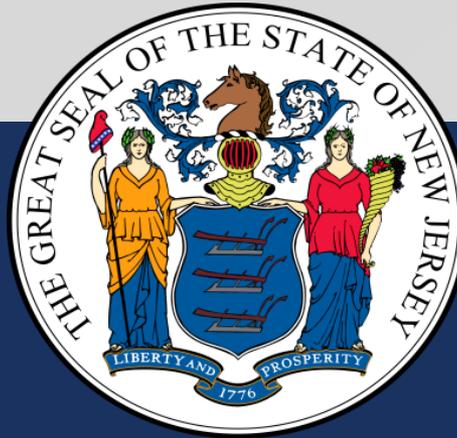


OFFICE OF THE STATE COMPTROLLER PUBLIC CONTRACTS LAW AND REGULATIONS

NEW JERSEY LEAGUE OF MUNICIPALITIES

NOVEMBER 16, 2017



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Procurement Division
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TODAY'S AGENDA

- Overview of the Office of the State Comptroller (“OSC”)
- Compliance with contract notice and review requirements of the Procurement Division
- OSC’s Contract/Bid Submission Process
- OSC’s pre-advertisement and post-award review
- Common Mistakes and Best Practices
- How to contact OSC

OFFICE OF THE STATE COMPTROLLER

- The Office of the State Comptroller (“OSC”) was established by statute, *N.J.S.A. 52:15C-1 et seq.*, in 2007
 - An independent office established in the Executive branch of State government
 - Created to bring greater efficiency and transparency to the operation of all levels of New Jersey government
- OSC’s Mission
 - Promote the integrity and transparency of government operations by reviewing government contracts and conducting independent audits of government entities and programs throughout New Jersey
 - Investigate mismanagement of public funds
 - Improve the efficiency and integrity of the Medicaid Program

WHAT WE DO

The Office of the State Comptroller has four divisions

- **Audit**

- Conducts audits and reviews the performance of the Executive branch of State government, public institutions of higher education, independent State authorities, local governments and school districts

- **Investigations**

- Detects and uncovers misconduct, abuse and waste at all levels of New Jersey government by investigating the mismanagement of public funds and the performance of government officers, employees and programs

WHAT WE DO (CONTINUED)

■ Medicaid Fraud

- Detects, prevents and investigates waste, fraud and abuse in the Medicaid, New Jersey FamilyCare and Charity Care programs
- Recovers improperly expended Medicaid funds
- Reviews the quality of care given to Medicaid recipients
- Excludes or terminates providers from the Medicaid program when necessary

■ Procurement

- Reviews the legality of public contracts of municipalities, school districts, counties, State agencies, State authorities, local authorities and public institutions of higher education

ENTITIES SUBJECT TO OSC CONTRACT OVERSIGHT

- 616 School Districts
- 565 Municipal Governments
- 216 Local authorities and commissions
- 186 Fire Districts
- 85 Housing Authorities
- 43 State Authorities
- 31 State Departments and other agencies
- 33 Urban Enterprise Zones
- 31 Public Colleges and Universities
- 21 County Governments
- 21 County Tax Boards
- 19 County Park Commissions
- 18 Joint Insurance Fund Commissions
- 17 Workforce Investments Boards



Total: Over 1,900 Public Entities

OSC'S PROCUREMENT DIVISION

- OSC's Procurement Division has statutory jurisdiction to review and monitor the process of soliciting proposals for and awarding contracts valued at \$2 million or more. *N.J.S.A. 52:15C-10*
- OSC contract review includes all contracts:
 - Invitations to Bid, Requests for Proposals, Requests for Qualifications
 - Leases, land sales and concession agreements
 - Any other agreement that meets the OSC review threshold
- OSC does not review
 - Collective bargaining agreements
 - Certain redevelopment agreements



PROCUREMENT DIVISION REVIEW

- Examples of typical reviews include:
 - Construction bids
 - Road work
 - Professional Services
 - Legal
 - Architects & Engineers
 - Accountants
 - Insurance
 - Brokerage consulting
 - Coverage



