

**WASHINGTON BOROUGH BOARD OF EDUCATION  
NOTICE OF SOLICITATION  
REQUEST FOR BIDS -  
HEALTH INSURANCE BROKERAGE SERVICES**

**Notice of Solicitation**

Notice is hereby given that pursuant to the provisions of N.J.S.A. 19:44A-20, New Jersey Pay to Play, and other legislative enactments, more specifically Chapter 271 of the laws of the State of New Jersey, the Washington Borough Board of Education located at 300 West Stewart Street, Washington, New Jersey 07882 is seeking Bids for professional services to be provided to the Board of Education as listed below for the period January 5, 2015 to January 5, 2015.

**Health Insurance Brokerage Services**

Requests for Bids are on file at the Business Administrator/Board Secretary's office at 300 West Stewart Street, Washington, New Jersey 07882, and may also be downloaded from the Board of Education's website.

All Bids must be received by the Board of Education Business Administrator/Board Secretary no later than **10:00 a.m. on Wednesday, November 5, 2014** at the Board of Education office located at 300 West Stewart Street, Washington, New Jersey 07882. All questions concerning this notice should be addressed to the Business Administrator/Board Secretary, Tim Mantz, at 908-689-7630.

**Minimum Required Information/Documentation:**

One (1) original and five (5) copies of the Health Insurance Brokerage Service Bids response are to be received no later than 10:00 a.m. on November 5, 2014 at the Board of Education Office located at 300 West Stewart Street, Washington, New Jersey 07882. **No facsimile or e-mail submissions will be accepted.**

1. The submission must be concise and clear. Elaborate brochures or other presentations are not desired.
2. The Broker acknowledges that he/she has read this Bid Request, understands it, and agrees to be bound by its terms and conditions.
3. The Washington Borough Board of Education reserves the right to reject any or all Bids in whole.
4. Any departures from the specification must be noted. Any conditions or terms must be written and included with the Bid.

5. Participating Brokers must be licensed and authorized to transact business in the State of New Jersey and have a favorable record with the State of New Jersey, Department of Insurance.

6. Insurance Plan Administration: For those coverages written, timeliness is essential and the selected broker shall agree to place coverage and issue binders prior to each policy's respective expiration. Policies and/or endorsements are expected to be provided as soon as practicable after inception or renewal of the respective contract. The selected broker will negotiate on the Board's behalf for the renewal of such policies/endorsements.

7. Access to Records: The selected broker must agree to provide full and free access to those records maintained with respect to the insured, as well as other books, records, and information reasonable related to the scope of services provided by the broker to the Washington Borough Board of Education.

8. Expenses: The selected broker will agree that he/she is responsible for his/her own expenses including travel and meals incurred in servicing the insured's account. Any extraordinary expenses that the broker expects to incur as the result of providing such special services to the insured should be delineated and agreed to in advance.

9. Schedule of Insurance: On an annual basis, the selected broker will provide the Board of Education with a schedule detailing the coverages placed through the Broker. Allocation of premium should be provided as required by the School District. Additional schedules must also be provided as needed by the School District.

10. A Bid response will not be valid and will not be read unless the following items are included in the submission:

- New Jersey Business Registration
- Disclosure Statement
- Non-Collusion Affidavit
- W-9
- Political Contribution Disclosure Form
  
- Responders must comply with the requirements of N.J.S.A. 10:5-31 et. seq. (P.L. 1975. C.127), N.J.A.C. 17:27 et. seq. Laws Against Discrimination. (See Exhibit A and attachments)

**Late Submissions:**

Responses received in the office of the Washington Borough Board of Education after the date and time prescribed shall not be opened and will be returned unopened to the Broker.

