



**The Newark Public Schools District
Administrative Office**

Two Cedar St. Newark, NJ 07102
Website: www.nps.K12.nj.us

**Policy and Procedures Guide
TO PROCUREMENT**
Doing Business With The District

Clifford B. Janey
District Superintendent

Ronald Lee
School Business Administrator

Joyce Lee
Director
Department of Purchasing

Anthony Battle
Economic Development Officer
Office of Economic Development

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INTRODUCTION

Newark Public School District is the largest school system in New Jersey. It consists of 82 schools and 45 administrative offices and services approximately 42,000 students.

Approximately 25,000 purchase orders and 150 contracts are issued annually for District services. Expenditures total approximately 350 million dollars.

The purpose of this manual is to provide prospective vendors with valuable information that will assist you in:

- Understanding the procurement process
- Becoming a vendor with the District
- Networking opportunities
- Participating in the Business Opportunities Program (BOP)

I: PARTICIPATION IN THE PROCUREMENT PROCESS:

A. PROCUREMENT CONTRACTS

The District procures goods and services in the following business categories:

1. Goods and Supplies

Equipment and consumable items purchased in bulk, or a deliverable product including, but not limited to:

- Paper products and/or office supplies.
- Textbooks
- Equipment and parts;
- Custodial supplies and chemicals
-

2. Professional Services

Any services provided by a person or firm that is of a professional nature that require special licensing, education degrees, and or unusually high specialized expertise, including:

- Architectural/Engineering services and surveying;
- Financial services;
- Legal services;
- Medical services;
- Advertising/Marketing services; and
- Real Estate Acquisition services.

3. Other Services

Any service that is labor intensive and not professional or construction related, including, but not limited to:

- Repair and maintenance services;
- Lawn services and landscaping;
- Printing services.

4. Construction

Any construction related services, including but not limited to:

- major or heavy construction services (building construction);
- Light or maintenance construction services (e.g. carpentry, flooring, electrical work, plumbing); and other related construction services (e.g., grading, hauling, roofing, painting)

B. PROCUREMENT METHODS

All goods and services are procured in accordance with NJ School Contract Laws Title 18A:18A-1 et seq., and Newark Public Schools procurement policy.

Primary means of contracting with the District are:

- 1. Quotes:** A procurement process of securing oral or written quotes without advertising. Generally, oral quotes are requested for purchases under \$4,350.00. Written quotes are requested for purchases between \$4351.00 and \$29,000.00. The District utilizes its vendor database to identify vendors interested in providing required goods and services.
- 2. Competitive Sealed Bidding:** A procurement process by which sealed bids are publicly solicited and opened and a contract is awarded to the lowest, responsive, responsible bidder. Competitive Sealed bids are required for similar goods and services that total \$29,000.00 or more. Invitations to bid are publicly advertised in local papers and appear on the District's website.
- 3. Competitive Contracting Request for Proposal:** A procurement method by which a solicitation is advertised to potential contractors and between receipt of proposal and award, discussion with an offering party may take place to resolve uncertainties in the proposal. Request for proposals are generally issued for complex technical services. The District, at its option, may also utilize the Request for Proposals procurement method to purchase those services that by law do not require

public advertisement. Request for Proposals are publicly advertised in local papers and appear on the District's website.

4. State Contracts and Cooperative Contracts: A procurement method of purchasing from already established relationships with vendors through contracts with the State of New Jersey or other local government bodies. Vendors interested in becoming a NJ State contract vendor must contact the NJ State Division of Purchase and Property, in Trenton, NJ.

5. Sole Source: An award of a contract for goods or services of a specialized nature that may be made or marketed by a contractor having the exclusive right to make or sell them.

C. BID ADVERTISEMENT

For those contracts requiring advertising, the District advertises publicly in the Star Ledger and other newspapers and trade magazines. Invitations to Bid and Requests for Proposals are advertised a minimum of 10 days prior to the bid opening date. In addition, the District posts Requests for Proposals (RFP) and bid opportunities on-line at its website at www.nps.k12.nj.us under "Business Opportunities." To obtain Invitations to Bid or RFP's, interested vendors must contact the Department listed in the advertisement.

D. EXCEPTIONS TO PUBLIC ADVERTISING

In accordance with N.J.S.A. 18A:18A-5 a purchase, contract or agreement exceeding the bid threshold may be negotiated or awarded without public advertising for bids if the services are defined in Title 18A as:

- Professional Services
- Food Services
- Insurance and Insurance Consultant Services
- Copyrighted Materials
- Educational Services

Although by Statute the District is not required to advertise for such services, the District may solicit written quotes or publicly advertise for Request for Proposals.

E. BONDING REQUIREMENTS

A surety bond is an agreement under which one party, the surety, guarantees to another, the owner, that a third party, the contractor or principal, will perform a contract in accordance, in this instance, with District contractual documents. There are three types of contract surety bonds used by the District.

