



**LFN 2012-9**

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# Local Finance Notice

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## REGULATIONS QUALIFIED PURCHASING AGENT EXAM AND CONTINUING EDUCATION REQUIREMENTS

### Introduction

The regulations to implement the amendments/provisions of N.J.S.A. 40A:11-9 et seq. (commonly known as the Qualified Purchasing Agent (QPA) Law) that took effect January 2011, have now been filed with Office of Administrative Law (OAL) as of April 11, 2012. The regulations amend N.J.A.C. 5:34-5.1 through 5.5, and will appear in the May 7, 2012, volume of the New Jersey Register. Requirements for admission to the QPA examination, continuing education and renewal of QPA certificates, etc., are now implemented with the filing of the regulations, and are explained herein. The statute provides that the regulations are to take effect immediately upon filing, with re-adoption one year later.

### QPA Examination

The first QPA examination is scheduled for Monday, June 25, 2012, from 10:00am – 1:00pm at the Mercer County Fire Academy, Lawrenceville. Additional locations may also be reserved for the first examination, if necessary. Qualified applicants can complete and download the exam application at:

[http://www.nj.gov/dca/divisions/dlgs/programs/certification\\_docs/qpa\\_exam\\_application.doc](http://www.nj.gov/dca/divisions/dlgs/programs/certification_docs/qpa_exam_application.doc).

The application fee is \$150 and is non-refundable. **Those who currently hold a QPA certification are not subject to the exam requirements, but are subject to the continuing education requirements, which will be explained later herein, in order to maintain their certification.** The following exam requirements apply to future applicants for the certification.

**By statute, all applications for the first and future exams must be postmarked no later than 30 days prior to the announced date of an examination – no exceptions. Applications submitted late will not be considered for an upcoming exam, but will be considered for the next scheduled exam. For the June 25, 2012, exam, applications must be postmarked by May 29, 2012, allowing for the Memorial Day Holiday.**

Requirements to participate in the exam are as follows (some of the following are required specifically in the statute and others were promulgated by the regulations):

1. Basic qualifications are U.S. citizenship, high school graduate or equivalent, and a person of good moral character.
2. Have at least two years of higher education (60 college credits), and two years of full-time governmental experience performing duties relative to those of public procurement. Additional years of the full-time experience may be substituted for the college requirement on a year for year basis.
3. Must have successfully completed the following courses: Principles of Public Purchasing I, II, and III, and Municipal Finance Administration, or any variant thereof. At this time, the courses are only provided by the Rutgers University Center for Government Services. The statute does allow for the Director of the Division to approve a course program from an alternative State University or county college; however, no other programs have yet been approved.
4. The Director can require that additional documentation be submitted if deemed necessary.
5. The statute allows an exemption from the above course requirements to participate in the exam to those who hold a certificate as a Certified Municipal Finance Officer (CMFO), Certified County Finance Officer (CCFO), or Certified County Purchasing Officer (CCPO), issued by the Division.
6. The statute provides that applicants who have been performing the duties of a purchasing agent for at least three continuous years prior to the first day of the sixth month following the filing of the rules can participate in the examination without having to meet the above course requirements. The cutoff then for this provision is October 11, 2012. Effectively, this means that such applicants applying for the exam after October 11, 2012, must meet the above course requirements.
7. In addition to the above courses, after June 30, 2013, applicants for the exam must also have successfully completed the "green purchasing" course, Environmentally Preferable Procurement. Such course is currently in production with Rutgers.
8. The statute provides that those applicants who possess a School Business Administrator (SBA) certificate issued by the Department of Education, and who have performed duties relative to public procurement for at least three years, may apply for a QPA certification, and are exempt from having to meet the exam requirements to obtain the certification.

**Please note that if you qualify to participate in the exam, and are working for a contracting unit that has raised its bid threshold to \$26,000, pursuant to the temporary provisions for doing so, under N.J.A.C. 5:34-5.4, such provisions require that you participate in the exam either the first or second time it is administered by the Division. If you do not participate and pass the exam either the first or second time, the contracting unit must then revert to the \$17,500 bid threshold, unless a**

**person is appointed as purchasing agent who holds a QPA certificate. The next exam is planned for December of this year, although no specific date has been scheduled yet.**

### **All QPAs Eventually Required to Complete “Green Purchasing” Course**

Within four years after the above noted course, Environmentally Preferable Procurement is established, all those who hold a QPA certificate, regardless of how obtained, will be required to complete such course. Completion of this course will be required in addition to meeting the requirements of continuing education to maintain certifications, as explained next. The Division will provide additional information in regard to registering for this course in the future.

