

SENATE, No. 2536

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MAY 12, 2022

Sponsored by:

Senator DECLAN J. O'SCANLON, JR.

District 13 (Monmouth)

SYNOPSIS

Establishes price preference program on State contracts for service-disabled veteran-owned businesses.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning preferences for service-disabled veteran-owned
2 businesses and supplementing P.L.1954, c.84 (C.52:34-6 et seq.).
3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*
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7 1. In awarding a contract which is paid with State funds and
8 publicly advertised for bids, a State agency shall give a preference
9 of up to 10 percent of the amount of the contract to a qualified
10 disabled veterans' business. If the qualified disabled veterans'
11 business otherwise meets the requirements of the contract
12 solicitation and with the preference is the lowest bidder, a State
13 agency shall enter into a procurement contract with the qualified
14 disabled veterans' business. If two or more qualified disabled
15 veterans' businesses are the lowest bidders on a contract, the
16 qualified disabled veterans' business with the lowest bid shall be
17 awarded the contract.

18 If a disabled-veteran owner dies during the term of a contract or
19 in the bidding process for a contract and the surviving spouse
20 acquires the disabled-veteran's ownership interest in the business,
21 the business shall remain eligible for the preference and that
22 contract during the term of the contract or the bidding process for
23 that contract.

24 As used in this act:

25 "Disabled veteran" means a resident of this State who has been
26 certified by the United States Department of Veterans Affairs as
27 having any degree of service-connected disability.

28 "Qualified disabled veterans' business" means a business which
29 (1) has its principal place of business in the State, (2) is
30 independently owned and operated, (3) at least 51 percent of which
31 is owned and controlled by persons who are disabled veterans, and
32 (4) the management and daily business operations are controlled by
33 one or more disabled veterans or, in the case of a disabled veteran
34 with a permanent and severe disability, are controlled by the spouse
35 of such veteran.
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37 2. This act shall take effect immediately.
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40 STATEMENT
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42 This bill establishes a price preference program for service-
43 disabled veteran-owned businesses competing for State contracts.

44 Under current law, certain purchases or contracts payable out of
45 State funds are publicly advertised and competitively bid on by
46 businesses. The State then awards the contract to the lowest bidder.

47 This bill would establish a price preference of up to 10 percent of
48 the amount of the contract to a qualified disabled veterans'

1 business. If the disabled veterans' business meets the requirements
2 of the contract solicitation and is the lowest bidder due to the
3 preference program, a State agency will enter into a procurement
4 contract with the disabled veterans' business. If two or more
5 qualified disabled veterans' businesses bid on a contract utilizing
6 the preference program, the disabled veterans' business with the
7 lowest bid will be awarded the contract.

8 This bill defines "disabled veteran" to mean a resident of this
9 State who has been certified by the United States Department of
10 Veterans Affairs as having any degree of service-connected
11 disability.

12 This bill defines "qualified disabled veterans' business" to mean
13 an independently owned and operated business that has its principal
14 place of business in the State, at least 51 percent of which is owned
15 and controlled by persons who are disabled veterans, and the
16 management and daily business operations are controlled by one or
17 more disabled veterans or, in the case of a disabled veteran with a
18 permanent and severe disability, are controlled by the spouse of
19 such veteran.