March 15, 2020

1. Emergency Procurement Guidance

During this upcoming week the Division of Local Government Services will be issuing guidance on emergency procurement but in the interim we call your attention to Local Finance Notice 2018-20 specifically, page 3 and 5. As a reminder, in circumstances where an emergency affecting the public health, safety or welfare requires the immediate delivery of goods or the performance of services, a contract may be awarded without public bidding regardless of the bid threshold. N.J.S.A. 40A:11-6 and N.J.A.C. 5:34-6.1. Pursuant to N.J.S.A. 19:44A-20.12, contracts awarded under such circumstances are excepted from Pay-to-Play due to public exigency.

As a reminder, N.J.A.C. 5:34-9.3 outline the procedures to cancel or postpone the receipt of bids or proposals.

We suggest you review this material with your procurement official, administrator and attorney.

Contact: Lori Buckelew, Senior Legislative Analyst, lbuckelew@njlm.org

2. COVID-19 Bill Package

On Monday, the Assembly is considering a bill package related to COVID-19. Bills that will be considered are listed below. At this time the bill text is unavailable but will provide a more detail update once the bill text becomes available. At this time the Senate voting session is scheduled for March 23.

Municipal Concerns:
A-3095 - Provides county clerks with additional week to mail ballots for 2020 primary election.

A-3847 - Provides paid leave without utilizing accumulated leave for local government employees under certain circumstances.

A-3851 - Extends deadlines for adoption of county and municipal budgets under certain circumstances.

A-3850 - Allows public bodies to conduct meetings by electronic means during periods of emergency.

A-3849 - Permits public agency to respond to request for government record within 21 calendar days during period of emergency or other exigency.

School Concerns:

A-3842 - Establishes Bridging the Digital Divide in Schools Grant Program in DOE to provide and expand access to technology and equipment for students in certain school districts.

A-3840 - Requires school districts to provide school meals or meal vouchers to students eligible for free and reduced price school meals during school closures due to COVID-19 epidemic.

A-3839 - Makes supplemental appropriation of $10 million from General Fund to DOE to support school facility cleaning and sanitization.

A-3813 - Permits use of virtual or remote instruction to meet minimum 180-day school year requirement under certain circumstances.

Business Concerns:

A-3845 - Expands EDA small business loan program to include small businesses negatively affected by certain epidemics.

A-3844 - Concerns business interruption insurance during coronavirus disease 2019 state of emergency.

A-3841 - Extends time to file gross income tax or corporation business tax return by one month.

Health Issues:


A-3854 - Authorizes licensed health care facilities and laboratories to develop and administer coronavirus disease 2019 (COVID-19) tests.
A-3860 - Facilitates use of telemedicine and telehealth to respond to health emergencies.

**Labor Issues:**

A-3843 - Requires health insurance and Medicaid coverage for testing and treatment of coronavirus disease 2019.

A-3848 - Concerns time off from work in connection with infectious disease.

A-3846 - Creates “Epidemic and Emergency Relief Fund”; provides for lost income of workers affected by epidemics.

**Public Assistance Issues**

A-3859 - Concerns prohibition of residential tenant eviction and eviction due to residential foreclosure during certain emergency circumstances.

A-3858 - Requires Commissioner of Human Services to issue supplemental cash assistance payments to recipients of certain public assistance programs under certain circumstances.

A-3857 - Makes FY2020 supplemental appropriation of $5 million to Community Food Bank of New Jersey to provide meals for children who are out of school and received subsidized lunches.

A-3855 - Requires food access information be displayed on websites of 2-1-1 system and executive branch departments during public health emergencies.

A-3853 - Establishes “COVID-19 Emergency Food Distribution Fund”; appropriates $10,000,000.

AJR-158 - Urges FCC to take temporary measures to secure broadband access for those affected by COVID-19.

ACR-165 - Urges DHS to apply for federal waivers to facilitate and increase access to SNAP benefits during coronavirus disease 2019 outbreak.