process.

4. Fee Proposal

All respondents are to submit a fee proposal that compliments the service that is being requested. If the district requests an hourly, daily, weekly, or even a lump sum rate, then the fee proposal submitted by the respondent must be the same.

5. Letter of Transmittal

The letter of transmittal is to be addressed and mailed to:

Beth Ann Coleman, Assistant Superintendent/Board Secretary, Collingswood Board of Education 200 Lees Avenue Collingswood, NJ 08108 Reminder: The Letter of Transmittal and the Presentation Package are to be submitted with the RFP package.

G. SUBMISSION OF RFP PACKAGE:

All RFP Proposal Packages, including the Letter of Transmittal and the Presentation Package are to be addressed to:

Beth Ann Coleman, Assistant Superintendent/Board Secretary, Collingswood Board of Education 200 Lees Avenue Collingswood, NJ 08108

Respondents are to include:

- One original RFP Package with original signature
- One copy of the RFP Package.

H. <u>SUBMISSION DEADLINE</u>:

The deadline to submit all RFP Packages is Friday, April 8, 2022 at 10:00 a.m.

I. <u>EVALUATION OF PROPOSALS</u>:

A committee has been selected to evaluate proposals that have been submitted. Committee members are familiar with the need for services to be performed in the Request for Proposal. Committee members will be identified in the final report submitted to the board and also in the award of contract resolution.

J. AWARD OF CONTRACT

It is the intention of the Board of Education to award the contract to the respondent based upon relative experience, qualifications, and who will provide the highest quality of service at fair and competitive prices.

K. AUTHORIZATION TO WORK:

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

L. <u>DOCUMENTS TO BE SUBMITTED WITH THE PROPOSAL</u>:

- Affirmative Action Questionnaire;
- Stockholders Disclosure Statement:
- Vendor Questionnaire/Certification;
- New Jersey Business Registration Certificate;
- Chapter 271 Political Contribution Disclosure Form;
- Iran Financial Disclosure form;

- Non-Collusion Affidavit;
- W-9: and
- Certificate of Insurance- General Commercial Liability \$1,000,000, Professional Liability \$2,000,000, and Workers' Compensation-Statutory-stating "Collingswood Public Schools as an additional insured on a primary insurance coverage basis".

M. <u>CONTRACTS</u>:

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

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

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

N. AFFIRMATIVE ACTION REQUIREMENTS:

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

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

O. BUSINESS REGISTRATION CERTIFICATE (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:42-44 as amended by P.L. 2004 – Chapter 57, all respondents shall submit with their proposal package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey. Failure to provide the New Jersey Business Registration Certification with the proposal package may be cause for the rejection of the entire proposal.

Goods and Services

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; and 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.

P. <u>TERMINATION OF CONTRACT</u>

If the Board determines that the contractor has failed to comply with the terms and conditions of the bid and/or proposal upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties, and/or 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 resolve 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.

Q. 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.

R. POLITICAL CONDTRIBUTION DISCLOSURE STATEMENT – PAY TO PLAY

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

Pursuant to N.J.A.C. 6A:23A-6-3 (a1-4) please note the following:

<u>Award of Contract</u> - 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 as N.J.S.A. 19:44A-1 et. seq.) to a member of the board of education during the preceding one year period."

<u>Contributions During Term of Contract</u> – 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."

<u>Chapter 271 Political Contribution Disclosure Form – Required – N.J.A.C. 6A:23A-6-3</u> All bidders shall submit with their bid package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the district to determine whether the vendor is in compliance with the aforementioned N.J.A.C. 6a:23a-6.3 (A2) Award of Contract.

S. <u>INTERPRETATIONS AND ADDENDA</u>

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

T. SUBCONTRACTING; ASSIGNMENT OF CONTRACT

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

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

Name:	
Address:	
City, State, Zip Code	
Federal Tax ID Number	
Phone Number ()	Extension
Fax No. ()	E-Mail
Authorized Agent	Title
Agent's Signature	Date
All proposals must be received no later than I proposals are to be sent to:	Friday, April 8, 2022 by 10:00 a.m. All
Beth Ann Coleman, Assistant	Superintendent/Board Secretary

Proposal documents may be faxed to the district however, an original copy must be mailed to the above address.

Phone # (856)962-5700 x. 1004/Fax # (856)962-5723

200 Lees Avenue

Collingswood, NJ 08108

AFFIRMATIVE ACTION QUESTIONNAIRE

1.	Our con	npany has a federal Affirmative Acti	on Plan approval.	Yes	No
		If yes, a copy of said approval mu Education within seven (7) working contract or signing of the contract	ng days of the notic	_	
	2. Our co	ompany has a New Jersey State Cert	ificate of		
		Employee Information Report	•	Yes	No
		If yes, a copy of the New Jersey Stamust be submitted to the Collings working days of the notice of intercontract.	wood Board of Edu	cation within	seven (7)
	Information of the second seco	u answered NO to both questions ab mation Report (AA-302) will be mail ard it to the Affirmative Action Offic 5. A copy must be submitted to the orking days of the notice of intent to	ed to you. You mu e, Department of T Collingswood Boa	ist complete t reasury, CN 2 rd of Educatio	he form and 209, Trenton, N. on within seven
l ce	ertify that	the above information is correct to	the best of my kno	owledge.	
Na	me:				
Tit	le:				
Sig	nature: _				
Da	to·				

