

COUNTY COLLEGE OF MORRIS Business and Finance Division Procedures	
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General

As a public institution, the standard of the college's purchasing program must be maintained ensuring integrity and transparency. The campus community is required to notify the Purchasing Department of potential conflict of interest when requisitioning goods and services in which a vendor might have an unfair advantage (i.e., family member, vendor/employee ownership, etc.).

Employees must avoid any interest in or benefit from any vendor that would either in fact or appearance cause them to favor that vendor over others. In order for vendors to retain our confidence as an approved or awarded vendor, vendor disclosure forms must be completed as needed, for Pay-to-Play compliance, or public bidding.

If a College employee is uncertain that there may be a potential conflict of interest with the purchase of goods and services for their department or another department, they shall inform their supervisor and the Purchasing Director, in writing, of potential conflicts prior to submitting a purchase requisition. The employee must never have any financial interest or personal gain from the transaction and must always remain impartial and objective throughout the purchasing process.

Authority

Public Law 1971, c. 182 amended by L.1987, c. 432, S1 (N.J.S.A. 52:13D-12 et seq.)
N.J.S.A. 18A:64A-25.1 et seq.
Board of Trustees
Executive Vice President for Business and Finance

Responsibility

Purchasing Director
Purchasing Manager
Senior Buyer

Procedure

Contracts for goods and services are awarded following a quotation, formal quotation, request for proposal or publicly advertised bids. To ensure the integrity of the college's business transactions, the college requires forms to be completed on an as-need basis, for Pay-to-Play compliance, or public bidding by all potential vendors prior to the awarding of a contract (purchase order). Any minor purchases that may give the impression of a conflict of interest must be referred to the Purchasing Director for resolution.

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A. For Written Quotation from Vendors 18A:64A-25.19 and all Non-Statutory Quotable Goods and Services

1. If Purchasing is advised or suspects a potential conflict of interest an Employee/Relative Disclosure Form (Attachment A) will be sent to the vendor either prior or with a quote request (see Procedure 09.03). The potential vendor will be advised to complete the form and return it to the Purchasing Department.
2. If a conflict is found, the information will be reviewed with the Executive Vice President of Business and Finance. The final decision will be made in compliance with the statutory requirements and in conjunction with the Business and Finance Procedures.
3. Employee/Relative Disclosure forms (Vendor Disclosure) shall be kept on file in the Purchasing Department in accordance with statutory requirements for public documents.

B. For Advertised Bids from Bidders/Vendors 18A:64A-25.3

1. All publicly advertised bids shall contain the following forms (Attachments A-C) as part of the bid specifications: Employee/Relative Disclosure Form, Statement of Ownership Disclosure, Non-Collusion Affidavit.
2. It is mandatory that the above-mentioned forms be completed, notarized and signed where required and submitted as a part of the Bid Proposal. Those bidders who omit the forms will have their bids rejected.
3. The completed bid forms of all bidders will be reviewed by the Purchasing Department at the publicly advertised bid opening. Particular attention will be given to the three lowest responsible bids. If the lowest responsible bid presents no apparent conflicts, the award process will go forward pursuant to the statutory requirements and the college's procedures. If a conflict does arise, the bid documents will be reviewed by the Executive Vice President of Business and Finance and possibly the College attorney for review.
4. All bid responses shall be kept on file in accordance with the statutory requirements for public documents.

COUNTY COLLEGE OF MORRIS, RANDOLPH, NJ

EMPLOYEE/RELATIVE DISCLOSURE FORM

This form is to be completed by all bidders seeking the award of any Contract. No bidder shall be awarded any Contract nor shall any agreement be entered into for the performance of any work or the furnishing of any materials or supplies, the cost of which is to be paid with or out of any public funds by the County College of Morris, unless with delivery of the bid, the bidder has completed and submitted the statements below.

The undersigned affiant being duly sworn, states under oath that the answers completed below are truthful.

