



**REQUEST FOR PROPOSAL
FOR THE PROVISION OF**

Legal Counsel for Special Education Matters

**FOR THE
BRICK TOWNSHIP BOARD OF EDUCATION**

For the periods of

July 1, 2025 - June 30, 2026

July 1, 2026 - June 30, 2027

July 1, 2027 - June 30, 2028

ISSUE DATE: April 16, 2026

DUE DATE: May 14, 2026

Issued by:

**James W. Edwards, Jr., CPA
Business Administrator/Board Secretary**

Brick Township Public Schools

Ethics in Purchasing Statement to Vendors

School District Responsibility

Recommendation of Purchases

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

School district 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 district 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 Board of Education or anyone proposing to do business with the Board. Please refer to our website at www.brickschools.org for Board Policy 3327 Relations with Vendors.

Vendor Responsibility

Offer of Gifts, Gratuities - Prohibited

Any vendor doing business with or proposing to do business with the Board of Education, 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 Board of Education or to any member of the official's or employee's immediate family.

Vendor Influence - Prohibited

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

Vendor Certification

Vendors or potential vendors will be asked to certify that no official or employee of the Board of Education 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 Board of Education.

James W. Edwards, Jr., CPA
Business Administrator

SECTION I

INTRODUCTION AND GENERAL INFORMATION

Introduction and Purpose

The Board is soliciting Proposal Statements from interested persons and/or firms for the provision of Legal Counsel for Special Education Matters, as more particularly described herein. Through a Request for Proposal process described herein, persons and/or firms interested in assisting the Board with the provision of such services must prepare and submit a Proposal Statement in accordance with the procedure and schedule in the RFP. The Board will review Proposal Statements only from those firms or individuals that submit a Proposal Statement.

The Board intends to accept proposals from person(s) and/or firm(s) that:

- (a) Possess the professional, financial and administrative capabilities to provide the proposed services, and
- (b) Will agree to work under the compensation terms and conditions determined by the Board to provide the greatest benefit to the Brick Township Board of Education.

Procurement Process and Schedule

The selection of Proposed Respondents is subject to the “New Jersey Local Unit Pay-to-Play” Law, N.J.S.A. 19:44A-20.4 et seq. The Board has structured a procurement process that seeks to obtain the desired results described above, while establishing a competitive process to assure that each person and/or firm is provided an equal opportunity to submit a Proposal Statement in response to the request and will be evaluated in accordance with the criteria set forth in this RFP.

The Proposal Statements will be reviewed to determine if the Respondent has met the minimum professional, administrative and financial areas described in this RFP. Based upon the totality of the information contained in the Proposal Statement, including information about the reputation and experience of each Respondent, the Board will (in its sole judgment) determine which Respondents are qualified (from professional, administrative and financial standpoints).

The RFP process commences with the issuance of this RFP. The steps involved in the process are found on the Procurement Schedule. The Board reserves the right to, among other things, amend, modify or alter the Procurement Schedule upon notice to all potential Respondents.

All communications concerning this RFP or the RFP process shall be directed to the designated contact person, in writing.

Designated Contact Person

James W. Edwards, Jr., CPA
Business Administrator/Board Secretary
jedwards@brickschools.org
mcarey@brickschools.org
Brick Township Public Schools
101 Hendrickson Avenue
Brick, NJ 08724

Proposal Statements must be submitted to, and be received by, the Board, via mail or hand delivery, by 10:00 AM Prevailing Time on May 14, 2026.

TABLE 1

ANTICIPATED PROCUREMENT SCHEDULE

1. Issuance of Request for Proposal
2. Receipt of Proposal Statements
3. Opening of Proposals
4. Analysis of Proposals
5. Recommendation of respondent to Board

Conditions Applicable to RFP

Upon submission of a Proposed Statement in response to this RFP, the Respondent acknowledges and consents to the following conditions relative to the submission, review and consideration of its Proposed Statement:

- The Board reserves the right to reject a Proposal Statement that is not responsive to the requirements of this RFP.
- The Board reserves the right, without prior notice, to supplement, amend or otherwise modify this RFP, or otherwise request additional information.
- All Proposal Statements shall become the property of the Board and will not be returned.
- All Proposal Statements will be made available to the public at the appropriate time, as determined by the Board (in the exercise of its sole discretion) in accordance with law.
- The Board may request Respondents to send representatives to the Board for interviews.
- Any and all Proposal Statements not received by the Board by 10:00 AM Prevailing Time on May 14, 2026 will be rejected.
- Neither the Board, nor their respective staffs, consultants nor advisors shall be liable for any claims or damages resulting from the solicitation or preparation of the Proposal Statement, nor will there be any reimbursement to Respondents for the cost of preparing and submitting a Proposal Statement or for participating in this procurement process.

AFFIRMATIVE ACTION REQUIREMENTS

Each company shall submit to the Brick Township Board of Education, after notification of award, but prior to execution of a goods and services contract, **one** of the following three documents:

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

All respondents are urged to submit with their response, a copy of their firm's Certificate of Employee Information Report.

ANTI-BULLYING BILL OF RIGHTS - REPORTING OF HARASSMENT, INTIMIDATION AND BULLYING - CONTRACTED SERVICE PROVIDER

The contracted service provider shall comply with all applicable provisions of the New Jersey Anti-Bullying Bill of Rights Act - N.J.S.A. 18A:37-13.2 et seq., all applicable code and regulations, and the Anti-Bullying Policy of the Board of Education. A copy of the board's Anti-Bullying Policy can be found at www.brickschools.org.

In accordance with N.J.A.C. 6A:16-7.7(c), a contracted service provider, who has witnessed, or has reliable information that a student has been subject to harassment, intimidation or bullying shall immediately report the incident to any school administrator or safe schools resource officer, or the School Business Administrator/Board Secretary.

