

SHORE REGIONAL BOARD OF EDUCATION

REQUEST FOR PROSOSALS FOR

AUDITING SERVICES

Contract Term

June 2017 through May 2018

SUBMISSION DEADLINE

1:00 P.M.

February 8, 2017

ADDRESS ALL PROPOSALS TO:

**Business Administrator/Board Secretary
Shore Regional Board of Education
132 Monmouth Park Highway
West Long Branch, NJ 07764**

REQUEST FOR PROPOSALS

GENERAL INFORMATION & SUMMARY

School District

Shore Regional Board of Education
132 Monmouth Park Highway
West Long Branch, NJ 07764

Contact Person

Ms. Corey J. Lowell, SFO
Business Administrator/Board Secretary
Shore Regional Board of Education
132 Monmouth Park Highway
West Long Branch, NJ 07764
732-222-9300 ext. 2080

Purpose of the Request

The Shore Regional Board of Education (“Board”) requests proposals for independent auditors for the 2017-2018 school year. The Auditors must be certified public accountants licensed in New Jersey who hold an un-canceled registration license as a public school accountant for New Jersey. The Auditor shall audit the Board’s financial records for the year ending June 30, 2017, prepare the CAFR, and shall provide other such auditing services as may be required by the Board for the duration of the contract term (e.g., ASSA, DRTRS). Interested firms shall demonstrate knowledge and experience in the laws governing Boards of Education in the State of New Jersey and in providing advice in compliance with any and all rules and regulations applicable to New Jersey School Districts.

Proposals are being solicited through a fair and open process. Under Title 18A:18A-5(a)(1), professional services are not required to be bid or advertised and the Board is not required to award on the basis of lowest price and will award based on criteria as outlined in this request. The request is being made to ensure the district receives the highest quality services at a fair and competitive price.

Period of Contract

June 2017 through May 2018

Proposal Submission

All proposals are to be placed in sealed envelopes marked “Proposal for Annual Audit Services”.

All Proposals must be received by the Board of Education, Office of the Business Administrator, no later than 1:00 P.M. February 8, 2017. All questions concerning the RFP should be provided in writing and submitted to Corey Lowell, Business Administrator/Board Secretary, 132 Monmouth Park Highway, West Long Branch, NJ 07764. Any bidder who mails their RFP accepts responsibility for any delay in delivery. A duly authorized official of the firm must sign the proposal.

Contract Form

The successful submitter shall be required to execute the board's form contract, which includes the indemnification, insurance, termination and licensing provisions.

It is also agreed and understood that the acceptance of the final payment by the Contractor shall be considered a release in full of all claims against the board arising out of, or by reason of, the work done and materials furnished under this Contract.

Audit Approach

Describe your firm's audit approach including, but not limited to:

- General audit scope and philosophy
- Timing and planning
- Prior auditor's work
- Review of internal control structure
- Compliance/interim work
- Review of automated systems
- Substantive/year-end work
- Presentations of draft/final reports
- Work papers
- Management letter/(LOR) letter of recommendation (include 3 recent)
- Transaction testing coverage (sampling)

Type of Audit

An examination of the financial statements in accordance with generally accepted auditing standards as promulgated by the American Institute of Certified Public Accountants; to include, determining whether the District's financial records and procedures are in accordance with applicable State Laws and Regulations of the Department of Education, Division of Finance and with the Financial and Compliance requirements as required by the Federal Government regarding the Single Audit Act.

Shore Regional Board of Education 2016-2017 School Year Budget

| | |
|------------------------------------------------------|--------------|
| 1. Total General Fund Budget | \$16,132,803 |
| 2. Revenues From State & Federal Sources | \$ 321,698 |
| • Title I, II, III | |
| • IDEA | |
| • The District also actively pursues various grants. | |
| 4. Debt Service | \$ 969,475 |

Additionally, the District has an Enterprise Fund for School Food Service.

