

ROCHELLE PARK BOARD OF EDUCATION

300 Rochelle Avenue

Rochelle Park, New Jersey 07662

Request for Proposal

A. PURPOSE:

Towing Company Services

The Rochelle Park Public Schools is seeking a towing company (“Towing Company”) to provide towing and storage of unauthorized vehicles parked on Board of Education-owned property. The Towing Company shall provide towing, storage, and release of unauthorized vehicles on an as-needed basis from November 1, 2020 until June 30, 2021.

B. SCOPE OF SERVICE:

The Towing Company shall be located within the vicinity of the Rochelle Park Board of Education and available to perform towing of unauthorized vehicles from Board of Education- owned property and storage of the towed vehicles in a secure facility until the owner of the vehicle pays the Towing Company for the reasonable cost of the towing and storage of the vehicle.

C. TERMS AND CONDITIONS

1. The Board of Education of Rochelle Park is seeking proposals from Towing Companies to provide Towing Services for a period effective November 1, 2020 – June 30, 2021.
2. The District reserves the right to reject any or all proposals, or to award the contract to the next most qualified company if the selected company does not execute a contract within thirty (30) days after the award of the proposal.
3. The District reserves the right to request clarification of information submitted and to request additional information from companies submitting proposals.
4. Any proposal submitted will constitute an irrevocable offer, for a period of sixty (60) days, to provide for the District the services set forth in the enclosed specifications.
5. If, through any cause, the Towing Company shall fail to fulfill in a timely and proper manner the obligations agreed to, the District shall have the right to terminate its contract by specifying the date of termination in a written notice to the Towing Company at least thirty (30) days before the termination date.
6. Any agreement or contract resulting from the acceptance of a proposal shall be on forms either supplied by or approved by the District and shall contain, at a minimum, applicable provisions of the RFP. The District reserves the right to reject any agreement that does not conform to the RFP and to any District requirements for agreements and contracts.
7. The Towing Company shall not assign any interest in the contract and shall not transfer

any interest in the same without the prior written consent of the District.

8. No reports, information, or data given to or prepared by the firm under the contract shall be made available to any individual or organization by the firm without the prior written approval of the District.

D. QUALIFICATIONS AND REQUIREMENTS OF RESPONDENTS:

1. The Towing Company services shall comply with the Predatory Towing Prevention Act, N.J.S.A. 56:13-13 et seq., Rochelle Park Board of Education Policy 7480, the Township of Rochelle Park Municipal Code, and State and Federal Law.

2. The Towing Company shall furnish adequate and proper towing and storage of motor vehicles within the vicinity of the Rochelle Park Board of Education. The Towing Company shall be available to tow unauthorized vehicles from posted Rochelle Park Board of Education property to the Towing Company's secure storage area, when requested by the Board of Education. The Towing Company shall be available a minimum of five days a week, Monday through Friday, from 7:30 a.m. until 6:00 p.m., to provide requested towing and storage of unauthorized vehicles. A Tow Company with additional availability to provide for the towing and storage of vehicles when illegally parked on Rochelle Park Board of Education property, in violation of Section 141- 1(B) of the Township of Rochelle Park Municipal Code, upon Board of Education request, is preferred. Section 141-1(B) of the Rochelle Park Municipal Code provides:

William Street Parking Lot -- No parking shall be permitted in the area adjacent to the school grounds on William Street during the following times:

1. Between the hours of 7:30 AM and 3:30 PM Monday through Friday, when school is in session. During these hours, this area shall be for the exclusive use of parents and for the purpose of discharging and picking up children and for school purposes and Board approved activities.

2. Between the hours of 10:00 PM and 6:00 AM, Monday through Sunday; and

3. At anytime during which snow is falling, regardless of accumulation. This prohibition shall remain in effect until after the snowfall has ceased and the snow has been cleared from the parking area.

3. The names and addresses of two business references not in the employ of the Board of Education who have known the applicant for at least two years and who can attest to the Towing Company's experience and performance in the towing and storage business.