ANTI-DISCRIMINATION PROVISIONS - N.J.S.A. 10:2-1

Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

- a. In the firing of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientations or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
- b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

- c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
- d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency or any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985,c.490 (C.18A:18A-51 et seq).

BUSINESS REGISTRATION

Pursuant to N.J.S.A. 52:32-44, Brick Township Board of Education is prohibited from entering into a contract with an entity unless the bidder, proposer, contractor, and each subcontractor that is required by law to be named in a bid/proposal/contract has a valid Business Registration Certificate on file with the Division of Revenue and Enterprise Services within the Department of the Treasury.

Prior to contract award or authorization, the contractor shall provide the Contracting Agency with its proof of business registration and that of any named subcontract(s).

Subcontractors named in a bid or other proposal shall provide proof of business registration to the bidder, who in turn, shall provide it to the Contracting Agency prior to the time a contract, purchase order, or other contracting document is awarded or authorized.

During the course of contract performance:

- (1) the contractor shall not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with a valid proof of business registration.
- (2) the contractor shall maintain and submit to the Contracting Agency a list of subcontractors and their addresses that may be updated from time to time.
- (3) the contractor and any subcontractor providing goods or performing services under the contract, and each of their affiliates, shall collect and remit to the Director of the Division of Taxation in the Department of the Treasury, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq) on all sales of tangible personal property

delivered to the State. Any questions in this regard can be directed to the Division of Taxation at (609) 292-6400. Form NJ-REG can be filed online at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>.

Before final payment is made under the contract, the contractor shall submit to the Contracting Agency a complete and accurate list of all subcontractors used and their addresses.

Pursuant to N.J.S.A. 54:49-4.1, a business organization that fails to provide a copy of a business registration as required, or that provides false business registration information, shall be liable for a penalty of \$25 for each day of violation, not to exceed \$50,000, for each proof of business registration not properly provided under a contract with a contracting agency.

Emergency Purchases or Contracts

For purchases of an emergent nature, the contractor shall provide its Business Registration Certification within two weeks from the date of purchase of execution of the contract or prior to payment for goods or services, whichever is earlier.

CONTRACTOR/VENDOR REQUIREMENTS - OFFICE OF THE NEW JERSEY STATE COMPTROLLER

Contractors/vendors doing business with the Board of Education are reminded of the following legal requirements pertaining to the Office of the New Jersey State Comptroller:

- A. Access to Relevant Documents and Information - N.J.S.A. 52:15C-14(d) Private vendors or other persons contracting with or receiving funds from a unit in the Executive branch of State government, including an entity exercising executive branch authority, independent State authority, public institution of higher education, or unit of local government or board of education shall upon request by the State Comptroller provide the State Comptroller with prompt access to all relevant documents and information as a condition of the contract and receipt of public monies. The State Comptroller shall not disclose any document or information to which access is provided that is confidential or proprietary. If the State Comptroller finds that any person receiving funds from a unit in the Executive Branch of State government, including an entity exercising executive branch authority, independent State authority, public institution or higher education, or unit of local government or board of education refuses to provide information upon the request of the State Comptroller, or otherwise impedes or fails to cooperate with any audit or performance review, the State Comptroller may recommend to the contracting unit that the person be subject to termination of their contract, or temporarily or permanently debarred from contracting with the contracting unit.

B. Maintenance of Contract Records - N.J.A.C. 17:44-2.2

Relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by OSC pursuant to N.J.S.A. 52:15C-14(d).

The contractor/vendor to whom a contract has been awarded, shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

CRIMINAL HISTORY BACKGROUND CHECKS - N.J.S.A. 18A:6-7.1 REQUIREMENT

All providers for the services of this contract shall provide to the school district, prior to commencement of contract, evidence or proof that each employee assigned to provide services and that comes in regular contact with students, has had a criminal history background check, and that said check indicates that no criminal history record information exists on file for that worker.

Failure to provide a proof of criminal history background check for any employee coming in regular contact with students, prior to commencement of contact, may be cause for breach of contract.

If it is discovered during the course of the contract that an employee has a disqualifying criminal history or the employee has not had a criminal history background check, that employee is to be removed as a service provider immediately.

DEBARMENT, SUSPENSION OR DISQUALIFICATION

The Board of Education will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, or the State of New Jersey Consolidated Debarment Report (www.state.nj.us/treasury/debarred).

All respondents are required to submit a sworn statement indicating whether or not the respondent is, at the time of the proposal, included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List - Excluded Parties List System - System for Award Management - SAM.gov.

DOCUMENTS, MISSING/ILLEGIBLE

The respondent shall familiarize themselves with all forms provided by the Board that are to be returned with the proposal. If there are any forms either missing or illegible, it is the responsibility of the respondent to contact the School Business Administrator/Board Secretary for duplicate copies of the forms.

This must be done before the proposal opening date and time. The Board accepts no responsibility for duplicate forms that were not received by the respondent in time for the respondent to submit with the proposal.

DOCUMENT SIGNATURES - ORIGINAL; BLUE INK

All documents returned to the Board shall be signed with an original signature in ink (blue). The Board will not accept facsimile or rubber stamp signatures.

EXAMINATION OF SPECIFICATIONS, ACKNOWLEDGEMENT

The respondent, by submitting a proposal acknowledges that they have carefully examined the proposal specifications, documents, addenda (if any), and the site; and that from the investigation, is satisfied as to the nature and location of the work, the general and local conditions and all matters which may in any affect the work or its performance, and that as a result of such examination, fully understands the intent and purpose thereof, obligations thereunder, and that respondent will not make any claim for, or have any right to damages, because of the lack of any information.

FALSE MATERIAL REPRESENTATION - N.J.S.A. 2C:21-34(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 then \$25,000.00, the offender is guilty of a crime of the third degree. If the contract amount is for \$2,500.99 or less, the offender is guilty of a crime of the fourth degree.

