



State of New Jersey

MIKIE SHERRILL
Governor

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DR. DALE G. CALDWELL
Lt. Governor

ALYSIA WALSH
Director

August 26, 2026

To: All New Jersey Government Purchasing Professionals

Re: Legal Notice and Submission Requirements for Procurements and Contracts Pursuant to N.J.S.A. 52:15C-10, Executive Order No. 166 (2020), and Executive Order No. 125 (2013)

Dear New Jersey Purchasing Professionals:

The Office of the State Comptroller (OSC) is charged with, among other responsibilities, monitoring the solicitation and award of certain public contracts involving significant expenditures of public funds. Governmental entities are required by law to provide OSC with the assistance necessary to enable OSC to carry out its statutory oversight responsibilities. This letter is intended solely as a courtesy reminder to each New Jersey governmental entity of existing legal notice and submission requirements. It does not create any new legal obligations or modify any existing requirements established by statute, executive order, or regulation.

Pursuant to N.J.S.A. 52:15C-10, Executive Order No. 166 (Murphy, 2020), and Executive Order No. 125 (Christie, 2013), and the regulations set forth at N.J.A.C. 19:70, contracting units, as defined in N.J.S.A. 52:15C-10(a), are required to provide notice to OSC and submit information regarding procurements and contracts¹ that are subject to OSC review. The applicable notice requirements are as follows:

Under N.J.S.A. 52:15C-10:²

- For contracts involving consideration or an expenditure of more than \$3,000,000, but less than \$15,200,000, no later than 20 business days after the contract award;

¹ N.J.A.C 19:70-1.2 defines "contract" as "an agreement supported by consideration and enforceable at law and any amendments, extensions, modifications, or change orders thereto, or renewals thereof." The regulation further provides that "[e]xamples include, but are not limited to: grants supported by consideration, purchases of goods or services, leases, concession agreements, agreements for sale, loan agreements, agreements with entities to indemnify or insure, agreements to join certain shared service agreements, including joint insurance funds, brokerage agreements, land transactions (excluding land condemnations), certain memoranda of understanding, purchase orders, and third-party contracts."

² Pursuant to N.J.S.A. 52:15C-10(d):

"The State Comptroller, in consultation with the Department of the Treasury, shall, no later than March 1, 2010, and March 1 of every fifth year thereafter, adjust the threshold amounts ... in direct proportion to the rise or fall of the index rate ... The State Comptroller shall, no later than June 1, 2010, and June 1 of every fifth year thereafter, notify contracting units of the adjustment. The adjustment shall become effective on July 1 of the year in which it is made."

The current contract thresholds for N.J.S.A. 52:15C-10 were most recently adjusted on July 1, 2025, as follows:

https://nj.gov/comptroller/about/work/contracting/docs/OSC_Threshold_Adjustment.pdf

- For contracts involving consideration or an expenditure of \$15,200,000 or more, at the earliest time practicable as the contracting unit commences the procurement process, but no later than the time the contracting unit commences preparation of: any bid specification or request for proposal; concession offering; proposal to purchase, sell, or lease real estate; or other related activities and contracts, but not less than 30 days prior to the proposed public advertisement date or the proposed date for issuance of other public or private solicitation documents; and
- For procurements issued pursuant to an emergency or public exigency involving consideration or an expenditure of more than \$3,000,000, no later than 30 business days after the award of a contract.

Under EO 166 (Murphy, 2020):

- For contracts by New Jersey state-level contracting units involving the use of COVID-19 recovery funds of more than \$150,000, no later than 10 days prior to the proposed date of advertisement or issuance of the procurement documents.

Under EO 125 (Christie, 2013):

- For contracts by New Jersey State-level contracting units involving the use of Federal Sandy funds (no threshold limit), no later than 10 days prior to the proposed date of advertisement or issuance of the procurement documents.

To facilitate compliance with these existing legal requirements, OSC has implemented an Electronic Notification and Submission System. OSC's Electronic Notification and Submission System, as well as additional information regarding OSC's Public Contracting Oversight Division procurement review process is available at:

<https://nj.gov/comptroller/about/work/contracting/index.shtml>

After OSC receives your electronic notification, you will receive instructions for uploading the submission documents required under N.J.A.C. 19:70-3.3 through -3.8 for review by OSC's Public Contracting Oversight Division.

Failure to provide the notice or submissions required by applicable law may result in OSC exercising the oversight authorities granted to it by law, including, where authorized, the issuance of letters or reports, referrals to the Governor or Legislature, monitoring activities, or required corrective action.

Questions regarding these notice or submission requirements may be directed to contracts@osc.nj.gov.

Sincerely,

SHIRLEY U. EMEHELU
ACTING STATE COMPTROLLER

By: Alysia M Walsh
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Public Contracting Oversight Division