REQUEST FOR PROPOSALS

&

GENERAL REQUIREMENTS

FOR

Professional Development

Elementary Literacy Consultant
RFP 17-01

Submission Date:
Wednesday, July 20, 2016
10:00 a.m.
1. GENERAL SPECIFICATIONS

The Freehold Borough Board of Education, 280 Park Avenue, Freehold, NJ 07728, is seeking Professional Development services.

SUMMARY OF SOLICITATION

<table>
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<th>Month</th>
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Detailed Requirements – Elementary Literacy Consultant

The Literacy Consultant will provide a minimum of 39 days, as listed above, in the following professional development capabilities based on the particular staff needs:

- Provide training on the framework and components of Balanced Literacy/Reading Workshop through grade specific teacher workshops and classroom modeling focusing on appropriate scientific research-based (SBRR) instructional strategies for implementation.

- Ensure that all K-5 teachers, including special education teachers, learn how to implement effective small group differentiated instruction in the format of Guided Reading and/or Strategy Groups.

- Ensure that all K-5 ELA teachers, including special education teachers, learn how to use effective instruction and other activities based on scientifically research based writing practices and have the skills needed to teach writing effectively through workshops and modeling.

- Work collaboratively with the Literacy Coaches to create, collect, and analyze formative and summative assessments for the purpose of developing strategies that address individual needs of students and disaggregated groups.
• Provide assistance to the staff and administration in assuring that the instruction in the classroom matches the district ELA language arts curriculum and its alignment with the common core standards.

• Provide assistance in developing units of study for the district ELA curriculum and support teachers in their initiative to begin implementing the units of study in their classrooms.

• Provide teacher/administrative support through email and/or phone consultation.

The Literacy Consultant must have teaching and or/training experience in grade K through 5

The Literacy Consultant must hold a minimum of teaching certificate in Elementary Education

Must supply a resume of detailed work experience in addition to a minimum of two references to support successful ELA teaching and coaching/training experience.

Must provide valid NJ certifications.

1.1. SELECTION CRITERIA OF PROVIDERS

The selection criteria shall include evaluation of the content of the proposals. Each interested provider shall submit a proposal with the following information setting forth its qualifications that will be evaluated among the selection criteria listed below.

1) Full business name, address, and other important contact information.
2) Evidence of Applicant Capability, in general, and as it specifically relates to the areas described in the Request for Proposals.
3) Specific approach to areas in narrative responses to Request for Proposal requirements.
4) Technical Process, materials and Equipment: Description of any technical process, materials including specialized software) and equipment used in performing the services.
5) Cost Details: Cost details itemized by each specific area outlined in the Request for Proposals, which shall include daily, hourly or unit rates where appropriate. A grand total proposed cost shall be provided.
6) Mandatory items as required by law.

Upon submission of a proposal, the interested provider may be requested to meet with selected Administrators of the Freehold Borough Board of Education to demonstrate the proposed evaluation system.

1.2. FORM OF PROPOSAL

SEALED RESPONSES SHOULD INCLUDE:

1. The “Proposal”, signed and dated by the provider, which shall include;
   a. The body of the Proposal, which shall include:
      i. A Proposal Price Quotation Sheet showing a grand total proposed cost, and cost details itemized by each specific area outlined in the Request for Proposals. Enclosed herein.
      ii. Selection Criteria as set forth above.
      iii. Clearly referencing and any additional documents or attachments.
   b. A signed “Stockholder Disclosure Certification”.
   c. A copy of the vendor’s current “NJ Business Registration Certificate.” Information on this certificate can be obtained at www.state.nj.us/treasury/revenue/busregcert.shtml.
d. IRS Form W-9

2. Such other documents and materials as may be appropriate to show the qualifications and experience of the provider or to meet the requirements of this submission.

   a. MANDATORY NJ EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

If awarded a contract, your company/firm shall be required to comply with the requirements of N.J.S.A. 10.5-31 et seq. and N.J.A.C. 17:27.