Requirements for the Statement of Qualifications

Auditing firms providing the services of licensed public school accountants for New Jersey shall submit statements of qualifications including:

1. The name of the submitter, the principal place of business in the State of New Jersey and, if different, the place where the services will be provided;
2. The name, title and resume of the person who will be primarily responsible for the services and a description of the primary persons licensing information, education, qualifications, experience and training, as well as a description of that individuals experience with auditing Boards of Education of similar size and complexity of the Shore Regional Board of Education;
3. The names, titles and resumes of the other individuals who will perform the services and their licensing information, education, qualifications, experience and training;
4. A suggested timeline for completion of audit materials to ensure timely filing of the CAFR;
5. A listing of all Boards of Education in the State of New Jersey for whom your firm provides auditing services. Please specify whether the services were provided for Boards of Education designated as SDA (former Abbott) Districts by the New Jersey Department of Education. Please provide three (3) references including the name, title, and contact person to be contacted;
6. Provide an overview of your firm including, but not limited to, years experience in providing auditing services to New Jersey Board of Education, number of partners, number of CPAs, location of firm, philosophy and audit approach;
7. A description of any special services available to the Board of Education;
8. Fee quote must be all-inclusive (i.e. out of pocket expenses), additional fee can be broken down (if determinable), Example: ASSA and Transportation, Bond Refunding, Referendum Funding. Provide hourly rates and audit hours by professional staff level;
9. A statement that neither the firm nor any individuals assigned to the engagement are disbarred, suspended, or otherwise prohibited from professional practice by any federal, state, or local entity;
10. An Affirmative Action Statement;
11. A completed Non-Collusion Affidavit;
12. A statement that the firm will comply with the General Terms and Conditions required by the Board of Education and enter into the Board's Professional Services Agreement for Auditing Services;
13. A copy of the firm's Business Registration Certificate;
14. A completed Business Entity Disclosure Certificate.

General Terms and Conditions

1. The Board of Education reserves the right to reject any or all submissions or to waive any informality, or to accept them as may be determined by the Board of Education in its sole discretion.
2. Upon execution of any Agreement, original or reproduced Reports, Logs, Samples, Data, Notes, Calculations, Estimates, Summaries, Records, Statements, Test Methodology and all other documents prepared by the Auditor or its Auditors for the Project, including those in electronic media form, hard copy, or otherwise (collectively "Documents"), shall be Board's property. Board may use the Documents without Auditor's permission and Auditor shall defend, indemnify and hold harmless Board from any and all claims arising from Board's use of the Documents. Auditor shall not use the Accounting Documents without Board's prior written permission unless Auditor's use of the Accounting Documents is related to Auditor's services rendered under any Agreement and the Project. At any time during the completion of the Project, Auditor shall furnish Board with such reproductions of the Accounting Documents as Board may require.
3. Auditor shall maintain or cause to be maintained, in full force and effect, insurance in such amounts and against such risks as follows:
 - A. Broad form, comprehensive, or commercial General Liability Insurance, including contractual liability coverage, against claims for personal injury, death or property damage with coverage in the amount of not less than One Million Dollars and Zero Cents (\$1,000,000.00) with respect to property damage, together with excess/umbrella coverage equal to One Million Dollars and Zero Cents (\$1,000,000.00). Shore Regional Board of Education is to be named as an additional insured.
 - B. Workers Compensation Insurance as required by the statute. Employer's Liability – Five Hundred Thousand Dollars and Zero Cents (\$500,000.00) each accident.
 - C. Automobile Insurance on all vehicle used in performance of this Agreement in an amount not less than One Million Dollars and Zero Cents (\$1,000,000.00) for injuries, including accidental death to any one person and property damage insurance in an amount not less than One Million Dollars and Zero Cents (\$1,000,000.00) per occurrence. Shore Regional Board of Education is to be named as an additional insured.
 - D. Professional Liability Insurance coverages in the amount of not less than One Million Dollars and Zero Cents (\$1,000,000.00) for each claim. Auditor shall maintain this insurance for no less than six (6) years following the date of final payment by Board to Auditor.

Auditor shall provide Board, prior to the execution of this Agreement and upon its request from time to time, with certificates of insurance evidencing the overages set forth above in A, B, C, and D from an insurance company authorized to do business in New Jersey and having an A.M. Best Rating of at least an "A-". Auditor shall also provide, upon reasonable request by Board, full and complete copies of insurance policies required by A, B, C and D above at Auditor's sole expense.

