

WEST LONG BRANCH BOARD OF EDUCATION
135 Locust Avenue
West Long Branch, NJ 07746

REQUEST FOR PROPOSALS

BOARD ATTORNEY

NOTICE OF SOLICITATION

The West Long Branch Board of Education (the “Board”) is requesting proposals from law firms licensed to practice in the State of New Jersey that wish to provide legal services to the West Long Branch Board of Education as directed by the Board of Education and as needed in the operation of the West Long Branch School District. It is the intention of the West Long Branch Board of Education to appoint a firm for the period commencing in January 2022 through the Board’s reorganization meeting in January 2023 and two additional years at the Board’s option, in separate annual contracts. Under N.J.S.A. 18A-18A-5(a)(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 a professional legal services contract based on criteria as outlined in this request for proposals (RFP). This request for proposals is being made to ensure the Board of Education receives the highest quality professional service at a fair and competitive price.

All proposals must be received by the West Long Branch Board of Education School Business Administrator/Board Secretary no later than 10:00 a.m. on Tuesday, November 30, 2021 at the Board of Education office located at 135 Locust Avenue, West Long Branch, NJ. All questions concerning this Notice should be addressed in writing to Ms. Corey Lowell, School Business Administrator/Board Secretary, via email at clowell@wlbschools.com.

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 attorney who will be primarily responsible for the services required by the Board of Education (“Responsible Attorney”) and provide their resume, including their experience in representing New Jersey public schools.
 - b. Identify persons who will serve as back up to the Responsible Attorney, including resumes of all parties.
 - c. State the number of years in business.
 - d. Provide a list of current and previous Board of Education clients and contacts for same who are familiar with the attorney/firm’s services for the client.

2. Describe ability to provide services in a proper and timely fashion, including a description of staffing and a description of the firm’s familiarity with the services required by the Board of

Education.

3. Provide a fee structure, including the cost of services (hourly rate for the term of the annual contract). Proposal shall detail whether clerical and other overhead costs will be billed separately or included in the hourly labor rate for the attorneys.

DOCUMENTS TO BE SUBMITTED WITH THE PROPOSAL

- Affirmative Action Questionnaire;
- Stockholders Disclosure Statement;
- Vendor Questionnaire/Certification;
- New Jersey Business Registration Certificate;
- Chapter 271 Political Contribution Disclosure Form;
- Investment Activities in Iran;
- Non-Collusion Affidavit.

SCOPE OF SERVICES

Specialized services required - The Responsible Attorney and designated back-up attorneys at the same law firm will be expected to provide professional services to the West Long Branch Board of Education during the contract term on an as-needed basis. Various issues arise during the normal course of business involving the need for professional services on matters that will require guidance and advice from the aforesaid professional. The Responsible Attorney or designated back-up attorneys at the same law firm will be expected to return phone calls to the Board of Education within twenty-four (24) hours unless an earlier response is requested in a particular instance. The Responsible Attorney will also be expected to provide a mobile telephone number and be available to provide advice to the Board of Education, the District Superintendent and Business Administrator and other responsible School District officials during non-business hours.

Attendance at Regular Board Meetings – The Responsible Attorney is expected to attend meetings of the Board of Education by request.

BUDGET & HISTORICAL EXPENDITURES

Historical expenditures for legal fees:

2019-2020 Actual Expenditures	\$49,800
2018-2019 Actual Expenditures	\$36,650
2017-2018 Actual Expenditures	\$40,570

MINIMUM QUALIFICATIONS

1. The proposing firm shall employ, and shall state it will continue to employ, two (2) or more New Jersey licensed attorneys whose major focus and work has been and remains providing professional services to and advising public schools.
2. The firm shall have at least five (5) years of experience in representing public schools in the full range of school law matters, including, but not limited to, matters involving school ethics, special education, labor contract negotiations, school finance, the New Jersey Open Public Meetings Act and the New Jersey Open Public Records Act.
3. The Responsible Attorney shall have at least (10) years' experience in representing New Jersey public schools in administrative and transactional matters. This Responsible Attorney and all back-up attorneys from the same law firm shall be licensed, and in good standing, to practice law in New Jersey. The Responsible Attorney shall be responsible for supervising the firm's work on the behalf of the West Long Branch Board of Education.
4. The firm and individuals assigned to work with the West Long Branch School District shall be well-versed in all aspects of the operations of New Jersey public school districts.