1.3. SUBMISSION DEADLINE

Sealed proposals must be received in the School Business Administrators Office on or before 10:00 am on Wednesday, July 20, 2016 (“due date” set forth in this notice, also referred to as the “submission deadline”) at which time proposals will be publicly opened and read. Please address submission to:

   RFP 17-01 Elementary Literacy Consultant
   School Business Administrator
   Freehold Borough Board of Education
   280 Park Avenue
   Freehold, NJ 07728

The Freehold Borough Board of Education Business Administrator and/or his designated representative will receive submissions up to the submission deadline noted above. The Freehold Borough Board of Education reserves the right to extend the submission deadline at any time prior to opening of the sealed submissions, to reject all submissions without the need for cause or prior notice, to reject particular submissions due to defects in mandatory items, to waive non-mandatory items and to accept any submissions that in their judgment will be in the best interest of the Freehold Borough Board of Education.

1.4. PROPOSED TIME SCHEDULE

<table>
<thead>
<tr>
<th>Activity</th>
<th>Due Date</th>
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<tbody>
<tr>
<td>Release of RFP</td>
<td>07/07/16</td>
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<tr>
<td>Proposal Due</td>
<td>07/20/16</td>
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<tr>
<td>Training of Teachers</td>
<td>TBD</td>
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1.5 QUESTIONS

Questions pertaining to this bid will only be accepted in writing electronically to jhowe@freeholdboro.k12.nj.us on or before Monday, July 18, 2016. All questions and answers will be sent to any potential bidder who has received a bid packet.
**Proposal Purpose:** to provide 39 days minimum training during 2016-2017 school year on the framework and components of Balanced Literacy/Reading Workshop to teachers K-6 including special education teachers. Differentiated instruction in the format of Guided Reading and/or Strategy Groups. Work collaboratively with Literacy Coaches to create, collect, and analyze formative and summative assessments. Provide assistance to the staff and administration assuring that instruction matches the district ELA language arts curriculum and aligned with common core standards.

<table>
<thead>
<tr>
<th>Vendor Name</th>
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<tr>
<td>Primary Contact Name</td>
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<td>Phone #</td>
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<td>Fax #</td>
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<td>Email</td>
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</table>

<table>
<thead>
<tr>
<th>Reference names</th>
<th>Position</th>
<th>Phone number &amp; email</th>
<th>Nature of the work you provided</th>
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### 2016-2017 PRICING PROPOSAL

<table>
<thead>
<tr>
<th>Service</th>
<th>Price</th>
<th>Completion Date</th>
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<tbody>
<tr>
<td>Provide 39 days of Literacy Consulting during 2016-2017 School Year</td>
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<tr>
<td>Per Diem Rate for additional days should funding permit</td>
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<tr>
<td>OTHER COSTS</td>
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</table>

**TOTAL PROPOSAL**

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**CERTIFICATIONS, REPRESENTATIONS, AND SPECIAL CONDITIONS**

The certifications, representations and conditions listed below may be contained in the resultant contract, if any. Firms submitting a proposal in response to this Request who are prepared to accept any of the following provisions, or wish to include additional provisions in the Agreement, are required to discuss with specificity the provisions to which they take exception, the reasons for any such objections, and any substitute for (or additional) language regarding the provisions to which exception is taken. The District will evaluate any such exceptions and make such adjustments in the proposer’s rating, as it deems appropriate.

Notices – Any notice or other communication, including a change of address or of the person to be notified, given under the Agreement to any party shall be in writing and mailed to the address certified or registered mail, return receipt requested, and to the attention of the parties, set forth below:
New Jersey Law – The Agreement shall be governed by and construed in accordance with the laws of the State of New Jersey. Any and all proceedings relating to the subject matter hereof shall be maintained in the courts sitting in New Jersey, which courts shall have exclusive jurisdiction for each purpose. The parties hereto hereby consent to submit themselves to the jurisdiction of such courts with respect to any proceedings arising out of, under or related to the Agreement.