FORCE MAJEURE

Neither party shall be liable in damages for any failure, hindrance or delay in the performance of any obligation under this Agreement if such delay, hindrance or failure to perform is caused by conditions beyond the control of either party, including but not limited to, Acts of God, flood,

fire, war, explosion, government regulations whether or not valid (including the denial or cancellation of any export or other necessary license), court order, state funding, or other unavoidable causes beyond the reasonable control of the party whose performance is affected which cannot be overcome by due diligence.

Vendors and/or contractors who have a contract with the Board of Education to provide goods or services cannot unilaterally claim an increase in the cost of the contract because of Force Majeure.

GENERAL CONDITIONS

- A. Authorization to Proceed - Successful Vendor/Contractor
No service shall be rendered by the successful contractor unless the vendor/contractor receives an approved purchase order authorizing the vendor/contractor to render the service or a Notice to Proceed from the Business Administrator.

- B. Award of Contract
It is the intention of the Board of Education to award the contract for this proposal pursuant to N.J.S.A. 18A:18A-36(a).

- C. Contracts
Upon notification of award of contract or Notice to Proceed, the successful vendor shall begin services immediately.

- D. Term of Contract
The successful respondent, to whom the contract is awarded, will be required to do and perform the work/services and to provide and furnish the materials in connection therewith in accordance with the plans and specifications on or before the date listed in the Technical Specifications, and in accordance with the Legal Counsel for Special Education Matters RFP.

- E. Deadline for Submitting Proposals
All proposals shall be addressed to:

Mr. James W. Edwards, Jr., CPA
Business Administrator/Board Secretary
Brick Township Board of Education
101 Hendrickson Avenue
Brick, NJ 08724

**All proposals are to be received by the Board of Education no later than:
10:00 AM prevailing time on May 14, 2026.**

Proposals received after the time and date noted shall not be accepted or considered.

F. Number of Copies to be Submitted - One (1) Original

The district requires one (1) original proposal to be submitted at the proposal date and time. Other instructions on submission may be found in the technical specifications.

INSURANCE AND INDEMNIFICATION X Required ___ Not Required

The respondent, to whom the contract is awarded for any service work or construction work, shall secure, pay the premium for and keep in force until the contract expires and during the term thereof, insurance of the types and amounts listed below:

TYPE	AMOUNT
Commercial General Liability	\$2,000,000 - General Aggregate \$2,000,000 - Products \$1,000,000 - Personal Injury \$1,000,000 - Each Occurrence combined single limit for Bodily Injury and Property damage \$50,000 - Fire Damage \$5,000 - Medical Expense
Excess Umbrella Liability	\$4,000,000 \$1,000,000 - Sexual Harassment
Comprehensive Automobile Liability	\$1,000,000 combined single limit for Bodily Injury and Property Damage

(A) Insurance Certificate - When Required

- a. The contractor must present to the Board of Education an insurance certificate in the above types and amounts before any work or service begins.
- b. Automobile liability insurance shall be included to cover any vehicle used by the insured.
- c. The certificate holder shall be as follows:

Brick Township Board of Education
% Business Administrator/Board Secretary

- d. Additional Insured Claim - The contractor must include the following clause on the insurance certificate with 30 day notice rights before any termination, cancellation or material alteration in coverage:

“Brick Township Board of Education is named as an additional insured”

OTHER INSURANCES

WORKERS COMPENSATION Evidence of adequate Workers Compensation Insurance as required by the laws of the State of New Jersey and the United States, must be available for perusal. The minimum limits are the following, unless a greater amount is required by law:

TYPE	AMOUNT
Bodily Injury by Accident	\$1,000,000 Each Accident
Bodily Injury by Disease	\$1,000,000 Policy Limit
Bodily Injury by Disease	\$1,000,000 Each Employee

(B) Indemnification

The contractor shall assume all risk of and responsibility for, and agrees to indemnify, defend, and save harmless the Board and its agents, employees and Board members, from and against any and all claims, demands, suits, actions, recoveries, judgments and costs and expenses (including but not limited to, attorney’s fees) in connection therewith on account of the loss of life or property or injury or damage to any person, body or property of any person or persons whatsoever, which shall arise from or result directly or indirectly from the work and/or materials supplied under this contract or the performance of services by the contractor under the agreement or by a party for the whole contract is liable. This indemnification obligation is not limited by, but is in addition to, the insurance obligations contained in this agreement.

The contractor is to assume all liability of every sort of incident to the work, including property damage caused by him or his employees or by any subcontractor employed by him or any of the subcontractor’s employees.

INSURANCE; PROFESSIONAL LIABILITY - CERTIFICATE REQUIRED

Required Not Required

The successful respondent to whom the contract is awarded shall provide to the Board of Education a Professional Liability Insurance Certificate with the following limits:

\$1,000,000 Each Incident; Occurrence; Wrongful Act
\$3,000,000 Aggregate

The insurance certificate name as to the certificate holder shall be as follows and shall include 30 days notice prior to any termination, cancellation or any material change in coverage:

The Brick Township Board of Education
% Business Administrator/Board Secretary

and remain in full force during the term of contract.

● **IRAN DISCLOSURE OF INVESTMENT ACTIVITIES FORM**

N.J.S.A. 18A:18A-49.4

The Brick Township Board of Education, pursuant to N.J.S.A. 18A:18A-49.4, shall implement and comply with Public Law 2012, c.25, Disclosure of Investment Activities in Iran—N.J.S.A. 52:32-55 et seq.

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 a certification attesting, 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 Divisions website:
<http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>.