EVALUATION OF PROPOSALS

The West Long Branch Board of Education intends to award a professional services contract for the defined scope of work in accordance with New Jersey law.

The proposals will be evaluated by 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 as described in this RFP
- Overall knowledge and familiarity with the legal needs/operations of a New Jersey Public 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 other attorneys in the professional's firm who may provide services under this engagement.
- The hourly rates proposed for all individuals who will perform services for the Board of Education.
- A copy of the retainer or engagement letter, or contract, that the firm would ask the West Long Branch Board of Education to approve for signature on the Board's behalf if it is selected. The terms stated in the proposed engagement document shall not materially deviate from the requirements of this RFP.

After initial screening of proposals, selected firms will be interviewed by the administration and Board Members in Executive Session on or about December 14, 2021.

SUBMISSION

Please submit proposal to:

Ms. Corey Lowell
Business Administrator/Board Secretary
West Long Branch Board of Education
135 Locust Avenue
West Long Branch, NJ 07746

Proposals may be delivered to the above address between the hours of 8:00 a.m. and 3:30 p.m. and shall be delivered not later than 10:00 a.m. on Tuesday, November 30, 2021.

Proposals will be publicly available for review after the date and time above.

Proposals must be plainly marked on the outside **“BOARD ATTORNEY 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.

AFFIRMATIVE ACTION REQUIREMENTS

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

- Appropriate evidence that the respondent is operating under an existing federally approved or sanctioned affirmative action program; or
- 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 contractor, in accordance with N.J.A.C.17:27-4.

Please note: A completed and signed Affirmative Action Questionnaire is required with submission of proposal. However, the Board will accept in lieu of the Questionnaire, Affirmative Action Evidence stapled to the Affirmative Action Questionnaire form.

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

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

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

POLITICAL CONTRIBUTION DISCLOSURE STATEMENT – PAY TO PLAY

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

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

Award of Contract -- Reportable Contributions -- N.J.A.C. 6A:23A-6.3 (a(1))

“No district board of education shall vote upon or award any contract in the amount of \$17,500 or greater to any business entity that has made a contribution reportable by the recipient under P.L. 1973, c. 83 (N.J.S.A. 19:44A-1 et seq.), to a member of the district 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, c. 83 (N.J.S.A. 19:44A-1 et seq.), to any member of the district board of education from any business entity doing business with the school district shall be prohibited during the term of a contract.”

“When a business entity referred to in (a)2 above is a natural person, a contribution by that person's spouse or child who resides therewith shall be deemed to be a contribution by the business entity. Where 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 (a4)

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

EXHIBIT A

MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE

N.J.S.A. 10:5-31 et seq., N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICES AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated

during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor, where applicable, will send to each labor union or representative or workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor where applicable, agrees to comply with any, regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq. as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to afford equal employment opportunities to minority and women workers consistent with good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2, or Good faith efforts to meet targeted county employment goals determined by the Division, pursuant to N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personal testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a

goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval
Certificate of Employee Information Report
Employee Information Report Form AA302

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

To be completed and returned with the proposal form.

AFFIRMATIVE ACTION QUESTIONNAIRE

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

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

_____ YES _____ NO

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

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

_____ YES _____ NO

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

3. If you answered ***NO*** to both questions above, an affirmative action *Employee Information Report (AA-302)* will be mailed to you. Complete the form and forward it to:

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

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

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

NAME _____

SIGNATURE _____

TITLE

DATE _____

NAME OF COMPANY _____

To be completed and returned with the proposal form.

