

Request for Proposal  
For  
School Physician Services

To Be Received on or Before  
June 20, 2019 at 2:00 PM prevailing time.

Send to the Attention of:

Mrs. Martha J. Jamison, CPA  
School Business Administrator/Board Secretary  
Wildwood City Board of Education  
4300 Pacific Avenue  
Wildwood, NJ 08260

## **OVERVIEW**

The Wildwood City Board of Education is currently soliciting requests for proposals to procure the services of a physician to serve as a school physician/medical officer for the Wildwood City School District.

The Wildwood City School District is comprised of two schools housing students in grades 1 through 12 and an annex in a leased facility for grades Pre-K and K. The District currently serves approximately 870 students, including high school students received from Wildwood Crest, North Wildwood and West Wildwood.

The School Physician will report to the Superintendent of Schools and work collectively with the two (2) school nurses. The successful School Physician must be licensed by the New Jersey Board of Examiners in medicine or osteopathy whose training and scope of practice includes child and adolescent health and development. They must possess knowledge, training, or experience in the services required and applicable to school districts. Also, the School Physician must furnish proof of a criminal history background check approved by the State of New Jersey.

## **PURPOSE**

In accordance with N.J.S.A.19:44A-20.4 et seq., the Wildwood City Board of Education is requesting proposals (RFP) from physicians that wish to provide medical counsel and services to the Wildwood City Board of Education as directed by the Board. It is the intention of the Wildwood City Board of Education to appoint a Physician to provide medical services to the Board of Education for the 2019-2020 school year with the option to renew for two additional years, 2020-2021 and 2021-2022.

## **REPRESENTATIONS**

The physician will represent, with the understanding that the Board will rely upon such representations, the following:

1. Each physician who provides service under the agreement is currently licensed by the New Jersey Board of Medical Examiners in medicine or osteopathy and whose training and practices include child and adolescent health and development.
2. Each physician, as required by N.J.A.C. 6A:16-2.1, has undergone a criminal background check in accordance with N.J.S.A. 18A6-7.1. Prior to any physician providing services under this agreement, the Physician shall provide written documentation to the Business Administrator confirming that the physician has submitted to the said criminal background check and has been qualified to provide services.

3. To the fullest extent permitted by law, Physician shall indemnify and hold harmless the Board, its officials, employees, and agents from and against all claims, suits or actions, and damages or expenses, including but not limited to reasonable attorneys' fees, resulting from negligent acts or omissions on the part of the Physician, its agents, servants or individual physicians in the performance of this Agreement or provision of services hereunder.
4. Physician understands and agrees that it is acting as an independent contractor in the performance of its services hereunder, and nothing contained herein shall be deemed to create an employment relationship or an agency relationship between Physician, or any of its member's officials, employees, or consultants, and the Board. Physician understands that it, and not the Board, is responsible for the payment of any Federal, state or local income taxes, social security taxes, unemployment insurance payments, and similar items relating to the payments that may be made by the Board to the Physician under this Agreement.
5. During the term of this Agreement, Physician agrees to comply with the affirmative action provisions of N.J.S.A. 10:5-31 *et seq.* and N.J.A.C. 17:27-1, the applicable provisions of which shall be deemed incorporated herein by this reference. Upon the execution of this Agreement, Physician shall submit to the Board the documentation required by those provisions.
6. The school physician agrees to comply with the Law Against Discrimination pursuant to N.J.A.C. 17:27-1 et.seq. as set forth at length in Exhibit A attached hereto and made a part thereof.
7. The school physician shall agree to abide by and perform his duties in accordance with the ethics of the medical profession and all federal, state and municipal laws, rules, regulations and ordinances regulating the practice of medicine. The school physician shall possess a moderate degree of knowledge, training or experience in the services required and applicable to school districts.

### **SCOPE OF SERVICE**

The district is seeking an annual cost proposal to include, but is not limited to, the following services:

1. Conduct physical examinations for students who do not have a medical home, including school physicals for sports participants and school entrance.
2. Review, as needed, reports and orders from private physicians regarding student health concerns.
3. Consulting with two (2) school nurses regarding the delivery of school health services, which includes special health care needs of technology supported and

medically fragile children, including those covered by the IDEA and those with 504 plans.

4. Consultation and review in the development of district policies and procedures related to health, safety, and emergency medical procedures.
5. Consultation to the district Board of Education, administrators, and staff.
6. Establish standards of care for emergency situations and medically related care involving students and school staff.
7. Provide written standing orders for first-aid and emergency protocols renewed on a yearly basis. This would include protocols and procedures for the use of an AED by trained personnel.
8. Provide direction for professional duties of district school nurses.
9. Authorization of tuberculin testing to students and staff and administration of Hepatitis B vaccines for staff members.
10. Authorization of Epi-pen and/or ANA Emergency kit administration according to current guidelines.
11. Disposal of medical waste (syringes) generated in the course of the school year.
12. Review and approval of the "Do Not Resuscitate" (DNR) orders and instruction to school staff, if needed.
13. Provide physical examinations and health testing for new employees who do not have a primary care physician.
14. Consult with Child Study Team members and review student records, as needed.
15. Upon the Superintendent's request, off-site examination of employees to determine ability to return to work after illness for the suitability of an employee to continue working in his/her present job.
16. Other medical services as the parties may mutually agree.

