

**OFFICE OF THE STATE COMPTROLLER
PUBLIC CONTRACTING OVERSIGHT
DIVISION:**

2026 INTRODUCTION AND WELCOME WEBINAR

**FOR NEW STATE OF NEW JERSEY
OFFICERS AND EMPLOYEES**

APRIL 9, 2026

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ASHLEY CAMPOREALE, ACTING SUPERVISING ATTORNEY**



*This presentation may not be exhaustive, and it is not intended as legal advice.
OSC recommends that you confer with legal counsel as necessary.
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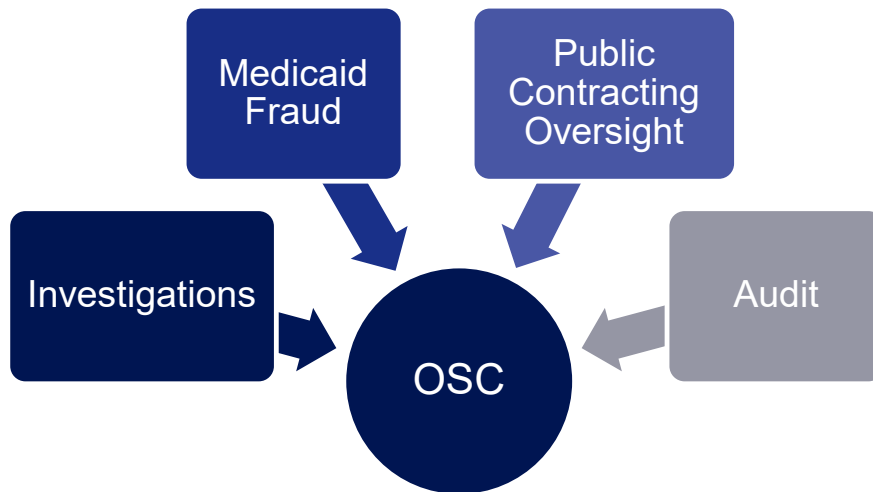


AGENDA

- About OSC
- About the PCO Division
- PCO Review Process
- Contracts Subject to OSC Review
- What PCO Reviews
- Additional Guidelines
- Questions



ABOUT OSC



- Independent agency created in 2007.
- OSC oversees, monitors, investigates, and audits state agencies, independent state authorities, state colleges and universities, counties, local governments, local and county commissions, board and authorities, and boards of education.
- OSC provides technical assistance and training regarding best practices for financial management, internal controls, and preventing misuse of public funds.
- Public Contracting Oversight Division oversees public contracting for over 1,900 government entities.

ABOUT THE PCO DIVISION

N.J.A.C. 19:70-1A.3

- Monitors, reviews, and provides guidance on the solicitation and award process for contracts under OSC's jurisdiction.
- Ensures competition, transparency, public confidence in government, avoidance of favoritism, and that procurement processes comply with applicable public contracting laws, rules, regulations, and policies.
- Provides guidance, in the context of its reviews, to contracting units to correct deficiencies in contracts prior to advertisement and to ensure future contracts comply with applicable procurement processes.
- In response to complaints, referrals, and contract reviews, the OSC may investigate to gather additional information regarding the procurement process, contract award process, and financial management and performance of contracting units, and may issue public letters or reports based on these findings.



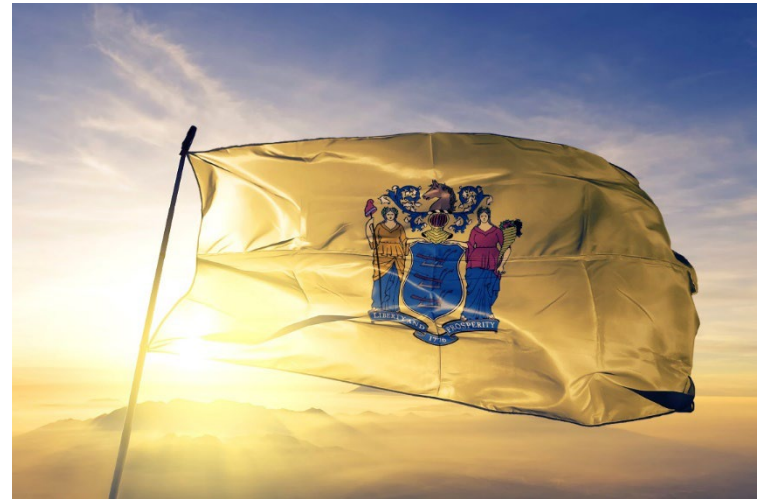
ABOUT THE PCO DIVISION

ABOUT US

Public Contracting Oversight Division

- Alysia Walsh, Director
- Geoffrey LeGrand, Acting Deputy Director
- Ashley Camporeale, Acting Supervising Attorney
- PCO Division Composition:
 - 9 staff attorneys;
 - 1 paralegal; and
 - 1 administrator.

