

Notice Number

Date

LOCAL FINANCE NOTICE**Procedures Regarding Qualified Purchasing Agents**

On January 22, 2002, the rules amending N.J.A.C. 5:34-1.1 et seq., became effective. These rules were promulgated as a result of amendments to the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq. The adopted rules include the provisions necessary to increase the bid threshold up to \$25,000 and the application procedure for the designation of a Qualified Purchasing Agent (QPA).

The purpose of this Notice is to notify local officials that the QPA application, issued pursuant to N.J.A.C. 5:34-5.1, is now available. Those contracting units that appoint a QPA are permitted to raise their bid threshold up to \$25,000, once their employee receives their QPA certification. N.J.A.C. 5:34-5.2 et seq. describes the procedure for increasing the bid threshold. **However, no contracting unit is required to appoint a QPA or increase their present bid threshold.**

A copy of the QPA rule is on the back of this Notice. A more detailed Local Finance Notice regarding all the new rules will be issued in the near future. A copy of the full rule will be posted on the Division's website and on the myNewJersey/GovConnect website (for Clerks and Chief Financial Officers) shortly.

Individuals who believe that they meet these requirements and are interested in applying, applications can be downloaded from the Division's website: www.state.nj.us/dca/lgs, or mailed by contacting the Certification Unit of the Division at (609) 292-9757. There is no fee or deadline for filing an application.

Please be aware that while there may be a number of employees in a single contracting unit who may meet the qualifications of a QPA, only one person may be designated by the appropriate appointing authority as the QPA for the contracting unit.

Any questions in regard to completion of the application should be directed to the Certification Unit at the above number or may be submitted by e-mail to: dkaminski@dca.state.nj.us

Recipients of this Notice are asked to distribute it to the chief executive, governing body, chief administrator, chief financial officer, and purchasing agent, and other appropriate officials in their organization.

Enclosures

Distribution: Municipal Clerks, Clerks to the Boards of Freeholders, Authority Executive Directors, Boards of Fire Commissioners (recipients to distribute copies to other appropriate officials); and members of professional purchasing organizations (through their organizations).

N.J.A.C. 5:34- 5.1 et seq.
QUALIFIED PURCHASING AGENTS AND INCREASING THE BID THRESHOLD

5:34-5.1 Qualified purchasing agent

(a) A contracting unit's purchasing agent shall be considered qualified pursuant to N.J.S.A. 40A:11-9b to exercise the supplemental authority as set forth in N.J.S.A. 40A:11-3 and 40A:11-4.3 or N.J.S.A. 18A:18A-3 and 18A:18A-4.3 if the following criteria are met:

1. The individual has served as purchasing agent as defined in N.J.A.C. 5:34-1.2; and
 - i. Held the power to award contracts as allowed by law; and
 - ii. Personally performed duties that included, but were not limited to: preparing or reviewing bid specifications, evaluating bids, seeking or authorizing the solicitation of quotations, recommending or awarding contracts, and analyzing procurement needs on a regular basis; and
2. The individual served as a purchasing agent within 15 years immediately preceding the filing of the application to be a qualified purchasing agent and meets at least one of the following standards of qualifications and experience in contracting units under the jurisdiction of the Local Public Contracts Law or Public School Contracts Law:
 - i. Ten years experience as a purchasing agent in New Jersey and has successfully completed Municipal Finance Administration as offered by the Rutgers Center for Government Services;
 - ii. Seven years experience as a purchasing agent in New Jersey and is the holder of a Certified Municipal Finance Officer or Certified County Finance Officer certificate issued by the Division of Local Government Services, or is the holder of a Registered Public Purchasing Specialist certification issued by the Rutgers Center for Government Services;
 - iii. Without regard to service as a purchasing agent, is the holder of a Registered Public Purchasing Officer certificate issued by the Rutgers Center for Government Services, or is the holder of a Certified County Purchasing Officer certificate issued by the Division of Local Government Services;
 - iv. Three years experience as a purchasing agent in New Jersey and
 - (1) Holds a certification as a Certified New Jersey School Business Administrator; or
 - (2) Is a school board manager or school board secretary who is grand-fathered, pursuant to N.J.A.C. 6:11-9.7;
 - v. Without regard to the number of years as a purchasing agent, has successfully completed 30 hours of training in New Jersey procurement law, and has successfully completed Municipal Finance Administration as offered by the Rutgers Center for Government Services and, is either:
 - (1) Certified as a Certified Public Purchasing Official or a Certified Public Procurement Buyer by the National Institute of Governmental Purchasing; or
 - (2) Certified by the Federal government as a Purchasing Agent; or
 - vi. Without regard to the requirement of experience in a contracting unit, has seven years of experience as a purchasing agent in the private sector, has successfully completed 50 hours of training in New Jersey procurement law, and has successfully completed Municipal Finance

Administration as offered by the Rutgers Center for Government Services.

(b) Applications for qualified purchasing agent shall be on a form prescribed by the Director and shall include proof(s) of meeting the requirement of a qualified purchasing agent described in this section. Applications may be submitted at any time. There shall be no application fee. At the discretion of the Director, additional documentation may be required upon receipt of an application. Upon approval of the application by the Director, the applicant shall be issued a certificate as a qualified purchasing agent.