4. All towing vehicles owned and/or leased by Towing Company must be listed, including the make and model number, year of vehicle and vehicle identification number and any other information that the Board of Education may deem necessary. Towing vehicles must be equipped with a boom or booms, winches, slings, tilt beds, wheel lifts or underreach equipment specifically designed by its manufacturer for the removal or transport of motor vehicles.

5. A complete list, including dates of service, of all municipalities, state agencies and/or

governmental entities that the applicant is, or has been, an official tower of or held a towing permit from.

6. A complete list of all actions taken against the applicant by a governmental entity for the applicant's alleged violation of any towing ordinance or regulation while towing as a licensed or permitted tower for that governmental entity. If the applicant's towing license or permit has been revoked, suspended or denied, the applicant shall list each time, what governmental entity was involved and a brief description of the event(s) that led up to the revocation, suspension and/or denial of a towing license or permit.

7. The applicant shall also cause each of its drivers to have a criminal background check and driver's license check performed at a state-approved facility prior to that driver performing any towing services for the Board of Education. Copies of the results of the background check shall be made available to the Business Administrator immediately upon receipt.

8. All drivers employed by the Towing Company to provide the services required by this chapter shall meet the following requirements and be subject to the following regulations:

- (a) They shall be competent and able to provide towing services.
- (b) All drivers required to have a commercial driver's license (CDL) by the State of New Jersey and/or federal regulations are required to furnish such license for the purpose of this chapter.
- (c) They shall obey all traffic laws and regulations.
- (d) They shall not have been convicted of a crime.
- (e) All drivers who do not possess a CDL must submit to random drug testing two times each year.

9. The Towing Company shall maintain an inside building and/or outside secured storage area meeting the following requirements:

- (a) Sufficient storage area on the premises to store towed vehicles at the site. No vertical stacking of vehicles is permitted. The storage area must be contiguous to the applicant's principal place of business.
- (b) The storage area shall be located within ten miles of the Rochelle Park Board of Education.
- (c) The storage area shall be secure and surrounded by a fence at least six feet in height. The storage area shall have a suitable gate and be installed with a locking device or a similar on-site security measure. The facility is to be lighted at night.
- (d) The storage area shall be in an area legally zoned for or legally nonconforming for such use; the certificate of occupancy is to be furnished with the application.
- (e) The storage facility shall be available from at least 8:00 a.m. until 6:00 p.m. Monday through Friday, and from at least 8:00 a.m. until 1:00 p.m. on Saturday. The applicant

shall prominently display the hours during which the facility will be open on weekends. The storage area must have a building wherein a permanently installed telephone is located. The building shall be within sight distance and/or within 500 feet of the entrance of the storage area.

- (f) The Towing Company shall not charge any additional fee or other charge for releasing vehicles to their owners after normal business hours or on weekends or for moving a vehicle from one location to another in the storage area.
- (g) The Towing Company shall, with its application, submit proof of ownership or lease of the storage area.
- (h) The Towing Company shall be responsible for ensuring the proper and safe storage of all vehicles towed. The Towing Company shall be liable for any damage incurred by such vehicles while in transit to or while stored in the storage areas.

10. The Towing Company shall create the signs that the Predatory Prevention Towing Act mandates be posted in a conspicuous place at vehicular entrances to Board of Education property, stating:

- (a) the purpose or purposes for which parking is authorized and the times during which such parking is permitted;
- (b) that unauthorized parking is prohibited and unauthorized motor vehicles will be towed at the owner's expense;
- (c) the name, address, and telephone number of the towing company that will perform the towing;
- (d) the charges for the towing and storage of towed motor vehicles;
- (e) the street address of the storage facility where the towed vehicles can be redeemed after payment of the posted charges and the times during which the vehicles may be redeemed; and
- (f) that a consumer may contact the Division of Consumer Affairs by calling 1-800-242-5846.

11. The Towing Company must have the ability to receive credit card payment and be willing to accept same for payment of all towing and storage services.

12. The Towing Company must provide a certificate(s) of insurance, evidencing that there is in effect the following insurance coverage.

