

32:8-3.8

**LEGISLATIVE HISTORY CHECKLIST**  
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(Delaware River Joint Toll Bridge Commission  
--competitive purchasing)

**NJSA:** 32:8-3.8

**LAWS OF:** 1994 **CHAPTER:** 177

**BILL NO:** A1233

**SPONSOR(S):** DeCroce

**DATE INTRODUCED:** January 27, 1994

**COMMITTEE:** **ASSEMBLY:** Transportation & Communication

**SENATE:** Transportation

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:** **ASSEMBLY:** February 17, 1994

**SENATE:** November 10, 1994

**DATE OF APPROVAL:** December 20, 1994

**FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:**

**SPONSOR STATEMENT:** Yes

**COMMITTEE STATEMENT:** **ASSEMBLY:** Yes

**SENATE:** Yes

**FISCAL NOTE:** No

**VETO MESSAGE:** No

**MESSAGE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

**REPORTS:** No

**HEARINGS:** No

KBG:pp

P.L.1994, CHAPTER 177, approved December 20, 1994  
1994 Assembly No. 1233

1 AN ACT concerning purchasing practices of the Delaware River  
2 Joint Toll Bridge Commission and supplementing chapter 8 of  
3 Title 32 of the Revised Statutes.

4  
5 BE IT ENACTED by the Senate and General Assembly of the  
6 State of New Jersey:

7 1. The Legislature finds and declares that:

8 a. The Delaware River Joint Toll Bridge Commission was  
9 created by this State and the Commonwealth of Pennsylvania,  
10 with the consent of Congress, to provide an efficient means of  
11 carrying out the planning, construction, maintenance and  
12 rehabilitation of certain Delaware river crossings .

13 b. The State and the Commonwealth rely upon the commission  
14 to competently execute the duties and powers delegated to it as  
15 well as carefully managing the not inconsiderable financial means  
16 available to the commission.

17 c. Notwithstanding the delegation of power to the commission,  
18 it is incumbent upon the State of New Jersey and the  
19 Commonwealth of Pennsylvania to ensure that the commission  
20 carries out its duties in a manner which ensures prudent use of  
21 toll payer monies.

22 d. Therefore, it is in the best interest of the public to  
23 supplement or limit the powers of the commission, as the case  
24 may be, to require the commission to competitively bid contracts  
25 in accordance with the public policies of the State of New Jersey  
26 and the Commonwealth of Pennsylvania.

27 2. a. The Delaware River Joint Toll Bridge Commission, in the  
28 exercise of its authority to make and enter into contracts and  
29 agreements necessary or incidental to the performance of its  
30 duties and the execution of its powers, shall adopt standing  
31 operating rules and procedures requiring that, except as  
32 hereinafter provided, no contract on behalf of the commission  
33 shall be entered into for the doing of any work, or for the hiring  
34 of equipment or vehicles, where the sum to be expended exceeds  
35 \$10,000 unless the commission shall first publicly advertise for  
36 bids therefor, and requiring that the commission award the  
37 contract to the lowest responsible bidder; provided, however, that  
38 such advertising shall not be required where the contract to be  
39 entered into is one for the furnishing or performing services of a  
40 professional nature or for the supplying of any product or the  
41 rendering of any service by a public utility subject to the  
42 jurisdiction of the Board of Public Utility Commissioners of the  
43 Commonwealth of Pennsylvania or the Board of Regulatory  
44 Commissioners of this State and tariffs and schedules of the  
45 charges, made, charged, or exacted by the public utility for any

1 such products to be supplied or services to be rendered are filed  
2 with the appropriate boards.

3 This subsection shall not prevent the commission from having  
4 any work done by its own employees, nor shall it apply to repairs,  
5 or to the furnishing of materials, supplies or labor, or the hiring  
6 of equipment or vehicles, when the safety or protection of its or  
7 other public property or the public convenience require, or the  
8 exigency of the commission's service will not admit of such  
9 advertisement. In such case the commission shall, by resolution,  
10 passed by the affirmative vote of a majority of its members,  
11 declare the exigency or emergency to exist, and set forth in the  
12 resolution the nature thereof and the approximate amount to be  
13 so expended.

