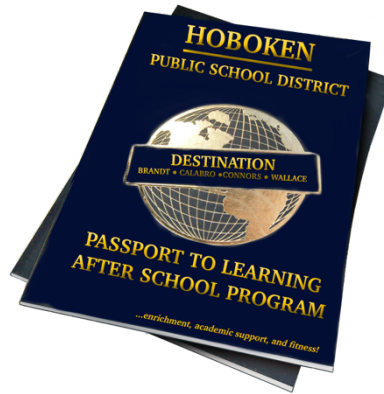


Request for Proposal (RFP)

Passport to Learning After-school Enrichment Program



Pow! Zap! Comic Kids! Grades 3-6

| |
|---|
| RFP ISSUED: Friday, August 11, 2017 RFP DUE: Thursday, August 31, 2017 |
|---|

STATEMENT OF CONFIDENTIALITY

This document contains information confidential and proprietary to the Hoboken Board of Education and its affiliates (together referred to as "HBE").

All non-public, bid-related information provided by the HBE to the bidding vendor (Offeror) submitting proposals in conjunction with this Request for Proposal ("RFP") process shall be considered proprietary and treated as confidential. The information may be used only for the purpose of preparing a response to the RFP and may not be used for any other purpose without written authorization of HBE.

Once submitted, proposals become the property of HBE and will not be returned to Offerors. Offerors shall acquire no right to use, and shall not use, without HBE's prior written consent, the terms or existence of this RFP, the names, characters, artwork, designs, copyrighted materials, trademarks or service marks of HBE, its schools, students, employees, directors, or district: (a) in any advertising, publicity, press release, client list, presentation or promotion; or (b) to express or to imply any endorsement of Offeror or Offeror's services.

If the Offeror is unwilling to treat this document and all accompanying materials as confidential, the Offeror shall return this document and decline to participate in the process.



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

ADVERTISEMENT

HOBOKEN BOARD OF EDUCATION REQUEST FOR BIDS AND PROPOSALS (RFP)

The Hoboken Board of Education seeks Requests for the following:

PASSPORT TO LEARNING AFTER-SCHOOL PROGRAM

| RFP Number | Name |
|-------------------|------------------------------|
| 01-1718 | Fairytale Theatre |
| 02-1718 | Feet of Wonder |
| 03-1718 | Chess Nuts |
| 04-1718 | Mixed Media Arts |
| 05-1718 | Pow Zap Comic Kids |
| 06-1718 | Sparking Creativity |
| 07-1718 | Young Zoologists in Training |

Submission Requirements Information, Bid forms, RFP forms, disclosure statements and requirements will be available as of **Friday, August 11, 2017** and shall be posted on the District Website at www.hoboken.k12.nj.us and may be picked up at the Office of the Business Administrator, Mr. William Moffitt.

The completed Bid(s) or RFP(s) including all applicable documents as specified in the Bid specifications must be received by the Business Office no later than:

4:00 PM on Thursday, August 31, 2017

The Board of Education reserves the right to reject any or all bids pursuant to N.J.S.A. 18A:18A-2(s), (t), (x), (y), 18A:18A-4(a), 18A:18A-22, and to waive any informalities. The Board further reserves the right to take such alternates as they deem appropriate, and in any order that the Board feels may be in the best interest of the Hoboken Board of Education.

Proposals must be submitted on the proposal forms in the manner designated, enclosed in a sealed envelope bearing the name and address of the submitter on the outside of the envelope along with the number and name of the Bid or RFP and must be delivered to the Business Administrator at the place noted below and by the hour named.

The HBOE assumes no responsibility for bids mismailed or misdirected.

All Original Bids and RFP documents are to be mailed to:

Mr. William Moffitt, Business Administrator
Hoboken Board of Education
158 Fourth Street
Hoboken, New Jersey 07030



**HOBOKEN BOARD OF EDUCATION
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INTENT TO BID FORM

Request for Proposal

Passport to Learning – Pow! Zap! Comic Kids! (3 - 6)

Intent to Bid Form

Requested by: 4:00PM, Monday, August 21, 2017

To: William Moffitt
Business Administrator
Hoboken Board of Education

From: _____ Company Name
_____ Contact Person's Name

Please state your intentions with regard to this RFP by checking one of the boxes below:

- ☐ We intend to respond to this RFP by the specified due date
- ☐ We are not responding to this RFP and will delete e-mails and destroy all associated materials by August 21, 2017

Company Name

Contact Person

Date Submitted

Please return this form via email to purchasing@hoboken.k12.nj.us



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1. INTRODUCTION

1.1 Hoboken Public Schools ("HPS") Overview

The Hoboken Public Schools comprise a diverse urban district serving approximately 2,700 students in grades K-12 across five schools: Joseph F. Brandt Primary School, Salvatore R. Calabro Elementary School, Thomas G. Connors Elementary School, Wallace Elementary School, and Hoboken Junior-Senior High School. The Passport to Learning program targets HPS elementary students (K-6) attending Brandt, Calabro, Connors or Wallace.