Vendor Questionnaire/Certification

Name of Company _____

Street Address _____ PO Box _____

City, State, Zip _____

Business Phone Number (____) _____ Ext. _____

Emergency Phone Number (____) _____

FAX No. (____) _____ E-Mail _____

Years in Business _____ Number of Employees _____

References – Work previously done for school systems in New Jersey

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

Vendor Certification

Direct/Indirect Interests

I declare and certify that no member of the West Long Branch 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

(form continued on next page) →→→

their immediate family members are directly or indirectly interested in this bid or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

Gifts; Gratuities; Compensation

I declare and certify that no person from my firm, business, corporation, association or partnership offered or paid any fee, commission or compensation, or offered any gift, gratuity or other thing of value to any school official, board member or employee of the West Long Branch Board of Education.

Vendor Contributions

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

I certify that I am not an official or employee of the West Long Branch Board of Education.

I further certify that I understand that it is a crime in the second degree in New Jersey to knowingly make a material representation that is false in connection with the negotiation, award or performance of a government contract.

President or Authorized Agent

Signature

NON-COLLUSION AFFIDAVIT

Attorney

Re: Proposal for the West Long Branch Board of Education.

STATE OF NEW JERSEY

COUNTY OF _____ : ss:

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/Title in Company

the firm of _____ and the bidder making the Proposal for the above names contract, and that I executed the said Proposal with full authority so to do; that I have not, directly or indirectly, entered into any agreement, participated in any collusion, discussed any or all parts of this proposal with any potential bidders, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named bid, and that all statements contained in said Proposal and in this affidavit are true and correct, and made with full knowledge that the West Long Branch Board of Education relies upon the truth of the statements contained in said Proposal and in the statements contained in this affidavit in awarding the contract for the said bid.

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

(Print Name)

(form continued on next page) →→→

Subscribed and sworn to: _____

(SIGNATURE)

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

Print Name of Notary Public

NOTARY PUBLIC SIGNATURE

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

STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP

ATTORNEY

Re: Proposal for the West Long Branch Board of Education.

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

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

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

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

Name of Company _____

Address _____

City, State, Zip _____

(form continued on next page) →→→

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

To be completed and signed below.

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. ***(form continued on next page) →→→***

*Name of Company*_____

*Address*_____

*City, State, Zip*_____

Authorized Agent_____ Title _____

SIGNATURE OF AUTHORIZED AGENT

**West Long Branch Board of Education
Business Office
135 Locust Avenue
West Long Branch, New Jersey 07764**

**Chapter 271
Political Contribution Disclosure Form
(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 19:44A-20.26**

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

Reportable Contributions

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

The Business Entity may attach additional pages if needed.

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

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

(form continued on next page) →→→

Certification

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

Name of Authorized Agent _____

Signature _____ Title _____

Business
Entity _____

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.

N.J.S.A. 19:44A-20.26.2 a. Not later than 10 days prior to entering into any contract having an anticipated value in excess of \$17,500, except for a contract that is required by law to be publicly advertised for bids, a State agency, county, municipality, independent authority, board of education, or fire district shall require any business entity bidding thereon or negotiating therefor, to submit along with its bid or price quote, a list of political contributions as set forth in this subsection that are reportable by the recipient pursuant to the provisions of P.L.1973, c.83 (C.19:44A-1 et seq.) and that were made by the business entity during the preceding 12 month period, along with the date and amount of each contribution and the name of the recipient of each contribution. A business entity contracting with a State agency shall disclose contributions to any State, county, or municipal committee of a political party, legislative leadership committee, candidate committee of a candidate for, or holder of, a State elective office, or any continuing political committee. A business entity contracting with a county, municipality, independent authority,

other than an independent authority that is a State agency, board of education, or fire district shall disclose contributions to: any State, county, or municipal committee of a political party; any legislative leadership committee; or any candidate committee of a candidate for, or holder of, an elective office of that public entity, of that county in which that public entity is located, of another public entity within that county, or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county, or any continuing political committee.

