

ELK TOWNSHIP BOARD OF EDUCATION

900 Clems Run, Glassboro New Jersey 08028

REQUEST FOR PROPOSALS

AUDITOR

NOTICE OF SOLICITATION

Notice is hereby given that pursuant to the provisions of N.J.S.A. 19:44A-20, New Jersey Pay to Play, and other legislative enactments, more specifically Chapter 271 of the laws of the State of New Jersey, the Elk Township Board of Education located at 900 Clems Run, Glassboro, New Jersey 08028 is seeking proposals for professional services for **AUDITOR** to be provided to the Elk Township Board of Education for the period July 1, 2021 to June 30, 2022, with possible two (2) one-year extensions for the 2022-2023 and the 2023-2024 school years, at the option of the Board of Education.

All proposals must be received by the Elk Township Board of Education School Business Administrator/Board Secretary **no later than June 15, 2021 at 11:00am** at the Board of Education office located at 900 Clems Run, Glassboro, New Jersey 08028. All questions concerning this Notice should be addressed in writing to Joseph M. Collins, School Business Administrator/Board Secretary, Elk Township Board of Education, 900 Clems Run, Glassboro, New Jersey 08028 or e-mailed to jcollins@delsearegional.us

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

MINIMUM REQUIRED INFORMATION/DOCUMENTATION

All proposals for professional service contracts shall include at a minimum the following information/documentation.

1. Organization/Management Structure:

- a. Identify the person who will be primarily responsible for the services required by the Elk Township Board of Education and provide a description of the experience of the primary person with clients/audits and issues similar to those more specifically set forth in this proposal and on behalf of the Elk Township Board of Education.
 - b. Identify persons who will serve as back up to the primary person including resumes of all parties.
 - c. Number of years in business.
 - d. Provide a list of previous Board of Education clients and contact sources.
2. Describe ability to provide services in a timely fashion including a description of your staffing and a description of your familiarity with the services required by the Elk Township Board of Education.

3. Provide a fee structure including the cost of services (hourly rate). Proposal shall detail whether clerical and other overhead costs will be billed separately or included in the hourly labor rate for the Auditors.
4. Professional Liability Insurance: The provider is to provide, at own expense, a comprehensive general liability insurance policy including professional liability, insuring against any and all claims for bodily injury or death resulting from performance and services by the professionals, staff, and agents. The insurance shall provide not less than \$1,000,000 with respect to injury or aggregate, or may be in such other form as provided by the New Jersey Tort Claims Act, NJSA 59:1-1 et. seq., which shall govern the terms and conditions of any such program. The School District shall be listed as additional insured on the policy.
5. New Jersey Business Registration Certificate: A copy of the New Jersey Business Registration Certificate must be included in the response. *NOTE: In accordance with P.L. 2004, c.57, as a public entity, the Elk Township Board of Education is required to have this document on hand before entering into a contract with any vendor or company.*
6. Responders must comply with the requirements of P.L. 1975, Chapter 127, NJAC 17:27 Laws Against Discrimination. (See Exhibit A and attachments.)
7. Political Contribution Disclosure: Businesses and vendors making \$50,000 or more in public entity work, shall provide an annual disclosure statement with New Jersey Election Law Enforcement Commission (NJ ELEC) setting forth all contributions made within the past twelve (12) months.

SCOPE OF SERVICES

Pursuant to Title 18A-18A-5(1) professional services are not required to be bid or advertised and the Board is not required to award on the basis of lowest price and will award based on criteria as outlined in this request for proposals. The requests are being made to ensure the District receives the highest quality service at a fair and competitive price.

The Board of Education desires to appoint a firm of certified public accountants to act as board auditors for the Elk Township Board of Education. Applicant should demonstrate knowledge of Board of Education auditing laws and regulations and experience in providing advice to boards of education on records compliance issues. Any experience or knowledge of matters that directly affect the Elk Township Board of Education should be addressed.

