



## New Jersey



If you have questions, please feel free to reach out to Mike Grade, TCPN New Jersey Program Manager at 312.515.5795, or via email at [mgrade@tcpn.org](mailto:mgrade@tcpn.org).

CONTACT TCPN TODAY!

The Cooperative Purchasing Network (TCPN) is a national governmental purchasing cooperative that offers competitively bid and awarded contracts. TCPN vendors include local, regional and national vendors for commonly purchased products and services, allowing government entities to make compliant purchases at a valued rate.

Participating in the cooperative allows you to pay less for products and reduce administrative costs, which helps you do more with less. So why is TCPN so effective at creating more economical buying opportunities for you? Because we offer strength in numbers and years of government purchasing experience, assuring you of confidence in every contract.

- Every TCPN contract is competitively bid, evaluated, and awarded by a government entity acting as a lead agency.

## TCPN Contracts Overview for New Jersey

Pursuant to P.L. 2011, C 139 (N.J.S.A. 52:34-6.2), New Jersey law allows local contracting units to make purchases and contract for services through the use of national cooperative contracts, such as those awarded by TCPN, so long as the contract complies with the laws of the lead agency awarding the competitive contract. TCPN's lead agency, Region 4 Education Service Center, is a legally recognized contracting unit in the State of Texas and its procurement conforms in all respects with the State of Texas bidding laws.

Texas competitive bid laws require solicitation for goods and services to be procured by an identified method of solicitation, including: Competitive Sealed Proposals (CSP), Request for Proposals (RFP) and Invitation for Bids (IFB). Solicitations must also be publicly advertised in a newspaper of general circulation for a minimum of ten days and then subsequently evaluated based on pre-determined criteria. All TCPN contracts are competitively procured by one of the methods identified above, publicly advertised for a minimum of fourteen days, evaluated based on the pre-determined criteria identified in the solicitation and awarded to the lowest responsible bidder or respondent(s) with best value.

The public bid solicitation and award process utilized by Region 4 Education Service Center, through TCPN, is also consistent with the public bidding and procurement policy in the State of New Jersey. Under New Jersey law, New Jersey contracting units may "piggyback" onto contracts awarded by TCPN's lead agency because the TCPN solicitation process fosters competitive bidding, in as much as it utilizes advertising for bidding on a national cooperative contract; identifies the criteria and basis for award in the solicitation, such as award to the "lowest responsible bidder" or award to the "most advantageous to the public entity, price and other factors considered;" includes evaluative criteria when an RFP model is being used; excludes contracts based on an unadvertised "invitation only" procurement method; and excludes local preference or sole source procurement practices.

What does this mean for you? It means that you can now use TCPN contracts to save time and money! Please view each section of this web page to learn more!

### Links to Applicable Statutory Requirements

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.8.htm>

<http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.44.htm>

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.791.htm>

<http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2267.htm>

[http://www.state.nj.us/treasury/purchase/pdf/NJAC1712.pdf#nameddest=sub\\_2](http://www.state.nj.us/treasury/purchase/pdf/NJAC1712.pdf#nameddest=sub_2)

## TCPN New Jersey FAQs

-  How much does it cost to participate with TCPN?

■ What does a public agency do to participate with TCPN?

■ What kind of oversight is in place with TCPN contracts?

■ How many entities use TCPN?

■ Who is eligible to use TCPN?

■ Can my public agency use the program without going out for solicitation?

■ Do TCPN contracts meet National Cooperative Contract Standards?

■ Does TCPN require its vendors to comply with applicable New Jersey procurement documentation requirements?

■ How does TCPN provide cost savings to its members?

■ Does TCPN comply with the Open Records Act?

■ Does TCPN require its vendors to submit a Business Entity Disclosure Certificate?

■ Does TCPN require its vendors to submit a Political Contribution Disclosure form?

■ Does TCPN assist its New Jersey members in providing advance public notice of the members' intent to use a National Cooperative?

■ How can an agency begin utilizing TCPN contracts?

■ Once an agency begins utilizing a TCPN contract how long does it last?

■ Can TCPN contracts be used by Federal Agencies, such as General Services Administration ("GSA") / Federal Supply Schedule ("FSS")?

■ What forms of payments do TCPN vendors accept?

■ Do TCPN contracts comply with the Office of the State Comptroller's reporting requirements?

■ Where can agencies obtain documentation associated with each competitively solicited contract to conduct their own due diligence?

- Each TCPN contract is written with painstaking care, ensuring maximum value and absolute security.
- TCPN's contract process was developed by experienced government purchasing professionals and procurement law attorneys.
- TCPN contracts are actively monitored through third-party audits.
- Region 4 Education Service Center's contracting process maintains ISO 9001:2008 certification for bid process consistency.
- A significant portion of TCPN's revenue goes to education and education initiatives.

## Statutory Authority

Chapter 139 added the following language to subsection (b) of N.J.S.A. 52:34-6.2

3) Notwithstanding any other law to the contrary, any contracting unit authorized to purchase goods, or to contract for services, may make purchases and contract for services through the use of a nationally-recognized and accepted cooperative purchasing agreement that has been developed utilizing a competitive bidding process by another contracting unit within the State of New Jersey, or within any other state, when available. Prior to making purchases or contracting for services, the contracting unit shall determine that the use of the cooperative purchasing agreement shall result in cost savings after all factors, including charges for service, material, and delivery, have been considered.