(c) Where compliance with (a)2 above included the holding of a professional certificate, the certificate must remain in force during the time the individual serves as a qualified purchasing agent.

5:34-5.2 Procedures for increasing the bid threshold

(a) A contracting unit with a qualified purchasing agent desiring to take advantage of the supplemental authority of N.J.S.A. 40A:11-3 and 40A:11-4.3 or N.J.S.A. 18A:18A-3 and 18A:18A-4.3 shall have its governing body pass a resolution authorizing the amount of a higher bid threshold for the contracting unit, the amount of which shall not exceed the statutory maximum bid threshold.

(b) A contracting unit that increases the bid threshold pursuant to (a) above shall either:

1. In a contracting unit subject to the Local Public Contracts Law, a certified resolution increasing the bid threshold shall be filed with the Director and shall be accompanied by:
 - i. A certification from the chief executive officer of the contracting unit that the purchasing agent of the contracting unit exercises the duties of a purchasing agent pursuant to N.J.S.A. 40A:11-2(30), with specific relevance to the authority, responsibility, and accountability of the purchasing activity of the contracting unit; and
 - ii. A copy of the contracting unit's purchasing agent's qualified purchasing agent certification; or
2. In a contracting unit subject to the Public School Contracts Law, a certified resolution increasing the bid threshold shall be filed with the Director and shall be accompanied by a copy of the contracting unit's purchasing agent's qualified purchasing agent certification.

5:34-5.3 Absence of qualified purchasing agent

If at any point in time the qualified purchasing agent is unable to exercise the authority, responsibility and accountability of the contracting unit's purchasing function, the bid threshold shall revert to the lower statutory bid threshold level not requiring qualified purchasing agent status, pursuant to N.J.S.A. 40A:11-3 and 18A:18A-3, until a qualified purchasing agent is able to assume the purchasing functions.

**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF LOCAL GOVERNMENT SERVICES
P.O. Box 803
Trenton, New Jersey 08625-0803**

**INSTRUCTIONS FOR APPLYING FOR A
A QUALIFIED PURCHASING AGENT CERTIFICATE**

(Pursuant to N.J.S.A. 40A:11-9(b), 40A:11-3, 40A:11-4.3, 18A:18A-3, 18A:18A-4.3, and N.J.A.C. 5:34-5.1)

Instructions for Submitting Application

Applicants for a Qualified Purchasing Agent Certificate (QPA Certificate) must complete the attached application in its entirety and file it with the Division of Local Government Services (Division). There is no fee to apply for a certificate and there is no deadline for submission. Applications may be submitted at any time. The QPA Certification does not expire; however, any professional certificates required for the designation must remain in force during the time you hold this Certificate.

The purchasing agent of a contracting unit or school district is required to hold a certificate to perform certain provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and the Public School Contracts Law (N.J.S.A. 18A:18A-1 et seq.). The QPA Certificate is necessary for the contracting unit or the school district to increase their bid threshold over the minimum amount up to the statutory maximum and for other purposes as allowed by those laws. N.J.A.C. 5:34-5.2 provides the procedures to be used for the increase of the bid threshold.

Mail completed applications to:

Certification Unit - QPA
Division of Local Government Services
PO Box 803
Trenton, New Jersey 08625-0803

If a response is not received from the Division within four weeks of mailing an application, or if there are questions in regard to completing the application, please contact the Division's Certification Unit at 609-292-9757 or send an e-mail to dkaminski@dca.state.nj.us.

APPLICATION FOR A QUALIFIED PURCHASING AGENT CERTIFICATE

Name: _____ (_____)				
_____	_____	_____	_____	
_____	_____	_____	_____	
Home Address: _____				

Telephone Number: Work (_____) _____ ext. _____ Home (_____) _____				
Fax Number: _____				
Business E-mail: _____				
Personal E-mail: _____				
Circle what type of contracting unit you are employed by:				
_____	_____	_____	_____	_____
Municipality	County	Board of Education	Authority	Other: _____
				(Please Specify)

Part I. Qualification for Application

Instructions

To receive a Certificate, applicants must meet two general criteria pursuant to N.J.A.C. 5:34-5.1. The following two sections explain the criteria, Service as a Purchasing Agent (A) and Education and Experience (B). In Section C, check the box that describes the criteria the applicant is using to qualify for the certificate. In Section D check the documentation (required in Section C) that is submitted with this application. Then continue to Part II unless Section C indicates it should be skipped.