Compliance With Other Laws – The Contractor agrees to comply with all rules and regulations of any governmental authority having jurisdiction or interest in the Agreement and agrees to cooperate in any investigation or any inquiry thereby.

Interest by Members of Local District and Local Governing body – No members, officer or employee of the District during his/her tenure or for one (1) year thereafter shall have any interest, direct or indirect, in the Agreement or its proceeds in accordance with the Public School Ethics act and other applicable law.

Price Alteration – Bid prices must be typed or written in ink or the bid will be subject to the automatic rejection provisions of the Administrative Code. Any price change (including “whiteouts”) must be initialed, or that item will be disqualified. This policy is meant to protect both the District and the bidder.

Proposal Delivery and Identification – It is the responsibility of the bidder to clearly and properly identify and label his/her bid response proposal to aid the District in properly handling the bid. The exterior of the bid submission packages should be clearly labeled. Anticipate potential delivery delays by allowing adequate time for hand, postal, courier or other delivery services.
Proposal Format and Content - The proposal should be submitted in one volume (where practical) and that volume divided into three (3), easily identified section follows:

Technical Proposal - Section 1 - This section shall describe the bidder's approach and plans for accomplishing the work outlined in the Scope of Work section. Those plans and approaches should be described in sufficient detail to permit the District to evaluate them fairly with a minimum of possible misinterpretation. Furthermore, the bidder should demonstrate and describe the effort, skills and understanding of the project necessary to satisfactorily provide the services.

Organizational Support and Experience - Section 2 - This section shall contain all pertinent information relating to the bidders organization, personnel, and experience, including, but not limited to, references, with contact name and telephone number, that will serve to substantiate the bidder's qualifications and capabilities to perform the services required by the RFP.

Cost Proposal - Section 3

Price Sheet - Bidders must include price sheet with their proposal. Failure to submit all information requested may result in your bid being considered nonresponsive. Bidders are requested to hold prices firm for and constant during the entire contract in order that an award can be made. The District at its sole discretion reserves the right to hold prices firm for an additional thirty -(30) days. Price sheet should include cost per person. The cost proposals must include cost for year two & three should the District decide to renew the contract for additional terms.
STATE OF ___________________________ : SS:

COUNTY OF ___________________________

I, _________________________________ of the City of ___________________________

in the county of ___________________________ and the State of ___________________________
of full age, being duly sworn according to law on my oath depose and say that:

I am ______________________________ of the firm of ___________________________

Position in company

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

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

_____________________________________________________________________________________
(Print Name of Contractor/Vendor)

Subscribed and sworn to:

_____________________________________________________________________________________
(Signature of Contractor/Vendor)

before me this ______ day of __________________, __________.
Month Year

_____________________________________________________________________________________
NOTARY PUBLIC SIGNATURE Print Name of Notary Public

My commission expires __________________________
Month Day Year
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Public Agency Instructions

This page provides guidance to public agencies entering into contracts with business entities that are required to file Political Contribution Disclosure forms with the agency. It is not intended to be provided to contractors. What follows are instructions on the use of form local units can provide to contractors that are required to disclose political contributions pursuant to N.J.S.A. 19:44A-20.26 (P.L. 2005, c. 271, s.2). Additional information on the process is available in Local Finance Notice 2006-1 (www.nj.gov/dca/lgs/lfns/lfnmenu.shtml).

1. The disclosure is required for all contracts in excess of $17,500 that are not awarded pursuant to a “fair and open” process (N.J.S.A. 19:44A-20.7).

2. Due to the potential length of some contractor submissions, the public agency should consider allowing data to be submitted in electronic form (i.e., spreadsheet, pdf file, etc.). Submissions must be kept with the contract documents or in an appropriate computer file and be available for public access. The form is worded to accept this alternate submission. The text should be amended if electronic submission will not be allowed.