NOTICE REQUIREMENT

- Pursuant to *N.J.S.A. 52:15C-10*, all government units are required to provide notice to OSC as follows:
 - For contracts expected to be greater than **\$10 million**, notice must be submitted to OSC and **Pre-Advertisement Review** is required at least 30 days prior to advertisement;
 - Includes contract amendments valued at \$10 million or greater
 - For contracts greater than **\$2 million but less than \$10 million**, **Post-Award Notice** must be submitted to OSC no later than 20 business days after award
 - Includes contract amendments valued at \$2 million or greater
 - For emergency contracts greater than **\$2 million**, **Post-Award Notice** must be submitted to OSC no later than 30 business days after award

VALUING A CONTRACT FOR OSC REVIEW

- What will the contracting unit spend?
 - For construction contracts, estimate the costs of the engineering and/or construction work
- If the exact value of the contract is uncertain, estimate the contract value in **good faith** using **professional judgment** as follows:
 - Base the value on prior procurements for similar goods and services
 - Estimate a price increase or decrease to reflect market changes
- For multi-year contracts, multiply the length of the contract by the yearly contract amount
 - Do not include optional contract extensions
- See *N.J.A.C. 17:44-3.2*

VALUING A CONTRACT FOR OSC REVIEW

- What is the potential value of the contract to the vendor?
 - "**Concession**" means the granting of a license or right to act for or on behalf of the contracting unit, or to provide a service requiring the approval or endorsement of the contracting unit, and which may or may not involve a payment or exchange, or provision of services by or to the contracting unit.
N.J.S.A. 40A:11-2(37)
 - The total estimated value of a concession shall include all revenue that may be expected to be received by the concessionaire, including the value of all payments, goods and services received by the contracting entity.
N.J.A.C. 5:34-9.4
 - Examples:
 - Agreement for the operation, maintenance and management of a water utility authority;
 - Advertisement/Naming rights on a public building

OSC SUBMISSION PROCESS

- OSC Notification Forms are available on website <http://www.nj.gov/comptroller/compliance/index.html>
- Electronic submission is preferred
- Email completed appropriate OSC Notification Form and required documents to contracts@osc.nj.gov
- A Procurement Staff Attorney will be assigned to review your procurement or contract

OSC SUBMISSION PROCESS

- Form B1 – Pre-Advertisement Notice for Contracts Valued at \$10 million or more
 - Must submit proposed bid/procurement package 30 days before anticipated advertisement in final form
 - **Do not send drawings or plans**
- Form B2 – Post Award Notice for Contracts Valued at \$10 Million or more
 - Must submit final “contract” within 20 business days of award
 - Include bid/proposal & any signed form
 - List of bidders and bids received
 - Documents related to any protest

OSC SUBMISSION PROCESS

- Form A – Post award Notice for Contracts Valued at More than \$2 million but less than \$10 million
 - Notice to OSC required within 20 business days of award
- Form D – Post award Notice for Emergency Contracts Valued at More than \$2 million
 - Notice to OSC required within 30 business days of award

OSC SUBMISSION FORMS

Required information:

- Name of the Municipality or Authority/Government Entity
- Description of goods/project/service
- Cost or Estimated Cost
- Source of Funding – for example – New Jersey Environmental Infrastructure Trust
- Procurement process – Local Public Contracts Law, Competitive Contracting or statutory exception
- All submissions are assigned an OSC File Number – such as 18-101
- Please use the OSC File Number on correspondence with OSC
- **Contact listed on form must be from the Government Entity**



PRE-ADVERTISEMENT REVIEW

Pre-Advertisement review required for contracts valued at more than \$10 million

- OSC has 30 days to review contracts before they can be advertised
- OSC's review period should be considered in bid planning
- Submit the entire bid package, including:
 - Invitation to Bid or Request for Proposal
 - Specifications
 - Scope of work
 - Bidder forms
- **Do not send plans or drawings**
- OSC may request additional information and/or documentation

PRE-ADVERTISEMENT REVIEW

For any “2 step” procurement process which involves:

