

**Northern New Jersey NIGP
Minutes of the Regular Meeting – June 11, 2015
The Imperia Conference Center, Somerset New Jersey**

The meeting was called to order at 10:10AM by President James Jorgenson. After the flag salute, a moment of silence was observed, new guests were welcomed and self-introductions were made by the attendees.

By motion, the minutes and the treasurer's report were approved.

GUEST SPEAKERS

Joe Valenti, Government Procurement Consultant, Former DCA Bureau Chief

Joe stated that there have been many changes at DLGS since he has retired. We are now entering the second half of the legislative year and there are approximately 90 bills that relate to procurement.

The following information/updates were provided:

- P.L. 2014 Chapter 52: As of September 2014 this legislation limits when bidders can be required to submit a financial statement.
- P.L.2015 Chapter 47: As of May 2015, this affects school boards only and requires school business administrators to submit a list of all contracts (current & expiring) and explain all citations of the applicable laws related to the contracts to the Board.
- The current Index Rate is 1%. This is published on the DLGS website.
- On July 1, 2015 a new bid threshold is due. This adjustment occurs every 5 years. It has already been calculated by the Treasury Department and sent to the Governor's office.
- Chapter 33 only made reference to corporations and partnerships. An LLC didn't exist under state law, but now it is in the lineup & an LLC should check the Corporation box.
- P.L. 2009 Chapter 315: BRC Language- With regard to language for BRC's the Department of the Treasury, Division of Revenue should have provided new language in a Local Finance Notice. Now general contractor's and prime subs must be registered at time of bid submission. The registration must be provided at time of contract award.
- Stockholder Disclosure Forms: If the form states that the company is 100% owned by another company, the owners of that company must be disclosed.
- Prevailing Wage: There is pending legislation (S187) that would require that if the lowest bidder is 10% lower than the next bidder they must "prove" that they are paying prevailing wage. The question is how would this be proven?
- Solid Waste & Recycling Bids: DEP edict from 2014, the Diesel Retrofit Law, requires language in bid specifications that vehicles must be in compliance with that law. This will be put on the Resources tab on the NJ NIGP website.
- Globally Harmonized System of Classification and Labelling of Chemicals (GHS): New Jersey operates under PEOSHA, GHS needs to be incorporated, the state is not yet in compliance.
- State Salt Contracts: Amounts are due in by the end of May. There is still much confusion regarding who the contractor is obligated to supply, even if estimates were submitted.
- Bidders Lists: You talk to potential bidders through newspapers and the internet. There was a court case with the City of Plainfield, regarding the fact that they would call 3 contractors regularly to give them a heads up when bids were available. Should you be doing this?
- Materiality: Refer to 40A:11-23.2 and the court case Longo vs. Township of River Vale Meadow. If you waive a requirement, is it of such a nature that waiving it gives another

bidder an advantage? Maybe some potential bidders did not participate because of the requirements and it is not fair to waive it later.

Kathleen McKenzie Cupano

Assistant Director Center for Government Services-Rutgers

Was happy with the attendance of 250 at the annual conference. Asked that anyone with comments please contact her and share them.

With regard to Purchasing courses, enrollment is up 9%; therefore tuition is not being raised.

She has not yet analyzed the QPA exam results, however, an examination of the CMFO test results show that persons who failed the exam did not excel in the courses.

She thanked Ray Rule for the Continuing Ed day held in Hunterdon County for Ethics and Green Purchasing Course.

The possibility of creating an undergraduate or master’s degree in purchasing was discussed at the NIGP summit in Virginia. The feeling was that it would probably not pass academic muster and that courses in Public Purchasing in an MPA program would be more likely.

Recruitment for public employment from the private sector was discussed.

Information regarding Green Purchasing is contained in the Purchasing 3 class. It is currently being taught by Kevin Lyons, however it is not really a ‘Green Purchasing’ course. Cathy is looking for instructors for a 3 hour class 2 times a year.

OLD BUSINESS

None

NEW BUSINESS

Since we are staying as a chapter of the National NIGP 2 officers must be paid members of the national. The bylaws will be amended to pay the dues for 2 or 3 of the officers for membership in the national (currently paid at \$185 per person) out of the chapter funds. There is a discount for multiple members. A formal vote will be conducted at the next meeting. Jim is also looking for individuals to take on the Chapter Leadership roles.

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The meeting was adjourned at 12:03 PM

Next meeting date: September 10, 2015 at 10 AM.

Northern New Jersey NIGP – Chapter 7

Respectfully submitted,
Mary Richers, QPA
Chapter 7 Secretary