If the Board determines that a person or entity has submitted a false certification concerning its engagement in investment activities in Iran under section 4 of P.L.2012, c.25 (C.52:32-58), the Board shall report to the New Jersey Attorney General the name of that person or entity, and the Attorney General shall determine whether to bring a civil action against the person to collect the penalty prescribed in paragraph (1) of subsection a. of section 5 of P.L.2012, c.25 (C.52:32-59).

In addition, bidders 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 on the lower portion of the enclosed form.

The Board has provided within the specifications, a Disclosure of Investments Activities certification form for all persons or entities, that plan to submit a bid, respond to a proposal, or renew a contract with the Board, to complete, sign and submit with the proposal.

All respondents are urged to submit an Iran Disclosure Form or said disclosure form will be required prior to entering into a contract.

LIABILITY - COPYRIGHT

The contractor (vendor) shall hold and save the Board of Education, it's officials and employees, harmless from liability of any nature or kind for or on account of the use of any copyrighted or un-copyrighted composition, secret process, patented or unpatented invention, article or appliance furnished or used in the performance of this contract.

NON-COLLUSION AFFIDAVIT

A notarized Non-Collusion Affidavit shall be submitted with the bid/proposal. The bidder/respondent has to certify that they 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 relies upon the truth of the statements contained in said Proposal and in statements contained in this affidavit in awarding the contract for the said bid.

The respondent has to 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 the respondent.

The Brick Township Board of Education has provided a Non-Collusion Affidavit form here within the specifications package. All respondents are to complete, sign, have the signature notarized and submit the form with the proposal response.

Failure to submit the Non-Collusion Affidavit with the proposal shall cause for the disqualification of the proposal.

PAYMENTS

Every effort will be made to pay vendors and contractors within thirty (30) to sixty (60) days provided the Board of Education receives the appropriate documentation including but not limited to:

- Signed voucher by vendor;
- Packing Slips; and
- Invoices

Payment will be rendered upon completion of services or delivery of full order to the satisfaction of the Board of Education, unless otherwise agreed to by written contract. The Board may, at its discretion, make partial payments. All payments are subject to approval by the Board of Education at a public meeting.

Payment may be delayed from time to time depending on the Board of Education meeting schedule. All payments will comply with the requirements of N.J.S.A. 18A:18A-10.1.

Invoices

The invoice clearly outlines the goods received or services rendered and the date(s) the services were rendered.

- The invoice must include the full name and address of the company.
- The invoice must include the Board of Education purchase order number.
- The invoice must have the company's invoice number that may be used as reference.
- The invoice must list the goods or services rendered.
- The invoice must be submitted to the Business Office.
- Invoices must be submitted within thirty (30) days of service.

POLITICAL CONTRIBUTIONS DISCLOSURE - REQUIREMENTS

Annual Disclosure

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 (888) 313-3532 or at www.elec.nj.us.

CHAPTER 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

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 awarded 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 Brick Township Board of Education has provided a Chapter 271 Political Contribution Disclosure Form within the specifications package for use by the business entity.

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 Chapter 271 Political Contribution 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.

POLITICAL CONTRIBUTIONS/AWARD OF CONTRACTS

Pursuant to N.J.A.C. 6A23A-6.3 (a) (1-4) and Board Policy 3327 please note the following:

Award of Contract - Reportable Contributions - N.J.A.C. 6A:23A6.3(a) (1)

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 (a) (2-3)

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.

Chapter 271 Political Contribution Disclosure Form - Required - N.J.A.C. 6A:23A-6.3 (a) (4)

All business entities should submit with their bid/proposal package a completed and signed Chapter 271 Political Contribution Disclosure Form. The Chapter 271 form will be reviewed by the Board to determine whether the business entity is in compliance with the aforementioned N.J.A.C. 6A:23A-6.3 (a) (2) Award of Contract.

The Chapter 271 Political Contribution Disclosure form should be submitted with the response to the bid/proposal. Failure to provide the completed and signed form may be cause for disqualification of the bid/proposal.

PRESENTATION AND INTERVIEWS

The Board of Education may, at its option, require providers of its choice to attend interviews and make presentations to district officials. This process may only take place after proposals have been opened and reviewed and prior to the completion of the evaluation. **Under no circumstances shall the provisions of the proposal be subject to negotiation - N.J.S.A. 18A:18A-4.5 (b).**

RESPONDENT'S RESPONSIBILITY FOR PROPOSAL SUBMITTAL

It is the responsibility of the respondent to ensure that their proposal is presented to the Business Office and officially received before the advertised date and time of the proposal. It is understood and agreed upon that any person in the Board of Education will be absolved from responsibility for the premature opening of any proposal not properly labeled and sealed.

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND OWNERSHIP DECLARATION

No corporation, partnership or limited liability company, shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials 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 of any county, municipality or school district, 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, said partnership, or said limited liability company, there is submitted a statement setting forth 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. If one or more such stockholder or partner or member is itself a corporation or partnership, or limited liability company, the stockholders holding 10 percent or more of that corporation's stock, or the individual partners owning 10 percent or great interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company, 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, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

To comply with this section, a bidder with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly stranded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.

N.J.S.A. 52:25-24.2 - amended P.L. 2016 c.43.

The Brick Township Board of Education has provided within the specification, a two (2) page form entitled:

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND OWNERSHIP DECLARATION

All bidders/respondents are to complete, sign and submit both pages of the form.

Failure to complete, sign and submit the Stockholders' Disclosure form with the bid/proposal, shall be cause for the disqualification of the bid/proposal.

SUBCONTRACTING; ASSIGNMENT OF CONTRACT

Contractors, services providers, and all vendors with whom the Board of Education have an executed contract may not subcontract any part of any work done or adding any part of contract for goods or materials for the Board without first receiving written permission from the School Business Administrator.