- A Request for Qualifications to create a pool of bidders;
- Followed by a Request for Proposals or other solicitation issued to the pool of bidders selected;
- Contracting entities must submit both the RFQ and RFP to OSC for review for approval before advertisement of the RFQ for contracts valued at \$10 million or more

PRE-ADVERTISEMENT REVIEW

- Staff attorneys look for compliance with applicable laws and ensure:
 - Proper statutory processes are being followed
 - Bidder instructions are clear
 - Legal requirements are accurate
 - Proprietary items contained in the specifications are justified
 - The scope of the work is clear and concise
 - The scope of work does not show favoritism toward one bidder over another
 - Evaluation criteria (if applicable) are fair and reasonable
- Reviewing attorney sends written comments and interacts with the contracting entity to resolve any issues of non-compliance
- Reviewing attorney provides approval as to whether contracting entity may proceed with advertisement or contract

POST-AWARD REVIEW

- Post-Award review required for contracts that are:
 - More than \$2 million but less than \$10 million
 - More than \$10 million
 - After contract award, must submit the final contract to OSC
 - Emergency contracts more than \$2 million

POST-AWARD REVIEW

- Contracting entities should submit:
 - Final Request for Proposal or other bid solicitation
 - Successful bidder's proposal
 - Bid tabulation or evaluation report
 - Resolution of governing body awarding the contract
 - Documents related to any bid protest and resulting decisional documents
 - For exceptions from bidding/competition, identify the statutory exception and justification (e.g. professional services, insurance - N.J.S.A. 40A:11-5)

PURPOSE OF POST-AWARD REVIEW

- Ensure that bidding process was legally compliant
- Review evaluation process
- Ensure that the correct award process was followed
- Provide guidance for future procurements
- UPDATE your bid templates using this guidance





OSC CHECKLIST ALL CONTRACTS

- OSC Record Retention Language: *N.J.A.C. 17:44-2.2*
- Statement of Corporate Ownership: *N.J.S.A. 52:25-24.2*
- Business Registration Certificate *N.J.S.A. 52:32-44*
- EEO/Anti-discrimination
 - Exhibit A – Goods and Services
 - Exhibit B – Construction
 - N.J.S.A. 10:2-1*
- Investment Activities In Iran Disclosure – *N.J.S.A. 40A:11-2.1*
- Annual Political Contribution Disclosure *N.J.S.A. 19:44A-20.27*
- Pay to Play (Non Fair and Open) *N.J.S.A. 19:44A-20.4* (Counties) or *N.J.S.A. 19:44A-20.5* (Municipalities)



OSC CHECKLIST PUBLIC WORKS/CONSTRUCTION

- Buy American *N.J.S.A. 40A:11-18*
- Bid Guarantee *N.J.S.A. 40A:11-21*
- Consent of Surety *N.J.S.A. 40A:11-22*
- Alternate Dispute Resolution *N.J.S.A. 40A:11-50*
- Prompt Payment Act *N.J.S.A. 2A:30A-1 et seq.*
- Prevailing Wages *N.J.S.A. 34:11-56.27*
- Public Works Contractor Registration Act
N.J.S.A. 34:11-56.48 et seq.



OSC CHECKLIST

PUBLIC WORKS/CONSTRUCTION

- Construction contracts greater than \$5,000,000 shall allow for Value Engineering construction change orders – *N.J.S.A. 40A:11-16.6*
- Statement re uniformed police officers (if applicable) *N.J.S.A. 40A:11-23.1*
- Alternates: for contracts greater than \$500,000, specifications must identify criteria or order by which alternates will be selected *N.J.S.A. 40A:11-23.1*
- MAY NOT** require a bidder's financial statement if bid guarantee or consent of surety is required *N.J.S.A. 40A:11-13(f)*



OSC DOCUMENT RETENTION NOTICE

Include OSC document retention language in all contracts:

- 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.
- N.J.A.C. 17:44-2.2
- **Action Item:** Add this language to all your invitations to bids, requests for proposals and contracts!