A. Service as Purchasing Agent

The applicant must have served as a purchasing agent as defined in N.J.A.C. 5:34-5.1. This provides that an applicant for a QPA Certificate “shall have served as a purchasing agent **within fifteen years immediately preceding the filing**” of the application. As purchasing agent, the applicant must have held the authority, responsibility, and accountability for purchasing activities of the contracting unit; the power to award contracts as allowed by law; **and**, must have personally performed duties that include, but are not limited to, **all of the following**:

- Preparing or reviewing bid specifications
- Evaluating bids
- Seeking or authorizing the solicitation of quotations
- Recommending or awarding contracts
- Analyzing purchasing needs on a regular basis

Name of Applicant: _____

B. Experience and Education

The second criteria of N.J.A.C. 5:34-5.1 is that applicants must meet one of the following qualifications in regard to experience and education. Applicants must **check the box** next to the category for which they qualify. Include with the application copies of applicable certificates and/or proofs of completion of educational training. Under “Verification of Required Documentation” applicants must **check the box** next to each document they are submitting. On page four, if required, complete the information regarding experience. *Where a qualification requires the holding of a professional certificate, the certificate must remain in force during the time the individual serves as a Qualified Purchasing Agent.*

C. Determination of Eligibility

Check the box next to the criteria for which the applicant is eligible (check only **one** box). Note the requirement for documents that must be submitted with this application.

- I have at least ten (10) years experience as a purchasing agent in New Jersey and have successfully completed Municipal Finance Administration as offered by the Rutgers Center for Government Services (*include copy of course certificate*).
- I have at least seven (7) years experience as a purchasing agent in New Jersey and hold a Certified Municipal Finance Officer or Certified County Finance Officer certificate issued by the Division of Local Government Services; or I hold a Registered Public Purchasing Specialist certificate issued by the Rutgers Center for Government Services (*include copy of applicable certificate*).
- I have at least three (3) years experience as a purchasing agent in New Jersey and hold a Certified New Jersey School Business Administrator certificate (*include copy of certificate*); or I am a School Board Manager; or a School Board Secretary who is grandfathered pursuant to N.J.A.C. 6:11-9.7.
- I have at least seven (7) years experience as a purchasing agent in the private sector and have successfully completed 50 hours of training in New Jersey procurement law and the Municipal Finance Administration course as offered by the Rutgers Center for Government Services (*include proof of training and copy of course certificate*).
- I hold a Registered Public Purchasing Official certificate issued by the Rutgers Center for Government Services; or I hold a Certified County Purchasing Officer certificate issued by the Division of Local Government Services (*include copy of applicable certificate*). **SKIP PART II below.**
- I hold a Certified Public Purchasing Official certificate issued by the National Institute of Governmental Purchasing; or I am a Certified Public Procurement Buyer; or I am certified by the federal government as a Purchasing Agent; and have successfully completed 30 hours of training in New Jersey procurement law and the Municipal Finance Administration course as offered by the Rutgers Center for Government Services (*include copy of applicable certificate, proof of training, and copy of course certificate*). **SKIP PART II below.**

Name of Applicant: _____

D. Verification of Required Documentation

Check the appropriate boxes of included documentation as required in Section C.

- | | |
|---|---|
| <input type="checkbox"/> Municipal Finance Administration Course Certificate | <input type="checkbox"/> Registered Public Purchasing Official Certification |
| <input type="checkbox"/> Certified Municipal Finance Officer Certification | <input type="checkbox"/> Certified County Purchasing Officer Certification |
| <input type="checkbox"/> Certified County Finance Officer Certification | <input type="checkbox"/> Certified Public Purchasing Official Certification |
| <input type="checkbox"/> Registered Public Purchasing Specialist Certification | <input type="checkbox"/> Federal Government Certification as Purchasing Agent |
| <input type="checkbox"/> Certified Public Procurement Buyer Certification | <input type="checkbox"/> Proof of training in New Jersey procurement law |
| <input type="checkbox"/> New Jersey School Business Administrator Certification | <input type="checkbox"/> Other: |

(Please specify)

Name of Applicant: _____

Part II. Documentation of Experience

As applicable, complete information regarding employment experience below. Upon review of an application, the Director of the Division of Local Government Services may require filing of additional statements and proofs. If necessary, please photocopy and attach additional sheets with the application. Holders of Registered Public Purchasing Official or Certified County Purchasing Officer certificates are to skip this section.

Name of Employer: _____

Address: _____

Telephone Number: (____) _____ Fax Number: (____) _____

Your Title: _____

Dates of Employment: From _____ To _____

Describe the duties that meet the criteria of being a Purchasing Agent as listed on page 2:



Name of Employer: _____

Address: _____

Telephone Number: (____) _____ Fax Number: (____) _____

Your Title: _____

Dates of Employment: From _____ To _____

Describe the duties that meet the criteria of being a Purchasing Agent as listed on page 2:



Name of Applicant: _____

Part III. Certification of Applicant

I certify that the responses made in this application and information provided with this application are correct and complete to the best of my knowledge. I am aware that intentionally making a false statement, or misrepresenting any documentation accompanying this application, will be grounds for revoking my Qualified Purchasing Agent certificate, and will be punishable under the criminal laws of this state, and may expose me to criminal prosecution and possible imprisonment.

Print Name of Applicant: _____

Signature: _____

Date: _____

Mail completed application and required documentation to:

**Certification Unit - QPA
Division of Local Government Services
P.O. Box 803
Trenton, New Jersey 08625-0803**

If you have questions:

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