MINIMUM QUALIFICATIONS

1. The firm must employ a minimum of three (3) certified public accountants who have been licensed in that capacity for a period of not less than seven (7) years each prior to the date of appointment.
2. The firm must employ a minimum of three (3) registered school board accountants licensed and qualified in that capacity for a minimum of five (5) years each prior to the appointment.
3. Must have a minimum of ten (10) years' experience in providing auditing services to boards of education within the State of New Jersey.
4. Must maintain a current principal office within the State of New Jersey.
5. Must describe any special services available to school board clients.

6. Must list all past and present school board clients.

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 a committee of administrative staff and Board Members of the School District based upon information supplied by each Responder to this RFP and the following criteria:

- Ability to meet all minimum qualifications.
- Overall knowledge and familiarity with the needs/operations of the School District.
- Experience of the firm in providing similar services to other public school districts, with special emphasis on experience in New Jersey.
- Qualifications and experience of the professionals.
- Qualifications and experience of the other members of the professional's firm.
- The hourly rates proposed.

Any questions regarding this Request for Proposals should be directed in writing to Joseph M. Collins, School Business Administrator/Board Secretary of the Elk Township Board of Education

SUBMISSION

Proposing firms shall provide evidence that the minimum qualifications are met. Proposals should also include cost details including hourly rates of the individuals who perform services and whether clerical and other overhead costs will be billed separately or included in the hourly labor rate for the attorneys. Proposals shall include a list of public school clients including length of service provided to those clients.

Please submit two (2) copies of the proposal to:

Joseph M. Collins
School Business Administrator/Board Secretary
900 Clems Run
Glassboro, New Jersey 08028

The proposal must be mailed or hand delivered **no later than June 15, 2021 at 11:00am.**

No proposal will be considered, regardless of postmark, unless it is in the hands of the School Business Administrator/Board Secretary prior to the time set for the opening of the proposals. Proposals may be delivered to the above address between the hours of 9:00 a.m. and 4:00 p.m. Proposals must be plainly marked on the outside **“AUDITOR SERVICES”** and the envelope containing the proposal shall be endorsed on its face with the name of the person, firm or corporation making such proposal. The Elk Township Board of Education will not be responsible for the premature opening of any proposal not so marked.

The Board reserves the right to reject any or all proposals and to waive immaterial informalities, or to accept any proposal, which in the opinion of the Board of Education will be in the best interest of the School District. Any deviation from the materials and/or supplies of this proposal will be deemed a breach of contract, unless prior written consent is obtained by the vendor from the Elk Township Board of Education's School Business Administrator/Board Secretary.

AFFIRMATIVE ACTION QUESTIONNAIRE

1. Our company has a federal Affirmative Action Plan approval.

_____ Yes _____ No

If YES, a copy of said approval shall be submitted to the Board of Education within seven (7) working days of the notice of intent to award the contract or the signing of the contract.

2. Our company has a New Jersey State Certificate of Approval.

_____ Yes _____ No

If YES, a copy of the New Jersey State Certificate shall be submitted to the Board of Education within seven (7) working days of the notice of intent to award the contract or the signing of the contract.

If you answered NO to both questions above, an Affirmative Action Employee Information Report (AA-302) will be mailed to you. Complete the form and forward it to the State of New Jersey, Department of Treasury, Division of Purchase & Property, Contract Compliance and Audit Unit, EEO Monitoring Program, PO Box 206, Trenton, NJ 08625-0206. 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 signing of the contract.

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

(Name of Contractor)

(Signature)

(Title)

(Date)

To be completed and signed.

Return with RFP 001-21

NON-COLLUSION AFFIDAVIT
SPECIFICATIONS FOR AUDITOR

Re: RFP for the Elk Township Board of Education.

RFP No. **001-21**

STATE OF _____)

RFP Date:

:SS:

COUNTY OF _____)

I, _____ of the City of _____

in the County of _____ and the State of _____

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

I am _____ of

Position in Company the firm of _____ and the respondent making the quotation for the above names contract, and that I executed the said RFP with full authority so to do; that I have not, directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential respondents, or otherwise taken any action in restraint of free, competitive quotations in connection with the above named quote, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Education of Delsea Regional relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said quotation.