**Scope of Services:**

The Broker must:

1. Assist and manage the budget planning process, including examining and evaluating the impact of expected rate changes.
2. Provide the central administration with reasonable preliminary renewal figures during the budget process.
3. Be responsible for negotiating annual renewal of existing coverage.
4. Examine funding alternatives for all lines of business including State Health Benefits Plan.
5. Provide cost projections for the alternative design of current health benefit programs.
6. Prepare all necessary bid specifications, in the event the coverage is marketed, and evaluate all bids that are received.
7. Assist the District in evaluating and settling employee grievances relating to health benefit issues.
8. Provide updates and regulatory bulletins related to potential legislative changes and regulations affecting the Board of Education.
9. Be available to attend Board of Education meetings, committee meetings, and budget and negotiation meetings, whenever necessary.
10. Assist the Business Administrator with required employee presentations.
11. Broker must provide COBRA administration services.
12. Broker must provide assistance with open enrollment, new hire meetings, and other employee education and support services.
13. Broker is expected to provide web-based initiatives to supplement employee education and support services.

**Term:**

The length of term for the Health Benefits Brokerage Services will begin on January 5, 2015 and continue through and including January 5, 2016.

**Current Health Benefits Carriers:**

The major carriers are:

- Medical– New Jersey State Employees Health Benefits Program
- Prescription - New Jersey State Employees Health Benefits Program
- Dental – Delta Dental

**Minimum Qualifications:**

1. The Broker shall have five (5) or more licensed professionals on staff whose major focus and work has been and remains providing professional services to and advising public entities.
2. The Broker shall have at least five (5) years experience in representing public entities.
3. The Broker shall designate three (3) professionals who will be assigned to represent the interest of the School District. Each of these individuals shall have been admitted and/or licensed in his/her profession and be in good standing.
4. The Broker and individuals assigned to work with the School District shall be well versed in all aspects of the School District's coverage.
5. The Broker must maintain a current principal office within the State of New Jersey.

**Pertinent Broker Information:**

All submissions must include responses to the “Submitting Broker Response Form” provided.

**Evaluation of Submissions:**

The Board of Education intends to award a Health Benefits Brokerage Services contract for the defined scope of work under the Fair and Open Process in accordance with N.J.S.A. 19:44A-20.4 et seq.

**Basis for Award of Contract/Agreement for Professional Services:**

The Board shall award all professional service contracts or agreements based on qualifications, merit and cost competitiveness. Selection criteria will include:

1. Qualifications of the individual who will perform the service or activity and overall knowledge and familiarity with the operations of the School District.

2. Qualifications and experience of the other members of the professional's firm and experience of the firm providing similar services to other public bodies, with special emphasis on experience in New Jersey.
3. Ability to perform the service or activity in a timely fashion, including staffing and staff's familiarity with the service or activity.
4. The award will include, but not limited to, all of the above listed requirements.
5. Evaluators may arrange for discussions with Brokers submitting responses, if required, for the purpose of obtaining additional clarification. Should submissions require additional clarification and/or supplementary information, Brokers should be prepared to submit same in a timely manner.
6. Submissions that, after discussion and submission of additional clarification and/or supplementary information, are determined to meet the specifications, will be classified as "acceptable." Submissions found not to meet the specifications will be classified as "unacceptable" and no further discussion concerning same will be conducted.
7. Based upon evaluation and review, evaluators shall recommend a contract with the highest qualified Company classified as "acceptable" to the Board of Education.
8. Brokers are advised that in the event of receipt of an adequate number of submissions which require no clarification and/or supplementary information, such submissions may be evaluated without any further discussion.
9. Each submission shall be evaluated in accordance with the criteria set forth below:
  - Responsiveness to Bid questions
  - Recommendation of references
  - Value of benefits proposed

Any questions regarding this Request for Bids should be directed to Mr. Tim Mantz, School Business Administrator/ Board Secretary of the Washington Borough School District at (908) 689-7630

**Please submit (1) original and (5) copies of the Bid to:**

**Tim Mantz, Business Administrator/Board Secretary  
Washington Borough Board of Education  
300 West Stewart Street  
Washington, New Jersey 07882**

All Submissions must be received at the School District's Administrative Office by 10:00 a.m. Wednesday, November 5, 2014. **Submissions received after the date and time noted in the Bid Package shall not be considered.** Please clearly mark your proposal "Health Insurance Broker Services."

## **SUBMITTING BROKER RESPONSE FORM**

You must *clearly* address all of the following points in your submission for health insurance brokerage services. If you feel that an individual item is not applicable, you must *clearly* indicate this in your Bid response.

