

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
OFFICE OF FISCAL ACCOUNTABILITY AND COMPLIANCE
INVESTIGATIONS UNIT

WEST WINDSOR - PLAINSBORO REGIONAL SCHOOL DISTRICT
PUBLIC SCHOOL CONTRACTS LAW VIOLATION
OFAC CASE #INV-02-19

REPORT OF INVESTIGATION

APRIL 2019

**WEST WINDOR - PLAINSBORO REGIONAL SCHOOL DISTRICT
PUBLIC SCHOOL CONTRACTS LAW VIOLATION**

INVESTIGATIVE SUMMARY

The New Jersey Department of Education, Office of Fiscal Accountability and Compliance (OFAC), received notification from the New Jersey Schools Development Authority of a potential violation of the Public School Contracts Law, N.J.S.A. 18A:18A-21c(2). The OFAC conducted a review of the addenda bidding process utilized for the partial roofing replacement at J.V.B. Wicoff Elementary School. As a result of that review, the following deficiency was noted:

On Monday, May 2, 2011, the West Windsor - Plainsboro Regional School District (District) advertised for the solicitation of competitive bids for the partial roofing replacement at J.V.B. Wicoff Elementary School. The bid solicitation indicated that sealed bids would be opened on Tuesday, May 10, 2011, at 2:00 p.m.

N.J.S.A. 18A:18A-21c(2) provides in relevant part:

“For all contracts for construction work, notice shall be provided no later than seven days, Saturdays, Sundays, or holidays excepted, prior to the date for acceptance of bids, to any person who has submitted a bid or who has received a bid package in any of the following ways: i) in writing by certified mail or ii) by certified facsimile transmission, meaning that the sender's facsimile machine produces a receipt showing date and time of transmission and that the transmission was successful or iii) by a delivery service that provides certification of delivery to the sender.”

The bid opening date was May 2, 2011. Based on the provisions of the statute, that date must be excluded when calculating the seven-day notice requirement. As such, the District only provided a six-day notice. Such notice is contrary to the statute.

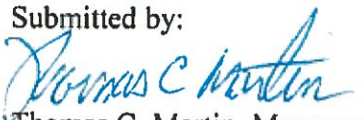
CONCLUSION

The District violated the provisions of N.J.S.A. 18A:18A-21c(2) by failing to comply with the seven-day notice requirement.

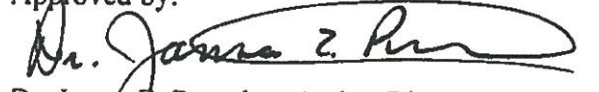
RECOMMENDATION

The District must develop and submit a corrective action plan to the OFAC that will identify the procedures the District will implement to ensure future compliance with N.J.S.A. 18A:18A-21c(2).

Submitted by:


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Approved by:


Dr. Jamar E. Purnsley, Acting Director
Office of Fiscal Accountability and Compliance

Investigator:

Timothy G. Boney