

REQUEST FOR PROPOSAL

SUPERINTENDENT OF SCHOOLS SEARCH CONSULTANT FRANKLIN LAKES BOARD OF EDUCATION FRANKLIN LAKES, NEW JERSEY

The Franklin Lakes Board of Education (the "Board") seeks the services of a consultant to assist with the selection of a new Superintendent of Schools. The Franklin Lakes Public Schools are a comprehensive community public school district, serving students in Kindergarten through Eighth grade from the Town of Franklin Lakes in Bergen County New Jersey. The District's four (4) schools have an approximate enrollment of 1,300 students and 176 teachers (on a FTE basis). The present Superintendent shall be leaving the District on June 30, 2014. Additional information about the District is available on line at <http://www.franklinlakes.k12.nj.us>.

1. Submission Requirements/Deadline

Proposals shall be addressed to and received at the following:

Mr. Michael J. Solokas
School Business Administrator
Franklin Lakes Board of Education
msolokas@franklinlakes.k12.nj.us

Deadline for receipt of proposals is 4:00 p.m., Wednesday, May 29, 2013.

2. Purpose of Request for Proposal

This request for proposal ("RFP") seeks replies from experienced and qualified consultants specializing in assisting with employment searches for administrators of educational organizations. Respondents to this RFP should, at a minimum, provide the following:

- a. Qualifications and examples of comparable experience;
- b. A proposed search plan;

- c. A proposed search schedule (with a new superintendent in place no later than July 1, 2014);
- d. Background on the individuals who will be working with the Board and include a primary contact and references, to be available to communicate with the Board or other contacts as designated by the Board. The District's liaison with the search consultant shall be Mr. Laurence Loprete, Board President;
- e. A proposed budget, including fees and related expenses;
- f. Pursuant to P.L. 2004 c.57, all proposals must be accompanied by a New Jersey Business Registration Certificate issued by the New Jersey Department of Treasury, Division of Revenue. All vendors are required to comply with the requirements of Public Law 1975, Chapter 127, "Law Against Discrimination" and Affirmative Action, N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27-1.1. et seq.;
- g. Pursuant to P.L. 1977, c. 33 (N.J.S.A. 52:25-24.2), all corporations and partnerships shall submit a statement with their proposal which sets forth the names and addresses of all stockholders in the corporation or partnership who own ten percent (10%) or more of its stock, or of all individual partners in the partnership who own a ten percent (10%) or greater interest therein. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding ten percent (10%) or more of that corporation's stock or the individual partners owning ten percent (10%) or greater interest in that partnership shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder and individual partner exceeding the ten percent (10%) ownership criterion has been listed. Any vendor whose stockholders or partners own less than ten percent (10%) of the stock shall certify such fact to the Board. A form affidavit is included as part of the RFP;

- h. The Vendor is advised of the 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, c. 271, § 3) if the Vendor receives contracts in excess of \$50,000 from public entities in a calendar year. It is the Vendor's responsibility to determine if filing is necessary. Additional information on this requirement is available from ELEC at 888-313-3532 or at www.elec.state.nj.us; and
- i. No official or employee of the Board, who is authorized in his or her official capacity to negotiate, make, accept or approve, or to take part in such decision regarding a contract in connection with equipment, shall have any financial or other personal interest in any such contract. The Board and its officers and employees shall comply with the School Ethics Law, N.J.S.A. 18A:12-21 et seq. and N.J.A.C. 6A:28. No vendor shall directly or indirectly enter into any agreement, participate in any collusion, or otherwise take any action in restraint of free, competitive contracting in connection with this project. A form affidavit of non-collusion is included as part of the Request for Proposal documents and must be completed by the Vendor.