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY }	
COUNTY OF CAMDEN } SS	(Name of Bid/Project)
Ι,,	of theof
, in the C	ounty of,
State of, of ful oath depose and say that:	l age, being duly sworn according to law on my
I am of the the bidder making the proposal for the above nare with full authority to do so; that said bidder has a agreement, participated in any collusion, or other competitive bidding in connection with the above contained in said Proposal and in this affidavit as knowledge that the State of New Jersey relies up Proposal and in the statements contained in this approject.	med project; that I executed the said Proposal not, directly or indirectly, entered into any rwise taken any action in restraint of free, e named project; and that all statements re true and correct, and made with full on the truth of the statements contained in said
I further warrant that no person or selling agency secure such contract upon an agreement or under brokerage or contingent fee, except bona fide emselling agencies maintained by 52:32.15 (Name of Contraction)	rstanding for a percentage, commission, aployees or bona fide established commercial or in accordance with N.J.S.A
Subscribed and sworn before me thisday of, 20	(Affiant's Signature)
(Seal) Notary Public of New Jersey	(Print Affiant's Name)
My Commission expires 20	

THIS FORM MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH BID.

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM Contractor Instructions

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

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

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See 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.

^{*} 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."

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit no later than 10 days prior to the award of the contract.

Vendor Name:				
Address:				
City:	State:	Zip:		
undersigned being authorized to visions of <u>N.J.S.A.</u> 19:44A-20.26			-	
gnature	Printed Name		Title	
art II – Contribution Disclosı	Iro			
Check here if disclosure is prov				
Check here if disclosure is provi		pient Name	Date	Dollar Amount
·		pient Name	Date	Dollar Amount
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Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ____ of _____

r Name:			
Contributor Name	Recipient Name	Date	Dollar Amount
			\$

☐ Check here if the information is continued on subsequent page(s)

STOCKHOLDER OR PARTNERSHIP DISCLOSURE AFFIDAVIT

In accordance with the Instructions to Bidders and the provisions of Chapter 33, Public Laws of 1977, State of New Jersey, N. J. S. A. 52:25-24.1, the undersigned hereby certifies the following Stockholder or Partnership information as complete and accurate:

Stockholders or Partners Owning 10% or More of the Company Submitting Bid

Name of Stockholder/Partner	Address	-
Name of Stockholder/Partner	Address	-
Name of Stockholder/Partner	Address	-
Name of Stockholder/Partner	Address	-
Use other side for other stockholders/	partners.	
No individual stockholder or p	artner owns ten percent (10%) or more of this corpo	ration or partnership.
Name of Contractor	Address	-
By:	(Print Name and Official Title)	
Signature:		
State of	} } SS	
County of		
Subscribed and sworn before me this_	day of, 20	
Notary Public		

THIS FORM MUST BE COMPLETED, SIGNED, AND SUBMITTED WITH BID. <u>Vendor Questionnaire/Certification</u>

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 Employe	es	
References – Work previously done for School Systems	s in New Jersey	
Name of District Address	Contact Person/Title	<u>Phone</u>
1		
2		
3		
Direct/Indirect Interests	r Certification	
I declare and certify that no member of the Collingswood B whose salary is payable in whole or in part by said Board of or indirectly interested in this bid or in the supplies, material any portion of profits thereof. If a situation so exists where interest in the bid, etc., then please attach a letter of explanatirm or company.	Education or their immed als, equipment, work or see a Board member, emplo	liate family members are directly services to which it relates, or in oyee, officer of the board has an
Gifts; Gratuities; Compensation		
I declare and certify that no person from my firm, busines any fee, commission or compensation, or offered any gift, go member or employee of the Collingswood Board of Educat	ratuity or other thing of va	
Vendor Contributions		
I declare and certify that I fully understand N.J.A.C. 6A:2 board members.	3A-6.3(a1-4) concerning	g vendor contributions to school
I certify that I am not an official or employee of the Colling	gswood Board of Education	on.
I further certify that I understand that it is a crime in the sec representation that is false in connection with the negotiation	9	•

President or Authorized Agent

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

Quote Number: Bidder/Offeror:

PART 1: CERTIFICATION BIDDERS MUST COMPLETE PART 1 BY CHECKING EITHER BOX. FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE.

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

PLEASE CHECK THE APPROPRIATE BOX:

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

<u>OR</u>

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

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

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

Subsidiaries of anniates, engaging in the inv	restment activities in Iran outlined above by completing the	ne boxes below.
THOROUGH ANSWERS TO EACH QUESTION	NFORMATION RELATIVE TO THE ABOVE QUESTION N. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CINAL ACTIVITIES ENTRY" BUTTON.	
Name	Relationship to Bidder/Offeror	Delete
Description of Activities		
Duration of Engagement	Anticipated Cessation	
Date Bidder/Offeror Contact Name	Contact Phone	
Number		
ADD AN ADDITIONAL ACTIVITIES ENTRY		
certification: I, being duly sworn upon my oath, hereby represent that the cknowledge: that I am authorized to execute this certification on behalf continuing obligation from the date of this certification through the completerein; that I am aware that it is a criminal offense to make a false statement.	of the bidder; that the State of New Jersey is relying on the information of etion of any contracts with the State to notify the State in writing of any	contained herein and that I am under a changes to the information contained
Full Name (Print):	Signature:	
	Do Not Enter PIN as a Sign	nature
Title:	Date:	