

Policy

CONTRACTS

The Alloway Township School District will not enter into any contract with a person, agency, or organization if it has knowledge that the person, agency, or organization discriminates on the basis of race, color, creed, religion, sex, ancestry, national origin, age, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, pregnancy related disability, social or economic status, or non-job-related disability, either in employment practices or in the provision of benefits or services to students or employees.

Contracts shall be awarded to the lowest responsible bidder upon resolution of the board unless the board chooses to reject all bids in accordance with applicable statute, code and case law; to re-advertise; or to purchase under state contract. A responsible bidder shall be one who meets all the qualifications and specifications as mandated in the bid document unless disqualified by the attorney general.

Whenever two or more proposals or bids of equal amounts are the lowest proposals or bids submitted by responsible bidders, the Alloway Township School District may award the contract to whichever one of the lowest bidders it may determine. In such a case, the award resolution or purchase order documentation shall explain why the vendor selected is the most advantageous.

The board shall consider the advantages of entering into a contract for more than one year when and as the law permits. All multiyear leases and contracts including any two-year or one-year extensions, shall contain a clause making them subject to the availability and appropriation annually of sufficient funds as may be required to meet the extended obligation, or contain an annual cancellation clause. Exceptions include:

- A. Contracts for insurance coverage;
- B. Insurance consultant or administrative services;
- C. Participation or membership in a joint self-insurance fund;
- D. Risk management programs or related services of a school board insurance group;
- E. Participation in an insurance fund established by a county pursuant to N.J.S.A. 40A:10-6;
- F. Contracts for thermal energy authorized by law; and
- G. Contracts for the provision or performance of goods or services to promote energy conservation through the production of Class I renewable energy, authorized pursuant to law.

All contracts shall cease to have effect at the end of the contracted period and shall not be extended by any mechanism or provision, unless in conformance with the Public School Contracts Law. A contract may be extended by mutual agreement of the parties to the contract when the board of education has commenced re-bidding prior to the time the contract expires or when the awarding of a contract is pending at the time the contract expires.

The board of education will award the contract or reject all bids within such time as may be specified in the invitation to bid, but in no case more than 60 days, except by consent of the bidder and the board to hold bids for a longer period.

Adopted:	March 24, 1998
Revised:	September 23, 2003, November 2019
NJSBA Review/Update:	April 2025

CONTRACTS (continued)

Readopted:

Key Words

Contracts, Multi-Year Contracts, Competitive Contracting

<u>Legal References:</u>	<u>N.J.S.A. 10:5-1 et seq.</u>	Law Against Discrimination
	<u>N.J.S.A. 18A:18A-1 et seq.</u>	Public School Contracts Law
	<u>N.J.S.A. 18A:18A-4.1</u>	Use of competitive contracting by boards of education; purposes
	<u>N.J.S.A. 18A:18A-42</u>	Multi-year contracts
	<u>N.J.S.A. 18A:19-1 et seq.</u>	Expenditure of Funds; Audit and Payment of Claims
	<u>N.J.S.A. 52:32-44</u>	Business registration for providers of goods and services (definitions)
	<u>N.J.A.C. 6A:7-1.8</u>	Equity in employment and contract practices
	<u>N.J.A.C. 6A:23A-1.2</u>	Definitions
	<u>N.J.A.C. 6A:23A-16.5</u>	Supplies and equipment
	<u>N.J.A.C. 6A:23A-21.1 et seq.</u>	Management of public school contracts
	<u>N.J.A.C. 6A:27-9.1 et seq.</u>	Contracting for transportation services
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the performance of school districts

20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Possible

<u>Cross References:</u>	*2224	Nondiscrimination/affirmative action
	*3320	Purchasing procedures
	*3326	Payment for goods and services
	*3327	Relations with vendors
	*3570	District records and reports
	3571	Financial reports

*Indicates policy is included in the Critical Policy Reference Manual.