4. Affirmative Action Requirements for Procurement, Professional and Service Contracts

Each 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:

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

Please note: A completed and signed Affirmative Action Questionnaire is required with submission of bid. However, the Board will accept in lieu of the Questionnaire, Affirmative Action Evidence stapled to the Affirmative Action Questionnaire form.

“If awarded a contract your company/firm will be required to comply with the requirements of N.J.S.A. 10:5-31 et. seq. and N.J.A.C. 17:27 et. seq.

5. Americans with Disabilities Act Requirements

The contractor must comply with all provisions of the Americans with Disabilities Act (ADA), P.L 101-336, in accordance with 42 U.S.C. S121 01 et seq.

6. Business Registration Certificate (N.J.S.A. 52:32-44)

Pursuant to N.J.S.A. 52:32-44 as amended by P.L. 2004 – Chapter 57, all bidders shall submit with their bid 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 bid package may be cause for the rejection of the entire bid.

Goods and Services Contracts

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract: **1)** The contractor shall provide written notice to its subcontractors to submit proof of business registration to the contractor; **2)** prior to receipt of final payment from a contracting agency, a contractor must submit to the contracting agency an accurate list of all subcontractors or attest that none was used; **3)** during the term of this contract, the contractor and its affiliates shall collect, remit, and notify all subcontractors and their affiliates that they must collect and remit to the Director of the New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency. Information on the law and its requirements is available by calling (609) 292-9292.

To be completed and signed below.

Return With Response

AFFIRMATIVE ACTION QUESTIONNAIRE

Response Date: February 8, 2017

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, an affirmative action *Employee Information Report (AA-302)* will be mailed to you. Complete the form and forward it to the Affirmative Action Office, Department of Treasury, CN 209, Trenton, NJ 08625. A copy shall be submitted to the Board of Education within seven (7) days of the notice of the intent to award the contract or the signing of the contract.

I certify that the above information is correct to the best of my knowledge.

Name of Company/Firm _____

Name of Authorized Agent _____ Title _____

SIGNATURE _____ Date _____

To be completed and signed below.

Return With Response

NON-COLLUSION AFFIDAVIT

RFP Auditing Services

STATE OF NEW JERSEY
COUNTY OF()

Response Date: **February 8, 2017**

I, _____ of the City of _____

in the County of _____ and the State of _____

of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of
Position in Company

the firm of _____ and the 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 Borough of West Long Branch relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for 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

NOTARY PUBLIC SIGNATURE

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

To be completed and signed below.

Return With Response

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

RFP Auditing Services

Response Date: **February 8, 2017**

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

| <u>Owner's Name</u> | <u>Home Address</u> | <u>Title/Office Held</u> | <u>Percent (%) of Partnership Shares Owned</u> |
|---------------------|---------------------|--------------------------|------------------------------------------------|
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

NOTE: If you need more space than that provided above, please use an extra sheet for furnishing the above required information for any remaining persons or entities.

Signature _____ Date _____

To be completed and signed below. Return With Response

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (continued)

If your firm is not a corporation and/or partnership, please explain below how your firm is organized and include a list of the various principals.

Our firm, _____, is organized

Names of Principals

Title

Use additional paper if needed. Check here if additional sheets are attached.

Name of Company _____

Address _____

City, State, Zip _____

Authorized Agent _____ **Title** _____

SIGNATURE OF AUTHORIZED AGENT

Contractor/Vendor Questionnaire/Certification

Response due date: **February 8, 2017**

RFP Auditing Services

Name of Company _____

Street Address _____ PO Box _____

City, State, Zip _____

Business Phone Number (____) _____ Ext. _____

Emergency Phone Number (____) _____

FAX No. (____) _____ E-Mail _____

Years in Business _____ Number of Employees _____

References – Work previously done for School Systems in New Jersey

| <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 Shore Regional 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 Shore Regional Board of Education.

(form continued on next page) → → →

To be completed and signed below.

