SYNOPSIS
Establishes Chief Diversity Officer to monitor participation by minority-owned and women-owned businesses in State contracting.

CURRENT VERSION OF TEXT
As amended on May 22, 2017 by the General Assembly pursuant to the Governor's recommendations.

AN ACT concerning participation by minority-owned and women-owned businesses in State contracting and supplementing Title 52 of the Revised Statutes.
BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. There is established in the Division of Purchase and Property in the State Department of the Treasury a Division of Minority and Women Business Development. The division shall administer and monitor policies, practices, and programs that further this State’s efforts to ensure equal opportunity for minority-owned and women-owned business enterprises in purchasing and procurement by State departments and agencies, including independent State authorities.

The head of the division shall be the State Chief Diversity Officer. It shall be the duty of the State Chief Diversity Officer to monitor the State’s public contracting process for the purpose of compiling information on the awarding of contracts to minority-owned and women-owned business enterprises, the total value of all contracts and the percentage of the value of those contracts awarded to minority-owned and women-owned business enterprises. The State Chief Disparity Officer shall periodically submit to the Governor, and to the Legislature pursuant to section 2 of P.L.1991, c.164 (C.52:14-19.1), reports of the officer’s findings, including information on any disparities noted between the number and value of contracts awarded to minority-owned and women-owned business enterprises and the prevalence of these businesses in the marketplace. Every State department and agency, including independent State authorities, shall cooperate fully with the State Chief Disparity Officer in meeting these objectives and each shall designate a high-level officer or employee as its disparity officer to act as a liaison with the State Chief Disparity Officer.

2. The provisions of P.L.1986, c.195 (C.52:27H-21.17 et seq.) providing for the certification of minority-owned and women-owned business enterprises shall be fully implemented in order to assist the State Chief Disparity Officer in compiling data on participation of these businesses in the State contracting process. No self-certification process, under which businesses themselves determine whether they meet the criteria for certification, shall be used.

3. Notwithstanding the provisions of any other law to the contrary, a small business set-aside contract to be awarded pursuant to P.L.1983, c.482 (C.52:32-17 et seq.) that has an estimated value of less than $200,000 shall be awarded without public advertising for bids and, instead, shall be publicly announced prior to being awarded and negotiated with qualified small businesses on the basis of demonstrated competence and qualifications for the type of goods or services required and at a fair and reasonable compensation, using a competitive contracting process that is modeled on the provisions of P.L.1997, c.399 (C.52:34-9.1 et seq.).

This act shall take effect immediately.