

R.S. 52:27B-61

May 9, 1966

LEGISLATIVE HISTORY OF R.S. 52:27B-61
(State purchase - schedules and contracts; bids; payment)

COPY NO. 1

- L. 1944, Chapter 112 - S223, art. 6, § 9
Introduced March 27 by Senator Armstrong.
No statement on bill.
April 3 - Reported with committee amendments.
(This section not amended during passage).

For background on this legislation, see:

974.90 N.J. Commission on State Administrative
R424 Reorganization.
1944 Report. (see p. 20).

J351.71 N.J. State Chamber of Commerce.
C44 The State purchasing department:
an administrative survey.

- L. 1964, Chapter 194, § 2 - S311
Introduced April 13 by Stout, Waddington, Bowkley.
No statement.
Amended by Assembly Committee (copy enclosed).
This act concerns purchase of milk by the State.

RS/PC

SENATE, No. 311

STATE OF NEW JERSEY

INTRODUCED APRIL 13, 1964

By Senators STOUT and WADDINGTON

Referred to Committee on Education

AN ACT concerning certain State purchases, amending section 52:25-23 of the Revised Statutes and section 9 of article 6 of chapter 112 of the laws of 1944.

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

1 1. Section 52:25-23 of the Revised Statutes is amended to read as follows:
2 52:25-23. The Director of the Division of Purchase and Property may,
3 by written order, permit purchases to be made by any using agency directly
4 whenever it shall appear to his satisfaction that by reason of the excess
5 of transportation costs, a lower price with equal quality can be obtained
6 by the using agency, or as in the case of fresh food products and the like
7 perishable articles, where there are nearby local markets. *In direct pur-*
8 *chases of fresh milk and as a condition thereof, the director shall require*
9 *each vendor to certify in writing that he purchased during the immediately*
10 *preceding year fresh milk produced within the State at least equal in*
11 *amount to the amount he seeks to furnish to the using agency, and, in ad-*
12 *dition, to agree to purchase during the year in which he proposes to furnish*
13 *such milk to the using agency an amount of fresh milk produced within the*
14 *State at least equal to the amount he proposes to furnish to the using agency.*
15 Such permission shall be revocable and shall be issued for a fixed amount
16 only and not in excess of \$2,500.00 and prescribe the articles to be purchased,

17 and shall be operative for any stated period within a fiscal year. At the
18 expiration of such period, the authority shall lapse and an additional direct
19 purchase order shall be requisite for any such purchases. Such using agen-
20 cies receiving such permission shall report in a manner to be prescribed by
21 the director their acts and expenditures under such orders with proper
22 evidence that competition has been secured.

1 2. Section 9 of article 6 of chapter 112 of the laws of 1944 (c. 52:27B-61)
2 is amended to read as follows:

3 9. Each using agency shall, at all times, in the form and for the periods
4 prescribed by the director, present to him detailed applications and schedules
5 for all articles to be purchased. The director shall then arrange such sched-
6 ules or parts thereof for purchase and contract, in the manner best calcu-
7 lated to attract competition and advantageous prices. He shall award con-
8 tracts or orders for purchase to the lowest responsible bidder meeting all
9 specifications and conditions. He shall have authority to reject any or all
10 bids or to award in whole or in part if deemed to the best interest of the
11 State to do so. In case of tie bids, he shall have authority to award orders
12 or contracts to the vendor or vendors best meeting all specifications and con-
13 ditions. Public bids shall not be waived except with the written approval
14 of the commissioner and except after notice in writing to the State Auditor.
15 The director shall prescribe the terms and conditions for delivery, inspec-
16 tion, payment and all other detail whatsoever. *In purchases of fresh milk*
17 *and as a condition thereof, the director shall require each vendor to certify*
18 *in writing that he purchased during the immediately preceding year fresh*
19 *milk produced within the State at least equal in amount to the amount he*
20 *seeks to furnish to the using agency, and, in addition, to agree to purchase*
21 *during the year in which he proposes to furnish such milk to the using*
22 *agency an amount of fresh milk produced within the State at least equal*
23 *to the amount he proposes to furnish to the using agency.*

24 Upon the award of contracts or orders for purchase, the director shall
25 thereupon make an encumbrance request to the commissioner for the amount

26 necessary to defray the cost thereof, indicating the appropriations or au-
27 thorizations to spend funds against which the contract or purchase order
28 will be charged.

29 The bills for such purchases shall be apportioned by the director among
30 the using agencies in proportion to the purchases made therefor, and cer-
31 tified as apportioned to the commissioner, to be charged against the re-
32 spective appropriations or authorizations to spend as indicated by the cer-
33 tificate of the director. The bills therefor shall be paid by warrant check
34 of the commissioner and State Treasurer.

35 Nothing in this article shall be construed to repeal or otherwise affect
36 any law of this State relating to the purchase or use of the products of the
37 labor of the inmates of a charitable, reformatory or penal institution of this
38 State.

1 3. This act shall take effect immediately.