As a result of Bill numbers S5525 and S3766A, the General Municipal Law will provide the full extent of the expected mandate relief, by allowing political subdivisions to use contracts let by the United States of America or any agency thereof, any state or any other county, political subdivision or district therein, when the contract has been let either to the lowest responsible bidder or on the basis of best value in a manner consistent with section 103 of the General Municipal Law.

For purposes of this paragraph, "contracting unit" means any county, municipality, special district, school district, fire district or any board, commission, committee, authority or agency, which is not a State board, commission, committee, authority or agency, and which has administrative jurisdiction over any district, included or operating in whole or in part, within the territorial boundaries of any county or municipality which exercises functions which are appropriate for the exercise by one or more units of local government, and which has statutory power to make purchases and enter into contracts awarded by a contracting agent for the provision or performance of goods or services.

## Helpful Resources

Notice of Intent to Award Contract Under a National Cooperative Purchasing Agreement

Ownership and Stockholder Disclosure Form

Non-collusion Affidavit

Affirmative Action Affidavit and Contractor Agreement

EEO Compliance Certificate- Goods and Services Contracts

EEO Compliance Certificate- Construction Contracts

Political Contribution Disclosure Form

Business Entity Annual Statement Form (\*\*for vendors making charitable contributions and receiving over \$50k or over in government contracting funds).

Disclosure of Investments in Iran Sanctions

Public Works Contractors Certificate Link

New Jersey Business Registration Certificate Information

These links and forms are examples of the kind of documents that may be required from vendors by participating members. Individual entities may also require a variation of these documents and/or additional information. Vendors are encouraged to confirm with the member that they are providing them with their required documentation

AN ACT concerning certain political contribution disclosures made annually to ELEC and prior to entering into certain public contracts and amending P.L.2005, c.271.

Section 3 of P.L.2005, c.271 (C.19:44A-20.27) is amended to read as follows

3. a. Any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received in any calendar year \$50,000 or more in the aggregate through agreements or contracts with a public entity, shall file

*an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L.1973, c.83 (C.19:44A-5), setting forth all such contributions made by the business entity during the 12 months prior to the reporting deadline.*

---

© 2013 R4 Enterprises LLC (TCPN) © | 11280 West Road, Houston, Texas 77065 | (888) 884-7695



## FAQs

1. How much does it cost to participate with TCPN?
2. What does a public agency do to participate with TCPN?
3. What kind of oversight is in place with TCPN contracts?
4. How many entities use TCPN?
5. Who is eligible to use TCPN?
6. Can my public agency use the program without going out for solicitation?

### How much does it cost to participate with TCPN?

There are no costs or fees to register with TCPN

[\(back to top\)](#)

### What does a public agency do to participate with TCPN?

Public agencies must register to participate. Registration is free and there are no restrictions on the amount or size of an order.

[\(back to top\)](#)

### What kind of oversight is in place with TCPN contracts?

In addition to Region 4 ESC's contracting process being ISO certified, TCPN routinely monitors the contract through third-party audits and regular reviews to ensure vendor accountability.

[\(back to top\)](#)

### How many entities use TCPN?

Over 35,000 eligible entities actively utilize at least one TCPN contract

[\(back to top\)](#)

### Who is eligible to use TCPN?

- K-12 Schools
- Cities/Municipalities
- Counties
- State Colleges and Universities
- Religious Organizations
- Private Schools
- Charter Schools
- Private Colleges and Universities
- Non-Profits
- Charitable Organizations

[\(back to top\)](#)

### Can my public agency use the program without going out for solicitation?

Yes, all TCPN contracts are awarded by a lead public agency, Region 4 Education Service Center, using a competitive solicitation process consistent with Texas procurement laws and regulations. Each solicitation contains language that advises all suppliers that the contract may be used by other government agencies throughout the United States. This language is based on the lead jurisdiction "Joint Powers Authority" or "Cooperative Procurement Authority."

[\(back to top\)](#)



## Lead Agency Overview

### Reinvesting in the Power of Education

Region 4 Education Service Center is one of the nation's largest education service centers, serving more students and teachers than any other region in Texas. This agency works with educators to deliver creative solutions that help schools to operate more efficiently and effectively. Region 4 delivers innovative solutions spanning every facet of education, from classroom and curriculum development to operations, including food service, maintenance, and budgeting. Region 4 produces educational materials available to schools across the nation and is home to one of the nation's largest Braille production facilities.

This connection to Region 4, along with valued education partnerships across the country, means that education thrives above all else with TCPN.

### Region 4 History

Region 4 Education Service Center (Region 4) is one of 20 regional education service centers established by the Texas Legislature in 1967 to assist school districts and charter schools in improving efficiencies and student performance. Region education service centers are non-regulatory, intermediate education units. Texas Education Code, Chapter 8, gives each school district the opportunity to voluntarily be served by and participate with a regional educational service center.