3. The submission must be received from the contractor and on file at least 10 days prior to award of the contract. Resolutions of award should reflect that the disclosure has been received and is on file.

4. The contractor must disclose contributions made to candidate and party committees covering a wide range of public agencies, including all public agencies that have elected officials in the county of the public agency, state legislative positions, and various state entities. The Division of Local Government Services recommends that contractors be provided a list of the affected agencies. This will assist contractors in determining the campaign and political committees of the officials and candidates affected by the disclosure.

   a. The Division has prepared model disclosure forms for each county. They can be downloaded from the “County PCD Forms” link on the Pay-to-Play web site at www.nj.gov/dca/lgs/p2p. They will be updated from time-to-time as necessary.

   b. A public agency using these forms should edit them to properly reflect the correct legislative district(s). As the forms are county-based, they list all legislative districts in each county. Districts that do not represent the public agency should be removed from the lists.

   c. Some contractors may find it easier to provide a single list that covers all contributions, regardless of the county. These submissions are appropriate and should be accepted.

   d. The form may be used “as-is”, subject to edits as described herein.

   e. The “Contractor Instructions” sheet is intended to be provided with the form. It is recommended that the Instructions and the form be printed on the same piece of paper. The form notes that the Instructions are printed on the back of the form; where that is not the case, the text should be edited accordingly.

   f. The form is a Word document and can be edited to meet local needs, and posted for download on web sites, used as an e-mail attachment, or provided as a printed document.

5. It is recommended that the contractor also complete a “Stockholder Disclosure Certification.” This will assist the local unit in its obligation to ensure that contractor did not make any prohibited contributions to the committees listed on the Business Entity Disclosure Certification in the 12 months prior to the contract. (See Local Finance Notice 2006-7 for additional information on this obligation) A sample Certification form is part of this package and the instruction to complete it is included in the Contractor Instructions. NOTE: This section is not applicable to Boards of Education.
C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

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

- any State, county, or municipal committee of a political party
- any legislative leadership committee
- any 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
  - o 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.

* 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.

Part I – Vendor Information

Vendor Name:

Address:

City: State: Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

Signature __________________________ Printed Name __________________________ Title __________________________

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than $300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

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<th>Recipient Name</th>
<th>Date</th>
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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 ______

Vendor Name:

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<th>Contributor Name</th>
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**County Name: Monmouth**
State: Governor, and Legislative Leadership Committees
Legislative District #s: 10, 11, 12, 13, & 30
State Senator and two members of the General Assembly per district.

County:
- Freeholders
- County Clerk
- Sheriff
- Surrogate

Municipalities (Mayor and members of governing body, regardless of title):

<table>
<thead>
<tr>
<th>Aberdeen Township</th>
<th>Highlands Borough</th>
<th>Neptune Township</th>
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<tbody>
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<td>Allenhurst Borough</td>
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<td>Ocean Township</td>
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<td>Howell Township</td>
<td>Oceanport Borough</td>
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<tr>
<td>Asbury Park City</td>
<td>Interlaken Borough</td>
<td>Red Bank Borough</td>
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<td>Atlantic Highlands Borough</td>
<td>Keansburg Borough</td>
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<td>Keyport Borough</td>
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<td>Lake Como Borough</td>
<td>Sea Bright Borough</td>
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<td>Brielle Borough</td>
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<td>Shrewsbury Borough</td>
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<td>Shrewsbury Township</td>
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<td>Spring Lake Heights Borough</td>
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<td>Upper Freehold Township</td>
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<td>West Long Branch Borough</td>
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<td>Hazlet Township</td>
<td>Neptune City Borough</td>
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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-Enlishtown 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
STOCKHOLDER DISCLOSURE CERTIFICATION

Name of Business:

☐ I certify that the list below contains the names and home addresses of all stockholders holding 10% or more of the issued and outstanding stock of the undersigned.