1. Name of firm.
2. Location of firm main office and branches.
3. How many years has the firm been in business of dealing with New Jersey Boards of Education?
4. List total number of employees dedicated to servicing group health insurance clients, and the total number of service employees who hold a license in the life and medical authorities.
5. Please highlight the employees of your firm that will be assigned to the Washington Borough Board of Education. Resumes of each employee must be included.
6. List total volume of group health premiums, excluding the NJ State Health Benefits Program, for School District clients only for the periods of 2011, 2012, and 2013.
7. Describe your relationship with the Washington Borough Board of Education's existing Health, Prescription, and Dental carriers and corresponding premium managed.
8. Please provide a minimum of five (5) current NJ Board of Education clients with over 30 covered employees for the health insurance brokerage services for which you are proposing. Provide contact information for all of the above as references.
9. Describe the proposed management of the account as specifically as possible. Your response must indicate that overall coordination of the account will be placed with an identified account manager. The individual's functions should be clearly described and any support personnel should also be identified and their role defined.
10. Describe your experience and approach to the development of alternative program design and funding methods.
11. Claims Administration: Specify the services that will be provided. The broker should be able to demonstrate "in house" expertise or provide recommendations where subcontracting claims handling is deemed necessary. The board will rely on the broker provided claims service (including carrier services provided), as well as any other alternative services available to properly respond to the needs of the School District as a whole.

12. How will the designated account team work with the district administrators and staff in implementing any new and/or existing programs?
13. Indicate the services your firm routinely performs for its clients.
  - Describe those areas in which your firm directly interacts with employees (e.g., involvement with the enrollment process, written communications, employee meetings, etc.)
14. Does your firm provide a toll free number and internet access? Will that access be available to administrators and employees?
15. Describe how your firm would develop specifications for competitive health insurance policy quotes and provide this information to the Business Administrator and/or Board of Education.
16. Describe your firm's involvement in the collective bargaining process.
17. If a change in carriers were warranted, how would your firm outline the implication of the change on employees?
18. Describe how your firm reviews all plan documents for compliance with applicable laws and contracted agreements.
19. List all organizations related to NJ Public Education in which your firm holds membership.
20. Indicate any additional information or services that may be of relevance to this Bid.
21. Describe how your firm expects to be compensated for the scope of work specified in this Bid.

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

Re. Proposal for the WASHINGTON BOROUGH BOARD OF EDUCATION.  
RFP Proposal Date:

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

<u>Corporation--</u>	<u>Limited Partnership--</u>
<u>Partnership--</u>	<u>Limited Liability Corp.--</u>
<u>Sole Proprietorship--</u>	<u>Limited Liability Partnership--</u>
<u>Sub Chapter S Corp--</u>	<u>Other-</u>

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>Percentage (%) 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



**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (con't)**

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

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Names of Principals

Title

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

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

*Address* \_\_\_\_\_

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

Authorized Agent \_\_\_\_\_ Title \_\_\_\_\_

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*SIGNATURE OF AUTHORIZED AGENT*

**Intentionally Left Blank**

**Insert W-9**

**NON-COLLUSION AFFIDAVIT**

**Title of Proposal**

Re: Proposal for the WASHINGTON BOROUGH BOARD OF EDUCATION.

STATE OF \_\_\_\_\_)

Date:

: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

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 City of Washington 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 \_\_\_\_\_, \_\_\_\_\_ - Seal -  
Month Day Year

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

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

**Reportable Contributions**

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

The Business Entity may attach additional pages if needed.

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

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

**Certification**

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

Name of Authorized Agent \_\_\_\_\_

Signature \_\_\_\_\_ Title \_\_\_\_\_

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## 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.**

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

**P.L. 2005, c.271**

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

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

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

**40A:11-51** 1. a. A county, municipality, independent authority, board of education, or fire district is hereby authorized to establish by ordinance, resolution or regulation, as may be appropriate, measures limiting the awarding of public contracts therefrom to business entities that have made a contribution pursuant to P.L.1973, c.83 (C.19:44A-1 et seq.) and limiting the contributions that the holders of a contract can make during the term of a contract, notwithstanding the provisions and parameters of sections 1 through 12 of P.L.2004, c.19 (C. 19:44A-20.2 et al.) and section 22 of P.L.1973, c.83 (C.19:44A-22).

