1. Section 2 of Executive Order No. 74 is hereby amended as follows:

2. The Commission shall consist of 23 members appointed by the Governor. The Governor shall designate the chairperson of this Commission from among the members, who shall serve at the pleasure of the Governor.

2. This Order shall take effect immediately.


EXECUTIVE ORDER No. 80

Whereas, It is the public policy of this State to seek to improve public procurement and contracting functions and to ensure the most efficient spending of public funds; and

Whereas, There are numerous statutes and regulations related to public procurement, and each statute pertains to a different type of governmental unit purchase or element of the procurement process; and

Whereas, Some of these statutory and regulatory schemes may be confusing, inconsistent, excessively rigid or overly permissive, and may discourage potential bidders and providers from participating in the competitive bidding and negotiated contract process, thereby limiting the ability of public contracting agencies to make cost-effective decisions and depriving them from obtaining the best price and quality available; and

Whereas, Considerable controversy exists in the field of public procurement with respect to the degree of uniformity and centrality necessary or desirable to promote efficiency and to protect against abuses; and

Whereas, The Legislature has not addressed the public procurement systems throughout the State in a comprehensive fashion; and

Whereas, The various governmental units have developed substantial expertise in the procurement process which, together
with the expertise of non-governmental bodies, would prove useful in improving the public procurement systems; and

Whereas, It is in the public interest to study and evaluate the public procurement situation in this State under existing legislation and to consider proposals for reform;

Now, Therefore, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby created the Executive Study Commission on Public Procurement Law, hereinafter referred to as the "Commission."

2. The Commission shall consist of 17 members, as follows: one member of the New Jersey State Bar Association, four members of trade organizations representing contractors and providers typically engaged in the public procurement process, three members of organizations representing local government interests, two representatives from the Department of the Treasury's General Services Administration, and one representative from each of the following: the Department of Community Affairs' Division of Local Government Services, the Department of Transportation's Bureau of Contract Administration, the New Jersey Interagency Coordinating Committee, the Office of the Attorney General, the Department of Education, the Department of Higher Education, and the Governor's Interagency Committee on Procurement.

3. The Commission shall organize soon after the appointment of its members. A chairman shall be appointed by the Governor; a vice chairman shall be selected from among the members of the Commission. The members shall serve without compensation. In the absence of the chairman, the vice chairman shall have all the powers and duties of the chairman. The Commission shall meet periodically and conduct its affairs in a timely manner.

4. The Commission shall investigate problems with the public procurement procedures in New Jersey and shall recommend solutions to those problems. The Commission shall make informal progress reports and a final report to me on its findings and recommendations. In its deliberations, the Commission shall study the following issues:
a. Methods of improving the efficiency, cost-effectiveness and responsiveness of the public procurement systems throughout this State, including those involving the State, State agencies, school districts, counties, municipalities and other units of local government;

b. The particular difficulties that contractors, suppliers, and providers of professional and specialized services have in any phase of the public procurement process;

c. The concerns and interests of the governmental units involved in public procurement, considering any necessary differences between State, local, and independent units with respect to their procurement requirements and resources; and

d. The efficacy of existing statutory and regulatory provisions to determine which require reform and whether any reform would be most effectively implemented by amending existing legislation or by adopting a new State code.

In reaching its conclusions, the Commission shall evaluate relevant provisions of: existing New Jersey statutes, exemplary out-of-state procurement laws, federal procurement laws, the recommendations contained in the American Bar Association’s Model Procurement Code, and any proposed legislation before this State’s Legislature during the term of the Commission.

5. The Commission’s recommendations shall indicate, in particular:

a. What changes, if any, in the public procurement laws are desirable;

b. What combination of uniformity and decentralization of public procurement laws will provide greater savings to governmental bodies while allowing for flexibility in satisfying their divergent needs;

c. Which types of public procurement, if any, should be centralized;

(In considering b. and c. above, the Commission may decide to treat construction separately from purchasing.)

d. Whether public procurement would be improved by establishing standardized training programs for procurement officers to qualify them as professionals;

e. Suggested methods for preventing abuse and waste, for ensuring competition in public bidding, and for improving the cost and quality of publicly purchased goods, services, and construction projects; and
f. What additional costs or what savings are likely to result from the Commission's recommendations.

6. The Commission is authorized to call upon any department, office, division or agency of the State to supply such data, program reports and any other information, personnel or assistance as it deems necessary to discharge its responsibilities under this Order. Each department, office, division or agency of the State is authorized, to the extent not inconsistent with law, to cooperate with the Commission to furnish it with such information, personnel and assistance as necessary to accomplish the purposes of this Order. The commission is also authorized to call upon any private entity or party willing to provide assistance on a pro bono basis.

7. This Order shall take effect immediately and shall expire 18 months after its effective date.

Issued August 28, 1984.

EXECUTIVE ORDER No. 81

WHEREAS, Public Law 97-300, known as the Job Training Partnership Act (hereinafter referred to as the Act), establishing a nationwide job training system has been enacted by the Congress of the United States and was signed by the President on October 13, 1982; and

WHEREAS, Executive Order No. 22, signed by Governor Thomas H. Kean on December 8, 1982, grants the Commissioner of Labor the authority to function on behalf of the Governor in applying for and administering funds coming to the Governor under the Act; and

WHEREAS, Section 125 of the Act requires the Governor to designate an organizational unit to be responsible for oversight and management of a statewide comprehensive labor market and occupational supply and demand information system in order for the State to be eligible for federal financial assistance for State labor market information programs under this Act;

NOW, THEREFORE, I, Thomas H. Kean, Governor of the State of New Jersey, by virtue of the authority vested in me by the