### **PAYMENT TERMS AND CONDITIONS**

For the term of this contract, and in consideration of the terms and conditions of the Request for Proposal, the Wildwood City School District agrees to pay the successful School Physician the proposed annual fee pro-rated in twelve monthly installments. In the event that additional duties are performed, as noted in the Fee Proposal Form, the Physician will bill the Board based on the proposed fees.

## **SUBMISSION OF RFP PACKAGE**

- All RFP Proposal Packages are to be addressed to:

Mrs. Martha J. Jamison, CPA  
School Business Administrator  
Wildwood City Board of Education  
300 Pacific Avenue  
Wildwood, New Jersey 08260

- No proposals will be accepted by fax or email.
- Proposals must be placed in a sealed envelope and clearly marked **SCHOOL SOLICITOR PROPOSAL**.
- The Board reserves the right to reject any and all proposals.
- The Board intends to award this contract pursuant to New Jersey Public School Contract Laws, Title 18A:18A, et. seq.

## **SUBMISSION DEADLINE**

The deadline to submit all RFP Packages is

**Thursday, June 20, 2019 at 2:00 p.m.**

## **PERTINENT DOCUMENTS TO BE SUBMITTED WITH THE PROPOSAL**

- Affirmative Action Questionnaire;
- Stockholders Disclosure Statement;
- Vendor Questionnaire/Certification;
- Chapter 271 Political Contribution Disclosure Form; and
- Non-Collusion Affidavit.

## **DOCUMENTS TO BE SUBMITTED PRIOR TO CONTRACT AWARD**

- New Jersey Business Registration Certificate;
- Criminal History Background Check evidence; and
- Certificate of Insurance-General Liability insurance is required in an amount not less than \$2,000,000 each occurrence, \$2,000,000 aggregate naming the Wildwood City Board of Education as an additional insured party. Professional Liability insurance is also required in an amount not less than \$2,000,000 each claim, \$2,000,000 aggregate.

## **AWARD OF CONTRACT/SELECTION CRITERIA**

It is the intention of the Board of Education to award the contract to the respondent based upon relative experience, qualifications and who will provide the highest quality of service at a fair and competitive price.

The selection criteria to be used in awarding a contract for the services described herein, shall include:

1. Qualifications of the individual(s) who will perform the tasks and the amounts of their respective participation;
2. Experience in providing the professional services requested by the Wildwood City Board of Education and references related thereto; and familiarity with the School District;
3. Ability to perform the tasks in a timely fashion, including staffing and familiarity with the subject matter and the Wildwood City Board of Education;
4. Location (distance) of primary office in relation to the Wildwood City Board of Education administrative offices;
5. Recent, current and projected work load of the individual or firm;
6. Thoroughness and completeness of the applicant's submittal;
7. Cost of proposal.

The Wildwood City Board of Education shall award a contract to the firm or individual that best meets the needs and interests of the Board.

### **AUTHORIZATION TO WORK**

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

### **CONTRACTS**

Upon notification of award of contract by the Wildwood City Board of Education, the successful respondent shall sign and execute a formal contract agreement with the Board of Education.

The successful respondent shall sign and execute said contract and return it together with all required documentation not previously submitted.

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

Mrs. Martha J. Jamison, CPA  
School Business Administrator  
Wildwood City Board of Education  
4300 Pacific Avenue  
Wildwood, New Jersey 08260

## **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 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 the District harmless from any liability to subcontractors or suppliers concerning work performed or goods provided arising out of the lawful termination of this agreement.

## **INTERPRETATIONS AND ADDENDA**

No interpretation of the meaning of the specifications will be made to any Respondent orally. Every request for such interpretations should be made in writing to the Purchasing Agent and must be received at least ten (10) days prior to the date fixed for the opening of Proposals to be given consideration. Any and all interpretations and any supplemental instructions will be distributed in the form of a written addenda to the specifications. The addenda will be provided in accordance with N.J.S.A. 18A:18A-21(c) to the respondents by certified mail or certified fax no later than seven (7) days Saturdays, Sundays, and holidays excepted, prior to the date for acceptance of Proposals. All addenda so issued shall become part of the contract document.

