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LAW/RWH

P.L.2011, CHAPTER 46, *approved April 6, 2011*
Assembly, No. 3094 (*First Reprint*)

1 AN ACT permitting the Department of Transportation to enter into
2 certain agreements with local governments and amending
3 P.L.2007, c.17.

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

7
8 1. Section 1 of P.L.2007, c.17 (C.27:7-21.13) is amended to
9 read as follows:

10 1. a. Notwithstanding the provisions of R.S.27:7-11, R.S.27:7-
11 21, R.S.27:7-29, P.L.1966, c.185 (C.27:7-35.1 et seq.), and any
12 other law, rule, or regulation to the contrary, the Commissioner of
13 Transportation may enter into a contract or agreement with a county
14 or municipality for snow removal, grass mowing, tree pruning,
15 landscaping, repair, or routine maintenance of State highways and
16 adjacent shoulders, berms, right of ways, and other areas without
17 advertisement for bids therefor, if the scope of the work required
18 does not contemplate the award of a contract by the county or
19 municipality to an outside contractor, or if ¹the Commissioner of
20 Transportation determines¹ the work to be performed is
21 immediately necessary for the prevention of a public hazard. This
22 authorization shall not apply if approval by the Federal Highway
23 Administration of the repair or maintenance is required.

24 b. The Commissioner of Transportation shall establish
25 reasonable rates for work performed by a county or municipality
26 without a contract or agreement, for work that is immediately
27 necessary for the prevention of a public hazard.

28 (cf: P.L.2007, c.17, s.1)

29
30 2. This act shall take effect immediately.

31

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33

34

35 Permits DOT to contract with county or municipality for certain
36 work on highways to prevent public hazards.

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 underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate STR committee amendments adopted December 6, 2010.

ASSEMBLY, No. 3094

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JULY 1, 2010

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblyman JOHN S. WISNIEWSKI

District 19 (Middlesex)

Assemblyman JOHN F. MCKEON

District 27 (Essex)

Assemblywoman NELLIE POU

District 35 (Bergen and Passaic)

Assemblywoman CARIDAD RODRIGUEZ

District 33 (Hudson)

Co-Sponsored by:

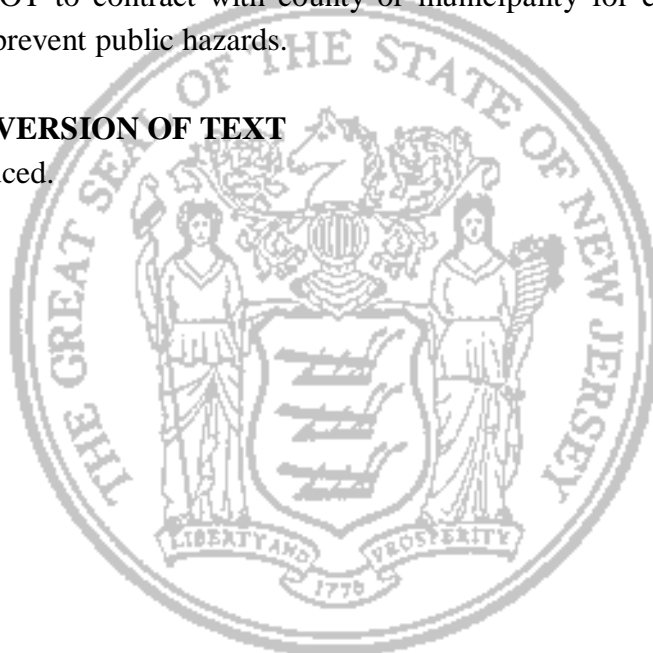
Assemblymen O'Donnell and Giblin

SYNOPSIS

Permits DOT to contract with county or municipality for certain work on highways to prevent public hazards.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 11/23/2010)

1 AN ACT permitting the Department of Transportation to enter into
2 certain agreements with local governments and amending
3 P.L.2007, c.17.

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

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8 1. Section 1 of P.L.2007, c.17 (C.27:7-21.13) is amended to
9 read as follows:

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11 21, R.S.27:7-29, P.L.1966, c.185 (C.27:7-35.1 et seq.), and any
12 other law, rule, or regulation to the contrary, the Commissioner of
13 Transportation may enter into a contract or agreement with a county
14 or municipality for snow removal, grass mowing, tree pruning,
15 landscaping, repair, or routine maintenance of State highways and
16 adjacent shoulders, berms, right of ways, and other areas without
17 advertisement for bids therefor, if the scope of the work required
18 does not contemplate the award of a contract by the county or
19 municipality to an outside contractor, or if the work to be performed
20 is immediately necessary for the prevention of a public hazard.
21 This authorization shall not apply if approval by the Federal
22 Highway Administration of the repair or maintenance is required.

23 b. The Commissioner of Transportation shall establish
24 reasonable rates for work performed by a county or municipality
25 without a contract or agreement, for work that is immediately
26 necessary for the prevention of a public hazard.

27 (cf: P.L.2007, c.17, s.1)

28
29 2. This act shall take effect immediately.

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32 STATEMENT

33
34 This bill provides that the Commissioner of Transportation may
35 enter into a contract or agreement with a county or municipality for
36 snow removal, grass mowing, tree pruning, landscaping, repair, or
37 routine maintenance of State highways and adjacent shoulders,
38 berms, right of ways, and other areas without advertisement for
39 bids, if the scope of the work required does not contemplate the
40 award of a contract by the county or municipality to an outside
41 contractor, or if the work to be performed is immediately necessary
42 for the prevention of a public hazard.

43 The bill also requires the Commissioner of Transportation to
44 establish reasonable rates for work performed by a county or
45 municipality without a contract or agreement, for work that is
46 immediately necessary for the prevention of a public hazard.

