

40A: 11-15

LEGISLATIVE HISTORY CHECKLIST

NJSA: 40A:11-15

(Food Service contracts - public entitles - up to 3 years)

LAWS OF: 1983

CHAPTER: 426

Bill No: S1622

Sponsor(s): Bassano, Gregorio and DiFrancesco

Date Introduced: July 22, 1982

Committee:

Assembly: County Government

Senate: County and Municipal Government

Amended during passage:

NO

Date of Passage:

Assembly: December 12, 1983

Senate: October 18, 1982

Date of Approval: January 5, 1984

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

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CHAPTER 426 LAWS OF N. J. 1983  
APPROVED 1-5-84

SENATE, No. 1622

STATE OF NEW JERSEY

INTRODUCED JULY 22, 1982

By Senators BASSANO, GREGORIO and DiFRANCESCO

Referred to Committee on County and Municipal Government

AN ACT concerning certain food services contracts and amending  
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, two 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 two years;

13 (2) Deleted by amendment;

14 (3) The collection and disposal of garbage and refuse, for any  
15 term not exceeding in the aggregate, five years;

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;

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

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

24 (6) Insurance, for any term of not more than three 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 three years; pro-  
28 vided, however, such contracts shall be entered into only subject  
29 to and in accordance with the rules and regulations promulgated  
30 by the Director of the Division of Local Government Services of  
31 the Department of Community Affairs;

32 (8) The supplying of any product or the rendering of any ser-  
33 vice by a telephone company which is subject to the jurisdiction of  
34 the Board of Public Utilities for a term not exceeding five 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  
42 county assisted institutions of higher education] for any term not  
43 exceeding three 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 three  
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 promulgated  
55 by the Department of Energy establishing a methodology for com-  
56 puting energy cost savings.

57 All multi-year leases and contracts entered into pursuant to this  
58 section 15, except contracts for the leasing or servicing of equip-  
59 ment supplied by a telephone company which is subject to the  
60 jurisdiction of the Board of Public Utilities or construction con-  
61 tracts authorized pursuant to subsection (9) above or contracts  
62 and agreements for the provisions of work or the supplying of  
63 equipment to promote energy conservation authorized pursuant to  
64 subsection (12) above, shall contain a clause making them subject

65 to the availability and appropriation annually of sufficient funds as  
66 may be required to meet the extended obligation, or contain an  
67 annual cancellation clause.

68 The Division of Local Government Services shall adopt and  
69 promulgate rules and regulations concerning the methods of ac-  
70 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

Under current law, only county colleges and county assisted institutions of higher education are permitted to enter into multi-year food services contracts.

The purpose of this bill is to permit other entities which are subject to the provisions of the "Local Public Contracts Law" to enter into multi-year food services contracts.

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51622 (1983)

ASSEMBLY COUNTY GOVERNMENT COMMITTEE

STATEMENT TO

**SENATE, No. 1622**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 14, 1983

Senate Bill No. 1622 amends the "Local Public Contracts Law" to permit any local unit to enter into contracts for the provision of food services for any term not exceeding three years.

Under the current law, local purchases, contracts and agreements generally are limited to a term not exceeding 12 months. One of the exceptions to this permits county colleges and county institutions of higher education to enter into contracts for food services for terms not exceeding three years.

This bill amends that exception to extend it to all local units.

SENATE COUNTY AND MUNICIPAL GOVERNMENT  
COMMITTEE

STATEMENT TO  
**SENATE, No. 1622**

**STATE OF NEW JERSEY**

DATED: SEPTEMBER 16, 1982

Senate Bill No. 1622 amends the "Local Public Contracts Law" to permit any local unit to enter into contracts for the provision of food services for any term not exceeding three years.

Under the current law, local purchases, contracts and agreements generally are limited to a term not exceeding 12 months. One of the exceptions to this permits county colleges and county institutions of higher education to enter into contracts for food services for terms not exceeding three years.

This bill amends that exception to extend it to all local units.

BILLS SIGNED

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JANUARY 5, 1984

S-969, sponsored by State Senator Matthew Feldman, which transfers adjudicative authority for decisions in "Second Injury Fund" cases from the Commissioner of Labor to individual Workers Compensation judges.

S-1003, sponsored by State Senator Laurence S. Weiss, D-Middlesex, which provides for tax abatement for New Jersey banks that create an international banking facility.

S-1466, sponsored by State Senator Edward T. O'Connor, Jr., D-Hudson, which establishes a Supervised Visitation Program to be administered by the Administrative Office of the Courts. The program would promote court-ordered supervised visitation between children and divorced parents in facilities provided by approved community organizations.

S-1562, also sponsored by State Senator O'Connor, which authorizes the appointment of two additional municipal court judges in Jersey City and Newark under certain circumstances. If the city has a municipal court judge sitting, full time, on the housing court or the central processing court, new judgeships could be created to replace those judges.

S-1622, sponsored by State Senator C. Louis Bassano, R-Union, which permits local government food service contracts for periods up to three years. Currently local government contracts are generally limited by law to one year.