COMMON MISTAKES

- Misstatement of the:
 - Business Registration Certificate requirement
 - Public Works Contractor Registration Act requirement
- Incomplete or outdated Statement of Corporate Ownership
- Improper use of brand name items without adequate reason and without allowing the use of an equivalent item



COMMON MISTAKES: BUSINESS REGISTRATION CERTIFICATE REQUIREMENT

- As amended in 2009, *N.J.S.A. 52:32-44 (b)* adjusted the deadline for bidders to submit the Business Registration Certificate (BRC) from time of bid to the time of contract award or authorization
- No longer have to reject a bid for failure to submit the BRC
- The law **does not** require bidders to have or have applied for a business registration certificate at the time of bid
- Removed the contractor's requirement to provide written notice to its subcontractors of the BRC requirement

COMMON MISTAKES: BUSINESS REGISTRATION CERTIFICATE REQUIREMENT

- Local Governments must:
 - Obtain the BRC prior to contract award
 - For bids and RFPs, retain copies of the BRC or other proof of business registration with the contract
 - Include in the contract a requirement that the contractor shall collect and remit to the Director of the Division of Taxation the use tax due pursuant to the Sales and Use Tax Act (N.J.S.A. 54:32B-1 et seq.) on all their sales of tangible personal property delivered into the State

COMMON MISTAKES: BUSINESS REGISTRATION CERTIFICATE REQUIREMENT

- During the course of performance, contractors shall:
 - not enter into a contract with a subcontractor unless the subcontractor first provides the contractor with its BRC
 - maintain and submit to the Local Government a list of subcontractors and their addresses which may be updated from time to time
 - collect and remit to the Director of the Division of Taxation the use tax due pursuant to the Sales and Use Tax Act (*N.J.S.A. 54:32B-1 et seq.*) on all their sales of tangible personal property delivered into the State
- Before final payment is made, the contractor shall submit to the Local Government a complete and accurate list of all subcontractors used and their addresses

COMMON MISTAKES: BUSINESS REGISTRATION CERTIFICATE REQUIREMENT

- BRC and Emergency contracts - *N.J.S.A. 52:32-44(k)*:
 - The contractor shall provide the BRC to the Local Government within two weeks of execution of the contract
 - The Local Government shall not pay the contractor until the BRC or proof of registration is provided
 - The Local Government cannot be held liable for failure to pay the contractor until the contractor provides BRC or proof of registration
- BRC and Cooperative contracts – *N.J.S.A. 52:32-44(j)*:
 - The Local Government that awards the initial contract shall receive and file the BRC

COMMON MISTAKES: BUSINESS REGISTRATION CERTIFICATE REQUIREMENT

- Penalty for failure to provide the BRC or proof of business registration:
 - Pursuant to *N.J.S.A. 54:49-4.1*, a business organization that fails to provide the BRC or provides false business registration information, shall be liable for a penalty of \$25 per day, not to exceed \$50,000
- **Best Practice:** Update Notice to Bidders, Instructions to Bidders and Bidder's Checklist
 - Remove the BRC as a mandatory bid item

COMMON MISTAKES: PUBLIC WORKS CONTRACTOR REGISTRATION ACT (N.J.S.A. 34:11-56.48 *et seq.*)

- N.J.S.A. 34:11-56.51 says:
 - No contractor shall **bid** on any contract for public work unless it is registered pursuant to the Public Works Contractor Registration Act
 - No contractor **shall list a subcontractor in a bid proposal** for the contract unless the subcontractor is registered pursuant to the Act at the time the bid is made
 - No contractor or subcontractor, including a subcontractor not listed in the bid proposal shall engage in public work under the contract, unless the subcontractor is registered pursuant to the Act

COMMON MISTAKES: PUBLIC WORKS CONTRACTOR REGISTRATION ACT (N.J.S.A. 34:11-56.48 *et seq.*)

- Many bid instructions incorrectly **require** the submission of the Public Works Registration Certificate at the time of bid
 - Bids should not be rejected for failure to include the registration certificate
 - Proper bidder registration can be checked on the Department of Labor and Workforce Development website
- **Best Practice:**
 - Update Notice to Bidders, Instructions to Bidders and Bidder's Checklist to reflect statutory requirement