1.2 Background to Passport to Learning

Passport to Learning is a comprehensive elementary after-school program launching for the 2017-18 school year. The program holistically extends and enhances the school day, providing the following to each registered student: a post-dismissal organization/snack period; a learning-based enrichment offering of their choosing; academic support/challenge and homework help; structured play; and dinner. The program runs from dismissal until 6 pm, but parents can register for one 1 of 3 itineraries with various exit points during that time period. Passport to Learning is affordable and accessible to all HPS students in grades K-6 at their home schools. HPS is looking for potential vendors to help execute the learning-based enrichment offering outlined below.

2. SCOPE OF WORK

2.1 Overview

Instructors are to provide an avenue for students to develop their visual creativity and written communication skill using various forms of media to develop comic books. Instructors will work with the Journey Magazine staff to digitally display students work in the Passport to Learning Magazine. Students will design their own comic books, developing a story, a superhero and other characters as they experiment with a wide range of art materials. Instructors will host at least one art show, showcasing student work at the school.

As part of its Passport to Learning initiative, Hoboken Public Schools has done an assessment of our needs for a comprehensive afterschool program for Pow! Zap! Comic Kids! which will run in each of the following schools as follows:



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| School | Program Dates | Program Times | Grade Span |
|---------|--|---------------|------------|
| Calabro | Tuesday and Thursdays <u>September 2017</u> 12, 14, 19, 26, 28 <u>October 2017</u> 3, 5, 10, 12, 17, 19, 24, 26, 31 <u>November 2017</u> 2, 7, 14, 16, 21, 28, 30 <u>December 2017</u> 5, 7, 12, 14, 19, 21 <u>January 2018</u> 4, 9, 11, 16, 18, 23, 25, 30 | 3:15 -4:15 | 3-6 |
| Connors | Tuesday and Thursdays <u>September 2017</u> 12, 14, 19, 26, 28 <u>October 2017</u> 3, 5, 10, 12, 17, 19, 24, 26, 31 <u>November 2017</u> 2, 7, 14, 16, 21, 28, 30 <u>December 2017</u> 5, 7, 12, 14, 19, 21 <u>January 2018</u> 4, 9, 11, 16, 18, 23, 25, 30 <u>February 2018</u> 1 | 3:15 -4:15 | 3-6 |
| Wallace | Monday and Wednesdays <u>September 2017</u> 11,13, 18, 20, 25, 27 <u>October 2017</u> 2, 4, 11, 16, 18, 23, 30 <u>November 2017</u> 1, 6, 8, 13, 15, 20, 27, 29 <u>December 2017</u> 4, 6, 11, 13, 18, 20 <u>January 2018</u> 3 ,8, 10, 17, 22, 24, 29, 31 | 3:15-4:15 | 3-6 |

3. SERVICE PROVIDER REQUIREMENTS

3.1 Overall Requirements

- We are looking for vendors who have art and literacy expertise to partner with us and support the curriculum objectives that has been developed for our students. This may include (where appropriate) providing tools and materials to enhance student learning. Additionally, proposals should include a relevant field trip in New Jersey or New York City for the purposes of learning and critical thinking
- Please demonstrate in your proposal how you would incorporate participation in external age-appropriate competitions, internal and external related showcase of work pieces/events, as well as partnering with our District Magazine to provide monthly updates on the



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achievements of the program into your proposal. In addition, we would like to understand what enablers and program structure would be required to ensure the results are sustainable.

- Given this is program, we need a partner who brings a strong elementary or middle school teaching background and expertise in mathematics to share insights and best practice strategies

3.2 Relevant Past Experience

- Please share case studies or examples of where you have conducted similar work for each of the categories noted in the scope of work. Provide the situation, approach and results. It would be helpful if you have examples that cover multiple school districts.

3.3 Organization / Team Structure

- Please describe how you would resource and structure a team to deliver the goals and objectives as outlined in this scope of work
- Please specify how you will deal with contingencies (e.g. last minute leave) to ensure continuity of the services
- Include detailed resumes of all personnel expected to participate in the execution of your proposal. Please indicate the responsibilities and expertise by each resource offered

3.4 Implementation Timeline

- Prepare the timeline based on your expectation to implement this curriculum.

3.5 Proposal Fees

- Please provide total fees for you to deliver the program. The fees should be broken up by school, by grade level, and by student level
- We may not move forward with the full scope of work and may select certain portions to pursue and not others. Therefore, please provide transparency in your fees by sharing a rate card per student against the proposed staffing model.
- Provide any suggestions to reduce the total fees required

3.6 Additional Material

- Please specify any other opportunities to add value in the HBE business not described within the current scope of services proposed but may be deemed necessary and/or value additive (e.g., additional categories to be pursued, technology support available within your firm, re-engineering of curriculum, other approaches, etc.

3.7 Selection Criteria

Final vendor selection will be based upon the vendor's ability to meet the requirements desired by HBE, as well as the commercial proposals tabled.



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3.8 Terms and Conditions

All information contained within the RFP package, as well as information which is acquired during the course of preparing a response for this process, is confidential and proprietary to HBE.

HBE reserves the right to select and negotiate with those Offerors it judges qualified for competitive bidding and to terminate negotiations without incurring any liability. HBE also reserves the right to reject any or all proposals received without explanation.