3. Scope of Services

- a. The proposed plan should describe the services to be provided and the manner in which the consultant intends to identify and recruit qualified applicants and assist in the screening of candidates as per the criteria to be developed by the Board.
- b. The services to be provided by the consultant shall include, but not be limited to:
 - i. Assisting and advising the Board in developing a profile of the skills and

attributes to be required of the new superintendent;

- ii. Assisting and advising the Board in the soliciting and gathering of input from school and community individuals and groups as to the skills and attributes which they desire in the new superintendent and the process of selection;
- iii. Advertising the position as well as recruiting quality applicants to apply;
- iv. Receiving and thoroughly reviewing all applications;
- v. Developing a process for the screening of candidates' applications, including assistance in the development of a screening committee if decided by the Board, the selection of those candidates for further reviewing and establishing a schedule and procedure for interviewing selected candidates;
- vi. Complete in-depth background investigations of candidates to be interviewed by the Board;
- vii. Scheduling and attending Board/final candidate interviews as requested;
- viii. Assisting the Board in determining a salary and fringe benefits package;
- ix. Performing other functions as determined through discussion with the Board or designated individual(s) following award of contract.

The timeline for the Superintendent Search is six (6) to eight (8) months.

4. Selection/Interview Process

The Board will review all proposals and will invite selected respondent(s) to participate in a fifteen (15) minute interview process to present and discuss their proposal, and respond to questions. The primary contact listed in the RFP response will be contacted in regard to the status of their proposal, including the interview. Interviews are currently planned to take place on June 11, 2013.

The Board will select the proposal that it deems will best serve the interest of the Franklin Lakes Public Schools. The Board reserves the right to reject any and all submitted proposals.

5. Contractor General Conditions

The consultant's contractor agreement will be subject to final approval as to form by the District's general counsel and by a majority vote of the Board.

STOCKHOLDER OR PARTNERSHIP DISCLOSURE STATEMENT

STATE OF _____)
)
COUNTY OF _____) SS: _____

In accordance with the Instructions contained in the Request for Proposals and the provisions of P.L. 1977, Chapter 33, Section 1 (N.J.S.A. 52:25-24.2), the undersigned being duly sworn according to law, hereby deposes and says that the following is a list of the names and addresses of all stockholders in the corporation or partnership who own 10% or more of its stock or of all individual partners in the partnership who own a 10% or greater interest therein.

If one or more such stockholders or partners is itself a corporation or partnership, all stockholders holding a 10% or more of the stock or all individual partners owning a 10% or greater interest in that partnership are also listed.

I.

Name of Corporation/
Partnership

AddressName of Corporation/
Partnership

Address

Name of Stockholder/Partner

Address

Name of Stockholder/Partner

Address

Name of Stockholder/Partner

Address

Use reverse side for additional stockholders/partners.

II.

Name of Corporation
Partnership who holds 10% or
more interest in the bidding
corporation/partnership

Address

Name of Stockholder/Partner

Address

Name of Stockholder/Partner

Address

Name of Stockholder/Partner

Address

Name of Stockholder/Partner

Address

Use reverse side for additional stockholders/partners.

The absence of any names and addresses on the foregoing list signifies that there are no individual stockholders or partners who own 10% or more interest in the bidding corporation or partnership.

Name of Vendor

By:

Name

Official Title

Sworn before me this _____
day of _____, 20__

Notary Public of _____
My Commission expires ____/____/____

AFFIDAVIT OF NONCOLLUSION

STATE OF _____)
) ss:
COUNTY OF _____)

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

I am _____ of the firm of
_____, the Vendor making the proposal for
the above named project. I executed the proposal with full
authority to do so. The Vendor has not, directly or indirectly,
entered into any agreement, participated in any collusion, or
otherwise taken any action in restraint of free, competitive
contracting in connection with the above-named project. All
statements contained in this proposal and in this affidavit are
true and correct, and made with the full knowledge that the Board
of Education shall rely upon the truth of the statements contained
in the proposal and in the statements contained in this affidavit
in awarding the contract for the project.

I further warrant that no person or selling agency has been
employed or retained to solicit or secure such contract upon an
agreement or understanding for a commission, percentage,
brokerage, or contingent fee.

Name of Vendor

By: _____

Name

Official Title

Sworn before me this _____
day of _____, 20__

Notary Public of _____
My Commission expires ____/____/____

EXHIBIT A

**N.J.S.A. 10:5-31 and N.J.A.C. 17:27
MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE
Goods, Professional Services and General Service Contracts
(Mandatory Affirmative Action Language)**

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, up grading, 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, race, 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 personnel 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, race, 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.**

The failure to submit such appropriate evidence will result in rescission of the contract.