### **Continuing Education Requirements to Maintain QPA Certification**

**All those who currently hold a QPA certification, and those who obtain one in the future, regardless of how they qualified for the certification, are now subject to the following requirements to maintain their QPA certification:** Completion of 20 contact hours (50 minutes is equivalent to one contact hour) of continuing education every three years, in the subject areas of procurement procedures, office administrative/general duties, ethics, and information technology. Of the 20 hours, applicants for renewal are to complete at least three (3) of the hours in the subject area of ethics. This equates to obtaining an average of just under seven (7) hours a year overall, and one (1) hour a year of ethics training, for each renewal cycle.

Renewal of QPA certificates shall be subject to the following schedule:

1. Certificates issued prior to January 1, 2005, shall first expire and be due for renewal as of June 30, 2015, and every three years thereafter.
2. Certificates issued on or after January 1, 2005, but prior to January 1, 2010, shall first expire and be due for renewal as of January 1, 2016, and every three years thereafter.
3. Certificates issued between January 1, 2010, and April 11, 2012, shall first expire and be due for renewal as of June 30, 2016, and every three years thereafter.
4. Certificates issued after April 11, 2012, shall first expire and be due for renewal either on June 30 or December 31, whichever is sooner, at least three years from when they are first issued, except that no certificate issued after April 11, 2012, shall expire sooner than June 30, 2016.

The current regulations do not include a renewal fee. The Division will provide future notification if a renewal fee is established.

There is a six month grace period beyond an individual's certification expiration date that is allowed, under which applicants will still be permitted to submit their renewal application.

**It is extremely important to note that those who allow their QPA certification to lapse by failing to renew, will be required to take the exam in order to obtain a new**

**QPA certificate. This will apply to all those who hold a QPA certificate, regardless of how it was originally obtained. There are no exceptions to this provision.**

Renewal of certificates shall be requested on the renewal form available under the Professional Certification section on the Division website, <http://www.nj.gov/dca/divisions/dlgs/> or an approved copy thereof. The form shall be submitted to the Director. **Renewal forms are not currently available on the website, but will be made available in the near future.** However, those who currently hold a QPA certificate may proceed to take approved continuing education courses, and should keep on file proofs of completion of such courses.

As with the other certifications that the Division administers, sponsors who are interested in holding continuing education courses for QPA renewal, may now apply to the Division for approval of such courses by using the Continuing Education Sponsor Agreement, available at: [http://www.nj.gov/dca/divisions/dlgs/programs/certification\\_docs/ceuspons.doc](http://www.nj.gov/dca/divisions/dlgs/programs/certification_docs/ceuspons.doc). The form has been updated and includes the categories for QPA.

In addition, if you hold a QPA certification and a sponsor has not applied for approval for a particular course that you believe is applicable for continuing education credit, application can be made to the Division for approval of such courses by using the Individual Continuing Education Agreement, available at: [http://www.nj.gov/dca/divisions/dlgs/programs/certification\\_docs/ceuindiv.doc](http://www.nj.gov/dca/divisions/dlgs/programs/certification_docs/ceuindiv.doc).

**Both sponsors and individuals please note that no courses provided prior to the April 11, 2012, filing date will be approved for continuing education credit toward certification renewal. Only those courses provided after the filing date will be considered.**

### **Vacancy in Office of the Purchasing Agent**

Pursuant to statute, as previously noted in Local Finance Notices 2011-15, and 2011-16, if the office of the purchasing agent (who holds a QPA certification) becomes vacant, a local contracting unit may appoint a person who does not hold a QPA certification as Temporary Purchasing Agent for one year from the date of the vacancy, and, with permission of the Director, for a second one year appointment. During the term of the appointment of a Temporary Purchasing Agent, a contracting unit's bid threshold may remain at the maximum amount allowed, provided that the governing body has passed a resolution authorizing such amount.

### **Further Information**

Any questions in regard to the information contained herein should be directed to the Division's Certification Unit at [dkaminski@dca.state.nj.us](mailto:dkaminski@dca.state.nj.us) or by telephone at (609) 292-9757.

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Approved: Thomas H. Neff, Director