

SENATE CONCURRENT RESOLUTION No. 163

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED DECEMBER 9, 2021

Sponsored by:

Senator M. TERESA RUIZ

District 29 (Essex)

SYNOPSIS

Urges Governor, BPU, and certain Commissioners to increase female, minority, and veteran-owned small business participation in contracts awarded with certain federal funds.

CURRENT VERSION OF TEXT

As introduced.



1 **A CONCURRENT RESOLUTION** urging the Governor, Board of
2 Public Utilities, and certain Commissioners to take actions to
3 increase female, minority, and veteran-owned small business
4 participation in procurements supported by funding from the
5 federal Infrastructure Investment and Jobs Act.
6
7 **WHEREAS**, on November 15, 2021, President Joe Biden signed the
8 \$1.2 trillion federal Infrastructure Investment and Jobs Act (IIJA),
9 Pub.L. 117–58; and
10 **WHEREAS**, The IIJA is a once-in-a-lifetime opportunity to renew the
11 nation’s long-term commitment to rebuilding American
12 competitiveness through its critical infrastructure; and
13 **WHEREAS**, In New Jersey, the IIJA provides at least \$13.1 billion to
14 address the State’s most pressing transportation needs, including
15 the Gateway Project; and
16 **WHEREAS**, The State is expected to receive \$6.8 billion to invest in
17 highways and roads, \$1.1 billion for bridge repairs, \$104 million
18 for electric vehicle initiatives, \$24 million for enhancing ferry
19 services, \$4.1 billion to improve New Jersey’s transit system, and
20 substantial additional sums to address climate resiliency, broadband
21 Internet access, and water and electric power infrastructure; and
22 **WHEREAS**, These investments will result in a significant number of
23 jobs and opportunities for local businesses and it is imperative that
24 federal resources are used to benefit all residents in the most fair
25 and equitable manner; and
26 **WHEREAS**, A recent analysis by the Brookings Institution indicates
27 that nationally people of color represent about 40 percent of the
28 population, but only 20 percent of the nation’s 5.6 million business
29 owners with employees. The nation could have millions more
30 businesses if women and minorities became entrepreneurs at a
31 comparable rate to the country as a whole; and,
32 **WHEREAS**, A fair and equitable expenditure of infrastructure funds
33 requires affirmative efforts to overcome the gap in female and
34 minority business ownership and other factors that have prevented
35 or inhibited participation by small businesses and minority, women,
36 and veteran-owned business enterprises in the procurement
37 opportunities offered by the State; and
38 **WHEREAS**, For the fiscal years of 2020-2022, the Department of
39 Transportation has a 13.23 percent participation rate and New
40 Jersey Transit has a 21.87 percent participation rate for the award of
41 federally-funded transportation contracts to disadvantaged business
42 enterprises. These rates were set via methodology required pursuant
43 to federal legislation; however, the population of the State that
44 comes from those disadvantaged backgrounds remains well in
45 excess of the targets; now, therefore,
46
47 **BE IT RESOLVED** *by the Senate of the State of New Jersey (the*
48 *General Assembly concurring):*

SCR163 RUIZ

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1 1. The Legislature of New Jersey respectfully urges the
2 Governor, the Commissioners of the Board of Public Utilities and
3 State departments receiving federal infrastructure funds under the
4 federal Infrastructure Investment and Jobs Act, Pub.L. 117–58, to
5 renew their commitment to female, minority, and veteran-owned
6 small businesses, by increasing outreach, transparency, and
7 monitoring of procurement practices and work to ensure that these
8 businesses receive opportunities and contract awards for the funds
9 provided in the federal Infrastructure Investment and Jobs Act at
10 levels not just reflective of federal requirements, but the full
11 diversity of the State population.

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13 2. Copies of this resolution as filed with the Secretary of State,
14 shall be transmitted by the Clerk of the General Assembly or the
15 Secretary of the Senate to the Governor, each Commissioner of the
16 Board of Public Utilities, and each Commissioner of a State
17 department receiving funding under the federal Infrastructure
18 Investment and Jobs Act.

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STATEMENT

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23 This resolution urges the Governor, the Commissioners of the
24 Board of Public Utilities, and State departments receiving federal
25 infrastructure funds under the federal Infrastructure Investment and
26 Jobs Act (IIJA) to renew their commitment to female, minority, and
27 veteran owned small businesses, by increasing outreach,
28 transparency, and monitoring of procurement practices and work to
29 ensure that these businesses receive opportunities and contract
30 awards for the funds provided in the IIJA at levels not just
31 reflective of federal requirements, but the full diversity of the State
32 population.

33 The IIJA is a once-in-a-lifetime opportunity to renew the
34 nation’s long-term commitment to rebuilding American
35 competitiveness through its critical infrastructure. New Jersey will
36 receive at least \$13.5 billion to address the State’s most pressing
37 transportation needs and build the Gateway Tunnel. According to
38 recent reports, the State is expected to receive \$6.8 billion to invest
39 in highways and roads, \$1.1 billion for bridge repairs, \$104 million
40 for electric vehicle initiatives, \$24 million for enhancing ferry
41 services, and \$4.1 billion to improve New Jersey’s transit system.
42 The IIJA is expected to create jobs and make needed investments in
43 New Jersey’s cities and rural communities. Federal funds will be
44 allocated to New Jersey to expand broadband Internet access,
45 remove lead and other harmful contaminants from our drinking
46 water, clean up and revitalize polluted industrial sites, initiate flood
47 resiliency projects, and help homeowners reduce energy costs
48 through weatherization assistance.

1 It is imperative that elected leaders use this opportunity to
2 maximize the benefit of the federal resources for all residents in the
3 most fair and equitable manner. This includes taking steps to
4 overcome factors that have prevented or inhibited participation by
5 small businesses and minority, women, and veteran-owned business
6 enterprises in the procurement opportunities offered by the State,
7 and to ensure that the State government renews its commitment to
8 these businesses in its procurement practices involving the
9 awarding of federal infrastructure funds through increased outreach,
10 enhanced transparency, and effective monitoring of progress made
11 in this regard. This will help make the federal infrastructure funds a
12 game changer not only for our roads and bridges, but also for the
13 State's small businesses and minority, women, and veteran-owned
14 business enterprises. New Jersey's diverse population is an
15 invaluable asset, and the State's economic strength and vitality are
16 inextricably linked to the continued growth and success of our
17 business community.