COMMON MISTAKES: STATEMENT OF CORPORATE OWNERSHIP (N.J.S.A. 52:25-24.2)

The Statement of Corporate Ownership:

- Must be submitted with or prior to the bid
- Applies to corporations, partnerships and limited liability companies
- Requires the names and addresses of every stockholder, individual partner and member exceeding 10% ownership
- The disclosure must be continued until names and addresses of every non-corporate stockholder, individual partner and member have been listed
- Disclosure of home addresses is not required

COMMON MISTAKES: STATEMENT OF CORPORATE OWNERSHIP

Owner #1

John Smith

27 Broad Street

Bloomfield, NJ 07003

51% Ownership

Owner #2

Acme Consultants, Inc.

72 Broad Street

Bloomfield, NJ 07003

49% Ownership

- In post-award reviews, OSC often finds the disclosure stops at the first level of ownership
- In this example, Owner #2 must disclose the owners/stockholders of Acme Consultants, Inc.
- The ownership disclosure must continue for each level of ownership until individual names are listed or there is no ownership interest that exceeds 10%

STATEMENT OF CORPORATE OWNERSHIP LEGISLATIVE UPDATE

N.J.S.A. 52:25-24.2 was amended as of August 31, 2016 by P.L. 2016, c. 43.

- Adds disclosure requirement for owners of limited liability companies
- Bidders with any direct or indirect parent entity which is publicly traded may submit the name and address of each publicly traded entity and the name and address of each person that holds a 10 % or greater beneficial interest in the publicly traded entity as of the last annual filing with the SEC or the foreign equivalent, and, if there is any person that holds a 10 % or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the SEC or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 % or greater beneficial interest.

Best Practice: Update Ownership Disclosure form:

- Include limited liability companies,
- Update instructions regarding publicly traded companies; and
- Ensure instructions clearly state that disclosure must continue until individual names are disclosed

COMMON MISTAKES: BRAND NAMES AND PROPRIETARY ITEMS

- Specifications must be drafted in a manner that encourages free, open and competitive bidding. *N.J.S.A. 40A:11-13*
- Specifications must always indicate “brand name or equivalent” items
- Suggested language:
 - Pursuant to *N.J.A.C. 5:34-9.2(c)*, “when a specification uses ‘brand name or equivalent,’ the listed brand name shall serve as a reference or point of comparison for the functional or operational characteristic desired for the good or service being requested. Where a bidder submits an equivalent, it shall be the responsibility of the bidder to document the equivalence claim. Failure to submit such documentation shall be grounds for rejection of the claim of equivalence.”
- Specifications may not require pre-approval or prequalification of “or equivalent” products. *N.J.A.C. 5:34-9.2(d)*

COMMON MISTAKES: BRAND NAMES AND PROPRIETARY ITEMS

- If your bid/contract requires proprietary items, then:
 - Prior to advertising, the purchasing agent must certify in writing why the goods or services are specialized and necessary
 - Resolution awarding the contract shall also describe why the goods or services are specialized and necessary
 - See *N.J.A.C. 5:34-9.1*
- Provide the above documentation to OSC when submitting a contract for review.
- **Best Practice:** Advise staff, engineers and consultant to use “brand name or equal” when writing specifications.

COMBATING FRAUD, WASTE & ABUSE

- Assist your departments in planning for procurements
 - Hurried bids often lead to waste
 - Emergency contracts must meet exception requirements
 - Encourage and assist in market research
- Engage experts/consultants as necessary
- Consult with legal counsel
- Regularly update bid templates



COMBATING FRAUD, WASTE & ABUSE

- Purchasing agents are in a unique position to spot
 - Bid-rigging schemes, such as rotating bids
 - Price-fixing
 - Vendor agreements regarding territories or market allocation

- **If you see something, say something:**

**CONFIDENTIAL HOTLINE
1 (855) OSC TIPS**



HOW TO CONTACT OSC

- Contact Information:
 - Director Barbara Geary - (609) 292-7416
- Contracts should be submitted electronically to contracts@osc.nj.gov
- For more information, go to <http://www.nj.gov/comptroller/>