Return With Response

Contractor/Vendor Questionnaire/Certification – (Continued)

Vendor Contributions:

I certify that I am not an official or employee of the Shore Regional 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

Shore Regional Board of Education
Business Office
132 Monmouth Park Highway
West Long Branch, NJ 07764

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

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

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

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

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

Appendix A

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

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

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, 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 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 or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to **N.J.S.A. 10:5-31 et seq.** as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to employ minority and women workers consistent with the applicable county employment goals established in accordance with **N.J.A.C. 17:27-5.2**, or a binding determination of the applicable county employment goals determined by the Division, pursuant to **N.J.A.C. 17:27-5.2**.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, 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 Contract Compliance & EEG as may be requested by the Division from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Contract Compliance & EEG for conducting a compliance investigation pursuant to Subchapter 10 of the Administrative Code at N.J.A.C.17:27.

BUSINESS ENTITY DISCLOSURE CERTIFICATION
 FOR NON-FAIR AND OPEN CONTRACTS
 Required Pursuant To N.J.S.A. 19:44A-20.8
SHORE REGIONAL BOARD OF EDUCATION

Part I – Vendor Affirmation

The undersigned, being authorized and knowledgeable of the circumstances, does hereby certify that the contractor has not made and will not make any reportable contributions pursuant to N.J.S.A. 19:44A-1 et seq. that, pursuant to P.L. 2004, c. 19 would bar the award of this contract in the one (1) year period preceding (*date of award scheduled for approval of the contract by the governing body*) to any of the following named candidate committee, joint candidates committee; or political party committee representing the elected officials of the entities identified herein as defined pursuant to N.J.S.A. 19:44A-3(p), (q) and (r).

(See list of agencies attached hereto).

Part II – Ownership Disclosure Certification

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

Check the box that represents the type of business entity:

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

| Name of Stock or Shareholder | Home Address |
|------------------------------|--------------|
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Part 3 – Signature and Attestation:

The undersigned is fully aware that if I have misrepresented in whole or part this affirmation and certification, I and/or the business entity, will be liable for any penalty permitted under law.

Name of Business Entity: _____

Signed: _____ Title: _____

Print Name: _____ Date: _____

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

(Affiant)

My Commission expires:

_____ (Print name & title of affiant) (Corporate Seal)

BUSINESS ENTITY DISCLOSURE CERTIFICATION
FOR NON-FAIR AND OPEN CONTRACTS
Required Pursuant To N.J.S.A. 19:44A-20.8
SHORE REGIONAL BOARD OF EDUCATION

The following is statutory text related to the terms and citations used in the Business Entity Disclosure Certification form.

“Local Unit Pay-To-Play Law” (P.L. 2004, c.19, as amended by P.L. 2005, c.51)

19:44A-20.6 Certain contributions deemed as contributions by business entity.

5. 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.

19:44A-20.7 Definitions relative to certain campaign contributions.

6. As used in sections 2 through 12 of this act:

“business entity” means any 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;

