

[Second Reprint]

ASSEMBLY, No. 4461

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JULY 30, 2020

Sponsored by:

Assemblywoman PAMELA R. LAMPITT

District 6 (Burlington and Camden)

Assemblywoman MILA M. JASEY

District 27 (Essex and Morris)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

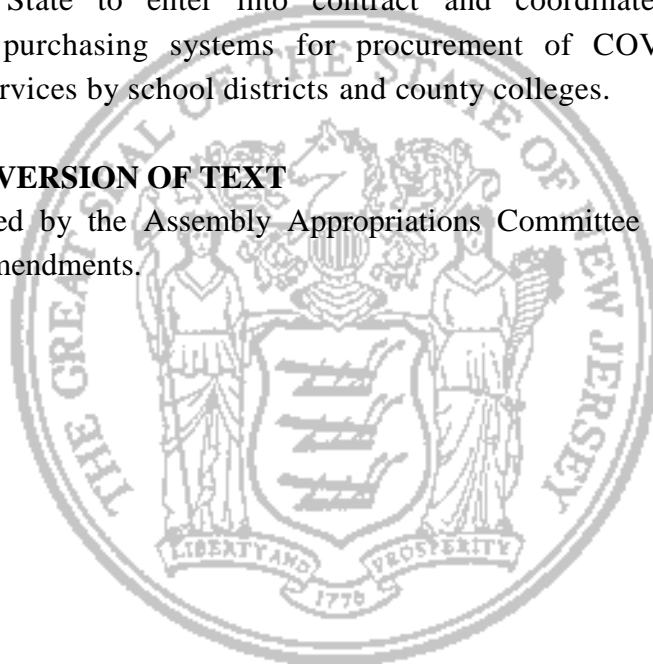
Assemblywoman Jimenez, Assemblyman Rooney, Assemblywomen Downey, Swain, Assemblymen Tully, Chiaravalloti, Assemblywoman Pinkin, Assemblyman Mejia and Assemblywoman Speight

SYNOPSIS

Requires State to enter into contract and coordinate with certain cooperative purchasing systems for procurement of COVID-19 related goods and services by school districts and county colleges.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on August 24, 2020, with amendments.



(Sponsorship Updated As Of: 8/27/2020)

1 AN ACT concerning ²**[a State contract]** contracts² for the purchase
2 of COVID-19 related materials by school districts ²and county
3 colleges².
4

5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*
7

8 1. a. Notwithstanding any provision of law, rule, or regulation
9 to the contrary, the Director of the Division of Purchase and
10 Property in the Department of the Treasury, in consultation with the
11 Commissioner of ²**[the Department of]**² Education, shall award a
12 contract or contracts, in accordance with the provisions of chapter
13 34 of Title 52 of the Revised Statutes, ²and coordinate with the lead
14 agency of any State-approved cooperative purchasing system that
15 includes one or more boards of education, including those systems
16 established pursuant to the “Public Schools Contracts Law,”
17 N.J.S.18A:18A-1 et seq., or the “Local Public Contracts Law,”
18 P.L.1971, c.198 (C.40A:11-1 et seq.),² for the procurement of
19 COVID-19 related goods and services, as specified by the
20 commissioner, that aid in meeting the COVID-19 guidelines issued
21 by the ²United States² Centers for Disease Control and Prevention.
22 The director, in consultation with the commissioner, may make
23 awards to multiple bidders in accordance with section 1 of
24 P.L.1986, c.26 (C.52:34-12.1). Advertised bidding shall not be
25 required to award a contract or contracts to obtain those goods and
26 services necessary to address the public exigency when the Division
27 of Purchase of Property provides preapproval.

28 b. The board of education of a school district, without
29 advertising for bids, or after having rejected all bids obtained
30 pursuant to advertising therefor, may purchase COVID-19 related
31 goods and services, upon adoption of a resolution, through the
32 contract or contracts for such goods and services entered into by the
33 Division of Purchase and Property pursuant to the provisions of
34 subsection a. of this section ²or made available through a State-
35 approved cooperative purchasing system of which the board of
36 education is a member².