**OFFICE OF THE STATE COMPTROLLER
CONTRACT COMPLIANCE FORM B1**

PRE-ADVERTISEMENT NOTICE FOR CONTRACTS VALUED AT \$10M OR MORE

To be submitted no later than 30 days prior to proposed advertisement date

Proposed Advertisement Date: _____ **Estimated Contract/Purchase Amount:** _____

State/County/Local/BOE Name: _____

Project Title/Description: _____

Contract/Bid/RFP # of Government Unit (if applicable): _____

Anticipated Source(s) of Funding:
 State Local Federal Bond
 Other: _____

List of any and all State or Federal Grants being utilized and description(s) of conditions/requirements of Grant(s): _____

Contract Type:
 Construction Professional Services Sale or lease of land
 Goods Services (other than Professional Services) Concession
 Other: _____

Procurement Method:
 Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) Executive Order 37
 Competitive Contracting (N.J.S.A. 40A:11-4.1 through 4.5) State College Contracts Law (N.J.S.A. 18A:64-52 et seq.)
 Exception to Public Bidding (N.J.S.A. 40A:11-5) County College Contracts Law (N.J.S.A. 18A:64A-25.1 et seq.)
 Extraordinary Unspecifiable Services (N.J.S.A. 40A:11-5(1)(a)(ii))
 Fair and Open Solicitation (N.J.S.A. 19:44A-20.4 or 19:44A-20.5)
 Public Schools Contracts Law (N.J.S.A. 18A:18A-1 et seq.)
 Competitive Contracting (N.J.S.A. 18A:18A-4.1 through 4.5)
 Exception to Public Bidding (N.J.S.A. 18A:18A-5)
 Extraordinary Unspecifiable Services (N.J.S.A. 18A:18A-(5)(a)(2))
 State Procurement Law (N.J.S.A. 52:34-6 et seq./N.J.S.A. 52:32-2)
 Other: (Cite statute, administrative code or applicable policy): _____

Submission includes: (Check all that apply)
 Bid/RFP in final form with all attachments (Drawings/Plans are not necessary)
 Any required published notices, such as Notice to Bidders
 Resolution(s) by the governing body authorizing the advertisement and procurement
 Documents explaining or approving a waiver from bidding

Contact information of individual from the government entity responsible for submission to OSC:
Name: _____
Phone Number: _____
Email Address: _____
Date of Submission: _____

Pursuant to N.J.S.A. 52:15C-14, all government units shall provide full assistance and cooperation to the New Jersey Office of the State Comptroller (OSC) with any contract review and shall provide additional documents when requested by OSC.



OFFICE OF THE STATE COMPTROLLER
CONTRACT COMPLIANCE FORM B2
POST-AWARD NOTICE FOR CONTRACTS VALUED AT \$10M OR MORE
To be submitted no later than 20 business days after the award