14 b. The commission may annually adjust the threshold amount  
15 in direct proportion to the rise or fall of the consumer price index  
16 for all urban consumers in the New York City and Philadelphia  
17 areas as reported by the United States Department of Labor.

18 3. This act shall take effect upon the enactment into law by  
19 the Commonwealth of Pennsylvania of legislation having an  
20 identical effect with this act, but if the Commonwealth of  
21 Pennsylvania has already enacted such legislation, this act shall  
22 take effect immediately, but this act shall remain inoperative  
23 until enactment of P.L. c. (now before the Legislature as  
24 Assembly Bill No. 1229 of 1994), the enactment into law of  
25 legislation substantially similar to P.L. c. (now before the  
26 Legislature as Assembly Bill No. 1229 of 1994) by the  
27 Commonwealth of Pennsylvania, and the approval of Congress, if  
28 necessary, of the supplemental compact or agreement provided  
29 for in P.L. c. (now before the Legislature as Assembly Bill No.  
30 1229 of 1994).

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#### 33 STATEMENT

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35 This bill would require the Delaware River Joint Toll Bridge  
36 Commission to adopt competitive purchasing practices.

37 The bill requires the commission to adopt operating rules and  
38 procedures providing that all contracts for the doing of work, or  
39 for the hiring of equipment or vehicles in excess of \$10,000 be  
40 competitively bid. The bill provides exceptions to the  
41 competitive bidding requirement for contracts for professional  
42 services or for services or products supplied by public utilities.

43 Since the commission is a bi-State agency, enactment of  
44 legislation identical in effect to this bill in Pennsylvania is  
45 required before the provisions of this bill will take effect. The  
46 provision of the bill would become operative only when the  
47 provisions of Assembly Bill No. 1229 of 1994 which amends  
48 portions of the commission's enabling compact become operative.

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Requires Delaware River Joint Toll Bridge Commission to adopt  
54 competitive purchasing practices.

ASSEMBLY, No. 1233

STATE OF NEW JERSEY

INTRODUCED JANUARY 27, 1994

By Assemblymen DeCROCE and OROS

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13 b. The State and the Commonwealth rely upon the commission  
14 to competently execute the duties and powers delegated to it as  
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16 available to the commission.

17 c. Notwithstanding the delegation of power to the commission,  
18 it is incumbent upon the State of New Jersey and the  
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22 d. Therefore, it is in the best interest of the public to  
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ASSEMBLY TRANSPORTATION AND COMMUNICATIONS  
COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1233

STATE OF NEW JERSEY

DATED: FEBRUARY 7, 1994

The Assembly Transportation and Communications Committee favorably reports Assembly Bill No. 1233.

This bill would require the Delaware River Joint Toll Bridge Commission to adopt competitive purchasing practices.

The bill requires the commission to adopt operating rules and procedures providing that all contracts for the doing of work, or for the hiring of equipment or vehicles in excess of \$10,000 be competitively bid. The bill allows for adjustments of the threshold amount, based on or decreases in the consumer price index. The also bill provides exceptions to the competitive bidding requirement for contracts for professional services or for services or products supplied by public utilities.

Since the commission is a bi-State agency, enactment of legislation identical in effect to this bill in Pennsylvania is required before the provisions of this bill will take effect. The provision of the bill would become operative only when the provisions of Assembly Bill No. 1229 of 1994, which amends portions of the commission's enabling compact, become operative.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1233

STATE OF NEW JERSEY

DATED: MARCH 21, 1994

The Senate Transportation Committee favorably reports Assembly Bill No. 1233.

This bill would require the Delaware River Joint Toll Bridge Commission to adopt competitive purchasing practices.

The bill requires the commission to adopt operating rules and procedures providing that all contracts for the doing of work, or for the hiring of equipment or vehicles in excess of \$10,000 be competitively bid. The bill allows for adjustments of the threshold amount, based on or decreases in the consumer price index. The also bill provides exceptions to the competitive bidding requirement for contracts for professional services or for services or products supplied by public utilities.

Since the commission is a bi-State agency, enactment of legislation identical in effect to this bill in Pennsylvania is required before the provisions of this bill will take effect. The provision of the bill would become operative only when the provisions of Assembly Bill No. 1229 of 1994, which amends portions of the commission's enabling compact, become operative.

This bill is substantially identical to S-506, released by the committee on the same date.