HBE reserves the right to adjust or change selection criteria at its discretion. HBE also reserves the right to accept or reject any and all responses at its discretion and to negotiate the terms of any subsequent agreements.

Agreements with selected Offerors will be subject to the Offeror's services passing HBE's detailed approval processes for each school the Offeror has been asked to serve.

HBE reserves the right to withdraw any offer if any aspect of the Offeror's service to HBE does not fully meet HBE's requirements.

4. INSTRUCTIONS TO SUPPLIERS

4.1 Process

Your company has been selected to receive this RFP for Hoboken Public Schools Passport to Learning program based on our review of your business and ability to provide the required services as described in this document.

The proposal process may consist of:

1. Notice of your intent to bid
2. Internal review of submitted proposal
3. Oral presentation of proposal materials
4. Formal selection of winning bid

RFP Timeline and Milestones

HBE may at any time refine the selection process and/or the timeline as appropriate. Offerors must respond to this RFP by end of business (4:00 PM EST) on the dates listed below unless otherwise instructed. Any Offeror unable to meet this timeline should contact us immediately via email. Failure to meet any date may result in the disqualification from the RFP process.



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| RFP Timeline | Date |
|---|--|
| HPS Issues RFP | 11 August 2017 |
| Questions & Answers Period (Deadline for Question Submission) | 21 August 2017 |
| RFP Opening | 31 August 2017 |
| RFP Evaluation Period | Sept. 1, 2017 – no later than September 12, 2017 |
| Bid Award Notification | As soon as practicable, but no later than September 13, 2017 |
| Implementation Start Date | As soon as practicable, but no later than September 13, 2017 |

4.2.1 Q&A

Offerors may submit questions related to the RFP during the Q&A period, via email only. Answers to questions during the Q&A period will be posted to the district's RFP - RFQ - RFB page (http://www.hoboken.k12.nj.us/central_office/business_office/rfp_rfqrfb). **It is the responsibility of all interested parties to monitor the website periodically during the Q&A period.**

4.2.2 Closing Date

All RFP Response Packages shall be received no later than the due date specified in the timeline above. It is the Offeror's sole responsibility to ensure that the RFP Responses are delivered at the proper time. HBE reserves the right to disqualify any Offeror from this process who fails to provide the requested information by the closing date and time indicated. In the event that an extension is granted to any Offeror, all respondents will be given the benefit of the new deadline.

4.2.3 Submission Format and Proposal Validity

The RFP Response Package, including the Letter of Transmittal, any appendix or accompanying material must be addressed to:

Mr. William Moffitt, Business Administrator
Hoboken Board of Education
158 Fourth Street
Hoboken, NJ 07030

Electronic Copy to: purchasing@hoboken.k12.nj.us

Offerors are to include:

- One original RFP Response Package with original signature
- One electronically submitted RFP Response Package
- Please Reference: **Passport to Learning: Pow! Zap! Comic Kids!**

Documents that **must be submitted** with the RFP Response Package

- Proposal Form (Exhibit A)
- Affirmative Action Questionnaire (Exhibit D)
- Vendor Questionnaire/Certification (Exhibit E)
- Non-Collusion Affidavit (Exhibit F)
- Stockholders Disclosure Statement (Exhibit G)



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- Chapter 271 Political Contribution Disclosure Form (Exhibit H)
- Nuclear Free Hoboken Ordinance (Exhibit I)
- Disclosure of Investment Activities in Iran (Exhibit J)
- New Jersey Business Registration Certificate
- W-9 Form; *omission of the W-9 will seriously delay review of the proposal*

Supplier brochures or any other form of marketing literature may be submitted for supplemental information purposes only. The proposal must be valid for a period of ninety (90) calendar days from the submission date. HBE wants to allow sufficient time to review each proposal, select the vendor and award the contract. Arrangements contrary to this time frame should be disclosed in the proposal.

4.2.4 Oral Presentations

After a review of the RFP responses, HBE will select Offeror finalists for oral presentations. The oral presentations will be held at HBE's administrative offices in Hoboken, New Jersey. Offerors will be notified of their specific presentation date, location and time approximately one week prior. If you are invited to the oral presentations, you will be asked to prepare a MS Power Point presentation summarizing the key elements of your RFP response. The primary purpose of the oral presentation is to allow each Offeror time to further explain and clarify their proposals and offerings. Offeror presentations will be limited to one hour, including time for questions and answers. Further instructions will be provided at a later time.

4.2.5 Incurred Costs

HBE shall not, in any way, be responsible for any costs incurred by the Supplier in preparing, reproducing, distributing and presenting its RFP Response Form.

4.2.6 Content and Format of RFP Responses

For purposes of evaluating your proposal, HBE will treat a failure to respond in the format requested or an ambiguous response as unacceptable and incomplete. Failure to comply with the requirements of the RFP may, at the sole discretion of HBE result in disqualification and the elimination of the Offeror from further consideration. Any additional information not specifically requested may be included in a separately designated appendix located at the end of the proposal package, with the understanding that this information does not substitute for a direct answer to a question. Submitted documentation should be confined to the relevant items requested in the RFP bid document. Offerors should refrain from redirecting answers to other locations in the proposal. HBE shall deem all proposals as firm representations made by the Offeror and may be considered contractually binding.

