

[First Reprint]
SENATE, No. 2698

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED JULY 16, 2020

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Co-Sponsored by:

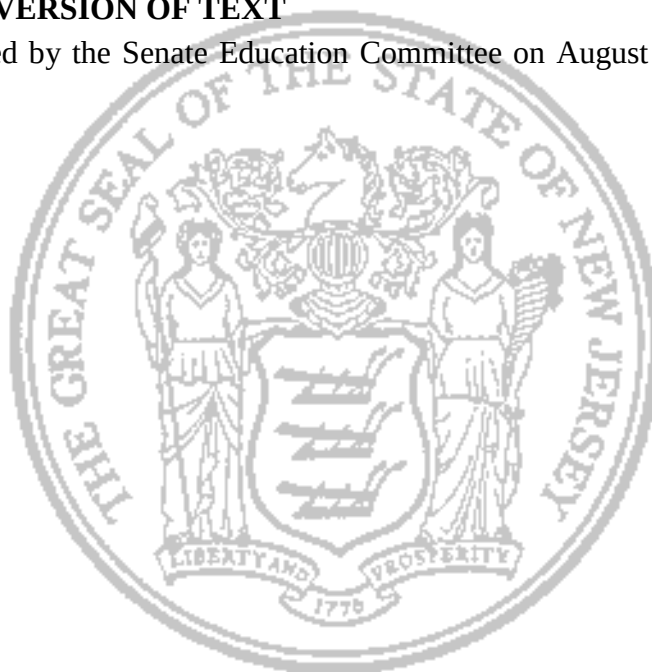
Senators Pou and Addiego

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 Senate Education Committee on August 20, 2020, with amendments.



(Sponsorship Updated As Of: 9/14/2020)

1 AN ACT concerning ¹**[a State contract]** contracts¹ for the purchase
2 of COVID-19 related materials by school districts ¹and county
3 colleges¹.
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 ¹**[the Department of]**¹ Education, shall award a
12 contract or contracts, in accordance with the provisions of chapter
13 34 of Title 52 of the Revised Statutes, ¹and 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.),¹ 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 ¹United States¹ 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 ¹or made available through a State-
35 approved cooperative purchasing system of which the board of
36 education is a member¹.

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
44 school district, county vocational school and any other board of

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:

¹Senate SED committee amendments adopted August 20, 2020.

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

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

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

44 b. The board of trustees of a county college, without
45 advertising for bids, or after having rejected all bids obtained
46 pursuant to advertising therefor, may purchase COVID-19 related
47 goods and services, upon adoption of a resolution, through the

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

6 c. The Office of the Secretary of Higher Education shall
7 coordinate the purchase of COVID-19 related goods and services by
8 county colleges that seek to purchase the goods and services in
9 accordance with subsection b. of this section.¹

10

11 ¹**[2.] 3.** This act shall take effect immediately and shall
12 expire on July 1, 2022.