

**NORTHERN NEW JERSEY NIGP
MINUTES OF THE REGULAR MEETING – December 13, 2018
VENUE 518, BOUND BROOK, NEW JERSEY**

The meeting was called to order at 10:12A.M. by President Jim Jorgensen. 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 and the previous meeting's minutes which had been posted to the website. The motion was approved.

GUEST SPEAKERS

Kathi Cupano, Assistant Director, Center for Government Services, Rutgers Continuing Education

Spring semester courses have been finalized. There was a 2-3% increase in registration for the summer and fall courses. Annually, course attendance was up 5- 9%. It is anticipated that due to a substantial number of new hires in Purchasing positions, the registration numbers will be increasing.

The dates for the Annual Purchasing Forum being held at the Golden Nugget are 5/1 and 5/2. There will also be Pre-Forum session the night before. The keynote speaker will be Chris Palladino. Sessions for the program will include Public Private Partnerships, Ethical Leadership and Management Skills.

She also informed the attendees that a Procurement Specialist may be hired by DLGS in the near future.

Joseph A. Valenti, LLC, Governmental Purchasing Educator

Mr. Valenti wished everyone a happy holiday and new year. Prior to the meeting, attendees were asked to download a draft of N.J.A.C. 5:30-11.11-15 covering Changed Conditions in Construction contracts. It will more than likely be adopted but no date has been given. A discussion ensued regarding the changes to the rules. N.J.A.C.5:30-11.11 – 15 is what has been added to the existing Change Order rules covered in N.J.A.C. 5:30-11.1-10 He believes that much of the new wording is from AIA documents.

Mr. Valenti reviewed the proposed changes, pointing out that in many instances the wording is vague and requires clarification. In 5.30-11-12 neither the word “promptly” in regards to filing a certification is not defined, nor is the reference to “Chief Executive Officer” identified. The section also refers to a “fair & equitable adjustment to the contract price and completion date.” How is “fair & equitable” defined?

Basically when changed conditions are cited, it will involve investigating, negotiating, corroboration and governing body involvement with a lot of stops and starts in between. This could conceivably be a very time consuming process. After a written report is issued to the governing body the conclusion could be that all are in agreement, and the project moves forward as agreed or the governing body could agree to differing site conditions but not to price and completion dates, or that no differing site conditions exist at all. The governing body will need to pass a resolution memorializing each scenario.

Other inconsistencies or vagaries cited were:

- Obligatory attendance at a Pre-Bid Meeting (probably should be a Pre-Construction not a Pre-Bid Meeting)
- How can work resume while the parties are still negotiating (5:30-11.12-5a)
- Completely left out of the rules is the subject of Performance Bonds

Jason Martucci from DLGS is looking for comments & would like to eventually schedule a meeting with all interested parties. The UCTA is the driving force behind these changes. Regulations will eventually need to be adopted

Changes to the BRC Process

Apparently an issue has come up recently when entities have tried to renew their Business Registration Certificates - they need to provide a NEW JERSEY address.

If the applicant doesn't have residency in New Jersey or maintain a business or office in the state, they need to hire a New Jersey Agent of Record to provide them with a New Jersey address.

If you encounter vendors who have having this problem renewing, several attendees said they have contacted Maria in the Division of Revenue & Enterprise Services (DORES) at 609-633-8292, who has proven to be helpful. Other contact names given were Robert Benko and Peter Lowicki (Deputy Director of the Division) at 609-777-1547

Old Business: None

New Business:

Jim Jorgenson then addressed the meeting and thanked Mr. Valenti for all his efforts on behalf of Purchasing. As this was Jim's last meeting serving as President and that he will be attending due to his new job responsibilities, he introduced and thanked Melissa Kosensky for accepting the President's position and Apryl Roach, Jane Foti and Mary Richers for their continued service. (Vice-President, Treasurer, Secretary respectively) whose terms run through the end of 2019. He also thanked Liz Crescibene for her assistance to him as Vice President.

There is a vacancy on the Executive Board that needs to be filled. Jim encouraged the members to keep attending the meetings and to outreach to encourage attendance from others. He reiterated that it was a pleasure to work with everyone and serve as President. He noted that the Purchasing is facing challenges by being melded into existing Administrative or Financial functions. He stated that everyone should feel free to reach out to him via his personal email: jimmyjorgensen@yahoo.com and wished all a happy holiday.

Nominations for the vacancy on the Executive Board were then solicited. There were none made. It was decided to wait until January and begin efforts then to recruit for a nominee for the position

Francis Decibus then presented Jim with a plaque and thanked him on behalf of the membership for developing the association's website and his dedication, programs, and the time devoted to the job and his outstanding leadership.

The meeting was adjourned at 12:05PM

Respectfully Submitted, Mary Richers