Contractors, service providers, and vendors using subcontractors assume all responsibility for work performed by subcontractors. The Board Business Office may require the following documents to be secured from all approved subcontractors:

- Insurance Certificate as outlined in the proposal specifications
- Affirmative Action Evident as outlined in the proposal specifications
- New Jersey Business Registration Certificate
- Other documents as may be required by the Board of Education

In cases of subcontracting, the Board of Education shall only pay the prime contractor.

It is the sole responsibility of the prime contractor to ensure that all subcontractors are paid. The Board of Education shall not be responsible for payments to subcontractors and shall be held harmless against any or all claims generated against prime contractors for non-payment to subcontractors.

Transportation carriers hired by the vendor to deliver goods and materials are not considered to be subcontractors.

TAXES

As a New Jersey governmental entity, the Board of Education is exempt from the requirements under New Jersey state sales and use tax (N.J.S.A. 54:32B-1 et. seq.), and does not pay any sales or use taxes. Respondents should note that they are expected to comply with the provisions of said statute and the rules and regulations promulgated thereto to qualify them for examinations and reference to any and all labor, services, materials and supplies furnished to the Board of Education. Contractors may not use the Board's tax exempt status to purchase supplies, material, service or equipment.

A contractor may qualify for a New Jersey Sales Tax Exemption on the purchase of materials, supplies and services when these purchases are used exclusively to fulfill the terms and conditions of the contract with the Board of Education. All contractors are referred to the New Jersey Division of Taxation-Tax Bulletin S&U-3 for guidance. Again, contractors are not

permitted to use the Board's tax identification number to purchase supplies, materials, services or equipment.

TERMINATION OF CONTRACT

If the Board determines that the contractor has failed to comply with the terms and conditions of the 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 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 absolve the contractor from potential liability for damages caused the District by the contractor's breach of this agreement. The Board may withhold payment due the contractor and apply the 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 contractor further agrees to indemnify and hold Board harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

WITHDRAWAL OF PROPOSALS

The School Business Administrator may consider a written request from a respondent to withdraw a proposal if the written request is received by the School Business Administrator before the advertised time of the proposal opening. Any respondent who has been granted permission by the School Business Administrator to have his/her proposal withdrawn cannot re-submit a proposal for the same advertised proposal project. That respondent shall also be disqualified from future proposals on the same project if the project is re-advertised.

Rights of Board

The Board reserves, holds and may exercise, at its sole discretion, the following rights and options with regard to this RFP and the procurement process in accordance with the provisions of applicable law:

- To supplement, amend or otherwise modify the RFP through issuance of addenda via the Board's web site.

- To conduct investigations of any or all of the Respondents, as the Board deems necessary or convenient, to clarify the information provided as part of the Proposal Statement and to request additional information to support the information included in any Proposal Statement.
- To suspend or terminate the procurement process described in this RFP at any time (in its sole discretion). If terminated, the Board may determine to commence a new procurement process or exercise any other rights provided under applicable law without any obligation to the Respondents.

The Board shall be under no obligation to complete all or any portion of the procurement process described in the RFP.

Addenda or Amendments to RFP

During the period provided for the preparation of responses to the RFP, the Board may issue addenda, amendments or answers to written inquiries via the Board's web site. Those addenda when posted will become part of the RFP. All responses to the RFP shall be prepared with full consideration of the addenda issued prior to the proposal submission date.

No interpretation of the meaning of the specifications will be made to any respondent orally. Every request for such interpretations shall be made in writing to the School Business Administrator at least ten (10) days, not including Saturdays, Sundays and holidays prior to the date fixed for the opening of proposals.

Any and all interpretations and any supplemental instructions will be distributed in the form of a written addenda to the specifications.

Any addenda will be provided no later than seven (7) days, Saturdays, Sundays and holidays accepted, prior to the date for acceptance of proposals. All addenda so issued shall become part of the contract document.

Cost of Proposal Preparation

Each proposal and all information required to be submitted pursuant to the RFP shall be prepared at the sole cost and expense of the respondent. There shall be no claims whatsoever against the Board, its staff or consultants for reimbursement for the payment of costs or expenses incurred in the preparation of the Proposal Statement or other information required by the RFP.

Proposal Format

Responses should cover all information requested in the RFP.

Term

The Legal Counsel for Special Education Matters RFP will cover three one year periods. The length of terms for the Legal Counsel for Special Education Matters contract shall be for the period of July 1, 2026 to June 30, 2027, July 1 2027 to June 30, 2028, July 1,2028 to June 30, 2029.

The contract may be terminated by the Board at any given time by giving 30 days' notice to the successful respondent.

SECTION 2

SCOPE OF SERVICES

It is the intent of the Board to solicit Proposal Statements from Respondents that have expertise in the provision of Legal Counsel for Special Education Matters. Firms and/or persons responding to this RFP shall be able to demonstrate that they will have the continuing capabilities to perform these services. The Legal Counsel for Special Education Matters shall provide comprehensive legal services and representation in the capacity of Special Counsel for Special Education.

The attorney shall represent the school district in special education matters, mediation and due process hearings and court proceedings.

SECTION 3

SUBMISSION REQUIREMENTS

General Requirements

The Proposal Statement submitted by the Respondent must meet or exceed the requirements set forth in this Section and shall incorporate the information requested below.

In addition to the information required, as described below, a Respondent may submit supplemental information that it feels may be useful in evaluating its Proposal Statement. Respondents are encouraged to be clear, factual, and concise in their presentation of information.

Administrative Information Requirements

The Respondent should, as part of its Proposal Statement, provide the following information:

1. An executive summary (not to exceed two (2) pages) of the information contained in all the parts of the Proposal Statement.
2. All documents referenced in Proposal Checklist.

SECTION 4

Submission of Proposal Statements

Respondents must submit an original copy of their Proposal Statement to the Designated Contact Person:

**Mr. James W. Edwards, Jr., CPA
Business Administrator/Board Secretary
Brick Township Board of Education
101 Hendrickson Avenue
Brick, NJ 08724**

NOTE: Indicate “RFP for Legal Counsel for Special Education Matters” on the outside of the envelope.