Date of Contract Award:	Awarded Contract/Purchase Amount:
OSC File Number:	Date of OSC Approval of Pre-Advertisement:
State/County/Local/BOE Name:	
Project Title/Description:	
Contract/Bid/RFP # of Government Unit (if applicable):	
Name and Address of Awarded Vendor/Contractor:	
Final Source(s) of Appropriation for Award:	
<input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Federal <input type="checkbox"/> Bond <input type="checkbox"/> Other: _____	
Contract Type:	
<input type="checkbox"/> Construction <input type="checkbox"/> Professional Services <input type="checkbox"/> Sale or lease of land <input type="checkbox"/> Goods <input type="checkbox"/> Services (other than Professional Services) <input type="checkbox"/> Concession <input type="checkbox"/> Other: _____	
Procurement Method:	
<input type="checkbox"/> Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) <input type="checkbox"/> Competitive Contracting (N.J.S.A. 40A:11-4.1 through 4.5) <input type="checkbox"/> Exception to Public Bidding (N.J.S.A. 40A:11-5) <input type="checkbox"/> Extraordinary Unspecifiable Services (N.J.S.A. 40A:11-5(1)(a)(ii)) <input type="checkbox"/> Fair and Open Solicitation (N.J.S.A. 19:44A-20.4 or 19:44A-20.5) <input type="checkbox"/> Public Schools Contracts Law (N.J.S.A. 18A:18A-1 et seq.) <input type="checkbox"/> Competitive Contracting (N.J.S.A. 18A:18A-4.1 through 4.5) <input type="checkbox"/> Exception to Public Bidding (N.J.S.A. 18A:18A-5) <input type="checkbox"/> Extraordinary Unspecifiable Services (N.J.S.A. 18A:18A-(5)(a)(2)) <input type="checkbox"/> State Procurement Law (N.J.S.A. 52:34-6 et seq./N.J.S.A. 52:32-2) <input type="checkbox"/> Other: (Cite statute, administrative code or internal procurement policy): _____	
Submission includes: (Check all that apply)	
<input type="checkbox"/> Bid/RFP as issued (Drawings/Plans are not necessary) <input type="checkbox"/> Addenda/Clarifications <input type="checkbox"/> Bid tabulation <input type="checkbox"/> Recommendation of Award <input type="checkbox"/> Resolution(s) by the governing body awarding the contract <input type="checkbox"/> Evaluation Report <input type="checkbox"/> The submission (bid/proposal) of the successful vendor/contractor <input type="checkbox"/> Documents explaining or approving a waiver from bidding <input type="checkbox"/> All documents associated with a bid protest, including decisional documents, when applicable <input type="checkbox"/> Signed Contract <input type="checkbox"/> Any required published notices, such as Notice to Bidders, Notice of Addenda, Notice of Award	
Contact information of individual from the government entity responsible for submission to OSC:	
Name: _____	
Phone Number: _____	
Email Address: _____	
Date of Submission: _____	

Pursuant to N.J.S.A. 52:15C-14, all government units shall provide full assistance and cooperation to the New Jersey Office of the State Comptroller (OSC) with any contract review and shall provide additional documents when requested by OSC.



OFFICE OF THE STATE COMPTROLLER

CONTRACT COMPLIANCE FORM A

POST-AWARD NOTICE FOR CONTRACTS VALUED AT MORE THAN \$2M BUT LESS THAN \$10M

To be submitted no later than 20 business days after the award

Date of Contract Award: _____		Contract/Purchase Amount: _____	
State/County/Local/BOE Name: _____			
Project Title/Description: _____ _____			
Contract/Bid/RFP # of Government Unit (if applicable): _____			
Name and Address of Vendor/Contractor: _____ _____			
Source(s) of Funding:			
<input type="checkbox"/> State	<input type="checkbox"/> Local	<input type="checkbox"/> Federal	<input type="checkbox"/> Bond
<input type="checkbox"/> Other: _____			
Contract Type:			
<input type="checkbox"/> Construction	<input type="checkbox"/> Professional Services	<input type="checkbox"/> Sale or lease of land	
<input type="checkbox"/> Goods	<input type="checkbox"/> Services (other than Professional Services)	<input type="checkbox"/> Concession	
<input type="checkbox"/> Other: _____			
Procurement Method:			
<input type="checkbox"/> Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)		<input type="checkbox"/> Executive Order 37	
<input type="checkbox"/> Competitive Contracting (N.J.S.A. 40A:11-4.1 through 4.5)		<input type="checkbox"/> State College Contracts Law (N.J.S.A. 18A:64-52 et seq.)	
<input type="checkbox"/> Exception to Public Bidding (N.J.S.A. 40A:11-5)		<input type="checkbox"/> County College Contracts Law (N.J.S.A. 18A:64A-25.1 et seq.)	
<input type="checkbox"/> Extraordinary Unspecifiable Services (N.J.S.A. 40A:11-5(1)(a)(ii))			
<input type="checkbox"/> Fair and Open Solicitation (N.J.S.A. 19:44A-20.4 or 19:44A-20.5)			
<input type="checkbox"/> Public Schools Contracts Law (N.J.S.A. 18A:18A-1 et seq.)			
<input type="checkbox"/> Competitive Contracting (N.J.S.A. 18A:18A-4.1 through 4.5)			
<input type="checkbox"/> Exception to Public Bidding (N.J.S.A. 18A:18A-5)			
<input type="checkbox"/> Extraordinary Unspecifiable Services (N.J.S.A. 18A:18A-(5)(a)(2))			
<input type="checkbox"/> State Procurement Law (N.J.S.A. 52:34-6 et seq./N.J.S.A. 52:32-2)			
<input type="checkbox"/> Other: (Cite statute, administrative code or applicable policy): _____			
Submission includes: (Check all that apply)			
<input type="checkbox"/> Bid/RFP as issued (Drawings/Plans are not necessary)	<input type="checkbox"/> Addenda/Clarifications		<input type="checkbox"/> Recommendation of Award
<input type="checkbox"/> Bid tabulation/Summary of ratings or rankings	<input type="checkbox"/> Evaluation Report		
<input type="checkbox"/> Resolution(s) by the governing body awarding the contract			
<input type="checkbox"/> The submission (bid/proposal) of the successful vendor/contractor			
<input type="checkbox"/> Documents explaining or approving a waiver from bidding			
<input type="checkbox"/> All documents associated with a bid protest, including decisional documents			
<input type="checkbox"/> Signed Contract			
<input type="checkbox"/> Any required published notices, such as Notice to Bidders, Notice of Addenda, Notice of Award			
Contact information of individual from the government entity responsible for submission to OSC:			
Name: _____			
Phone Number: _____			
Email Address: _____			
Date of Submission: _____			