**AFFIRMATIVE ACTION CERTIFICATION
GOODS, SERVICES AND PROFESSIONAL SERVICES CONTRACTS
FOR COMPLIANCE WITH AFFIRMATIVE ACTION REGULATIONS**

I, _____, being duly sworn, according to law, deposes and says that I am a duly authorized representative of the Contractor, _____.

I hereby certify that I am aware of the equal employment opportunity and affirmative action in public contracting requirements set forth in *N.J.S.A. 10:5-31 et seq.* and *N.J.A.C. 17:27-1 et seq.* and that the Contractor is in compliance with the requirements therein. I hereby agree that the Contractor shall make good faith efforts to provide equal employment opportunity for minorities and women. I am aware that the failure to make good faith efforts to provide equal employment opportunity for minorities and women may result in fines/penalties, suspension/debarment, a determination to lower

the firm's aggregate rating or such other action as provided by law.

SIGNATURE _____ DATE _____

NAME _____ TITLE _____

POLITICAL CONTRIBUTION DISCLOSURE AFFIDAVIT

STATE OF _____)

SS:

COUNTY OF _____)

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

I am _____ of the firm of
_____, the Respondent making the proposal
for the above named project. I am aware that:

A. Pursuant to N.J.A.C. 6A:23A-6.3, no business entity which has made a reportable contribution (as defined in N.J.S.A. 19:44A-1 et seq.) to a member of the Board of Education during the preceding one (1) year shall be awarded a contract in excess of \$17,500.

B. Any business entity doing business with the Wyckoff School District is precluded from making any reportable contributions to any member of the Wyckoff Board of Education during the term of the Contract.

C. When a business entity is a natural person, a contribution by that person's spouse or child that 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 the person or other business entity having an interest therein shall be deemed to be a contribution by the business entity.

D. A political contribution disclosure (hereinafter referred to as "PCD") form is required to be submitted for all contracts greater than \$17,500. No contract award shall be made unless the completed PCD is submitted to the Board office prior to the award. Failure to submit the PCD shall result in the rejection of the Proposal. A Sample Form is included as part of the Proposal documents and must be completed by the Respondent. I aver that no reportable contributions have been made by the Respondent in violation of the provisions set forth in N.J.A.C. 6A:23A-6.3. If the Respondent is the lowest responsible

Respondent, a completed PCD form shall be submitted to the Board office ten (10) days prior to the contract award.

Sworn to and subscribed
to this _____ day of
_____, 20__

By: _____
Signature of Principal

Notary Public of New Jersey
My Commission expires __/__/

(Name)

(Title)

Certification on Behalf of a Company, Partnership or Organization and All Individuals Whose Contributions are Attributable to the Entity Pursuant to Executive Order No. 117 (2008)

I hereby certify as follows:

On or after November 15, 2008, neither the below-named entity nor any individual whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008) has solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

- a) Any candidate committee and/or election fund of the Governor;
- b) A State political party committee;
- c) A legislative leadership committee;
- d) A county political party committee; or
- e) A municipal political party committee.

I certify as an officer or authorized representative of the Company or Organization identified below that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Name of Company, Partnership or Organization:

Signed: _____ Title: _____
Print Name: _____ Date: _____

- Circle One of the Following Which Applies:**
- (A) The Company, Partnership or Organization is the vendor;

- or
- (B) the Company, Partnership or Organization is a Principal (more than ten percent (10%) ownership or control) of the vendor, a Subsidiary controlled by the vendor, or a Political Organization (e.g., PAC) controlled by the vendor.

**Please note that if the person signing this Certification is not signing on behalf of all individuals whose contributions are attributable to the entity pursuant to Executive Order No. 117 (2008), each of those individuals will be required to submit a separate individual Certification.*

**Individual Certification of Compliance with
Executive Order No. 117 (2008)**

I hereby certify as follows:

On or after November 15, 2008, I have not solicited or made any reportable contribution of money or pledge of contribution, including in-kind contributions or company or organization contributions, to the following:

- a) Any candidate committee and/or election fund of the Governor;
- b) A State political party committee;
- c) A legislative leadership committee;
- d) A county political party committee; or
- e) A municipal political party committee.

