

[First Reprint]
SENATE, No. 612

STATE OF NEW JERSEY

INTRODUCED JANUARY 29, 1996

By Senators INVERSO and LIPMAN

1 AN ACT concerning the purchase of goods and services by the State
2 ¹[and other contracting entities]¹ and supplementing P.L.1954, c.48
3 (C.52:34-6 et seq.) ¹[, chapter 34 of Title 52 of the Revised
4 Statutes, P.L.1971, c.198 (C.40A:11-1 et seq.), chapter 18A of
5 Title 18A of the New Jersey Statutes, P.L.1986, c.43 (C.18A:64-52
6 et seq.), and P.L.1982, c.189 (C.18A:64A-25.1 et seq.)]¹.

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8 **BE IT ENACTED** by the Senate and General Assembly of the State
9 of New Jersey:

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11 ¹[1. Notwithstanding the provisions of P.L.1954, c.48 (C.52:34-6
12 et seq.) to the contrary, and as an alternative to the procedures
13 concerning the awarding of public contracts pursuant to that act, the
14 Director of the Division of Purchase and Property in the Department
15 of the Treasury may purchase goods and services, for State agencies
16 and for the entities defined in section 1 of P.L.1959, c.40 (C.52:27B-
17 56.1), from the Federal Supply Schedules of the Federal General
18 Services Administration as permitted by the "Federal Acquisition
19 Streamlining Act of 1994," Pub.L.No.103-355, and regulations
20 adopted pursuant to that law and by the rules and regulations which
21 the director may promulgate pursuant to the "Administrative
22 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.)]¹

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24 ¹[2. Notwithstanding the provisions of any other law to the
25 contrary, and as an alternative to the procedures concerning the
26 awarding of public contracts pursuant to the applicable statutes, the
27 State authorities authorized to contract independently under various
28 provisions of State law may, without advertising for bids, or having
29 rejected all bids obtained pursuant to advertising, purchase goods and
30 services from the Federal Supply Schedules of the Federal General
31 Services Administration as permitted by the "Federal Acquisition

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate SBA committee amendments adopted February 15, 1996.

1 Streamlining Act of 1994," Pub.L.No.103-355, and regulations
2 adopted pursuant to that law and by the rules and regulations which
3 the authority may adopt.]¹

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5 ¹[3. Notwithstanding the provisions of the "Local Public Contracts
6 Law," P.L.1971, c.198 (C.40A:11-1 et seq.), to the contrary, and as
7 an alternative to the procedures concerning the awarding of public
8 contracts pursuant to that act, the governing body may, without
9 advertising for bids, or having rejected all bids obtained pursuant to
10 advertising, purchase goods and services from the Federal Supply
11 Schedules of the Federal General Services Administration as permitted
12 by the "Federal Acquisition Streamlining Act of 1994," Pub.L.No.103-
13 355, and regulations adopted pursuant to that law and by the rules and
14 regulations which the governing body may adopt.]¹

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16 ¹[4. Notwithstanding the provisions of the "Public School
17 Contracts Law," N.J.S.18A:18A-1 et seq., to the contrary, and as an
18 alternative to the procedures concerning the awarding of public
19 contracts pursuant to that act, the board of education may, without
20 advertising for bids, or having rejected all bids obtained pursuant to
21 advertising, purchase goods and services from the Federal Supply
22 Schedules of the Federal General Services Administration as permitted
23 by the "Federal Acquisition Streamlining Act of 1994," Pub.L.No.103-
24 355, and regulations adopted pursuant to that law and by the rules and
25 regulations which the board of education may adopt.]¹

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27 ¹[5. Notwithstanding the provisions of the "State College
28 Contracts Law," P.L.1986, c.43 (C.18A:64-52 et seq.), to the
29 contrary, and as an alternative to the procedures concerning the
30 awarding of public contracts pursuant to that act, the board of trustees
31 may, without advertising for bids, or having rejected all bids obtained
32 pursuant to advertising, purchase goods and services from the Federal
33 Supply Schedules of the Federal General Services Administration as
34 permitted by the "Federal Acquisition Streamlining Act of 1994,"
35 Pub.L.No.103-355, and regulations adopted pursuant to that law and
36 by the rules and regulations which the board of trustees may adopt.]¹

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38 ¹[6. Notwithstanding the provisions of the "County College
39 Contracts Law," P.L.1982, c.189 (C.18A:64A-25.1 et seq.), to the
40 contrary, and as an alternative to the procedures concerning the
41 awarding of public contracts pursuant to that act, the county college
42 may, without advertising for bids, or having rejected all bids obtained
43 pursuant to advertising, purchase goods and services from the Federal
44 Supply Schedules of the Federal General Services Administration as
45 permitted by the "Federal Acquisition Streamlining Act of 1994,"
46 Pub.L.No.103-355, and regulations adopted pursuant to that law and

1 by the rules and regulations which the county college may adopt.]¹

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3 ¹[7.] 1.¹ a. Notwithstanding the provisions of any other law to the
4 contrary, and as an alternative to the procedures concerning the
5 awarding of public contracts provided in P.L.1954, c.48 (C.52:34-6 et
6 seq.), the Director of the Division of Purchase and Property in the
7 Department of the Treasury may enter into cooperative purchasing
8 agreements with one or more other states, or political subdivisions
9 thereof, for the purchase of goods and services. A cooperative
10 purchasing agreement shall allow the jurisdictions which are parties
11 thereto to standardize and combine their requirements for the purchase
12 of a particular good or service into a single contract solicitation which
13 shall be competitively bid and awarded by one of the jurisdictions on
14 behalf of jurisdictions participating in the contract.

15 b. The director may elect to purchase goods or services through a
16 contract awarded pursuant to a cooperative purchasing agreement
17 whenever the director determines this to be the most cost- effective
18 method of procurement. Prior to entering into any contract to be
19 awarded through a cooperative purchasing agreement, the director
20 shall review and approve the specifications and proposed terms and
21 conditions of the contract.

22 c. The director may solicit bids and award contracts on behalf of
23 this State and other jurisdictions which are parties to a cooperative
24 purchasing agreement provided that the agreement specifies that each
25 jurisdiction participating in a contract is solely responsible for the
26 payment of the purchase price and cost of purchases made by it under
27 the terms of any contract awarded pursuant to the agreement.

28 d. The director may promulgate rules and regulations pursuant to
29 the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
30 seq.), which are necessary to effectuate the purposes of this section.

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32 ¹[8.] 2.¹ This act shall take effect immediately.

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Permits State to enter into certain cooperative purchasing agreements.