

ASSEMBLY, No. 4042

STATE OF NEW JERSEY 219th LEGISLATURE

INTRODUCED MAY 7, 2020

Sponsored by:

Assemblywoman JOANN DOWNEY

District 11 (Monmouth)

Assemblyman ERIC HOUGHTALING

District 11 (Monmouth)

Assemblyman GORDON M. JOHNSON

District 37 (Bergen)

Co-Sponsored by:

Assemblyman Benson, Assemblywoman Lopez and Assemblyman Bergen

SYNOPSIS

Establishes price preference program on State contracts for service-disabled veteran-owned businesses.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 8/10/2020)

1 AN ACT concerning preferences for service-disabled veteran-owned
2 businesses and supplementing P.L.1954, c.84 (C.52:34-6 et seq.).
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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:
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7 1. In awarding a contract which is paid with State funds and
8 publicly advertised for bids, a State agency shall give a preference of
9 up to 10 percent of the amount of the contract to a qualified disabled
10 veterans' business. If the qualified disabled veterans' business
11 otherwise meets the requirements of the contract solicitation and with
12 the preference is the lowest bidder, a State agency shall enter into a
13 procurement contract with the qualified disabled veterans' business.
14 If two or more qualified disabled veterans' businesses are the lowest
15 bidders on a contract, the qualified disabled veterans' business with
16 the lowest bid shall be awarded the contract.

17 If a disabled-veteran owner dies during the term of a contract or
18 in the bidding process for a contract and the surviving spouse
19 acquires the disabled-veteran's ownership interest in the business,
20 the business shall remain eligible for the preference and that contract
21 during the term of the contract or the bidding process for that
22 contract.

23 As used in this act:

24 "Disabled veteran" means a resident of this State who has been
25 certified by the United States Department of Veterans Affairs as
26 having any degree of service-connected disability.

27 "Qualified disabled veterans' business" means a business which
28 (1) has its principal place of business in the State, (2) is
29 independently owned and operated, (3) at least 51 percent of which
30 is owned and controlled by persons who are disabled veterans, and
31 (4) the management and daily business operations are controlled by
32 one or more disabled veterans or, in the case of a disabled veteran
33 with a permanent and severe disability, are controlled by the spouse
34 of such veteran.
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36 2. This act shall take effect immediately.
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39 STATEMENT
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41 This bill establishes a price preference program for service-
42 disabled veteran-owned businesses competing for State contracts.

43 Under current law, certain purchases or contracts payable out of
44 State funds are publicly advertised and competitively bid on by
45 businesses. The State then awards the contract to the lowest bidder.

46 This bill would establish a price preference of up to 10 percent of
47 the amount of the contract to a qualified disabled veterans' business.
48 If the disabled veterans' business meets the requirements of the

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1 contract solicitation and is the lowest bidder due to the preference
2 program, a State agency will enter into a procurement contract with
3 the disabled veterans' business. If two or more qualified disabled
4 veterans' businesses bid on a contract utilizing the preference
5 program, the disabled veterans' business with the lowest bid will be
6 awarded the contract.

7 This bill defines "disabled veteran" to mean a resident of this State
8 who has been certified by the United States Department of Veterans
9 Affairs as having any degree of service-connected disability.

10 This bill defines "qualified disabled veterans' business" to mean
11 an independently owned and operated business that has its principal
12 place of business in the State, at least 51 percent of which is owned
13 and controlled by persons who are disabled veterans, and the
14 management and daily business operations are controlled by one or
15 more disabled veterans or, in the case of a disabled veteran with a
16 permanent and severe disability, are controlled by the spouse of such
17 veteran.