



9. **Document Requested:** July 30, 2010, "Ocean County College Foundation" email from Mr. Joseph Reilly to Vice President Sara Winchester
10. **OCC Response:** September 23, 2010, "Response to Mr. Reilly's Memo of July 30, 2010," from Vice President Sara Winchester to President Jon Larson

**Explanation**

The memo dated July 30, 2010, from Joseph Reilly articulates his views in regard to fund raising for scholarships provided through the Ocean County College Foundation. Vice President Sara Winchester responds in her memo to President Jon Larson dated September 23, 2010.

Vice President Winchester's response was issued after a review of College practices. This review determined that there was absolutely no evidence of a link between the award of College contracts and the solicitation or receipt of donations to the Foundation. It was further determined that the practices in place at the College are commensurate with those in place at most colleges and universities in the country and the procurement process is and always has been appropriately separated from the solicitation process.

**Sara Winchester**

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**From:** Joseph Reilly  
**Sent:** Friday, July 30, 2010 9:56 AM  
**To:** Sara Winchester  
**Cc:** Karen Papakonstantinou  
**Subject:** Ocean Count College Foundation

During the "Procurement Issues" meeting on July 12,<sup>th</sup> Ken Olsen advised that he makes telephone calls on behalf of the Ocean County College Foundation soliciting donations from firms holding OCC contracts. He advised that he was very uncomfortable doing this. It is my understanding that the Ocean County College Foundation is also provided with a list of firms holding College Contracts.

In my view, a contractor solicited for a donation could reasonably conclude that a donation to the Ocean County College Foundation was in his best financial interest and that failing to give a significant donation could jeopardize his contract. A contractor could conclude that a donation was simply a cost of doing business with OCC.

In my view, the practice of a college foundation soliciting college contractors for donations has no place in public procurement. It serves to place the College's integrity in issue and raises valid concerns with respect to whether procurement is being conducted in an objective, unbiased and fair manner in furtherance of the public interest and the public purse.

**TO:** Dr. Larson  
**FROM:** Sara Winchester  
**DATE:** September 23, 2010  
**SUBJECT:** Response to Mr. Reilly's Memo of July 30, 2010

This is in response to Mr. Reilly's July 30, 2010 memo to me on the subject of the Ocean County College Foundation (copy attached). Mr. Reilly notes the fact that the College routinely provides a vendor list to the Foundation and that College staff occasionally ask firms holding OCC contracts to donate to the Foundation. Mr. Reilly contends that soliciting a contractor for a donation could lead the contractor to conclude that a donation was simply a cost of doing business with OCC. He further contends that the practice of a college foundation soliciting college contractors for donations has no place in public procurement.

The Ocean County College Foundation is dedicated to the growth and development of the College through scholarships, endowments, and capital and special projects. One of the basic principles of fund raising is that people tend to support causes to which they have a connection. It is therefore reasonable to conclude that firms who have done business with the College would be likely to support the Foundation. Throughout the country it is commonplace for College Foundations to solicit the support of vendors who have done business with the associated College. Mr. Reilly offers no proof that there is a connection between contract awards and donations to the Foundation and there is no evidence to suggest that donations are considered when contract awards are made. To conclude that vendors who were asked to consider donating to the Foundation would assume that it is a cost of doing business with OCC, is without merit.

The College has a long history of soliciting and receiving donations from vendors and there has never been a single vendor complaint or report to a governing body indicating that a vendor determined that a donation was required to do business with the College. Furthermore, the President of the College and several departments within the College are charged with fund raising as part of their mission. These Departments include: College Advancement, Alumni Affairs,

Athletics, Theater Operations, Heritage Society and the OCC Sailing Program. To prohibit these Departments from soliciting donations from vendors who do business with the College would needlessly hinder their ability to be successful.

I recommend that we incorporate the solicitation of donations from vendors who do business with the College as a permissible practice within the Ethics Policy that is currently under development. The Policy will clearly separate the procurement process from the solicitation process and it will set guidelines to ensure that solicitation does not interfere with the procurement process which must remain objective and unbiased.