- (a) General property damage and liability insurance in an amount not less than \$1,000,000 per occurrence and \$2,000,000 per aggregated general liability, including additional garage keeper's coverage, shall be primary as respects vehicles of others and shall include collision coverage.

- (b) Garage keeper's liability insurance in an amount not less than \$500,000 shall be required. No deductible amounts are permitted. The words "no deductible" shall be included on the policy and/or certificate of insurance.
- (c) Workers' compensation as required by law shall be required.

13. Policies of insurance shall be written by insurance companies authorized to do business in the State of New Jersey.

14. The Rochelle Park Board of Education shall be named as an additional insured on all policies of insurance provided. All certificates of insurance shall provide 30 days' written notice to Board of Education. Such insurance shall be primary.

15. Policies of insurance shall be maintained in full force and effect at all times. In the event that any coverage is cancelled or terminated or coverage decreased in amount, the Towing Company shall be immediately disqualified from providing service for the Rochelle Park Board of Education until such time as the required coverage is reinstated or replaced.

E. FEE FOR SERVICES:

All fees charged by the Towing Company for towing and storage are to be paid by the owner/operator of the vehicle towed to recover possession of the towed vehicle.

State the amount that the Towing Company will charge the Rochelle Park Board of Education for preparing the required signs to be located in a conspicuous place at all vehicular entryways onto Board of Education property to provide the notice required by the Predatory Towing Prevention Act that unauthorized vehicles will be towed, the costs to be charged for the towing and storage of unauthorized vehicles, and the Towing Company's contact information for the vehicle owner(s) to recover possession of the towed vehicle(s).

The Predatory Towing Prevention Act, N.J.S.A. 56:13-13 et seq., regulates the services for which a towing company engaged in private property or other non-consensual towing may charge and the fees that may be charged for those services. The services for which a towing company may charge to remove an unauthorized vehicle from a private lot or property are limited to:

- (a) Basic tow, which shall be a flat fee;
- (b) Decoupling;
- (c) Storage at a towing company's storage facility;
- (d) Releasing a motor vehicle from a towing company's storage facility after normal business hours or on weekends, which shall be a flat fee.
- (e) More than three (3) trips to the motor vehicle in storage.

See N.J.A.C. 13:45A-31.4.

A charge may not be imposed for the use of a flat-bed tow truck if the motor vehicle can safely be towed in an upright position. Daily storage fees charged must be based upon full 24-hour periods a

motor vehicle is in the storage facility.

Pursuant to N.J.S.A. 56:13-14b, the fees to be charged for the towing and storage of an unauthorized vehicle from a non-municipal lot must be reasonable. A fee is presumed unreasonable if it is more than 25 percent higher than the amount charged by the towing company when the service is provided with the consent of the vehicle owner or more than 50 percent higher than the fee charged for nonconsensual towing and storage by other towing companies operating in the municipality from which the vehicle was towed. See also N.J.A.C. 13:45A-31.5. If a municipality by ordinance sets the fees that may be charged to vehicle owners for the removal of motor vehicles from private or public property and storage by operators engaged in such practices, any fees charged in excess of the fees set forth in the municipal ordinance are presumed unreasonable. See N.J.A.C. 13:45A-31.5b.

F. CONTRACT PERIOD:

The term of contract shall be from October 15, 2020 through June 30, 2021.

G. COORDINATION OF ACTIVITIES:

All activities for this contract will be coordinated through the Administrative Offices of the Rochelle Park Board of Education, 300 Rochelle Avenue, Rochelle Park, NJ 07662 and addressed to Cheryl Jiosi, Business Administrator.

H. PRESENTATION PACKAGE

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

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

The following shall be included in the presentation package:

1. Transmittal Letter - Each respondent shall submit a transmittal letter with the RFP that identifies the person submitting the proposal and includes a commitment by that person to provide the service required by the Rochelle Park Board of Education.
2. Proposal for provision of services to fulfill the requirement of the RFP
3. NJ Business Registration Certificate - 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.

I. SUBMISSION OF RFP PACKAGE:

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

Cheryl Jiosi, Business Administrator
Rochelle Park Board of Education
300 Rochelle Avenue
Rochelle Park, NJ 07662

J. SUBMISSION DEADLINE:

The deadline to submit all RFP Packages is before 11:00 a.m. on Thursday, October 7, 2020.