37 c. The Department of Education shall coordinate the purchase
38 of COVID-19 related goods and services by school districts that
39 seek to purchase the goods and services in accordance with
40 subsection b. of this section.

41 d. As used in this section:

42 “Board of education” means and includes the board of education
43 of any local school district, consolidated school district, regional

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AED committee amendments adopted August 10, 2020.

²Assembly AAP committee amendments adopted August 24, 2020.

1 school district, county vocational school and any other board of
2 education or other similar body, other than the State Board of
3 Education, the ¹Commission on Office of the Secretary of
4 Higher Education or the Presidents' Council, established and
5 operating under the provisions of Title 18A of the New Jersey
6 Statutes and having authority to make purchases and to enter into
7 contracts for the provision or performance of goods or services.
8 The term "board of education" also shall include the board of
9 trustees of a charter school established under P.L.1995, c.426
10 (C.18A:36A-1 et seq.) ¹and the board of trustees of a renaissance
11 school established pursuant to P.L.2011, c.176 (C.18A:36C-
12 1 et seq.)¹.

13 "School district" means a local or regional school district
14 established pursuant to chapter 8 or chapter 13 of Title 18A of the
15 New Jersey Statutes, a county special services school district
16 established pursuant to article 8 of chapter 46 of Title 18A of the
17 New Jersey Statutes, a county vocational school district established
18 pursuant to article 3 of chapter 54 of Title 18A of the New Jersey
19 Statutes, and a district under full State intervention pursuant to
20 P.L.1987, c.399 (C.18A:7A-34 et al.). ¹The term "school district"
21 shall also include a charter school established under P.L.1995,
22 c.426 (C.18A:36A-1 et seq.) and a renaissance school established
23 pursuant to P.L.2011, c.176 (C.18A:36C-1 et seq.)¹.
24

25 ²2. a. Notwithstanding any provision of law, rule, or regulation
26 to the contrary, the Director of the Division of Purchase and
27 Property, in consultation with the Secretary of Higher Education,
28 shall award a contract or contracts, in accordance with the
29 provisions of chapter 34 of Title 52 of the Revised Statutes, and
30 coordinate with the lead agency of any State-approved cooperative
31 purchasing system that includes one or more county colleges,
32 including those systems established pursuant to the "County
33 College Contracts Law," P.L.1982, c.189 (C.18A:64A-25.1 et seq.),
34 or the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-1
35 et seq.), for the procurement of COVID-19 related goods and
36 services, as specified by the secretary, that aid in meeting the
37 COVID-19 guidelines issued by the United States Centers for
38 Disease Control and Prevention. The director, in consultation with
39 the secretary, may make awards to multiple bidders in accordance
40 with section 1 of P.L.1986, c.26 (C.52:34-12.1). Advertised
41 bidding shall not be required to award a contract or contracts to
42 obtain those goods and services necessary to address the public
43 exigency when the Division of Purchase of Property provides
44 preapproval.

45 b. The board of trustees of a county college, without
46 advertising for bids, or after having rejected all bids obtained
47 pursuant to advertising therefor, may purchase COVID-19 related

1 goods and services, upon adoption of a resolution, through the
2 contract or contracts for such goods and services entered into by the
3 Division of Purchase and Property pursuant to the provisions of
4 subsection a. of this section or made available through a State-
5 approved cooperative purchasing system of which the county
6 college is a member.

7 c. The Office of the Secretary of Higher Education shall
8 coordinate the purchase of COVID-19 related goods and services by
9 county colleges that seek to purchase the goods and services in
10 accordance with subsection b. of this section.²

11

12 ²[2.] 3.² This act shall take effect immediately and shall
13 expire on July 1, 2022.