Proposal Statements must be received by the Board no later than 10:00 AM prevailing time, on May 14, 2026 and must be mailed or hand-delivered. Proposal Statements forwarded by facsimile or email **will not** be accepted.

Proposal Statements received after this time will not be considered. The Board will not bear responsibility for delays in delivery for any reason.

Proposal Statements and all related information must be unbound, and signed and acknowledged by the Respondent.

SECTION 5

EVALUATION

The Board's objective in soliciting Proposal Statements is to enable it to select a firm, organization or individual that will provide high quality and cost effective services to the Board. The Board will consider Proposal Statements only from organizations or individuals that, in the Board's judgment, have demonstrated the capability and willingness to provide high quality services to the Board in the manner described in this RFP.

Proposals will be evaluated by the Board on the basis of the most advantageous submission, all relevant factors considered. The evaluation will consider:

1. Quality and completeness of proposal
2. The firm's experience and expertise
3. The firm's grasp of the requested tasks and minimum expectations
4. The proposed delivery of services, staffing responsibilities, timelines and schedules
5. A straightforward and concise proposal, which may include an a la carte pricing for additional services not outlined in this proposal

Follow up interview may be held with short-listed firms

PROPOSAL CHECKLIST

(All submissions must be unbound, one sided and on 8 ½ x 11 paper)

(All materials listed below should be submitted in the exact order as it appears)

- 1. Acknowledgement of Addenda**
- 2. Affirmative Action Questionnaire**
- 3. Chapter 271 Political Contributions Disclosure Form**
- 4. Contract/Vendor Questionnaire & Certificate**
- 5. Disclosure of Investment Activities in Iran**
- 6. Non-Collusion Affidavit**
- 7. Stockholder/Partnership and Ownership Declaration**
- 8. Form W-9 Request for Taxpayer Identification Number & Certification**
- 9. Business Registration Certificate**
- 10. Disclosure of Judgments, Claims or Suits Pending Against Respondent**
- 11. Disclosure of all Immediate Relatives of Principal of Respondent**
- 12. Insurance Certificate**
- 13. Disclosure of Debarment, Suspension or Disqualification**
- 14. Licenses**
- 15. Letter of Intent**

To be completed and signed below. Return With Proposal

Acknowledgement of Addenda

The Respondent acknowledges receipt of the hereinafter enumerated Addenda which have been issued during the period of proposal and agrees that said Addenda shall become a part of this contract. The Respondent shall list below the numbers and issuing dates of the Addenda.

<u>ADDENDA NO.</u>	<u>ISSUING DATES</u>
_____	_____
_____	_____
_____	_____
_____	_____

No Addenda has been Received

Name of Company _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Name of Authorized Representative _____

Signature _____ **Date** _____

To be completed and signed below & returned with proposal.

AFFIRMATIVE ACTION QUESTIONNAIRE

This form is to be completed and returned with the proposal. However, the Board will accept in lieu of this Questionnaire, a current Affirmative Action Evidence—Certificate of Employee Information Report

1. Our company has a federal Affirmative Action Plan approval. Yes No
If yes, please attach a copy of the plan to this questionnaire.
2. Our company has a N.J. State Certificate of Employee Information Report Yes No
If yes, please attach a copy of the certificate to this questionnaire.
3. If you answered “**NO**” to both questions No. 1 and 2, you must apply for an Affirmative Action Employee Information Report – Form AA302.

Please visit the New Jersey Department of Treasury website for the Division of Public Contracts Equal Employment Opportunity Compliance: www.state.nj.us/treasury/contract/compliance/

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

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

All fees for this application are to be paid directly to the State of New Jersey. A copy shall be submitted to the Board of Education within seven (7) days of the notice of the intent to award the contract or the signing of the contract.

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

Print Name: _____ Title: _____

Signature: _____ Date: _____

Name of Company: _____

Address: _____

City, State, Zip: _____

To be completed, signed below & returned with proposal

**BRICK TOWNSHIP BOARD OF EDUCATION
CHAPTER 271**

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

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

Reportable Contributions

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

The Business Entity may attach additional pages if needed.

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

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

Certification

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

Name of Authorized Agent: _____ Title: _____

Signature: _____

Business Entity: _____

CONTRACTOR/VENDOR QUESTIONNAIRE & CERTIFICATION

Name of Company: _____

Street Address: _____ PO Box: _____

City, State, Zip: _____

Business Phone Number: _____ Ext: _____

Emergency Phone Number: _____

FAX No: _____ E-Mail: _____

FEIN No: _____

Years in Business: _____ Number of Employees: _____

References – Work previously done for School Systems in New Jersey

District/Town	Contact Person	Email	Phone

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the BRICK TOWNSHIP 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 proposal or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation exists where a Board member, employee, officer of the board has an interest in the proposal, 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, employee of the Board of Education or any consultant of the Board of Education.

Vendor Contributions

I declare and certify that I fully understand N.J.A.C. 6A:23A-6.3(a) (1-4) and Board Policy 3327 concerning vendor contributions to school board members.

I certify that my company is not debarred from doing business with any public entity in New Jersey or the United States of America.

