

ASSEMBLY STATE AND LOCAL GOVERNMENT
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3112

STATE OF NEW JERSEY

DATED: MAY 10, 2018

The Assembly State and Local Government Committee reports favorably Assembly Bill No. 3112.

This bill would authorize local units of government to use electronic procurement technologies. The bill defines "local unit" as contracting units as defined in the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.). The bill authorizes these local units to use electronic procurement practices for such purposes as may be authorized by the governing body of the local unit, and subject to the provisions of the bill.

Under the bill, a local unit, joint purchasing unit, or cooperative pricing system is also authorized to use electronic procurement practices for the following purposes:

a) the purchase of electric generation service, electric related service, gas supply service, or gas related service, either separately or bundled, for its own facilities so long as the purchase otherwise complies with the provisions of the "Electric Discount and Energy Competition Act," P.L.1999, c.23 (C.48:3-49 et al.);

b) the sale of surplus personal property that shall otherwise comply with the provisions of section 36 of P.L.1971, c.198 (C.40A:11-36); and

c) the sale of real property that shall otherwise comply with the sale and lease provisions of the "Local Lands and Buildings Law," P.L.1971, c.199 (C.40A:12-1).

A local unit using electronic procurement technologies must continue to publish any notices, advertising bids, and requests for proposals required by law to be published in the official newspaper of the local unit.

Contracts awarded for the administration of electronic procurement practices pursuant to the bill would be subject to the requirements of the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1 et seq.), and the "Public School Contracts Law," N.J.S.18A:18A-1 et seq., as appropriate, except that they are to be considered as purposes for which competitive contracting may be used.

The bill also requires the Director of the Division of Local Government Services in the Department of Community Affairs, in consultation with other State government entities, to promulgate rules and regulations to effectuate the provisions of the bill.