

[First Reprint]

**ASSEMBLY, No. 2786**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED MAY 20, 2010

**Sponsored by:**

**Assemblyman LOUIS D. GREENWALD**

**District 6 (Camden)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Assemblyman ALBERT COUTINHO**

**District 29 (Essex and Union)**

**Assemblyman CRAIG J. COUGHLIN**

**District 19 (Middlesex)**

**Assemblywoman VALERIE VAINIERI HUTTLE**

**District 37 (Bergen)**

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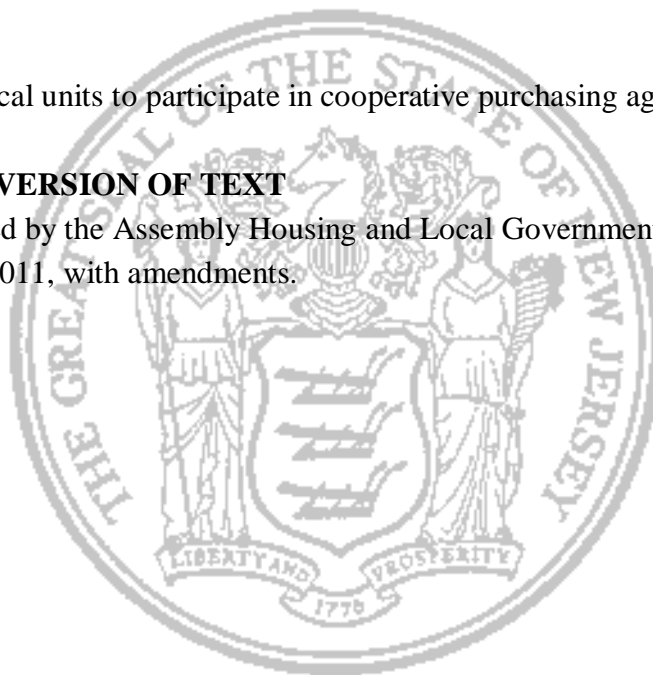
**Senators Beach, Gordon, Greenstein and Stack**

**SYNOPSIS**

Permits local units to participate in cooperative purchasing agreements.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Housing and Local Government Committee on February 3, 2011, with amendments.



**(Sponsorship Updated As Of: 6/30/2011)**

1 AN ACT concerning cooperative purchasing agreements and  
2 amending P.L.1996, c.16.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. Section 7 of P.L.1996, c.16 (C.52:34-6.2) is amended to read  
8 as follows:

9 7. a. Notwithstanding the provisions of any other law to the  
10 contrary except the provisions of R.S.30:4-95, and as an alternative  
11 to the procedures concerning the awarding of public contracts  
12 provided in P.L.1954, c.48 (C.52:34-6 et seq.), the Director of the  
13 Division of Purchase and Property in the Department of the  
14 Treasury may enter into cooperative purchasing agreements with  
15 one or more other states, or political subdivisions thereof, for the  
16 purchase of goods and services. A cooperative purchasing  
17 agreement shall allow the jurisdictions which are parties thereto to  
18 standardize and combine their requirements for the purchase of a  
19 particular good or service into a single contract solicitation which  
20 shall be competitively bid and awarded by one of the jurisdictions  
21 on behalf of jurisdictions participating in the contract.

22 b. (1) The director may elect to purchase goods or services  
23 through a contract awarded pursuant to a cooperative purchasing  
24 agreement whenever the director determines this to be the most  
25 cost-effective method of procurement. Prior to entering into any  
26 contract to be awarded or already awarded through a cooperative  
27 purchasing agreement, the director shall review and approve the  
28 specifications and proposed terms and conditions of the contract.

29 (2) The director may also elect to purchase goods or services  
30 through a contract awarded pursuant to a nationally-recognized and  
31 accepted cooperative purchasing agreement that has been developed  
32 utilizing a competitive bidding process, in which other states  
33 participate, whenever the director determines this to be the most  
34 cost-effective method of procurement. Prior to entering into any  
35 contract to be awarded through a nationally-recognized and  
36 accepted cooperative purchasing agreement that has been developed  
37 utilizing a competitive bidding process, the director shall review  
38 and approve the specifications and proposed terms and conditions  
39 of the contract.

40 (3) Notwithstanding any other law to the contrary, any  
41 contracting unit authorized to purchase goods, or to contract for  
42 services, may make purchases and contract for services through the  
43 use of a nationally-recognized and accepted cooperative purchasing  
44 agreement that has been developed utilizing a competitive bidding

**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:

<sup>1</sup>Assembly AHO committee amendments adopted February 3, 2011.

1 process by another contracting unit within the State of New Jersey,  
2 or within any other state, when available. Prior to making  
3 purchases or contracting for services, the contracting unit shall  
4 determine that the use of the cooperative purchasing agreement  
5 shall result in cost savings after all factors, including charges for  
6 service, material, and delivery, have been considered.

7 For purposes of this paragraph, "contracting unit" means any  
8 county, municipality, special district, school district, 'fire district'  
9 or any board, commission, committee, authority or agency, which is  
10 not a State board, commission, committee, authority or agency, and  
11 which has administrative jurisdiction over any district, included or  
12 operating in whole or in part, within the territorial boundaries of  
13 any county or municipality which exercises functions which are  
14 appropriate for the exercise by one or more units of local  
15 government, and which has statutory power to make purchases and  
16 enter into contracts awarded by a contracting agent for the provision  
17 or performance of goods or services.

18 c. The director may solicit bids and award contracts on behalf  
19 of this State and other jurisdictions which are parties to a  
20 cooperative purchasing agreement provided that the agreement  
21 specifies that each jurisdiction participating in a contract is solely  
22 responsible for the payment of the purchase price and cost of  
23 purchases made by it under the terms of any contract awarded  
24 pursuant to the agreement.

25 d. The director may promulgate rules and regulations pursuant  
26 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-  
27 1 et seq.), which are necessary to effectuate the purposes of this  
28 section.

29 (cf: P.L.2005, c.336, s.13)

30

31 2. This act shall take effect immediately.