Contact Details

For the purposes of this RFP process, the following individual should be the point of contact between your company and Hoboken Board of Education. All questions or requests for clarification should be directed via email:

Hoboken Board of Education / Business Office
purchasing@hoboken.k12.nj.us

Use of alternative communications channels is discouraged and may result in an unfavorable review of your proposal.



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5. AWARD OF CONTRACT

5.1 Terms and Conditions

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

5.1.1 Authorization to Work

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

5.1.2 Contract

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

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

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

Within ten (10) days of receipt of notification of award of contract, the executed contracts and related documents must be returned to:

Mr. William Moffitt, Business Administrator
Hoboken Board of Education
158 Fourth Street
Hoboken, NJ 07030

5.1.3 Termination of Contract

If HBE determines that the contractor has failed to comply with the terms and conditions of the bid and/or proposal upon which the issuance of the contract is based or that the contractor has failed to perform said service, duties and or responsibilities in a timely, proper, professional and/or efficient manner, then HBE shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

Termination by HBE of the contract does not absolve the contractor from potential liability for damages caused the District by the contractor's breach of this agreement. The HBE may withhold payment due the contractor and apply same towards damages once established. The HBE will act diligently in accordance with governing statutes to mitigate damages. Damages may include the additional cost of procuring said services or goods from other sources.

The contractor further agrees to indemnify and hold the District harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

5.1.4 Interpretations and Addenda

No interpretation of the meaning of the specifications will be made to any Respondent orally. Every request for such interpretations should be made in writing to the Purchasing Agent and must be received at least ten (10) days prior to the date fixed for the opening of Proposals to be



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given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of written addenda to the specifications. The addenda will be provided in accordance with N.J.S.A. 18A:18A-21(c) to the respondents by certified mail or certified fax no later than seven (7) days Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of Proposals. All addenda so issued shall become part of the contract document.

5.1.6 Subcontracting; Assignment of Contract

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

6. DISCLOSURE REQUIREMENTS

6.1 Affirmative Action Requirements ****REQUIRED****

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

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

Please note: A completed and signed Affirmative Action Questionnaire is required with submission of proposal. 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.

6.2 Business Registration Certification (N.J.S.A. 52:32-44) ****REQUIRED****

Pursuant to N.J.S.A. 52:32-44 as amended by P.L. 2004 – Chapter 57, all respondents shall submit with their proposal package a copy of their "New Jersey Business Registration Certificate" as issued by the Department of Treasury of the State of New Jersey. Failure to provide the New Jersey Business Registration Certification with the proposal package may be cause for the rejection of the entire proposal.

Goods and Services 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



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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.

6.3 False Material Representation (N.J.S.A. 2C:21-34-97(b))

A person commits a crime if the person knowingly makes a material representation that is false in connection with the negotiation, award or performance of a government contract. If the contract amount is for \$25,000.00 or above, the offender is guilty of a crime of the second degree. If the contract amount exceeds \$2,500.00, but is less than \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.00 or less, the offender is guilty of a crime of the fourth degree.

6.4 Political Contribution Disclosure Statement – Pay to Play **IF APPLICABLE*

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

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

Award of Contract -- Reportable Contributions -- N.J.A.C. 6A:23A-6.3 (a2)

"No board of education will vote upon or award any contract in the amount of \$17,500 or greater to any business entity which has made a contribution reportable by the recipient under P.L.1973, c83 (codified at N.J.S.A. 19:44A-1 et. seq.) to a member of the board of education during the preceding one year period."

Contributions During Term of Contract – Prohibited -- N.J.A.C. 6A:23A-6.3 (a2,3)

"Contributions reportable by the recipient under P.L. 1973, c83 (codified at N.J.S.A. 19:44A-1 et. seq.) to any member of the school board from any business entity doing business with the school district are prohibited during the term of the contract."

"When a business entity referred in 4.1(e) is a natural person, contribution by that person's spouse or child that resides therewith, shall be deemed to be a contribution by the business entity. When a business entity is other than a natural person, a contribution by any person or other business entity having an interest therein shall be deemed to be a contribution by the business entity."



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|--|
| 6.5 Chapter 271 Political Contribution Disclosure Form (N.J.A.C. 6A:23A-6.3 (a4)) ** REQUIRED** |
|--|

All bidders shall submit with their bid package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the district to determine whether the vendor is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a2) Award of Contract.



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Proposal Form (EXHIBIT A)

Passport to Learning: Pow! Zap! Comic Kids!

RFP 05-1718

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

Name _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Federal Tax ID Number _____

Phone Number () _____ Extension _____

Fax No. () _____ E-Mail _____

Authorized Agent _____ Title _____

Agent's Signature _____ Date _____

All proposals must be received no later than August 31, 2017 at 4:00 PM



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

ETHICS IN PURCHASING (EXHIBIT B)

Statement to Vendors

School District Responsibility

Recommendation of Purchases

It is the desire of the HBE to have all its employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies, and services.

School officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 18A:18A-1 et.seq.

Solicitation/Receipt of Gifts – Prohibited

School officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the HBE

Vendor Responsibility

Any vendor doing business or proposing to do business with the HBE, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the HBE or to any member of the official's or employee's immediate family.

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the HBE, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors will be asked to certify that no official or employee of the HBE or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the HBE.



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Mr. William Moffitt
Business Administrator

Phone: 201.356.3610
Fax: 201.356.3642

TO: All Vendors

UNAUTHORIZED ORDERS (EXHIBIT C) Official Notification

Authorized Purchases

The HBE only recognizes purchases made through the approved purchase order process. All purchases require a:

Written Purchase Order with authorized signatures and a Purchase Order Number.

Unauthorized Purchases

Any HBE employee who orders and/or receives any materials, supplies or services without first going through the approved purchase order process has made an unauthorized purchase.

Vendors' Responsibility

➤ Do NOT Honor Requests!

Vendors are not to honor or accept any requests for goods or services unless the vendor receives a written purchase order with authorized signatures and a purchase order number.

➤ Contact the Business Office!

Please alert Ms. Donna Perez at 201.356.3618 if any HBE employee attempts to place an order without an authorized purchase order.

➤ You will NOT Get Paid!

The HBE will not be held responsible for any unauthorized orders or purchases.

Authorized Signatures

The HBE will only recognize purchase orders signed by:

Mr. William Moffitt, Business Administrator



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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; or
- Employee Information Report Form AA-302 (electronically provided by the Division and distributed to the public agency through the Division's website at: [http:// 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 Purchase & Property, CCAU, EEO Monitoring Program 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 Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to N.J.A.C. 17:27-1.1 et seq.

(Revised: January, 2016)



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

AFFIRMATIVE ACTION QUESTIONNAIRE (EXHIBIT D)

This form is to be completed and returned with the proposal. However, the HBE 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

A. If yes, please attach a copy of the plan to this questionnaire.

2. Our company has a New Jersey State Certificate of Employee Information Report.

_____ YES _____ NO

A. If yes, please attach a copy of the certificate to this questionnaire.

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:

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

All fees for this application are to be paid directly to the Division. A copy shall be submitted to the HBE 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 _____



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

Form AA302
Rev. 11/11

STATE OF NEW JERSEY Division of Purchase & Property Contract Compliance Audit Unit EEO Monitoring Program

EMPLOYEE INFORMATION REPORT

IMPORTANT-READ INSTRUCTIONS CAREFULLY BEFORE COMPLETING FORM. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. DO NOT SUBMIT EEO-1 REPORT FOR SECTION B, ITEM 11. For instructions on completing the form, go to: http://www.state.nj.us/treasury/contract_compliance/pdf/aa302ins.pdf

SECTION A - COMPANY IDENTIFICATION

| | | |
|--|--|--|
| 1. FID. NO. OR SOCIAL SECURITY | 2. TYPE OF BUSINESS <input type="checkbox"/> 1. MFG <input type="checkbox"/> 2. SERVICE <input type="checkbox"/> 3. WHOLESALE <input type="checkbox"/> 4. RETAIL <input type="checkbox"/> 5. OTHER | 3. TOTAL NO. EMPLOYEES IN THE ENTIRE COMPANY |
| 4. COMPANY NAME | | |
| 5. STREET | CITY | COUNTY STATE ZIP CODE |
| 6. NAME OF PARENT OR AFFILIATED COMPANY (IF NONE, SO INDICATE) | | CITY STATE ZIP CODE |
| 7. CHECK ONE: IS THE COMPANY: <input type="checkbox"/> SINGLE-ESTABLISHMENT EMPLOYER <input type="checkbox"/> MULTI-ESTABLISHMENT EMPLOYER | | |
| 8. IF MULTI-ESTABLISHMENT EMPLOYER, STATE THE NUMBER OF ESTABLISHMENTS IN NJ | | |
| 9. TOTAL NUMBER OF EMPLOYEES AT ESTABLISHMENT WHICH HAS BEEN AWARDED THE CONTRACT | | |
| 10. PUBLIC AGENCY AWARDED CONTRACT | | |
| CITY COUNTY STATE ZIP CODE | | |

| | | | |
|-------------------|---------------|-------------|-------------------------------|
| Official Use Only | DATE RECEIVED | INAUG. DATE | ASSIGNED CERTIFICATION NUMBER |
|-------------------|---------------|-------------|-------------------------------|