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 (Print)

SIGNATURE

STANDARD BID DOCUMENT REFERENCE						
Name of Form	COMBINED CERTIFICATION: PROHIBITED ACTIVITIES IN RUSSIA AND BELARUS & INVESTMENT ACTIVITIES IN IRAN					
Statutory Reference	P.L. 2022, c. 3 N.J.S.A. 52:32-55 et seq. N.J.S.A. 40A:11-2.1 N.J.S.A. 18A:18A-49.4					
Applicability		Y/N		Mandatory	Optional	N/A
	LPCL	Y	Goods and Services	X		
	PSCL	Y	Construction			X
Instructions Reference						
Description	<p>P.L. 2022, c. 3 prohibits the award, renewal, amendment, or extension of State and local public contracts for goods or services with persons or entities engaging in prohibited activities in Russia or Belarus. P.L. 2012, c.25 prohibits the award or renewal of State and local public contracts for goods and services with persons or entities engaged in certain investment activities in the energy or finance sectors of Iran.</p> <p>Before a goods and services contract can be entered into, vendors and contractors must certify that neither they nor any parent entity, subsidiary, or affiliate is listed on the New Jersey Department of the Treasury’s list of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 (“Russia-Belarus list”) or in Iran pursuant to P.L. 2012, c. 25 (“Chapter 25 list”).</p>					

The Certification form requires the insertion of contracting unit identification information which should be filled in (in italics on the form) prior to its use.

Prohibited Russia-Belarus Activities & Iran Investment Activities			

Person or Entity	
-------------------------	--

Part 1: Certification

COMPLETE PART 1 BY CHECKING **ONE OF THE THREE BOXES BELOW**

Pursuant to law, any person or entity that is a successful bidder or proposer, or otherwise proposes to enter into or renew a contract, for goods or services must complete the certification below prior to contract award to attest, under penalty of perjury, that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list or Chapter 25 list as a person or entity engaging in prohibited activities in Russia, Belarus or Iran. Before a contract for goods or services can be amended or extended, a person or entity must certify that neither the person or entity, nor any parent entity, subsidiary, or affiliate, is identified on the Department of Treasury's Russia-Belarus list. Both lists are found on Treasury's website at the following web addresses:

<https://www.nj.gov/treasury/administration/pdf/RussiaBelarusEntityList.pdf>
www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf

As applicable to the type of contract, the above-referenced lists must be reviewed prior to completing the below certification.

A person or entity unable to make the certification must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran. The person or entity must cease engaging in any prohibited activities and provide an updated certification before the contract can be entered into.

If a vendor or contractor is found to be in violation of law, action may be taken as appropriate and as may be 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.

CONTRACT AWARDS AND RENEWALS

<input type="checkbox"/>	<p><i>I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate appears on the N.J. Department of Treasury's lists of entities engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3 or in investment 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. (Skip Part 2 and sign and complete the Certification below.)</i></p>
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CONTRACT AMENDMENTS AND EXTENSIONS

I certify, pursuant to law, that neither the person or entity listed above, nor any parent entity, subsidiary, or affiliate is listed on the N.J. Department of the Treasury's lists of entities determined to be engaged in prohibited activities in Russia or Belarus pursuant to P.L. 2022, c. 3. 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. (Skip Part 2 and sign and complete the Certification below.)

IF UNABLE TO CERTIFY

I am unable to certify as above because the person or entity and/or a parent entity, subsidiary, or affiliate is listed on the Department's Russia-Belarus list and/or Chapter 25 Iran list. I will provide a detailed, accurate, and precise description of the activities as directed in Part 2 below, and sign and complete the Certification below. Failure to provide such will prevent the award of the contract to the person or entity, and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

Part 2: Additional Information

PLEASE PROVIDE FURTHER INFORMATION RELATED TO PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS AND/OR INVESTMENT ACTIVITIES IN IRAN.

You must provide a detailed, accurate, and precise description of the activities of the person or entity, or of a parent entity, subsidiary, or affiliate, engaging in prohibited activities in Russia or Belarus and/or investment activities in Iran in the space below and, if needed, on additional sheets provided by you.

Part 3: Certification of True and Complete Information

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments there, 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 Brick Township Board of Education is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the Brick Township Board of Education to notify the Brick Township Board of Education 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. 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 Brick Township Board of Education and that the Brick Township Board of Education at its option may declare any contract(s) resulting from this certification void and unenforceable.

Full Name (Print)		Title	
Signature		Date	

To be completed, signed below and returned with proposal.

NON-COLLUSION AFFIDAVIT

STATE OF NEW JERSEY

BRICK TOWNSHIP SCHOOL DISTRICT

COUNTY OF OCEAN

I, _____ of the Municipality of _____ in the County of _____ and the state of _____ of full age, being duly sworn according to law on my oath depose and say that:

I am _____ of the firm of _____: the bidder making the proposal for the above named project and that I executed the said proposal with 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 state of New Jersey and the owner relies upon the truth of 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:

(Name of Contractor)

Subscribed and sworn to:

(Also, type or print name of affidavit under signature.)

before me on this _____ day of _____

_____ Notary Public of _____

My commission expires _____, 20____.

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

To be completed and signed below.

Return with Proposal

No corporation, partnership or limited liability company, 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, said partnership, said limited liability company, there is submitted a statement setting forth 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. If one or more such stockholder, partner or member is itself a corporation or partnership or limited liability company, the stockholder holding 10 percent or more of that corporation's stock or the individual partners owning 10 percent or greater interest in that partnership, or the members owning 10 percent or greater interest in that limited liability company 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, and member exceeding the 10 percent ownership criteria established in this act, has been listed.

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

_____ Corporation _____ Limited Partnership _____ Partnership _____ Limited Liability Co
 _____ Sole Proprietorship _____ Limited Liability Partnership _____ Sub Chapter S _____ Other

IT IS MANDATORY THAT THIS FORM BE COMPLETED AND SUBMITTED WITH BID/PROPOSAL. 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 _____

List of Owners with Ten Percent (10%) or More Interest

Owner's name	Home Address

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** _____

This form shall be completed, signed and submitted with the bid/proposal. The form continues on the next page.

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP (cont.)