K. EVALUATION OF PROPOSALS:

The School District intends to award a professional 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. The proposals will be evaluated by the Superintendent, Business Administrator, and Board Members of the School District based upon information supplied by each respondent in response to this RFP and the following criteria:

- Ability to meet all minimum qualifications and service needs as detailed in sections B, C and D
- Overall knowledge and familiarity with the operations of the School District.
- Experience of the firm in providing similar services to other public bodies.
- Fee proposal

L. AWARD OF CONTRACT

It is the intention of the Board of Education to award the contract to the respondent based upon relative experience, qualifications, and who will provide the highest quality of service at fair and reasonable fees, in compliance with all requirements and restrictions of the Predatory Towing Prevention Act.

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

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

N. ADDITIONAL ITEMS

Independent Contractor

It is understood, agreed, and recognized, the successful vendor awarded the contract will be an independent contractor and not an employee of the Rochelle Park Board of Education. The successful vendor will be required to comply with such terms and conditions established by Rochelle Park Board of Education with regard to clearances, confidentiality indemnification and termination of services.

Governing Law and Venue

Awarded vendor and its subcontractors, if applicable, agree that any agreement shall be governed and construed in accordance with the laws of the State of New Jersey, including all matters of construction, validity, enforcement and performance, without regard to its conflict of law provisions. Venue of jurisdiction of any claim or dispute arising out of, related to, or implicating the terms of any agreement shall be exclusively in the Superior Court of Bergen County, New Jersey.

Collusion

Any agreement or collusion among vendors or perspective vendors in restraint of freedom of competition, by agreement, to submit a proposal at a fixed price or to refrain from submitting a proposal or otherwise shall render proposals of such vendors void and shall cause such vendors to be disqualified from submitting proposals to the Rochelle Park Board of Education.

O. TERMINATION OF CONTRACT

If the Board determines that the Towing Company 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 Towing Company has failed to perform said service, and/or duties in an efficient manner, then the Board shall have the authority to terminate the contract upon written notice setting forth the reason for termination and effective date of termination.

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

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

P. REQUIRED FORMS

- i. Statement of Ownership Disclosure
- ii. Acknowledgment of Receipt of Addendum
- iii. Business Registration Certificate
- iv. Non-Collusion Affidavit
- v. Iran Disclosure Form
- vi. Political Contribution Disclosure Form

STATEMENT OF OWNERSHIP DISCLOSURE

N.J.S.A. 52:25-24.2 (P.L. 1977, c.33, as amended by P.L. 2016, c.43)

This statement shall be completed, certified to, and included with all bid and proposal submissions. Failure to submit the required information is cause for automatic rejection of the bid or proposal.

Name of Organization: _____

Organization Address: _____

Part I Check the box that represents the type of business organization:

- Sole Proprietorship (skip Parts II and III, execute certification in Part IV)
- Non-Profit Corporation (skip Parts II and III, execute certification in Part IV)
- For-Profit Corporation (any type) Limited Liability Company (LLC)
- Partnership Limited Partnership Limited Liability Partnership (LLP)
- Other (be specific): _____

Part II

The list below contains the names and addresses of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be. **(COMPLETE THE LIST BELOW IN THIS SECTION)**

OR

No one stockholder in the corporation owns 10 percent or more of its stock, of any class, or no individual partner in the partnership owns a 10 percent or greater interest therein, or no member in the limited liability company owns a 10 percent or greater interest therein, as the case may be. **(SKIP TO PART IV)**

(Please attach additional sheets if more space is needed):

Name of Individual or Business Entity	Home Address (for Individuals) or Business Address