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

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

c. As used in this section:

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

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

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

d. Any business entity that fails to comply with the provisions of this section shall be subject to a fine imposed by the New Jersey Election Law Enforcement Commission in an amount to be

determined by the commission which may be based upon the amount that the business entity failed to report.

N.J.S.A. 19:44A-20.27.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.

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

County Name: Monmouth

State: Governor, and Legislative Leadership Committees
Legislative District #: 10, 11, 12, 13, & 30

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

County:

Freeholders County Clerk Sheriff Surrogate

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

Aberdeen Township	Highlands Borough	Neptune Township
Allenhurst Borough	Holmdel Township	Ocean Township
Allentown Borough	Howell Township	Oceanport Borough
Asbury Park City	Interlaken Borough	Red Bank Borough
Atlantic Highlands Borough	Keansburg Borough	Roosevelt Borough
Avon-by-the-Sea Borough	Keyport Borough	Rumson Borough
Belmar Borough	Lake Como Borough	Sea Bright Borough
Bradley Beach Borough	Little Silver Borough	Sea Girt Borough
Brielle Borough	Loch Arbour Village	Shrewsbury Borough
Colts Neck Township	Long Branch City	Shrewsbury Township
Deal Borough	Manalapan Township	Spring Lake Borough
Eatontown Borough	Manasquan Borough	Spring Lake Heights Borough
Englishtown Borough	Marlboro Township	Tinton Falls Borough
Fair Haven Borough	Matawan Borough	Union Beach Borough
Farmingdale Borough	Middletown Township	Upper Freehold Township
Freehold Borough	Millstone Township	Wall Township
Freehold Township	Monmouth Beach Borough	West Long Branch Borough
Hazlet Township	Neptune City Borough	

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Boards of Education (Members of the Board):

Allenhurst	Holmdel Township	Oceanport Borough
Asbury Park City	Howell Township	Red Bank Borough
Atlantic Highlands Borough	Interlaken Borough	Red Bank Regional
Avon Borough	Keansburg Borough	Roosevelt Borough
Belmar Borough	Keyport Borough	Rumson Borough
Bradley Beach Borough	Little Silver Borough	Rumson-Fair Haven Regional
Brielle Borough	Long Branch City	Sea Bright Borough
Colts Neck Township	Manalapan-Englishtown Regional	Sea Girt Borough
Deal Borough	Manasquan Borough	Shore Regional
Eatontown Borough	Marlboro Township	Shrewsbury Borough
Fair Haven Borough	Matawan-Aberdeen Regional	South Belmar
Farmingdale Borough	Middletown Township	Spring Lake Borough
Freehold Borough	Millstone Township	Spring Lake Heights Borough
Freehold Regional	Monmouth Beach Boro	Tinton Falls
Freehold Township	Monmouth Regional	Union Beach
Hazlet Township	Neptune City	Upper Freehold Regional
Henry Hudson Regional	Neptune Township	Wall Township
Highlands Borough	Ocean Township	West Long Branch Borough

Fire Districts (Board of Fire Commissioners):

Aberdeen Township Fire District No. 1
Aberdeen Township Fire District No. 2
Englishtown Borough Fire District No. 1
Freehold Township Fire District No. 1
Freehold Township Fire District No. 2
Hazlet Township Fire District No. 1
Howell Township Fire District No. 1
Howell Township Fire District No. 2
Howell Township Fire District No. 3
Howell Township Fire District No. 4
Howell Township Fire District No. 5
Manalapan Township Fire District No. 1
Manalapan Township Fire District No. 2
Manasquan Boro Fire District No.1
Marlboro Township Fire District No. 1
Marlboro Township Fire District No. 2
Marlboro Township Fire District No.3
Millstone Township Fire District No. 1
Neptune Township Fire District No. 1
Neptune Township Fire District No. 2
Ocean Township Fire District No. 1
Ocean Township Fire District No. 2
Spring Lake Heights Boro Fire District No. 1
Tinton Falls Fire District No. 1
Tinton Falls Fire District No. 2
Wall Township Fire District No. 1
Wall Township Fire District No. 2
Wall Township Fire District No. 3