PCO staff has decades of collective experience across public, private, and non-profit sectors, including state, federal, and local government.



PCO REVIEW PROCESS

REASONS WE REVIEW

Executive Order 166 (E.O. 166)

- Executive Order 166 (Murphy), July 17, 2020 (COVID recovery)
- Pre-advertisement review for new potential procurements valued at \$150,000 or more
- Requires posting to the Covid Transparency Website

Executive Order 125 (E.O. 125)

- Executive Order 125 (Christie), February 8, 2013 (Sandy recovery)
- Pre-advertisement review for all potential procurements – no dollar threshold
- Requires posting to the Sandy Transparency Website

N.J.S.A. 52:15C-10

- Pre-advertisement Reviews N.J.S.A. 52:15C-10 (b)
- Post Award Reviews N.J.S.A. 52:15C-10 (a)
- Emergency Procurement Reviews N.J.S.A. 52:15C-10 (c)



PCO REVIEW PROCESS

SUBMISSION REQUIREMENTS

Notice and Submission

- Pursuant to N.J.A.C. 19:70-3.1(a) and -3.1(f), contracting units must use the submission forms available on OSC's website and submit notice and documents electronically.

Timeframes for Submission to OSC

- E.O. 166 – Not less than 10 days prior to any advertisement, negotiation, or solicitation.
- E.O. 125 – Not less than 10 days prior to any advertisement, negotiation, or solicitation.
- N.J.S.A. 52:15C-10
 - N.J.S.A. 52:15C-10(a) – No later than 20 business days after award.
 - N.J.S.A. 52:15C-10(b) – At least 30 days before advertisement or solicitation.
 - N.J.S.A. 52:15C-10(c) – No later than 30 business days after award.

PCO REVIEW PROCESS

SUBMISSION REQUIREMENTS

- All OSC submission forms can be found here: <https://nj.gov/comptroller/about/work/contracting/contracts.shtml>
- Submit using Adobe, *not your browser!*
- Use the correct form for your submission type.
- Follow the instructions in N.J.A.C. 19:70-3.1 et seq.

Submit a Public Contract for Review

Use this page to submit contracts for review by the New Jersey Office of the State Comptroller (OSC)'s Public Contracting Oversight Division.

Email contracts@osc.nj.gov for assistance.

Notice

Contract value thresholds for OSC review changed effective July 1, 2025.

[Learn more about the updated thresholds.](#)

Contract Submission Requirements by Type and Threshold

Form A

Use this form to submit any awarded contract valued at more than \$3 million but less than \$15.2 million.

Category: 10(a) Submission

Threshold: Over \$3 million but less than \$15.2 million

Deadline: 20 business days after award

Legal Reference: N.J.S.A. 52:15C-10(a)

CONTRACTS SUBJECT TO OSC REVIEW

STATUTORY THRESHOLDS

N.J.S.A. 52:15C-10

Contracts
greater than
\$15.2 million

Notice submitted
to OSC for
review

At least 30 days
before
advertisement or
solicitation

-10(b)

Contracts greater
than \$3.0 million,
less than \$15.2
million

Post-award
notice submitted
to OSC

No later than 20
business days
after award

-10(a)

Emergency
contracts
greater than
\$3.0 million

Post-award
notice submitted
to OSC

No later than 30
business days
after award

-10(c)

CONTRACTS SUBJECT TO OSC REVIEW

EXECUTIVE ORDER THRESHOLDS

E.O. 166 (COVID-Funded)

Pre-advertisement
review for new
potential procurements
valued at \$150,000 or
more

Notice submitted
to OSC for review

Not less than 10
days prior to any
advertisement,
negotiation, or
solicitation

E.O. 125 (Sandy-Funded)

Pre-advertisement
review for all potential
procurements (no
dollar threshold
requirement)

