

CHAPTER 77

AN ACT concerning contracts for the purchase of COVID-19 related materials by school districts.

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

1. a. Notwithstanding any provision of law, rule, or regulation to the contrary, the Department of Education shall coordinate with the lead agency of any State-approved cooperative purchasing system that includes one or more boards of education, including those systems established pursuant to the “Public Schools Contracts Law,” N.J.S.18A:18A-1 et seq., or the “Local Public Contracts Law,” P.L.1971, c.198 (C.40A:11-1 et seq.), for the procurement of COVID-19 related goods and services that aid in meeting the COVID-19 health and safety standards established by Executive Order No. 175 of 2020, and any other health and safety standards deemed necessary by the department. The Department of Education may make awards to multiple bidders in accordance with section 1 of P.L.1986, c.26 (C.52:34-12.1). Advertised bidding shall not be required to award a contract or contracts to obtain those goods and services necessary to address the public exigency when the Division of Purchase of Property in the Department of the Treasury provides preapproval.

b. The board of education of a school district, without advertising for bids, or after having rejected all bids obtained pursuant to advertising therefor, may purchase COVID-19 related goods and services, upon adoption of a resolution, through the contract or contracts for such goods and services entered into by the Department of Education pursuant to the provisions of subsection a. of this section.

c. As used in this section:

“Board of education” means and includes the board of education of any local school district, consolidated school district, regional school district, county vocational school and any other board of education or other similar body, other than the State Board of Education, established and operating under the provisions of Title 18A of the New Jersey Statutes and having authority to make purchases and to enter into contracts for the provision or performance of goods or services. The term “board of education” also shall include the board of trustees of a charter school established under P.L.1995, c.426 (C.18A:36A-1 et seq.) and the board of trustees of a renaissance school established pursuant to P.L.2011, c.176 (C.18A:36C-1 et seq.).

“School district” means a local or regional school district established pursuant to chapter 8 or chapter 13 of Title 18A of the New Jersey Statutes, a county special services school district established pursuant to article 8 of chapter 46 of Title 18A of the New Jersey Statutes, a county vocational school district established pursuant to article 3 of chapter 54 of Title 18A of the New Jersey Statutes, and a district under full State intervention pursuant to P.L.1987, c.399 (C.18A:7A-34 et al.). The term “school district” shall also include a charter school established under P.L.1995, c.426 (C.18A:36A-1 et seq.) and a renaissance school established pursuant to P.L.2011, c.176 (C.18A:36C-1 et seq.).

2. This act shall take effect immediately and shall expire on July 1, 2022.

Approved May 5, 2021.