1. State if bidder or any officer or employee of bidder is employed by the County College of Morris? Yes ___ No ___

If so, please indicate name and position held at the County College of Morris:

2. State if any shareholder who owns ten percent or more of your stock (if a corporation) or partner who holds ten percent or more of an interest (if a partnership) is employed by the County College of Morris. Yes ___ No ___

If so, please indicate name and position held at the County College of Morris:

3. State, if you, or any shareholder, who owns ten percent or more of your stock (if a corporation) or any partner who owns ten percent or more of an interest (if a partnership) has any immediate relative employed by the County College of Morris.

Yes ___ No ___

If so, please indicate their names and the nature of the relationship (e.g., spouse, sibling, parent, grandparent child, grandchild, in-law)

BY:

Name of Contractor

Address

City

State

Zip

AFFIANT:

Sworn and subscribed to me on
this ____ day

of _____, _____

Signature

Print name and title below signature

Notary Public of New Jersey

Address

STATEMENT OF OWNERSHIP DISCLOSURE

PURSUANT TO N.J.S.A. 52:25-24.2, ALL PARTIES ENTERING INTO A CONTRACT WITH COUNTY COLLEGE OF MORRIS ARE REQUIRED TO PROVIDE A STATEMENT OF OWNERSHIP.

VENDOR NAME _____

YES NO

- | | | |
|---|--------------------------|--------------------------|
| 1. Vendor is a Non-Profit Entity ; and therefore, no disclosure is necessary. | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Vendor is a Sole Proprietor ; and therefore, no other disclosure is necessary. A Sole Proprietor is a person who owns an unincorporated business by an individual. A single member LLC is not Sole Proprietor. | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Vendor is a corporation, partnership, or LLC with individuals, partners, members, stockholders, corporations, partnerships, or LLCs owning a 10% or greater interest; and therefore, disclosure is necessary. | <input type="checkbox"/> | <input type="checkbox"/> |

*If you answered **YES** to Question 3, you must disclose the information requested in the space below:

- (a) the names and addresses of all stockholders in the corporation who own 10% or more of its stock, of any class;
- (b) all individual partners in the partnership who own a 10% or greater interest therein; or,
- (c) all members in the limited liability company who own a 10% or greater interest therein. The disclosure(s) shall be continued until the names and addresses of every non-corporate stockholder, individual partner, and/or member who own a 10% or greater interest has been identified.

Attach additional sheets as necessary.

Entity Name (if applicable)	Individual Name and Title (if applicable)	Home / Business Address

PUBLICLY TRADED ENTITIES

In lieu of completing this form, a Vendor with any direct or indirect parent entity which is publicly traded, may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10% or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent, and, if there is any person that holds a 10% or greater beneficial interest, also shall submit links to the websites containing the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10% or greater beneficial interest. **Attach additional sheets as necessary.**

CERTIFICATION

I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I acknowledge that the Board of Trustees of County College of Morris is relying on the information contained herein and thereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the College to notify the College in writing of any changes to the answers and information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with County College of Morris and that the College at its option may declare any contract(s) resulting from this certification void and unenforceable.

AUTHORIZED AGENT – PRINT NAME

TITLE

SIGNATURE

DATE

VENDOR NAME

VENDOR ADDRESS

NON-COLLUSION AFFIDAVIT

STATE OF

COUNTY OF

ss:

I, _____ of the City of _____,
 (Name of Authorized Officer)

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 _____,
 (Title or Position) (Name of Firm)

the firm making the proposal for **Bid – (Number)** and that I executed the said proposal with full authority so to do; that said vendor has not, directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above proposal; and that all statements contained in said proposal and in this affidavit are true and correct, and made with full knowledge that the Board of Trustees of County College of Morris 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 project.

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

 Name of Firm

 Signature of Authorized Officer

Subscribed and sworn to before me

This _____ day of _____, 20_____ Affix Notary Seal:

 (Notary Public's Signature)

My commission expires: _____

This prerequisite form must be completed, signed, sealed, and returned with your Request for Proposal.