## **SUBCONTRACTING; ASSIGNMENT OF CONTRACT**

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

Wildwood City Board of Education  
4300 Pacific Avenue  
Wildwood, NJ 08260

***Proposal Form***  
**SCHOOL PHYSICIAN**

	July 1 <sup>st</sup> 2019- June 30- 2020	Board Option Year 1 July 1 <sup>st</sup> 2020- June 30- 2021	Board Option Year 2 July 1 <sup>st</sup> 2021- June 30- 2022
<b>Annual Cost</b> of proposal as outlined in Scope of Service			
<b>Price per Exam</b> Comprehensive Physical Exam, for new staff or any second opinion, workers comp evaluation or report			
<b>Price per Drug Test</b> For staff member or student			
<b>Price to attend Home</b> Football games (not required, but is preferred)			

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

Name/Title \_\_\_\_\_

Address \_\_\_\_\_ P.O. Box \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Phone Number \_\_\_\_\_ Extension \_\_\_\_\_

Fax No. \_\_\_\_\_ E-Mail \_\_\_\_\_

***Signature*** \_\_\_\_\_ **Date** \_\_\_\_\_

All proposals must be received no later than **Thursday, June 20, 2019, 2:00 p.m.** All proposals are to be sent to:

Mrs. Martha J. Jamison, CPA  
School Business Administrator  
Wildwood City Board of Education  
4300 Pacific Avenue  
Wildwood, New Jersey 08260

**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**.

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

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

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

\_\_\_\_\_ YES                      \_\_\_\_\_ NO

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

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

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

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

ADDRESS \_\_\_\_\_

CITY, STATE, ZIP \_\_\_\_\_

**Vendor Questionnaire/Certification**

**School Physician  
RFP 14-02**

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 Wildwood City Board of Education, nor any officer or employee or person whose salary is payable in whole or in part by said Board of Education or their immediate family members are directly or indirectly interested in this bid or in the supplies, materials, equipment, work or services to which it relates, or in any portion of profits thereof. If a situation so exists where a Board member, employee, officer of the board has an interest in the bid, etc., then please attach a letter of explanation to this document, duly signed by the president of the firm or company.

**Gifts; Gratuities; Compensation**

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

**Signature / Title** \_\_\_\_\_

President or Authorized Agent

**NON-COLLUSION AFFIDAVIT**

**School Physician**

Re: Proposal for the Wildwood City Board of Education.

STATE OF NEW JERSEY)

Date: **Thursday, June 20, 2019**

: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 \_\_\_\_\_

Position in Company

of 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 Point Pleasant 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 of Contractor/Vendor)

Subscribed and sworn to:

\_\_\_\_\_  
**(SIGNATURE OF CONTRACTOR/VENDOR)**

before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
Month Year

\_\_\_\_\_  
Print Name of Notary Public

**NOTARY PUBLIC SIGNATURE**

My commission expires \_\_\_\_\_, \_\_\_\_\_. – Seal –  
Month Day Year

**STOCKHOLDER/PARTNERSHIP DISCLOSURE AND STATEMENT OF OWNERSHIP**

**School Physician**

Re: Proposal for the Wildwood City 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 \_\_\_\_\_

**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>
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*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) →→→**

**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

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Names of Principals

Title

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Use additional paper if needed.

**Name of Company** \_\_\_\_\_

**Address** \_\_\_\_\_

**City, State, Zip** \_\_\_\_\_

**Authorized Agent** \_\_\_\_\_ **Title** \_\_\_\_\_

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**SIGNATURE OF AUTHORIZED AGENT**



**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 there from 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.

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.

**List of Agencies with Elected Officials Required for Political Contribution Disclosure**

**N.J.S.A. 52:34-25**

**County Name: Cape May**

State: Governor, and Legislative Leadership Committees

Legislative District #: 1

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):

Avalon Borough	North Wildwood City	West Wildwood Borough
Cape May City	Ocean City	Wildwood City
Cape May Point Borough	Sea Isle City	Wildwood Crest Borough
Dennis Township	Stone Harbor Borough	Woodbine Borough
Lower Township	Upper Township	
Middle Township	West Cape May Borough	

Boards of Education (Members of the Board):

Avalon Borough	Middle Township	West Cape May Borough
Cape May City	North Wildwood City	West Wildwood
Cape May Point	Ocean City	Wildwood City
Dennis Township	Sea Isle City	Wildwood Crest Borough
Lower Cape May	Stone Harbor Borough	Woodbine Borough
Lower Township	Upper Township	

Fire Districts (Board of Fire Commissioners):

- Dennis Township Fire District No. 1
- Dennis Township Fire District No. 2
- Dennis Township Fire District No. 3
- Lower Township Fire District No. 1
- Lower Township Fire District No. 2
- Lower Township Fire District No. 3
- Middle Township Fire District No. 1
- Middle Township Fire District No. 2
- Middle Township Fire District No. 3
- Middle Township Fire District No. 4
- Upper Township Fire District No. 1
- Upper Township Fire District No. 2
- Upper Township Fire District No. 3
- Upper Township Fire District No. 4