Pursuant to N.J.S.A. 52:15C-14, all government units shall provide full assistance and cooperation to the New Jersey Office of the State Comptroller (OSC) with any contract review and shall provide additional documents when requested by OSC.



**OFFICE OF THE STATE COMPTROLLER
CONTRACT COMPLIANCE FORM D**

POST-AWARD NOTICE FOR EMERGENCY CONTRACTS VALUED AT MORE THAN \$2M

To be submitted no later than 30 business days after the award

Date of Contract Award: _____	Contract/Purchase Amount: _____
State/County/Local/BOE Name: _____ _____	
Project Title/Description: _____ _____ _____	
Contract # of Government Unit (if applicable): _____	
Name and Address of Vendor/Contractor: _____ _____	
Source(s) of Funding: <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> Federal <input type="checkbox"/> Bond <input type="checkbox"/> Other: _____	
Contract Type: <input type="checkbox"/> Construction <input type="checkbox"/> Professional Services <input type="checkbox"/> Sale or lease of land <input type="checkbox"/> Goods <input type="checkbox"/> Services (other than Professional Services) <input type="checkbox"/> Other: _____	
Statutory Authorization for Emergency Contract: <input type="checkbox"/> Local Public Contracts Law (N.J.S.A. 40A:11-6) <input type="checkbox"/> Public Schools Contracts Law (N.J.S.A. 18A:18A-7) <input type="checkbox"/> State College Contracts Law (N.J.S.A. 18A:64-57) <input type="checkbox"/> County College Contracts Law (N.J.S.A. 18A:64A-25.6) <input type="checkbox"/> State Procurement Law (N.J.S.A. 52:34-10(b)) <input type="checkbox"/> Treasury Circular 11-14-DPP <input type="checkbox"/> DPMC Policy – DPMC-10-03 <input type="checkbox"/> Executive Order 37 <input type="checkbox"/> Other: (Cite statute, administrative code or applicable policy): _____	
Submission includes: (Check all that apply) <input type="checkbox"/> Approval of a waiver from bidding due to emergency <input type="checkbox"/> Justification for emergency contract <input type="checkbox"/> Declaration of emergency <input type="checkbox"/> Resolution authorizing emergency <input type="checkbox"/> Signed Contract	
Contact information of individual from the government entity responsible for submission to OSC: Name: _____ Phone Number: _____ Email Address: _____ Date of Submission: _____	

Pursuant to N.J.S.A. 52:15C-14, all government units shall provide full assistance and cooperation to the New Jersey Office of the State Comptroller (OSC) with any contract review and shall provide additional documents when requested by OSC.