

**NORTHERN NEW JERSEY NIGP  
MINUTES OF THE REGULAR MEETING – June 15, 2017  
MADELINES ON VOSELLER, BOUND BROOK, NEW JERSEY**

The meeting was called to order at 10:08 A.M. 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. There was a joint motion to approve both the Treasurers Report (Beginning Balance \$4,930.20, Ending Balance \$6,918.51) and the previous meeting's minutes which had been posted to the website. The motion was approved.

**GUEST SPEAKERS**

**Barbara Geary, Director of Procurement, NJ Office of State Comptroller**

Ms. Geary gave an overview of the functions of the Office of the State Comptroller, which is comprised of four divisions: Audit, Investigations, Medicaid Fraud and Procurement. She is responsible for the Procurement Division. This division reviews the legality of public contracts issued by the state, state authorities, school districts, municipalities, counties, and local authorities. She stated that there were two numbers that needed to be remembered: \$2,000,000 and \$10,000,000. Post-Award review is required for contracts (including emergency contracts) greater than \$2,000,000 and must be submitted to the Comptroller's Office no later than 20 business days after award. The purpose of the Post-Award review is to ensure that the bidding process was legally compliant, and that the correct award process was followed. Guidance may also be provided for future procurements.

Contracts over \$10,000,000 require Pre-Advertisement review. The proposed bid/procurement package must be submitted 30 days before the anticipated advertisement date. OSC Notification forms are available on the website at [www.osc.nj.gov](http://www.osc.nj.gov) and should be submitted electronically to [contracts@osc.nj.gov](mailto:contracts@osc.nj.gov). A Procurement Staff Attorney will then review the submission. Their review will ensure that proper statutory processes are being followed, bidder instructions are clear, legal requirements are accurate, any proprietary items are justified, the scope of work does not show favoritism and evaluation criteria are fair and reasonable. Approval must be received from the Division before the procurement can be advertised.

All contracts must include OSC document retention language as follows: "Contractor/Vendor shall maintain all documentation for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request." Ms. Geary also provided checklists of required documents for goods and services and construction contracts.

**Alysia Walsh, Staff Attorney, NJ Office of State Comptroller**

Ms. Walsh reviewed the most common mistakes seen by the Comptroller's Office when reviewing submissions. These included: failure to include OSC document retention language, misstating the BRC and Public Works Contractor Registration requirements,

incomplete Statements of Corporate Ownership, and the improper use of brand names and the EUS exception. The regulatory compliance requirements (N.J.S.A. 40A:11-6) regarding emergency contracts (can only be deemed an “emergency” when the need for the good or service could not have been reasonably foreseen), the use of brand name or equivalent (N.J.A.C. 5:34-9.2(c))and requesting proprietary items (N.J.A.C. 5:34-9.1) in bid specifications, as well as the use of the Extraordinary Unspecifiable Services (EUS) exception (N.J.A.C. 5:34-2.1 et seq.) were reviewed. Brokerage services must be procured under the requirement for an EUS and not as a Professional Service. The use of Competitive Contracting was recommended. As a best practice it was recommended that Insurance Brokers be required to quote their fees (the entity should pay them directly) rather than have the broker collecting commissions from insurance providers.

The presentation was concluded by stating that Purchasing Agents, as trustees of public funds, must maintain independence, promote transparency and always act in the interest of the public, treating all bidders fairly and on an equal footing and that they are in a unique position to combat waste, fraud and abuse. She advised the attendees that if you see something (bid rigging schemes, price fixing, etc.) you should say something and call 1-855-OSCTIPS.

**Kathleen McKenzie Cupano, Assistant Director Center for Government Services, Rutgers Continuing Studies**

The summer course schedule has been mailed out and the fall schedule will be available shortly. The schedule is also available on the website. Enrollment is down 6% over last year. She reminded everyone that Green Purchasing CEU’s are needed for QPA renewal. A recap of the forum held at the Golden Nugget in Atlantic City was also given. It was very successful and the Committee and volunteers were thanked for doing a good job. There was a 10% increase in enrollment and exhibitors.

**James Jorgensen, President**

**OLD BUSINESS:** None

**NEW BUSINESS:** As the next meeting in September will be the Joint Purchasing Association Meeting with the GPANJ, as was held the same time last year, the nomination and election of the new slate of 2018-2019 Officers for the Northern New Jersey NIGP will be held today.

The following were nominated for the one year term:

President: James Jorgensen

Vice President: Liz Crescibene

Treasurer: Melissa Kosensky

Secretary: Mary Richers

A motion to accept the nominations was made and passed.

The meeting was adjourned at 11:50 AM.

.....

Future Meeting Dates: September 14, 2017  
December 14, 2017

Respectfully Submitted, Mary Richers