I certify that, to the best of my knowledge and belief, the foregoing statements by me are true. I am aware that if any of the statements are willfully false, I am subject to punishment.

Signed: _____
Print Name: _____
Date: _____

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Contractor Instructions

Business entities (Contractors) receiving contracts from a public agency that are NOT awarded pursuant to a "fair and open" process (defined at N.J.S.A. 19:44A-20.7) are subject to the provisions of P.L. 2005, c. 271, s.2 (N.J.S.A. 19:44A-20.26). This law provides that 10 days prior to the award of such a contract, the Contractor shall disclose contributions to:

- any State, county, or municipal committee of a political party
- any legislative leadership committee*
- any continuing political committee (a.k.a., political action committee)
- any candidate committee of a candidate for, or holder of, an elective office:
 - o of the public entity awarding the contract
 - o of that county in which that public entity is located
 - o of another public entity within that county
 - o or of a legislative district in which that public entity is located or, when the public entity is a county, of any legislative district which includes all or part of the county

The disclosure must list reportable contributions to any of the committees that exceed \$300 per election cycle that were made during the 12 months prior to award of the contract. See N.J.S.A. 19:44A-8 and 19:44A-16 for more details on reportable contributions.

N.J.S.A. 19:44A-20.26 itemizes the parties from whom contributions must be disclosed when a business entity is not a natural person. This includes the following:

- individuals with an "interest" ownership or control of more than 10% of the profits or assets of a business

entity or 10% of the stock in the case of a business entity that is a corporation for profit

- all principals, partners, officers, or directors of the business entity or their spouses
- any subsidiaries directly or indirectly controlled by the business entity
- IRS Code Section 527 New Jersey based organizations, directly or indirectly controlled by the business entity and filing as continuing political committees, (PACs).

When the business entity is a natural person, "a contribution by that person's spouse or child, residing therewith, shall be deemed to be a contribution by the business entity." [N.J.S.A. 19:44A-20.26(b)] The contributor must be listed on the disclosure.

Any business entity that fails to comply with the disclosure provisions shall be subject to a fine imposed by ELEC in an amount to be determined by the Commission which may be based upon the amount that the business entity failed to report.

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

The enclosed form, a content-consistent facsimile, or an electronic data file containing the required details (along with a signed cover sheet) may be used as the Contractor's submission and is disclosable to the public under the Open Public Records Act.

The Contractor must also complete the attached Stockholder Disclosure Certification. This will assist the agency in meeting its obligations under the law.

* N.J.S.A. 19:44A-3(s): "The term "legislative leadership committee" means a committee established, authorized to be established, or designated by the President of the Senate, the

Minority Leader of the Senate, the Speaker of the General Assembly or the Minority Leader of the General Assembly pursuant to section 16 of P.L.1993, c.65 (C.19:44A-10.1) for the purpose of receiving contributions and making expenditures."

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

This form or its permitted facsimile must be submitted to the local unit no later than ten days (10) prior to the award of the contract.

Part I - Vendor Information

Vendor Name:			
Address:			
City:		State:	Zip:

The undersigned being authorized to certify, hereby certifies that the submission provided herein represents compliance with the provisions of N.J.S.A. 19:44A-20.26 and as represented by the Instructions accompanying this form.

_____	_____	_____
Signature	Printed Name	Title

Part II - Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

☐ Check here if disclosure is provided in electronic form.

Contributor Name	Recipient Name	Date	Dollar Amount
			\$

☐ Check here if the information is continued on subsequent page(s)

Continuation Page

C. 271 POLITICAL CONTRIBUTION DISCLOSURE FORM

Required Pursuant To N.J.S.A. 19:44A-20.26

Page ____ of ____

Vendor Name:

Contributor Name	Recipient Name	Date	Dollar Amount
			\$

☐ Check here if the information is continued on subsequent page(s)