

EXECUTIVE ORDER NO. 125

WHEREAS, beginning on October 28, 2012, and continuing through October 30, 2012, Hurricane Sandy struck the State of New Jersey with high winds and torrential rains; and

WHEREAS, Sandy produced unprecedented severe weather conditions, including enormous storm surges and devastating flooding; and

WHEREAS, Sandy destroyed entire communities across New Jersey, causing extraordinary damage to the State's people, economy, infrastructure, and resources; and

WHEREAS, the devastation caused by Sandy resulted in severe and unprecedented financial hardship and economic loss to New Jersey; and

WHEREAS, thanks to the efforts of first responders, private businesses, State and local governmental leaders, and all citizens of New Jersey, our State continues to recover and rebuild; and

WHEREAS, in order to address the severe losses suffered by individuals and businesses, the United States Congress passed, and on January 29, 2013, the President signed into law, the Disaster Relief Appropriations Act, 2013, P.L. 113-2, which provides federal fiscal year 2013 supplemental appropriations to respond to and recover from the severe damage caused by Sandy; and

WHEREAS, the State of New Jersey has pledged to work cooperatively and in coordination with our federal partners to ensure the integrity and accountability of all federal reconstruction resources received and distributed by the State to respond to and recover from the severe damage caused by Sandy; and

WHEREAS, in order to ensure the integrity of the expenditure of federal reconstruction resources, it is necessary and essential to implement comprehensive and stringent safeguards to make certain all such resources are utilized through an ethical and transparent process;

NOW, THEREFORE, I, CHRIS CHRISTIE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Each principal department and agency of this State is hereby directed to submit all potential State procurements involving expenditure of federal reconstruction resources to the Office of the State Comptroller ("State Comptroller") for review prior to commencement of the procurement process. The State Comptroller shall determine whether the proposed procurement process complies with applicable public contracting laws, rules, and regulations. If the State Comptroller determines that the proposed procurement process does not comply with applicable laws, rules, and regulations, the State Comptroller shall inform the contracting agency, as well as the Governor's Office of Recovery and Rebuilding, of the changes needed to make the process legally compliant.

2. The State Comptroller shall assign appropriate staff to conduct this review as necessary to ensure the integrity of the procurement process while still facilitating the timely expenditure of federal reconstruction resources to help rebuild New Jersey. Each department, office, division, and agency of this State is hereby required, to the extent not inconsistent with law, to cooperate fully with the State Comptroller and to furnish the State Comptroller with such information and assistance on as timely a basis as is necessary to accomplish the purposes of this Order.

3. Each principal department and agency of this State is hereby directed to appoint an "Accountability Officer" to oversee the responsible disbursement and utilization of federal reconstruction resources allocated by or through that department or agency.

4. Each Accountability Officer shall serve as a liaison to the Governor's Office of Recovery and Rebuilding and the State Comptroller, and shall cooperate fully with the State Comptroller in its review of potential State procurements involving the expenditure of federal reconstruction resources.

5. In order to ensure transparency and integrity in the procurement process, the State Comptroller, in coordination with the Governor's Office of Recovery and Rebuilding and the New Jersey

Office of Information Technology, shall make certain that all approved State contracts for the allocation and expenditure of federal reconstruction resources are made available to the public by posting such contracts on an appropriate State website.

6. The website shall also provide information to the public regarding available federal funding streams and funding criteria, the tracking of federal funding allotments, and contract vendor information.

7. The State Comptroller, in coordination with the Governor's Office of Recovery and Rebuilding, shall provide information to contracting entities regarding applicable public contracting laws, rules, and regulations to help ensure accountability, transparency, and the timely expenditure of federal reconstruction resources.

8. Every State department and agency shall ensure that fraud prevention notices shall be prominently displayed at all construction projects involving federal reconstruction resources overseen by the department or agency. Such notices shall include the toll-free hotline established by the State Comptroller for reporting of fraud, waste, or abuse of federal reconstruction resources. The State Comptroller shall ensure that any information received indicating potential criminal activity shall be referred to the Office of the Attorney General.

9. The State Comptroller and the Governor's Office of Recovery and Rebuilding shall report to the Governor from time to time on the progress of the review process and the publication of related information on the website, and, in doing so, shall indicate whether additional staff and assistance is necessary to ensure accountability, transparency, and the timely expenditure of federal reconstruction resources.

10. This Order shall take effect immediately.

GIVEN, under my hand and seal this
8th day of February,
Two Thousand and Thirteen, and
of the Independence of the
United States, the Two Hundred
and Thirty-Seventh.

[seal]

/s/Chris Christie

Governor

Attest:

/s/Charles B. McKenna

Chief Counsel to the Governor