The first, the *bid* bond, provides financial assurances that the bid has been submitted in good faith and that the contractor intends to enter into the contract at the price bid and provide the required performance and payment bonds. Under New Jersey State law the Board may require a bid bond.

The second, the *performance* bond, protects the District from financial loss should the contractor fail to perform the contract in accordance with the terms and conditions of the

contract documents. Performance bonds are required for construction alteration or repair of public buildings or other public works. Evidence of performance security must also be submitted on behalf of the bidder and all subcontractors.

The third kind of contract bond is the *payment* bond. This guarantees that the contractor will pay certain subcontractor, labor, and material bills associated with the project.

F. THE NEWARK PUBLIC SCHOOLS: RELEVANT DEPARTMENTS

1. The Purchasing Department

The Purchasing Department provides centralized control over procurement of all goods and supplies, professional and non-construction services for all 76 schools and 45 administrative offices. Other functions of the Purchasing Department are contract administration, product search, warehouse services, vendor search, and analysis for all District departments and assist with administrative oversight for construction contracts. The Purchasing Department is located at 2 Cedar Street, Room 818, Newark, NJ. Hours of operation are 8:30 a.m. to 4:30 p.m., Monday thru Friday. Vendors interested in doing business with Newark Public Schools are encouraged to meet with the Purchasing Buyers who can assist in understanding the procurement process and provide information on upcoming requirements.

2. The Office of Design and Construction

The Office of Design and Construction (ODC) is responsible for project management services for all construction projects for the District, and covers the functions of project management, field inspection, project support, and special projects/procurement/contracts. ODC serves as the District's liaison for New Jersey

School Construction Corporation projects and their implementation as part of the District's long-range facilities plan.

The ODC provide expert project management, and the delivery of quality construction projects, utilizing the best practices in facilities planning and design while aligning facilities with district goals; this work includes renovations, alterations and new construction. ODC's functions include field inspection, project support, and special projects, procurement, and contracts.

ODC coordinates programs and services of the New Jersey Department of Education, the Economic Development Authority (NJSCC), and other agencies to ensure that the particular needs and goals of the district are addressed in each project. In addition ODC involve the stakeholders by their design input.

In addition, ODC is involved with land acquisition and pre-development activities and managing major grant projects.

G. BECOMING A VENDOR FOR THE DISTRICT

Prospective vendors should request and complete a Bidder's Mailing List application. The Bidder's Mailing List contains commodity or service providers and identifies the name, address, telephone number, Minority/Women-Owned/Small Business Enterprise (M/W/SBE) status, and associated commodities and services provided by each contractor. Its purpose is to provide the Purchasing Department with a source of contractors willing and able to provide goods and services to the District. To be placed on the Bidder's Mailing List, all contractors should submit to the Purchasing Department a completed Bidder's Application. Minority/Women-Owned/Small Business Enterprises should

submit along with an application their M/W/SBE certification. The Application forms can be obtained by contacting the **Purchasing Department** 2 Cedar Street – Room 818, Newark, New Jersey 07102 or, for further information call **973-733- 6549**. Vendor must obtain from the NJ Dept of Revenue a NJ Business Registration Certificate. Vendors may register online at: https://www1.state.nj.us/TYTR_BRC/jsp/BRCLoginJsp.jsp Vendors are also encouraged to meet with Purchasing Buyers who can assist in clarifying the procurement process and provide information on upcoming requirements.

For Design and Construction services such as architecture, engineering, and construction, contractors should also include a copy of the New Jersey Department of the Treasury, Division of Property Management and Construction (DPMC) classification with their Bidder's Mailing List Application, These items should be forwarded to the Newark Public Schools' procurement division of the **Office of Design and Construction**, 2 Cedar Street – Room 805, Newark, New Jersey 07102 or, for further information call **973-733-7220**.

H. VENDOR PAYMENT

The Office of Accounts Payable is responsible for issuing all vendor payments for goods and services rendered in accordance with the established contract. It is the district's goal to pay submitted and authorized invoices within thirty (30) to sixty (60) business days. It is the vendor's responsibility to submit a signed voucher and attach an itemized invoice to be paid. The invoice must include an invoice number, dates and explanation of service performed.

II. THE BUSINESS OPPORTUNITY PROGRAM

A. Minority, Woman Owned and Small Business Enterprises

The District has established the Business Opportunity Program to maximize the opportunities for Minority, Women-Owned and Small Business Enterprises (M/W/SBE) to actively bid and secure contract awards for goods and services. Under the Business Opportunity Program, the District seeks to enable approved M/W/SBEs to participate in 25% of available contracts for the provision of goods and services. The District defines each of these enterprises as follows:

1. Minority Business Enterprise:

A sole proprietorship; or a partnership or corporation that is at least fifty-one percent (51%) owned and controlled by a member or members of one of four groups: African Americans, Hispanic Americans, Asian Americans, and American Indians or Alaskan natives.

These groups are defined as follows:

- **African Americans:** Persons having origins in any of the black racial groups of Africa.
- **Hispanic Americans:** Persons of Spanish or Portuguese culture, with origins in Mexico, South America, Central America, or the Caribbean Islands, regardless of race.