OR

☐ I certify that no one stockholder owns 10% or more of the issued and outstanding stock of the undersigned.

Check the box that represents the type of business organization:

☐ Partnership  ☐ Corporation  ☐ Sole Proprietorship
☐ Limited Partnership  ☐ Limited Liability Corporation  ☐ Limited Liability Partnership
☐ Subchapter S Corporation

Sign and notarize the form below, and, if necessary, complete the stockholder list below.

Stockholders:

<table>
<thead>
<tr>
<th>Name:</th>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Address:</td>
<td>Home Address:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name:</th>
<th>Name:</th>
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<tr>
<td>Home Address:</td>
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<tr>
<th>Name:</th>
<th>Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Address:</td>
<td>Home Address:</td>
</tr>
</tbody>
</table>

Subscribed and sworn before me this ___ day of __________, 2 __.

(Notary Public)

My Commission expires:

(Affiant)

(Print name & title of affiant)

(Corporate Seal)
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 thereto from business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-i et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

b. The provisions of P.L.2004,c.19 shall not be construed to supersede or preempt any ordinance, resolution or regulation of a unit of local government that limits political contributions by business entities performing or seeking to perform government contracts. Any ordinance, resolution or regulation in effect on the effective date of P.L.2004, c.19 shall remain in effect and those adopted after that effective date shall be valid and enforceable.

c. An ordinance, resolution or regulation adopted or promulgated as provided in this section shall be filed with the Secretary of State.

52:34-25 2.a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of $17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-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, 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.
P.L. 2005, c.271 (continued)

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.
The contractor and the Freehold Borough 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.S.12101 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.
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE  
N.J.A.C. 17:27  
GOODS, SERVICES AND PROFESSIONAL SERVICES CONTRACTS

During the performance of this contract, the Contractor or subcontractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that all employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause;

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex;

The contractor or subcontractor, where applicable, will send to each labor union or representative of 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 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 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 personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, 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 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 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.

The failure to submit such appropriate evidence will result in rescission of the contract.
I certify that the above information is correct to the best of my knowledge.

SIGNATURE_______________________ NAME_______________________
DATE____________________________ TITLE_______________________
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN

Proposer: ________________________________

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 the person or entity, or one of the person or entity’s parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Department of the Treasury as a person or entity engaging in investment activities in Iran. If the Director finds a person or entity to be in violation of the principles which are the subject of this 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 person or entity.

I certify, pursuant to Public Law 2012, c. 25, that the person or entity listed above for which I am authorized to submit a proposal:

☐ is not providing goods or services of $20,000,000 or more in the energy sector of Iran, including a person or entity that provides oil or liquefied natural gas tankers, or products used to construct or maintain pipelines used to transport oil or liquefied natural gas, for the energy sector of Iran, AND

☐ is not a financial institution that extends $20,000,000 or more in credit to another person or entity, for 45 days or more, if that person or entity will use the credit to provide goods or services in the energy sector in Iran.

In the event that a person or entity is unable to make the above certification because it or one of its parents, subsidiaries, or affiliates has engaged in the above-referenced activities, a detailed, accurate and precise description of the activities must be provided in part 2 below to the New Jersey Turnpike Authority under penalty of perjury. 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 proposer, or one of its parents, subsidiaries or affiliates, engaging in the investment activities in Iran outlined above by completing the boxes below.

| Name: ___________________________________ | Relationship to Proposer: ________________________________ |
| Description of Activities: ____________________________ |
| Duration of Engagement: __________________________ Anticipated Cessation Date: __________________________ |
| Proposer Contact Name: ________________________________ | Contact Phone Number: __________________________ |

Certification: I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any Attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above-referenced person or entity. I acknowledge that the State of New Jersey is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the State to notify the State in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with the State of New Jersey and that the State at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print): ___________________________________ Signature: __________________________

Title: ___________________________________ Date: __________________________