

40A: 11-15

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:11-15

(Elevator maintenance - allows contracts for by municipalities and counties)

LAWS OF: 1983

CHAPTER: 195

Bill No: A1613

Sponsor(s): Zangari

Date Introduced: June 14, 1982

Committee: Assembly: Municipal Government

Senate: County and Municipal Government

Amended during passage: Yes // Amendments during passage denoted by asterisks

Date of Passage: Assembly: Oct. 25, 1982

Senate: March 30, 1983

Date of Approval: May 24, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: /// No

Hearings: /// No

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## ASSEMBLY, No. 1613

STATE OF NEW JERSEY

INTRODUCED JUNE 14, 1982

By Assemblyman ZANGARI

AN ACT to amend the "Local Public Contracts Law," approved  
June 9, 1971 (P. L. 1971, c. 198).

1 BE IT ENACTED *by the Senate and General Assembly of the State*  
2 *of New Jersey:*

1 1. Section 15 of P. L. 1971, c. 198 (C. 40A:11-15) is amended  
2 to read as follows:

3 15. Duration of certain contracts. All purchases, contracts or  
4 agreements shall be made for a period not to exceed 12 consecutive  
5 months, except that contracts or agreements may be entered into  
6 for longer periods of time as follows:

7 (1) Supplying of

8 (a) Fuel for heating purposes, for any term not exceeding  
9 in the aggregate, 2 years;

10 (b) Fuel or oil for use of airplanes, automobiles, motor  
11 vehicles or equipment for any term not exceeding in the aggregate,  
12 2 years;

12A *\*(c) Thermal energy produced by a cogeneration facility, for*  
12B *use for heating or air conditioning or both, for any term not*  
12C *exceeding 20 years, when the contract is approved by the Board*  
12D *of Public Utilities. For the purposes of this paragraph, "co-*  
12E *generation" means the simultaneous production in one facility*  
12F *of electric power and other forms of useful energy such as*  
12G *heating or process steam.\**

13 (2) Deleted by amendment; (*P. L. 1977, c. 53*)

14 (3) The collection and disposal of garbage and refuse, for any  
15 term no exceeding in the aggregate, 5 years;

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

**Matter printed in italics thus is new matter.**

**Matter enclosed in asterisks or stars has been adopted as follows:**

**\*—Assembly committee amendments adopted October 18, 1982.**

16 (4) The recycling of solid waste, for any term not exceeding 25  
17 years, when such contract is in conformance with a solid waste  
18 management plan approved pursuant to P. L. 1970, c. 39  
19 (C. 13:1E-1 et seq.), and with the approval of the Division of  
20 Local Government Services and the Department of Environmental  
21 Protection;

22 (5) Data processing service, for any term of not more than 3  
23 years;

24 (6) Insurance, for any term of not more than 3 years;

25 (7) Leasing or servicing of automobiles, motor vehicles, \***[**elec-  
26 tronic communications equipment,**]**\* machinery and equipment of  
27 every nature and kind, for a period not to exceed 3 years; provided,  
28 however, such contracts shall be entered into only subject to and  
29 in accordance with the rules and regulations promulgated by the  
30 Director of the Division of Local Government Services of the  
31 Department of Community Affairs;

32 (8) The supplying of any product or the rendering of any service  
33 by a telephone company which is subject to the jurisdiction of the  
34 Board of Public Utilities for a term not exceeding 5 years;

35 (9) Any single project for the construction, reconstruction or  
36 rehabilitation of any public building, structure or facility, or any  
37 public works projects, including the retention of the services of  
38 any architect or engineer in connection therewith, for the length  
39 of time authorized and necessary for the completion of the actual  
40 construction;

41 (10) The providing of food services to county colleges and county  
42 assisted institutions of higher education for any term not exceed-  
43 ing 3 years;

44 (11) On-site inspections undertaken by private agencies pur-  
45 suant to the "State Uniform Construction Code Act" (P. L. 1975,  
46 c. 217; C. 52:27D-119 et seq.) for any term of not more than 3  
47 years;

48 (12) The performance of work or services or the furnishing of  
49 materials or supplies for the purpose of conserving energy in build-  
50 ings owned by, or operations conducted by, the contracting unit,  
51 the entire price of which to be established as a percentage of the  
52 resultant savings in energy costs, for a term not to exceed 10 years;  
53 provided, however, that such contracts shall be entered into only  
54 subject to and in accordance with rules and regulations promul-  
55 gated by the Department of Energy establishing a methodology  
56 for computing energy cost savings;

57 (13) *The performance of work or services or the furnishing*

58 *of materials or supplies for the purpose of elevator maintenance*  
 59 *for any term not exceeding 3 years\*~~or~~\* \*;*

59A *\*(14) Leasing or servicing of electronic communications equip-*  
 59B *ment for a period not to exceed five years; provided, however, such*  
 59C *contract shall be entered into only subject to and in accordance*  
 59D *with the rules and regulations promulgated by the Director of the*  
 59E *Division of Local Government Services of the Department of*  
 59F *Community Affairs.\**

60 All multi-year leases and contracts entered into pursuant to this  
 61 section 15, except contracts for the leasing or servicing of equip-  
 62 ment supplied by a telephone company which is subject to the  
 63 jurisdiction of the Board of Public Utilities *\*~~or~~\* \**, *contracts for*  
 64 *thermal energy authorized pursuant to subsection (1) above,\**  
 65 construction contracts authorized pursuant to subsection (9) above  
 66 or contracts and agreements for the provisions of work or the  
 67 supplying of equipment to promote energy conservation autho-  
 68 rized pursuant to subsection (12) above, shall contain a clause  
 69 making them subject to the availability and appropriation annu-  
 70 ally of sufficient funds as may be required to meet the extended  
 71 obligation, or contain an annual cancellation clause.

72 The Division of Local Government Services shall adopt and  
 73 promulgate rules and regulations concerning the methods of ac-  
 74 counting for all contracts that do not coincide with the fiscal year.

1 2. This act shall take effect immediately.

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#### STATEMENT

The purpose of this bill is to allow counties and municipalities to enter into contracts not exceeding 3 years for the furnishing of work or services for elevator maintenance. Currently, contracts for elevator maintenance can only be entered into for a period not to exceed 12 months. Twelve month contracts decrease the chance of a bidder undertaking a major renovation that may be necessary, when the bidder knows that he cannot bid on the contract the following year. As a result, successful elevator maintenance bidders are encouraged to rely on previous maintenance, hoping it will be sufficient to allow the bidder to make only minimal repairs. This bill will remedy the inequities that exist in 12 month elevator maintenance contracts.

A1613 (1982)

ASSEMBLY MUNICIPAL GOVERNMENT COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 1613**

with Assembly committee amendments

**STATE OF NEW JERSEY**

DATED: OCTOBER 18, 1982

Assembly Bill No. 1613 amends section 15 of the "Local Public Contracts Law," P. L. 1971, c. 198 (C. 40A:11-15) in order to permit local contracting units to enter into contracts for the furnishing of materials or supplies for the purpose of elevator maintenance for periods of up to three years.

The committee amended the bill in order to bring it into conformity with the provisions of P. L. 1982, c. 67.

The committee also amended the bill in order to authorize local contracting units to enter into contracts of up to five years for the leasing or servicing of electronic communications equipment, provided that the contract is entered into pursuant to rules and regulations promulgated by the Director of the Division of Local Governmental Services in the Department of Community Affairs.

Under current law, contracts for the leasing or servicing of electronic communications equipment may not exceed three years in duration.