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

(Print Name of Contractor/Vendor)

Subscribed and sworn to: _____

(SIGNATURE OF CONTRACTOR/VENDOR)

before me this _____ day of _____, _____.

Month

Year

NOTARY PUBLIC SIGNATURE

Print Name of Notary Public

My commission expires _____, _____.

- Seal -

Month

Day

Year

To be completed and signed.

Return with RFP 001-21

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

SPECIFICATIONS FOR AUDITOR

Re: RFP for the Elk Township Board of Education Board of Education.

RFP No. **001-21**

RFP Date:

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

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

No corporation “or partnership” shall be awarded any contract nor shall any agreement be entered into for the performance of any work or the furnishing of any material or supplies, the cost of which is to be paid with or out of any public funds, by the State or any county, municipality or school district, or any subsidiary or agency of the State, or by an authority, board or commission which exercises governmental functions, unless prior to the receipt of the quote or accompanying the quote of said corporation or said partnership, there is submitted a statement setting forth the names and all individual partners in the partnership who own a 10% or greater interest therein, as the case may be.” If one or more such stockholder “or partner” is itself a corporation “or partnership”, the stockholder holding 10% or more of that corporation “or partnership” the individual partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be, continued until names and addresses of every non-corporate stockholder, and individual partner, exceeding the 10% ownership criteria established in this act, has been listed.

IT IS MANDATORY THAT THIS FORM BE COMPLETED AND SUBMITTED WITH RESPONDENT. In the event that there are no persons who own ten percent or more of the stock or ownership of the bidder, then such fact should be certified below as part of this disclosure.

Name of Company _____

Address _____

City, State, Zip _____

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

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

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

Signature _____ *Date* _____

(form continued on next page) →→→

To be completed and signed.

Return with RFP 001-21

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

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

Our firm, _____, is organized

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

To be completed and signed.

Return with RFP 001-21

P.L. 2005, c.271

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

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

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

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

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

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

52:34-25 2. a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.) and that were made by the business entity during the preceding 12 month period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or any continuing political committee. A business entity contracting with a county, municipality, independent authority, other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

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

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

c. As used in this section:

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

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

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

of the State and any office, board, bureau or commission within or created by the Legislative Branch, and any independent State authority, commission, instrumentality or agency.

P.L. 2005,c271

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

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

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

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

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

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

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

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

As used in this section:

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

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

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

4. This act shall take effect immediately.

* Note: Bold italicized statutory references of new sections are anticipated and not final as of the time this document was prepared. Statutory compilations of N.J.S.A. 18A:18A-51 is anticipated to show a reference to N.J.S.A. 40A:11-51 and to N.J.S.A. 52:34-25.

Name of Authorized Representative _____

Signature _____

To be completed and signed.

Return with RFP 001-21

Vendor Questionnaire/Certification

RFP No. 001-21

SPECIFICATIONS FOR AUDITOR

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

	<u>Name of District</u>	<u>Address</u>	<u>Contact Person/Title</u>	<u>Phone</u>
1.	_____	_____	_____	_____
2.	_____	_____	_____	_____
3.	_____	_____	_____	_____

To be completed and signed.

Return with RFP 001-21

SPECIFICATIONS FOR AUDITOR

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the Elk Township Board of Education Board of Education, nor any officer or employee or person whose salary is payable in whole or in part by said Board of Education or their immediate family members are directly or indirectly interested in this bid or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

I certify that I am not an official or employee of the Elk Township Board of Education Board of Education.

President of Authorized Agent

SIGNATURE

To be completed and signed.

Return with RFP 001-21

APPENDIX A

AMERICANS WITH DISABILITIES ACT OF 1990

Equal Opportunity for Individuals with Disability

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

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

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

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

Submitted by

Name of Firm _____ By: _____

Date: _____ Title: _____

To be completed and signed.

Return with RFP 001-21

Acknowledgement of Addenda

Bid Date:

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

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

No Addenda Received

Name of Company _____

Address _____ P.O. Box _____

City, State, Zip Code _____

Name of Authorized Representative _____

Signature _____

To be completed and signed.

Return with RFP 001-21