Part III DISCLOSURE OF 10% OR GREATER OWNERSHIP IN THE STOCKHOLDERS, PARTNERS OR LLC MEMBERS LISTED IN PART II

If a bidder has a direct or indirect parent entity which is publicly traded, and any person holds a 10 percent or greater beneficial interest in the publicly traded parent entity as of the last annual federal Security and Exchange Commission (SEC) or foreign equivalent filing, ownership disclosure can be met by providing links to the website(s) containing the last annual filing(s) with the federal Securities and Exchange Commission (or foreign equivalent) that contain the name and address of each person holding a 10% or greater beneficial interest in the publicly traded parent entity, along with the relevant page numbers of the filing(s) that contain the information on each such person. **Attach additional sheets if more space is needed.**

Website (URL) containing the last annual SEC (or foreign equivalent) filing	Page #'s

Please list the names and addresses of each stockholder, partner or member owning a 10 percent or greater interest in any corresponding corporation, partnership and/or limited liability company (LLC) listed in Part II other than for any publicly traded parent entities referenced above. The disclosure shall be continued until names and addresses of every noncorporate stockholder, and individual partner, and member exceeding the 10 percent ownership criteria established pursuant to N.J.S.A. 52:25-24.2 has been listed. **Attach additional sheets if more space is needed.**

Stockholder/Partner/Member and Corresponding Entity Listed in Part II	Home Address (for Individuals) or Business Address

Part IV Certification

I, being duly sworn upon my oath, hereby represent that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge: that I am authorized to execute this certification on behalf of the bidder/proposer; that the *<name of contracting unit>* is relying on the information contained herein and that I am under a continuing obligation from the date of this certification through the completion of any contracts with *<type of contracting unit>* to notify the *<type of contracting unit>* 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, and if I do so, I am subject to criminal prosecution under the law and that it will constitute a material breach of my agreement(s) with the, permitting the *<type of contracting unit>* to declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print):		Title:	
Signature:		Date:	

Rochelle Park Board of Education

ACKNOWLEDGMENT OF RECEIPT OF ADDENDA

The undersigned hereby acknowledges receipt of the following Addenda:

<u>Addendum Number</u>	<u>Dated</u>	<u>Acknowledge Receipt</u> (initial)
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

No addenda were received:

Acknowledged for: _____
(Name of Bidder)

By: _____
(Signature of Authorized Representative)

Name: _____
(Print or Type)

Title: _____

Date: _____

NON-COLLUSION AFFIDAVIT

State of New Jersey
County of _____

ss:

I, _____ residing in _____
(name of affiant) (name of municipality)
in the County of _____ and State of _____ of full age,
being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____
(title or position) (name of firm)

_____ the bidder making this Proposal for the bid
entitled _____, and that I executed the said proposal with
(title of bid proposal)
full authority to do so that said bidder has not, directly or indirectly entered into any agreement, participated
in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the
above named project; and that all statements contained in said proposal and in this affidavit are true and
correct, and made with full knowledge that the _____ relies upon
the truth of the statements contained in said Proposal
(name of contracting unit)
and in the statements contained in this affidavit in awarding the contract for the said project.

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 or bona fide established commercial or selling agencies maintained by
_____.

Subscribed and sworn to

before me this day

Signature

_____, 2_____

(Type or print name of affiant under signature)

Notary public of

My Commission expires _____

(Seal)

**STATE OF NEW JERSEY – DIVISION OF PURCHASE AND PROPERTY
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

Quote Number: _____

Bidder/Offeror: _____

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

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

PLEASE CHECK THE APPROPRIATE BOX:

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed above nor any of the bidder's parents, subsidiaries, or affiliates is 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"). I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. I will skip Part 2 and sign and complete the Certification below.

OR

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

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

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

EACH BOX WILL PROMPT YOU TO PROVIDE INFORMATION RELATIVE TO THE ABOVE QUESTIONS. PLEASE PROVIDE THOROUGH ANSWERS TO EACH QUESTION. IF YOU NEED TO MAKE ADDITIONAL ENTRIES, CLICK THE "ADD AN ADDITIONAL ACTIVITIES ENTRY" BUTTON.