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

Our firm, _____, is organized

Names of Principals

Title

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

Name of Company _____

Address _____

City, State, Zip _____

Authorized Agent _____ Title _____

SIGNATURE OF AUTHORIZED AGENT

This form shall be completed, signed and submitted with the bid/proposal.

Form W-9 (Rev. October 2007) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification		Give form to the requester. Do not send to the IRS.
Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)		
	Business name, If different from above		
	Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) ▶		<input type="checkbox"/> Exempt Payee
	<input type="checkbox"/> Other (see instructions)		
	Address (number, street, and apt. or suite no.)		Requester's name and address (optional)
City, state, and ZIP code			
List account number(s) here (optional)			
Taxpayer Identification Number (TIN)			

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN on Page 3.

Note: If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number - -
or Employer identification number -

Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am writing for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage, interest paid, acquisition or abandonment or secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Signature	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	---------------

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partner's share of effectively connected income.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An Individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or Organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partner's share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is Substantially similar to this Form W-9.

BUSINESS REGISTRATION CERTIFICATE

Attach Business Registration Certificate

(If you do not have one – get one by applying online at New Jersey Business Registration.)

**DISCLOSURE OF JUDGEMENTS, CLAIMS OR SUITS
PENDING AGAINST RESPONDENT**

RESPONDENT: _____

Provide a list of all judgements, claims or suits pending against respondent below:

_____ I certify that listed below are all judgements, claims and suits pending against
_____.

Name of Respondent

_____ I certify that there are no judgements, claims or suits pending against
_____.

Name of Respondent

Signature

Date

DISCLOSURE OF IMMEDIATE RELATIVES OF PRINCIPAL OF RESPONDENT

RESPONDENT: _____

_____ I Certify that listed below is a list of all immediate relatives of Principal of Respondent who are Board employees or elected officials of the Board. For purposes of the above, “immediate relative” means a spouse, parent, stepparent, brother, sister, child, stepchild, direct-line aunt or uncle, grandparent, grandchild, and in-laws by reason of relation.

_____ I Certify that there are no immediate relatives of Principal or Respondent who are Board employees or elected officials of the Board.

Signature

Date

INSURANCE CERTIFICATE

Attach Insurance Certificate as evidence of complying with the minimum requirements of this Request for Proposal.

DISCLOSURE OF DEBARMENT, SUSPENSION, OR DISQUALIFICATION

RESPONDENT: _____

_____ I certify that _____ is at time of this proposal included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List – Excluded Parties List System – System for Award Management – SAM.gov.

_____ I certify that _____ is at time of this proposal NOT included on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List or the State of New Jersey Consolidated Debarment Report, or the Federal Debarred Vendor List – Excluded Parties List System – System for Award Management – SAM.gov.

Signature of Respondent

Date

Attach a Copy of the Required Licenses

LETTER OF INTENT
(Contract/Agreement)

(Note: To be typed on Respondent's Letterhead. No modifications may be made to this letter.)

[insert date]

Attn: (INSERT CONTACT NAME)
(INSERT ENTITY NAME)
(INSERT ADDRESS)

Dear:

The undersigned, as Respondent, has (have) submitted the attached Proposal Statement in response to a Request for Proposal (RFP), issued by the Brick Township Board of Education ("Board"), dated _____, in connection with the Board's need for _____.

(Name of Respondent) HEREBY STATES:

1. The Proposal Statement contains accurate, factual and complete information.
2. (Name of Respondent) agrees to participate in good faith in the procurement process as described in the RFP and to adhere to the Board's procurement schedule.
3. (Name of Respondent) acknowledges that all costs incurred by it (them) in connection with the preparation and submission of the Proposal Statement and any proposal prepared and submitted in response to the RFP, or any negotiation which results there from shall be borne exclusively by the Respondent.
4. (Name of Respondent) hereby declares that the only persons participating in this Proposal Statement as Principals are named herein and that no person other than those herein mentioned has any participation in this Proposal Statement or in any contract to be entered into with respect thereto. Additional persons may subsequently be included as participating Principals, but only if acceptable to the Board. (Name of Respondent) declares that this Proposal Statement is made without connection with any other person, firm or parties who has submitted a Proposal Statement, except as expressly set forth below and that it has been prepared and has been submitted in good faith and without collusion or fraud.
5. (Name of Respondent) acknowledges and agrees that the Board may modify, amend, suspend and/or terminate the procurement process (in its sole judgment). In any case, the Board shall not have any liability to the Respondent for any costs incurred by the Respondent with respect to the procurement activities described in this RFP.

6. (Name of Respondent) acknowledges that the provision of _____ must comply with all applicable affirmative action and similar laws. Respondent hereby agrees to take such actions as are required in order to comply with such applicable laws.

7. (Name of Respondent) submits a proposal including out of pocket expenditures, as follows: \$ _____.

8. (Name of Respondent) agrees, that if selected by the Board, to perform services outlined in the solicitation. (Name of Respondent) further agrees that if at any time during the period covered by this solicitation, the Respondent is unable or unwilling to perform said services, that the Board may utilize the next available responsible Respondent, and (Name of Respondent) will reimburse the Board any cost difference between fee that would have been paid and the cost paid by the Board if said cost is higher.

9. (Name of Respondent) agrees to defend, indemnify and hold the Brick Township Board of Education harmless with respect to any claim for injury to person or property arising out of acts of (Name of Respondent), its subsidiaries, parents, agents, principals or employees.

10. (Name of Respondent) agrees that the services are being delivered and are intended to be performed in the State of New Jersey and shall be constructed and enforced in accordance with the laws of that State.

11. (Name of Respondent) agrees that the services may be terminated by the Board by giving the respondent 30 days advance written notice.

(Respondent shall sign and complete the space provided below. If a joint venture, appropriate officers of each company shall sign.)

(Signature of Chief Executive Officer or individual)

(Typed Name and Title)

(Type Name of Firm)

Dated: _____