Notice submitted
to OSC for review

Not less than 10
days prior to any
advertisement,
negotiation, or
solicitation

CONTRACTS SUBJECT TO OSC REVIEW

N.J.A.C. 19:70-1.2 AND N.J.A.C. 19:70-3.1

- N.J.A.C. 19:70-3.1 and N.J.A.C. 19:70-1.2 define the term “contract.”
 - An agreement supported by consideration and enforceable at law and any amendments, extensions, modifications, or change orders thereto, or renewals thereof.
 - **NOTE:** This definition of contract refers to contracts subject to OSC jurisdiction. It is not intended to define the term “contract” generally.
- N.J.A.C. 19:70-3.1 clarifies that the definition of “Contract” includes “any amendments, extensions, modifications, or change orders thereto or renewals thereof.”
 - **NOTE:** The Procurement Notification and Procurement Submission sections of N.J.A.C. 19:70-3 also expressly include requirements for notice and submission of amendments, extensions, modifications, change orders, and renewals.



CONTRACTS SUBJECT TO OSC REVIEW

DETERMINING THE VALUE OF A CONTRACT

N.J.A.C. 19:70-3.2



Determining the value of a contract:

- Refer to N.J.A.C. 19:70-3.2 for procedures for determining value of a contract.
 - This is required to determine whether OSC's thresholds have been met.
- Clarifies the process of valuation for contracts involving multi-year, multi-award, and optional extensions.
- **NOTE:** When the exact value of a contract is uncertain, contracting units shall act in good faith to ascertain an estimated value.

CONTRACTS SUBJECT TO OSC REVIEW

DETERMINING THE VALUE OF A CONTRACT

N.J.A.C. 19:70-3.2



- Good faith requires the inclusion of a standard deviation from the independent cost estimate (ICE):
 - Based upon the availability of funds above ICE
 - Industry's standard +/- 10% of the ICE
- Failure to account for standard deviation – especially during inflationary periods and in inflationary markets demonstrates bad faith.

WHAT PCO REVIEWS



- **Open competition, fairness, and transparency**
 - “The purpose is to secure competition and to guard against favoritism, improvidence, extravagance and corruption. Statutes directed toward these ends are for the benefit of the taxpayers and not the bidders; they should be construed with sole reference to the public good; and they should be rigidly adhered to by the courts.” *Twp. of Hillside v. Sternin*, 25 N.J. 317, 322 (1957).
- N.J.A.C. 19:70-3.11 fully details the process by which OSC provides approval, guidance, or further action.
- Pre-advertisement Review verse Post Award review.

WHAT PCO REVIEWS

PRE-ADVERTISEMENT REVIEW

N.J.S.A. 52: 15C-10(B); E.O. 166; AND E.O. 125

- **Is the correct procedure being utilized?**
 - Request for Waiver of Advertising-Treasury Circular [26-09-DPP](#)
 - DPA-Treasury Circular [26-02-DPP](#)
 - Professional Services [24-22-DPP/OMB/OIT](#)
 - State Authorities: Was [EO37 \(Corzine\)](#) complied with?
 - If purchased off a state contract, was the Method of Operation complied with?
- Were the funding source requirements followed?
 - i.e., E.O. 166 funding - Was **2 CFR Part 200, Appendix II** complied with?
- **The solicitation is:**
 - Clear – scope of work.
 - Doesn't favor a particular bidder.
 - Prequalification requirements are reasonable and authorized by law.
 - Evaluation criteria are reasonable and relate to the bid or RFP requirements.
 - Contains all statutory requirements – forms & statutory language.

WHAT PCO REVIEWS

PRE-ADVERTISEMENT REVIEW

N.J.S.A. 52: 15C-10(B) ; E.O. 166; AND E.O. 125

- **Contract Amendments and Extensions**
 - Is the proposed scope of work for the amendment consistent with the contract?
 - Is the extension permitted within the terms of the contract and/or statutory limitations?
 - What is the reason for the extension and/or amendment?
 - **NOTE:** If the scope of work for the proposed amendment is too far removed from the scope of work from the initial solicitation, it could result in a no-bid contract.



