

Payment From Bequest, Legacy or Gift

N.J.S.A. 40A:11-13.1 and N.J.S.A. 18A:18A-15.1

The requirement for the solicitation of quotations or the receipt of bids is based on whether the total contract amount for the purchase of the good(s) or service(s) is under or over the bid threshold, regardless of the dollar amount of the contracting unit's share.

Situation 1

Solution 1

Donor makes a monetary donation directly to a contracting unit (local government or public school district), for a certain type of good(s) or service(s), with specific written instructions as to specifications, manufacturer or vendor, or the source of supply of the good(s) or services(s), and the donation covers the total contract amount.

No quotations or bids required.

Situation 2

Solution 2

Donor makes a monetary donation directly to a contracting unit for a certain type of good(s) or service(s), but does not provide specific written instructions as to specifications, manufacturer or vendor or the source of supply of the good(s) or service(s), and the donation covers the total contract amount.

If the total contract amount is under the bid threshold, solicitation of at least two competitive quotations, if practicable, is required; if in excess of the bid threshold, the receipt of bids is required.

Situation 3

Donor makes a monetary donation directly to a contracting unit for a certain type of good(s) or service(s), with specific written instructions as to specifications, manufacturer or vendor or the source of supply of the good(s) or service(s), and the donation does not cover the total contract amount.

Solution 3

If the donation does not cover the total contract amount, thus requiring the contracting unit to provide public funds to complete the transaction, the following shall occur:

- a. If the donor's donation plus the contracting unit's share can purchase the good(s) or service(s) and the total contract amount is less than the bid threshold, the solicitation of at least two competitive quotations, if practicable, is required.
- b. If the donor's donation plus the contracting unit's share can purchase the good(s) or service(s) and the total contract amount is in excess of the bid threshold, the receipt of bids is required.

Situation 4

Donor makes a monetary donation directly to a specific vendor of its choice for the purchase of a certain type of good(s) or

Solution 4

No quotations or bids required.

service(s), and the donation covers the total contract amount.

Situation 5

Donor makes a monetary donation directly to a specific vendor of its choice for the purchase of a certain type of good(s) or service(s), and the donation does not cover the total contract amount.

Solution 5

If the donation does not cover the total contract amount, thus requiring the contracting unit to provide public funds to complete the transaction, the following shall occur:

- a. If the total contract amount is under the bid threshold, the contracting unit shall solicit at least two competitive quotations; if practicable. If it is determined not to be practicable, it is an exception to the solicitation of quotations.
- b. If the total contract amount is in excess of the bid threshold, the contracting unit should work with the donor to support the donor's wishes while correctly applying the statutory procedures for the receipt of bids.