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

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

**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; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

The provisions of this section shall not apply to a contract when a public emergency requires the immediate delivery of goods or services.

b. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

c. As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction;

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate; and

"State agency" means any of the principal departments in the Executive Branch of the State Government, and any division, board, bureau, office, commission or other instrumentality within or created by such department, the Legislature of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

**19:44A-20.13** 3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year \$50,000 or more in the aggregate through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.

b. The commission shall prescribe forms and procedures for the reporting required in subsection a. of this section which shall include, but not be limited to:

(1) the name and mailing address of the business entity making the contribution, and the amount contributed during the 12 months prior to the reporting deadline;

(2) the name of the candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, candidate committee, joint candidates committee, political party committee, legislative leadership committee, political committee or continuing political committee receiving the contribution; and

(3) the amount of money the business entity received from the public entity through contract or agreement, the dates, and information identifying each contract or agreement and describing the goods, services or equipment provided or property sold.

c. The commission shall maintain a list of such reports for public inspection both at its office and through its Internet site.

d. When a business entity is a natural person, a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by: all principals, partners, officers, or directors of the business entity, or their spouses; any subsidiaries directly or indirectly controlled by the business entity; or any political organization organized under section 527 of the Internal Revenue Code that is directly or indirectly controlled by the business entity, other than a candidate committee, election fund, or political party committee, shall be deemed to be a contribution by the business entity.

As used in this section:

"business entity" means a natural or legal person, business corporation, professional services corporation, limited liability company, partnership, limited partnership, business trust, association or any other legal commercial entity organized under the laws of this State or of any other state or foreign jurisdiction; and

"interest" means the ownership or control of more than 10% of the profits or assets of a business entity or 10% of the stock in the case of a business entity that is a corporation for profit, as appropriate.

e. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be determined by the commission which may be based upon the amount that the business entity failed to report.

4. This act shall take effect immediately.

**List of Agencies with Elected Officials Required for Political Contribution Disclosure  
N.J.S.A. 52:34-25**

**County Name:**

State: Governor, and Legislative Leadership Committees

Legislative District #:

State Senator and two members of the General Assemble per District.

**County:**

Freeholders

County Clerk

Sheriff

Surrogate

Registrar of Deeds

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

Boards of Education (Members of the Board):


Fire Districts (Board of Fire Commissioners):

**Users should download form from [www.nj.gov/dca/lgs/p2p](http://www.nj.gov/dca/lgs/p2p), a county based, customizable form.**



**EXHIBIT A**  
**MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**  
**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**  
**N.J.A.C. 17:27**

**GOODS, PROFESSIONAL SERVICE 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 ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, 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 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 will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter 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 meet targeted county employment goals established in accordance with 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, and labor unions, that it does not discriminate on the basis of age, race, 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, race, 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 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

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

(REVISED 4/10)

AFFIRMATIVE ACTION QUESTIONNAIRE

Date:

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

1. Our company has a federal Affirmative Action Plan approval.  Yes  No  
*If yes*, please attach a copy of the plan to this questionnaire.

2. Our company has a N.J. State Certificate of Employee Information Report  Yes  No  
*If yes*, please attach a copy of the certificate to this questionnaire.

3. If you answered “NO” to both questions No. 1 and 2, you must apply for an Affirmative Action Employee Information Report – Form AA302.

Please visit the New Jersey Department of Treasury website for the Division of Public Contracts Equal Employment Opportunity Compliance: [www.state.nj.us/treasury/contract\\_compliance/](http://www.state.nj.us/treasury/contract_compliance/)

- Click on “Employee Information Report”
- Complete and submit the form with the appropriate payment to:

Department of Treasury  
Division of Public Contracts/EEO Compliance  
P.O. Box 209  
Trenton, NJ 08625-0002

All fees for this application are to be paid directly to the State of New Jersey. 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: \_\_\_\_\_

Signature \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

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

Address \_\_\_\_\_

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

*To be completed, signed and submitted with the proposal form.*