47 Currently, the commissioner may only contract with a county or
48 municipality for road maintenance, when the scope of the work

A3094 COUGHLIN, WISNIEWSKI

3

- 1 required does not contemplate the award of a contract by the county
- 2 or municipality to an outside contractor.

ASSEMBLY TRANSPORTATION, PUBLIC WORKS AND
INDEPENDENT AUTHORITIES COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3094

STATE OF NEW JERSEY

DATED: NOVEMBER 15, 2010

The Assembly Transportation, Public Works and Independent Authorities Committee reports favorably Assembly Bill No. 3094.

As reported, this bill provides that the Commissioner of Transportation may enter into a contract or agreement with a county or municipality for snow removal, grass mowing, tree pruning, landscaping, repair, or routine maintenance of State highways and adjacent shoulders, berms, right of ways, and other areas without advertisement for bids, if the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor, or if the work to be performed is immediately necessary for the prevention of a public hazard.

The bill also requires the commissioner to establish reasonable rates for work performed by a county or municipality, without a contract or agreement, for work that is immediately necessary for the prevention of a public hazard.

Currently, the commissioner may only contract with a county or municipality for road maintenance, when the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 3094

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2010

The Senate Transportation Committee reports favorably Assembly Bill No. 3094 with committee amendments.

As amended, this bill provides that the Commissioner of Transportation may enter into a contract or agreement with a county or municipality for snow removal, grass mowing, tree pruning, landscaping, repair, or routine maintenance of State highways and adjacent shoulders, berms, right of ways, and other areas without advertisement for bids, if the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor, or if the commissioner determines the work to be performed is immediately necessary for the prevention of a public hazard.

The bill also requires the commissioner to establish reasonable rates for work performed by a county or municipality without a contract or agreement, for work that is immediately necessary for the prevention of a public hazard.

Currently, the commissioner may only contract with a county or municipality for road maintenance, when the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor.

As amended and reported by the committee on this date, Assembly Bill No. 3094 is identical to Senate Bill No. 2180, which was also amended and reported by the committee on this date.

The committee amendments to the bill clarify that the commissioner shall determine whether or not the work to be performed is necessary for the prevention of a public hazard.

SENATE, No. 2180

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED JULY 1, 2010

Sponsored by:
Senator JOSEPH F. VITALE
District 19 (Middlesex)

SYNOPSIS

Permits DOT to contract with county or municipality for certain work on highways to prevent public hazards.

CURRENT VERSION OF TEXT

As introduced.



S2180 VITALE

2

1 AN ACT permitting the Department of Transportation to enter into
2 certain agreements with local governments and supplementing
3 Title 27 of the Revised Statutes.

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

7
8 1. Section 1 of P.L.2007, c.17 (C.27:7-21.13) is amended to
9 read as follows:

10 1. a. Notwithstanding the provisions of R.S.27:7-11, R.S.27:7-
11 21, R.S.27:7-29, P.L.1966, c.185 (C.27:7-35.1 et seq.), and any
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13 Transportation may enter into a contract or agreement with a county
14 or municipality for snow removal, grass mowing, tree pruning,
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16 adjacent shoulders, berms, right of ways, and other areas without
17 advertisement for bids therefor, if the scope of the work required
18 does not contemplate the award of a contract by the county or
19 municipality to an outside contractor, or if the work to be performed
20 is immediately necessary for the prevention of a public hazard.
21 This authorization shall not apply if approval by the Federal
22 Highway Administration of the repair or maintenance is required.

23 b. The Commissioner of Transportation shall establish
24 reasonable rates for work performed by a county or municipality
25 without a contract or agreement, for work that is immediately
26 necessary for the prevention of a public hazard.

27 (cf: P.L.2007, c.17, s.1)

28
29 2. This act shall take effect immediately.

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STATEMENT

33

34 This bill provides that the Commissioner of Transportation may
35 enter into a contract or agreement with a county or municipality for
36 snow removal, grass mowing, tree pruning, landscaping, repair, or
37 routine maintenance of State highways and adjacent shoulders,
38 berms, right of ways, and other areas without advertisement for
39 bids, if the scope of the work required does not contemplate the
40 award of a contract by the county or municipality to an outside
41 contractor, or if the work to be performed is immediately necessary
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43 The bill also requires the Commissioner of Transportation to
44 establish reasonable rates for work performed by a county or

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 underlined thus is new matter.

S2180 VITALE

3

1 municipality without a contract or agreement, for work that is
2 immediately necessary for the prevention of a public hazard.

3 Currently, the commissioner may only contract with a county or
4 municipality for road maintenance, when the scope of the work
5 required does not contemplate the award of a contract by the county
6 or municipality to an outside contractor.

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE, No. 2180

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 6, 2010

The Senate Transportation Committee reports favorably Senate Bill No. 2180 with committee amendments.

As amended, this bill provides that the Commissioner of Transportation may enter into a contract or agreement with a county or municipality for snow removal, grass mowing, tree pruning, landscaping, repair, or routine maintenance of State highways and adjacent shoulders, berms, right of ways, and other areas without advertisement for bids, if the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor, or if the commissioner determines the work to be performed is immediately necessary for the prevention of a public hazard.

The bill also requires the commissioner to establish reasonable rates for work performed by a county or municipality without a contract or agreement, for work that is immediately necessary for the prevention of a public hazard.

Currently, the commissioner may only contract with a county or municipality for road maintenance, when the scope of the work required does not contemplate the award of a contract by the county or municipality to an outside contractor.

As amended and reported by the committee on this date, Senate Bill No. 2180 is identical to Assembly Bill No. 3094, which was also amended and reported by the committee on this date.

The committee amendments to the bill clarify that the commissioner shall determine whether or not the work to be performed is necessary for the prevention of a public hazard.