Temporary and Executing

12. Nothing contained in this act shall be construed as affecting the eligibility of any business entity to perform a public contract because that entity made a contribution to any committee during the one-year period immediately preceding the effective date of this act.

~~~~~

**The New Jersey Campaign Contributions and Expenditures Reporting Act (N.J.S.A. 19:44A-1 et seq.)**

**19:44A-3 Definitions.** In pertinent part...

p. The term "political party committee" means the State committee of a political party, as organized pursuant to R.S.19:5-4, any county committee of a political party, as organized pursuant to R.S.19:5-3, or any municipal committee of a political party, as organized pursuant to R.S.19:5-2.

q. The term "candidate committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) for the purpose of receiving contributions and making expenditures.

r. the term "joint candidates committee" means a committee established pursuant to subsection a. of section 9 of P.L.1973, c.83 (C.19:44A-9) by at least two candidates for the same elective public offices in the same election in a legislative district, county, municipality or school



district, but not more candidates than the total number of the same elective public offices to be filled in that election, for the purpose of receiving contributions and making expenditures. For the purpose of this subsection: ...; the offices of member of the board of chosen freeholders and county executive shall be deemed to be the same elective public offices in a county; and the offices of mayor and member of the municipal governing body shall be deemed to be the same elective public offices in a municipality.

### **19:44A-8 and 16 Contributions, expenditures, reports, requirements.**

While the provisions of this section are too extensive to reprint here, the following is deemed to be the pertinent part affecting amounts of contributions: "The \$300 limit established in this subsection shall remain as stated in this subsection without further adjustment by the commission in the manner prescribed by section 22 of P.L.1993, c.65 (C.19:44A-7.2)

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

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

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

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

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

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

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

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

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

\* 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

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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. (See list attached hereto).

Check here if disclosure is provided in electronic form.

| Contributor Name | Recipient Name | Date | Dollar Amount |
|------------------|----------------|------|---------------|
|                  |                |      | \$            |
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Check here if the information is continued on subsequent page(s)

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

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

Page \_\_\_ of \_\_\_\_\_

Vendor Name:

| Contributor Name | Recipient Name | Date | Dollar Amount |
|------------------|----------------|------|---------------|
|                  |                |      | \$            |
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**List of Agencies with Elected Officials Required for Political Contribution Disclosure  
N.J.S.A. 19:44A-20.26**

**County Name: Monmouth**

State: Governor, and Legislative Leadership Committees

Legislative District #s: 10, 11, 12, 13, & 30

State Senator and two members of the General Assembly per district.

County:

Freeholders

County Clerk

Sheriff

Surrogate

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

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

**Boards of Education (Members of the Board):**

Allenhurst  
Asbury Park City  
Atlantic Highlands Borough  
Avon Borough  
Belmar Borough  
Bradley Beach Borough  
Brielle Borough  
Colts Neck Township  
Deal Borough  
Eatontown Borough  
Fair Haven Borough  
Farmingdale Borough  
Freehold Borough  
Freehold Regional  
Freehold Township  
Hazlet Township  
Henry Hudson Regional  
Highlands Borough  
Holmdel Township  
Howell Township  
Interlaken  
Keansburg Borough  
Keyport Borough  
Little Silver Borough  
Long Branch City  
Manalapan-Englishtown Regional  
Manasquan Borough

Marlboro Township  
Matawan-Aberdeen Regional  
Middletown Township  
Millstone Township  
Monmouth Beach Boro  
Monmouth Regional  
Neptune City  
Neptune Township  
Ocean Township  
Oceanport Borough  
Red Bank Borough  
Red Bank Regional  
Roosevelt Borough  
Rumson Borough  
Rumson-Fair Haven Regional  
Sea Bright Borough  
Sea Girt Borough  
Shore Regional  
Shrewsbury Borough  
South Belmar  
Spring Lake Borough  
Spring Lake Heights Borough  
Tinton Falls  
Union Beach  
Upper Freehold Regional  
Wall Township  
West Long Branch Borough

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

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

Tinton Falls Fire District No. 1  
Tinton Falls Fire District No. 2  
Wall Township Fire District No. 1  
Wall Township Fire District No. 2  
Wall Township Fire District No. 3

**Shore Regional Board of Education**  
 132 Monmouth Park Highway  
 West Long Branch, NJ 07764  
**RFP Auditing Services**

**Proposal Form**  
**Auditing Services**

While the Board may appoint the Auditor annually, it is possible that re-appointment may be made on the basis of the multi-year proposal in your response below.

We are seeking hourly rates for partner, manager, and staff, depending on who is required to perform additional work (if any is requested).

|                                                              | 2017-2018 | 2018-2019 | 2019-2020 |
|--------------------------------------------------------------|-----------|-----------|-----------|
| <b>Annual Fee</b>                                            | \$        | \$        | \$        |
| <i>Hourly Fee Listing (if additional services requested)</i> |           |           |           |
| Partner                                                      | \$        | \$        | \$        |
| Manager                                                      | \$        | \$        | \$        |
| Staff                                                        | \$        | \$        | \$        |

The undersigned agrees to provide auditing services for the Shore Regional Board of Education in accordance with the Request for Proposal-Auditing Services, and any amendments or clarifications, and accepts the terms therefore as binding contractual obligation if the following proposal is accepted.

Name of Firm: \_\_\_\_\_

Address of Firm: \_\_\_\_\_

Telephone: \_\_\_\_\_

Signature: \_\_\_\_\_

Printed Name and Title: \_\_\_\_\_