SECTION B - EMPLOYMENT DATA

11. Report all permanent, temporary and part-time employees ON YOUR OWN PAYROLL. Enter the appropriate figures in all columns. Where there are no employees in a particular category, enter a zero. Include ALL employees, not just those in minority/non-minority categories. Columns 1, 2, & 3. **DO NOT SUBMIT AN EEO-1 REPORT.**

| JOB CATEGORIES | ALL EMPLOYEES | | | PERMANENT MINORITY OR NON-MINORITY BREAKDOWN | | | | | | | | | |
|--|---|----------------|------------------|--|----------|--------------|-------|--------------------|----------|--------------|-------|----------|--|
| | COL. 1 TOTAL (Cols. 2 & 3) | COL. 2 MALE | COL. 3 FEMALE | ***** MALE ***** | | | | ***** FEMALE ***** | | | | | |
| | | | | BLACK | HISPANIC | AMER. INDIAN | ASIAN | BLACK | HISPANIC | AMER. INDIAN | ASIAN | NON MIN. | |
| Officials/ Managers | | | | | | | | | | | | | |
| Professionals | | | | | | | | | | | | | |
| Technicians | | | | | | | | | | | | | |
| Sales Workers | | | | | | | | | | | | | |
| Office & Clerical | | | | | | | | | | | | | |
| Craftworkers (Skilled) | | | | | | | | | | | | | |
| Operatives (Semi-skilled) | | | | | | | | | | | | | |
| Laborers (Unskilled) | | | | | | | | | | | | | |
| Service Workers | | | | | | | | | | | | | |
| TOTAL | | | | | | | | | | | | | |
| Total employment From previous Report (if any) | | | | | | | | | | | | | |
| Temporary & Part-Time Employees | The data below shall NOT be included in the figures for the appropriate categories above. | | | | | | | | | | | | |
| | | | | | | | | | | | | | |

| | | |
|--|--|---|
| 12. HOW WAS INFORMATION AS TO RACE OR ETHNIC GROUP IN SECTION B OBTAINED? <input type="checkbox"/> 1. Visual Survey <input type="checkbox"/> 2. Employment Record <input type="checkbox"/> 3. Other (Specify) | 14. IS THIS THE FIRST Employee Information Report Submitted? 1. YES <input type="checkbox"/> 2. NO <input type="checkbox"/> | 15. IF NO, DATE LAST REPORT SUBMITTED MO. DAY YEAR |
| 13. DATES OF PAYROLL PERIOD USED From: To: | | |

SECTION C - SIGNATURE AND IDENTIFICATION

| | | | |
|--|-----------|--------|--|
| 16. NAME OF PERSON COMPLETING FORM (Print or Type) | SIGNATURE | TITLE | DATE MO DAY YEAR |
| 17. ADDRESS NO. & STREET | CITY | COUNTY | STATE ZIP CODE PHONE (AREA CODE, NO., EXTENSION) |



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

INSTRUCTIONS FOR COMPLETING THE EMPLOYEE INFORMATION REPORT (FORM AA302)

IMPORTANT: READ THE FOLLOWING INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE FORM. PRINT OR TYPE ALL INFORMATION. FAILURE TO PROPERLY COMPLETE THE ENTIRE FORM AND TO SUBMIT THE REQUIRED \$150.00 NON-REFUNDABLE FEE MAY DELAY ISSUANCE OF YOUR CERTIFICATE. IF YOU HAVE A CURRENT CERTIFICATE OF EMPLOYEE INFORMATION REPORT, DO NOT COMPLETE THIS FORM UNLESS YOU ARE RENEWING A CERTIFICATE THAT IS DUE FOR EXPIRATION. DO NOT COMPLETE THIS FORM FOR CONSTRUCTION CONTRACT AWARDS.

ITEM 1 - Enter the Federal Identification Number assigned by the Internal Revenue Service, or if a Federal Employer Identification Number has been applied for, or if your business is such that you have not or will not receive a Federal Employer Identification Number, enter the Social Security Number of the owner or of one partner, in the case of a partnership.

ITEM 2 - Check the box appropriate to your TYPE OF BUSINESS. If you are engaged in more than one type of business check the predominate one. If you are a manufacturer deriving more than 50% of your receipts from your own retail outlets, check "Retail".

ITEM 3 - Enter the total "number" of employees in the entire company, including part-time employees. This number shall include all facilities in the entire firm or corporation.

ITEM 4 - Enter the name by which the company is identified. If there is more than one company name, enter the predominate one.

ITEM 5 - Enter the physical location of the company. Include City, County, State and Zip Code.

ITEM 6 - Enter the name of any parent or affiliated company including the City, County, State and Zip Code. If there is none, so indicate by entering "None" or N/A.

ITEM 7 - Check the box appropriate to your type of company establishment. "Single-establishment Employer" shall include an employer whose business is conducted at only one physical location. "Multi-establishment Employer" shall include an employer whose business is conducted at more than one location.

ITEM 8 - If "Multi-establishment" was entered in item 7, enter the number of establishments within the State of New Jersey.

ITEM 9 - Enter the total number of employees at the establishment being awarded the contract.

ITEM 10 - Enter the name of the Public Agency awarding the contract. Include City, County, State and Zip Code. This is not applicable if you are renewing a current Certificate.

ITEM 11 - Enter the appropriate figures on all lines and in all columns. THIS SHALL ONLY INCLUDE EMPLOYMENT DATA FROM THE FACILITY THAT IS BEING AWARDED THE CONTRACT. DO NOT list the same employee in more than one job category. **DO NOT attach an EEO-1 Report.**

Racial/Ethnic Groups will be defined:

Black: Not of Hispanic origin. Persons having origin in any of the Black racial groups of Africa.