- **Asian Americans:** Persons having origins in any of the original people of the Far East, Southeast Asia, the Indian Subcontinent, Hawaii, or the Pacific Islands.
- **American Indian or Alaskan Native:** Persons having origins in any of the original peoples in North America.

2. Women-Owned Business Enterprise:

A sole proprietorship; or a partnership or corporation that is at least fifty-one percent (51%) owned and controlled by one or more women.

3. Small Business Enterprise:

- a. A sole proprietorship; or a partnership or corporation, independently owned and operated, with one hundred (100) or fewer full-time employees;
- b. having a principal place of business in New Jersey; and
- c. operating its specific type of business for at least two (2) years.

C. Certification of Minority/Women-Owned/Small Business Enterprises

The District relies on certification by other agencies or a vendor-submitted Minority Business Certification Affidavit as controlling evidence of M/W/SBE status. The District recognizes the Port Authority of New York and New Jersey, New Jersey Transit, and the New Jersey Commerce & Economic Growth Commission as certifying agencies. For those projects offered under the Business Opportunity Program, contractors must submit their M/W/SBE certification with their bid proposal.

D. Additional District Resources

As part of the Business Opportunity Program, the District also utilizes the following resources:

1. Management and Technical Assistance

- a) **The Greater Newark Business Development Consortium, Inc:** The Greater Newark Business Development Consortium, Inc. (**GNBDC**) is a public-private body that provides training, bonding, and financing services. **GNBDC** has a number of programs to assist small business enterprises. The **GNBDC** program has construction professionals teaching a variety of related courses. The courses cover blueprint reading, contract administration, contract law, estimation, project management, cost control, project scheduling strategic planning, and other small business management topics. The Loaned Executive Assistance Program (**LEAP**) has consultants evaluate the ability of small firms to undertake public contracts and recommend needed changes. The Regional Alliance also operates two Business Assistance Centers that provide one-on-one technical assistance.

- b) **The Regional Alliance for Small Contractors' Opportunities Clearinghouse** is an additional forum for small contractors to interact with large construction firms and public development agencies. The Regional Alliance also makes referrals to project owners and construction managers seeking minority and women contractors.

- c) **New Jersey Small Business Development Centers (NJSBDC):** The Centers provide counseling, workshops and seminars, and information transfer. Clients are

assisted in cash flow projections, financial statements, and marketing strategies. The NJSBDCs provide specialty programs in government procurement, information services, and technology resources.

d) The New Jersey School Construction Corporation (NJSCC): The NJSCC has created Business Development Programs, particularly the Minority/Women Contractor Training Program, designed to provide assistance to contractors. The Minority/Women Contractor Training Program consists of eight weeks of classroom instruction focusing on the basics of business operations such as cost estimating, insurance, bonding, and scheduling.

2. Outreach

The *Office of Economic Development provides annual informational seminars to all contractors and vendors who are interested in doing business with the District. The District partners with New Jersey Commerce & Economic Growth Commission, New Jersey Transit, Essex County, New Jersey Small Business Development Centers, New Jersey Institute for Social Justice, Newark Alliance, Newark's Workforce Investment Board, Mayor's Office of Employment and Training, New Jersey Redevelopment Authority, New Jersey School Construction Corporation and certain construction management firms to put on the seminars.

*The Office of Economic Development is responsible for identifying all programs currently pending in any District organization, department or agency which would promote economic growth or create jobs, and is authorized to take every necessary and proper action to ensure the immediate implementation of such programs.

The Office of Economic Development sponsors quarterly Business Card Exchanges. Representatives of Rutgers Small Business Development Center, U.S. Small Business Administration, New Jersey State Treasury Department, New Jersey Commerce & Economic Growth Commission, New Jersey Redevelopment Authority, as well as large minority and non-minority contractors give presentations at these networking events.

The Office of Economic Development also holds Focus Group meetings to assess the needs of the District and contractors within the business community.

III. DIRECTORY

A. DISTRICT

Accounts Payable	733-7231
Community Relations	733-7361
Design and Construction	733-7220
Economic Development	733-8815
Facilities Management	733-7340
Facilities Support	733-6780
Purchasing	733-7277
Quality Control	733-7235

DIRECTORY

B. RESOURCES

- Greater Newark Business Development Consortium, Inc.
973/-242-4133
- New Jersey Commerce & Economic Growth Commission
609/292-2140
- New Jersey Transit - Certification & Outreach
973/491-8072 or 8065
- New Jersey Small Business Development Centers
800/432-1565
- New Jersey Institute for Social Justice – Essex County Construction Careers
973/624-9400
- Mayor’s Office of Employment and Training- Newark’s One Stop, Workforce Investment Board
973/733-4883
- New Jersey Redevelopment Authority
609/292-3739
- New Jersey School Construction Corporation
www.njeda.com

For additional resource information, please visit our website and go to Business Opportunities.