Name _____	Relationship to Bidder/Offeror _____
Description of Activities _____ _____	
Duration of Engagement _____	Anticipated Cessation Date _____
Bidder/Offeror Contact Name _____	Contact Phone Number _____

ADD AN ADDITIONAL ACTIVITIES ENTRY

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

Full Name (Print): _____ Signature: _____

Title: _____ Date: _____

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions, amended for Boards of Education pursuant to N.J.A.C. 6A:23A-6.3

Pursuant to N.J.A.C. 6A:23A-6.3, business entities (contractors) receiving contracts from boards of education 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 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.

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

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 attached disclosure 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.

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

County Name: Bergen

State: Governor, and Legislative Leadership Committees

Legislative District #: 32, 35, 36, 37, 38, 39, 40

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

County:

Freeholders

County Executive

County Clerk

Surrogate

Sheriff

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

Allendale Borough	Hasbrouck Heights Borough	Ridgefield Borough
Alpine Borough	Haworth Borough	Ridgefield Park Village
Bergenfield Borough	Hillsdale Borough	Ridgewood Village
Bogota Borough	Ho-Ho-Kus Borough	River Edge Borough
Carlstadt Borough	Leonia Borough	River Vale Township
Cliffside Park Borough	Little Ferry Borough	Rochelle Park Township
Closter Borough	Lodi Borough	Rockleigh Borough
Cresskill Borough	Lyndhurst Township	Rutherford Borough
Demarest Borough	Mahwah Township	Saddle Brook Township
Dumont Borough	Maywood Borough	Saddle River Borough
East Rutherford Borough	Midland Park Borough	South Hackensack Township
Edgewater Borough	Montvale Borough	Teaneck Township
Elmwood Park Borough	Moonachie Borough	Tenafly Borough
Emerson Borough	New Milford Borough	Teterboro Borough
Englewood City	North Arlington Borough	Upper Saddle River Borough
Englewood Cliffs Borough	Northvale Borough	Waldwick Borough
Fair Lawn Borough	Norwood Borough	Wallington Borough
Fairview Borough	Oakland Borough	Washington Township
Fort Lee Borough	Old Tappan Borough	Westwood Borough
Franklin Lakes Borough	Oradell Borough	Woodcliff Lake Borough
Garfield City	Palisades Park Borough	Wood-Ridge Borough
Glen Rock Borough	Paramus Borough	Wyckoff Township
Hackensack City	Park Ridge Borough	
Harrington Park Borough	Ramsey Borough	

(continued on next page)

Boards of Education (Members of the Board):

Allendale Borough	Haworth Borough	Ramapo-Indian Hill Regional
Alpine Borough	Hillsdale Borough	Ramsey Borough
Bergenfield Borough	Ho Ho Kus Borough	Ridgefield Borough
Bogota Borough	Leonia Borough	Ridgefield Park Township
Carlstadt Borough	Little Ferry Borough	Ridgewood Village
Carlstadt-East Rutherford	Lodi Borough	River Dell Regional
Cliffside Park Borough	Lyndhurst Township	River Edge Borough
Closter Borough	Mahwah Township	River Vale Township
Cresskill Borough	Maywood Borough	Rochelle Park Township
Demarest Borough	Midland Park Borough	Rockleigh
Dumont Borough	Montvale Borough	Rutherford Borough
East Rutherford Borough	Moonachie Borough	Saddle Brook Township
Edgewater Borough	New Milford Borough	Saddle River Borough
Elmwood Park	North Arlington Borough	South Hackensack Township
Emerson Borough	Northern Highlands Regional	Teaneck Township
Englewood Cliffs Borough	Northern Valley Regional	Tenafly Borough
Fair Lawn Borough	Northvale Borough	Teterboro
Fairview Borough	Norwood Borough	Upper Saddle River Borough
Fort Lee Borough	Oakland Borough	Waldwick Borough
Franklin Lakes Borough	Old Tappan Borough	Wallington Borough
Garfield City	Oradell Borough	Westwood Regional
Glen Rock Borough	Palisades Park	Wood Ridge Borough
Hackensack City	Paramus Borough	Woodcliff Lake Borough
Harrington Park Borough	Park Ridge Borough	Wyckoff Township
Hasbrouck Heights Borough	Pascack Valley Regional	

Fire Districts (Board of Fire Commissioners):

None