Hispanic: Persons of Mexican, Puerto Rican, Cuban, or Central or South American or other Spanish culture or origin, regardless of race.

American Indian or Alaskan Native: Persons having origins in any of the original peoples of North America, and who maintain cultural identification through tribal affiliation or community recognition.

Asian or Pacific Islander: Persons having origin in any of the original peoples of the Far East, Southeast Asia, the Indian Sub-continent or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands and Samoa.

Non-Minority: Any Persons not identified in any of the aforementioned Racial/Ethnic Groups.

ITEM 12 - Check the appropriate box. If the race or ethnic group information was not obtained by 1 or 2, specify by what other means this was done in 3.

ITEM 13 - Enter the dates of the payroll period used to prepare the employment data presented in Item 12.

ITEM 14 - If this is the first time an Employee Information Report has been submitted for this company, check block "Yes".

ITEM 15 - If the answer to Item 14 is "No", enter the date when the last Employee Information Report was submitted by this company.

ITEM 16 - Print or type the name of the person completing the form. Include the signature, title and date.

ITEM 17 - Enter the physical location where the form is being completed. Include City, State, Zip Code and Phone Number.

TYPE OR PRINT IN SHARP BALL POINT PEN

THE VENDOR IS TO COMPLETE THE EMPLOYEE INFORMATION REPORT FORM (AA302) AND RETAIN A COPY FOR THE VENDOR'S OWN FILES. THE VENDOR SHOULD ALSO SUBMIT A COPY TO THE PUBLIC AGENCY AWARDED THE CONTRACT IF THIS IS YOUR FIRST REPORT; AND FORWARD ONE COPY **WITH A CHECK IN THE AMOUNT OF \$150.00 PAYABLE TO THE TREASURER, STATE OF NEW JERSEY (FEE IS NON-REFUNDABLE)** TO:

NJ Department of the Treasury
Division of Public Contracts Equal Employment Opportunity Compliance
P.O. Box 206
Trenton, New Jersey 08625-0206 Telephone No. (609) 292-5473



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

Vendor Questionnaire/Certification (EXHIBIT E)

Passport to Learning: Pow! Zap! Comic Kids!

RFP 05-1718

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 Hoboken 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 Hoboken Board of Education.

Vendor Contributions

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

I certify that I am not an official or employee of the Hoboken 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



**HOBOKEN BOARD OF EDUCATION
CONFIDENTIAL MATERIALS**

NON-COLLUSION AFFIDAVIT (EXHIBIT F)

Direct Educational Services

Re: Proposal for the Hoboken Board of Education.

STATE OF NEW JERSEY, COUNTY OF _____ Date: _____

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 Passaic relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

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

(Print Name of Contractor/Vendor)

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

before me this _____ day of _____, _____.
Month Year

Print Name of Notary Public

NOTARY PUBLIC SIGNATURE

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



**HOBOKEN BOARD OF EDUCATION
CONFIDENTIAL MATERIALS**

**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF
OWNERSHIP (EXHIBIT G)**

Passport to Learning: Pow! Zap! Comic Kids!

Re: Proposal for the Hoboken Board of Education.

RFP Date: **Thursday, August 31, 2017 at 4:00 PM**

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

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



**HOBOKEN BOARD OF EDUCATION
CONFIDENTIAL MATERIALS**

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

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

Our firm, _____, is organized

Names of Principals

Title

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

Name of Company_____

Address_____

City, State, Zip_____

Authorized Agent_____ Title _____
(Print Name)

SIGNATURE OF AUTHORIZED AGENT



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM (EXHIBIT H)

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 (http://www.nj.gov/dca/divisions/dlgs/resources/lfns_2006.html). Please refer back to these instructions for the appropriate links, as the Local Finance Notices include links that are no longer operational.

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 <http://www.nj.gov/dca/divisions/dlgs/programs/lpcl.html#12>. 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 at http://www.nj.gov/dca/divisions/dlgs/resources/lfns_2006.html) 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.**



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM (EXHIBIT H)

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.”



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM (EXHIBIT H)

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.

| Contributor Name | Recipient Name | Date | Dollar Amount |
|------------------|----------------|------|---------------|
| | | | \$ |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| | | | |

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



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

List of Agencies with Elected Officials Required for Political Contribution Disclosure N.J.S.A. 19:44A-20.26

County Name: Hudson

State: Governor, and Legislative Leadership Committees

Legislative District #: 31, 32, & 33

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

County:

Freeholders

County Clerk

Sheriff

County Executive

Surrogate

Registrar of Deeds

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

Bayonne City

Hoboken City

Secaucus Town

East Newark Borough

Jersey City

Union City City

Guttenberg Town

Kearny Town

Weehawken Township

Harrison Town

North Bergen Township

West New York Town

Boards of Education (Members of the Board):

East Newark Borough

Kearny Town

Weehawken Township

Guttenberg Town

North Bergen Township

Hoboken City

Secaucus Town

Fire Districts (Board of Fire Commissioners):

(None)