WHAT PCO REVIEWS

PRE-ADVERTISEMENT REVIEW

STATE AUTHORITIES AND E.O. 37 (CORZINE)

- The goal of E.O. 37 is to increase transparency and uniformity in procurement processes for State authorities.
- It applies to “all independent State authorities, any board, commission, or agency that is organized in but not of a principal department of State government, and all State authorities that are required to submit their minutes, resolutions, or actions for gubernatorial approval or veto.
- A full list of State authorities can be found here:
<https://www.nj.gov/comptroller/news/docs/stateauthorities.pdf>

Key Insights

- “All procurement contracts are to be awarded by State authorities in accordance with **pre-set, transparent procedures established by each authority and reviewed by the Governor's Authorities Unit..**” ¶ 7
- “Absent exceptional circumstances, contracts for the purchase of materials, products, supplies, and non-professional services **shall be awarded to the lowest responsible bidder**” ¶9
- Professional Services: “[e]ach authority **shall establish a fair and transparent process** for awarding such contracts, including **setting forth in writing the scoring factors and scoring procedures** to be used. ¶10
- Discusses the specific circumstances and process to be utilized when a State Authority is invoking an exception to advertising. ¶16 & 17

WHAT PCO REVIEWS

POST AWARD REVIEW



- Did the entity follow proper statutory procedures?
- Was the contract awarded pursuant to the proper standard (low bid vs. price & other factors)?
- Was the contract awarded for the correct duration?
- Did the bid or proposal comply with the solicitation?
- Were the required forms properly completed?
- If there was a bid protest or litigation, what was contested and was it justified?

WHAT PCO REVIEWS REQUIRED DOCUMENTATION

- PCO's regulations (N.J.A.C. 19:70-3.1 *et seq.*) provide lists of required documents, which are required depending on the type of procurement review.
- PCO's regulations can be found here:
 - <https://www.nj.gov/comptroller/about/rules/>

A list of documents can be found at the following sections of PCO's regulations:

- N.J.A.C. 19:70-3.3 for post-award reviews;
- N.J.A.C. 19:70-3.4 for pre-advertisement reviews;
- N.J.A.C. 19:70-3.5 for emergency procurement reviews;
- N.J.A.C. 19:70-3.7 for State third-party contracts;
- N.J.A.C. 19:70-3.8 for State contract purchases, cooperative purchases, sole source provider contracts, professional services contracts, insurance contracts and competitive contracting.

WHAT PCO REVIEWS

COMMON COMPLIANCE ITEMS

OSC Contract Language

N.J.A.C. 19:70-1.6

E.O. 166 (Murphy) Notice

Statement of Corporate Ownership

N.J.S.A. 52:25-24.2

Business Registration Certificate

N.J.S.A. 52:32-44

Source Disclosure

N.J.S.A. 52:34-13.2

Affirmative Action/Equal Employment Opportunity

N.J.S.A. 10:5-31; N.J.A.C. 17:27

Disclosure of Investment Activities in Iran

N.J.S.A. 52:32-55 *et seq.*

Compliance with Treasury Circulars

Prompt Payment Act – State

N.J.S.A. 52:32-32 *et seq.*

MacBride Principles (State Departments only)

N.J.S.A. 52:34-12.2

Notice re Set-Off for Taxes

N.J.S.A. 54:49-19

Contractor Warranty of No Solicitation

N.J.S.A. 52:34-15

ADDITIONAL GUIDELINES

- OSC Rules
 - <https://www.nj.gov/comptroller/about/rules/>
- PCO Regulations
 - N.J.A.C. 19:70-3.1 *et seq.*
- Treasury Circulars:
 - <https://www.nj.gov/infobank/circular/>
- Searching for a State Contract:
 - <https://www.njstart.gov/bsol/>



QUESTIONS? PLEASE CONTACT US!

Thank you for attending!

- **Office of the State Comptroller**
 - Website: <https://nj.gov/comptroller>
- **Public Contracting Oversight Division**
 - Email: ashley.camporeale@osc.nj.gov
 - Website: <https://nj.gov/comptroller/about/work/contracting/>
- **Submit Contracts**
 - Email: contracts@osc.nj.gov
 - Website: <https://nj.gov/comptroller/about/work/contracting/contracts.shtml>



REPORTING FRAUD, WASTE, AND ABUSE

If you have information about fraud, waste, or abuse of public funds, submit a complaint to the New Jersey Office of the State Comptroller:

- Fill out the form on our website: www.nj.gov/comptroller
- Email us: ComptrollerTips@osc.nj.gov
- Call us: **1-855-OSC-TIPS**

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