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:

| | |
|---------------|---------------|
| Name: | Name: |
| Home Address: | Home Address: |
| Name: | Name: |
| Home Address: | Home Address: |
| Name: | Name: |
| Home Address: | Home Address: |

| | |
|---|--|
| Subscribed and sworn before me this ____ day of _____, 2____. | _____ (Affiant) |
| (Notary Public) | _____ (Print name & title of affiant) |
| My Commission expires: | _____ (Corporate Seal) |



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

THE NUCLEAR-FREE HOBOKEN ORDINANCE (EXHIBIT I)

- (1) FINDINGS: The People of the City of Hoboken hereby find that:
 - (a) Nuclear weapons production, in the United States and in other countries, is draining the world's resources and presenting humanity with an ever- increasing threat of nuclear war.
 - (b) Any participation in the nuclear war industry, locally, federally, or otherwise, directly condones the possible annihilation of our civilization. We see this as a crime against the sacredness of our humanity.
 - (c) The emphatic expression of our community, along with communities throughout the world, can help initiate steps by the United States, the Soviet Union, and other nuclear weapons powers to end the arms race and the proliferation of all nuclear weapon systems.
- (2) POLICY: Hoboken shall be established as a Nuclear Free Zone. A Nuclear Free Zone shall be defined by these requirements:
 - (a) No nuclear weapons, delivery systems for such weapons, or components expressly intended to contribute to the operation, guidance or delivery of a nuclear weapon shall be produced or stored within the City of its' port.
 - (b) No waste from the production of nuclear weapons, their components, or commercial nuclear power shall be stored within the City of its' port.
 - (c) No research furthering nuclear weapons, their components, or commercial nuclear power shall be stored within the City of its' port.
 - (d) The Mayor and Council of the City of Hoboken shall request the United States Department of Transportation and the New Jersey Department of Transportation to provide the City with advance notification of any radioactive waste shipment through the City limits. Upon such notification, the Mayor and Council shall act to prevent transportation of radioactive waste through the City by seeking an exemption for preemption by Department of Transportation regulations or using other legal means at their disposal.
 - (e) The Mayor and Council of the City of Hoboken shall not do business or award any municipal contract to any person, firm, or organization engaged in the production of nuclear weapons or components.
- (3) This ordinance expresses the policy of the City of Hoboken. It is not intended to make violations subject to forfeiture and nothing in this ordinance shall be construed to prohibit or regulate any activity not specifically described in Subsection (2).
- (4) SEVERABILITY: If any portion of this Ordinance is hereafter declared invalid, all remaining portions shall remain in full force and effect, and to this extent, the provisions of this Ordinance are severable.

CERTIFICATION: I hereby certify that _____ does not engage in
(Name of Vendor)
the production of nuclear weapons or components.

Signature

Date



HOBOKEN BOARD OF EDUCATION CONFIDENTIAL MATERIALS

STATE OF NEW JERSEY
DEPARTMENT OF THE TREASURY
DIVISION OF PURCHASE AND PROPERTY
33 WEST STATE STREET, P.O. BOX 230
TRENTON, NEW JERSEY 08625-0230

DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN FORM (EXHIBIT J)

BID SOLICITATION # _____

VENDOR/BIDDER: _____

PART 1 CERTIFICATION

VENDOR/BIDDER MUST COMPLETE PART 1 BY CHECKING ONE OF THE BOXES
FAILURE TO CHECK ONE OF THE BOXES WILL RENDER THE PROPOSAL NON-RESPONSIVE

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

CHECK THE APPROPRIATE BOX

- ☐ A. I certify, pursuant to Public Law 2012, c. 25, that neither the Vendor/Bidder listed above nor any of its parents, subsidiaries, or affiliates is listed on the N.J. Department of the Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25 ("Chapter 25 List"). Disregard Part 2 and complete and sign the Certification below.
- OR**
- ☐ B. I am unable to certify as above because the Vendor/Bidder and/or one or more of its parents, subsidiaries, or affiliates is listed on the Department's Chapter 25 list. I will provide a detailed, accurate and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such information will result in the proposal being rendered as nonresponsive and appropriate penalties, fines and/or sanctions will be assessed as provided by law.

PART 2

PLEASE PROVIDE ADDITIONAL INFORMATION RELATED TO INVESTMENT ACTIVITIES IN IRAN

If you checked Box "B" above, provide a detailed, accurate and precise description of the activities of the Vendor/Bidder, or one of its parents, subsidiaries or affiliates, engaged in the investment activities in Iran by completing the boxes below.

ENTITY NAME: _____
RELATIONSHIP TO VENDOR/BIDDER: _____
DESCRIPTION OF ACTIVITIES: _____
DURATION OF ENGAGEMENT: _____
ANTICIPATED CESSATION DATE: _____
VENDOR/BIDDER CONTACT NAME: _____
VENDOR/BIDDER CONTACT PHONE NO.: _____

Attach Additional Sheet if Necessary

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Vendor/Bidder, that the foregoing information and my attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the State of New Jersey is relying on the information contained herein, and that the Vendor/Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the State to notify the State in writing of any changes to the information contained herein; that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach of any agreement(s) with the State, permitting the State to declare any contract(s) resulting from this certification void and unenforceable.

Signature

Date

Print Name and Title