

# 18A:64-85

## LEGISLATIVE HISTORY CHECKLIST

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**LAWS OF:** 2012                    **CHAPTER:** 10

**NJSA:** 18A:64-85 (Extends for 18 months application submission deadline to EDA for review and approval of certain construction projects involving public institutions of higher education)

**BILL NO:** S1027                    (Substituted for A2271)

**SPONSOR(S)** Lesniak and others

**DATE INTRODUCED:** January 17, 2012

**COMMITTEE:**                    **ASSEMBLY:** ---

**SENATE:** Economic Growth

**AMENDED DURING PASSAGE:** No

**DATE OF PASSAGE:**                    **ASSEMBLY:** February 16, 2012

**SENATE:** February 13, 2012

**DATE OF APPROVAL:** May 2, 2012

### FOLLOWING ARE ATTACHED IF AVAILABLE:

**FINAL TEXT OF BILL** (Introduced version of bill enacted)

**S1027 SPONSOR'S STATEMENT:** (Begins on page 5 of introduced bill) Yes

**COMMITTEE STATEMENT:**                    **ASSEMBLY:** No

**SENATE:** Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at [www.njleg.state.nj.us](http://www.njleg.state.nj.us))

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**A2271**

**SPONSOR'S STATEMENT:** (Begins on page 5 of introduced bill) Yes

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

**SENATE:** No

**FLOOR AMENDMENT STATEMENT:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

(continued)

**VETO MESSAGE:** No

**GOVERNOR'S PRESS RELEASE ON SIGNING:** No

**FOLLOWING WERE PRINTED:**

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**REPORTS:** No

**HEARINGS:** No

**NEWSPAPER ARTICLES:** No

LAW/RWH

P.L.2012, CHAPTER 10, *approved May 2, 2012*

Senate, No. 1027

1 **AN ACT** concerning agreements of State and county colleges  
2 involving certain projects and amending P.L.2009, c.90.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 43 of P.L.2009, c.90 (C.18A:64-85) is amended to  
8 read as follows:

9 43. a. A State college or county college may enter into a contract  
10 with a private entity, subject to subsection f. of this section, to be  
11 referred to as a public-private partnership agreement, that permits  
12 the private entity to assume full financial and administrative  
13 responsibility for the on-campus construction, reconstruction,  
14 repair, alteration, improvement or extension of a building, structure,  
15 or facility of, or for the benefit of, the institution, provided that the  
16 project is financed in whole by the private entity and that the State  
17 or institution of higher education, as applicable, retains full  
18 ownership of the land upon which the project is completed.

19 b. (1) A private entity that assumes financial and administrative  
20 responsibility for a project pursuant to subsection a. of this section  
21 shall not be subject to the procurement and contracting  
22 requirements of all statutes applicable to the institution of higher  
23 education at which the project is completed, including, but not  
24 limited to, the "State College Contracts Law," P.L.1986, c.43  
25 (C.18A:64-52 et seq.), and the "County College Contracts Law,"  
26 P.L.1982, c.189 (C.18A:64A-25.1 et seq.). For the purposes of  
27 facilitating the financing of a project pursuant to subsection a. of  
28 this section, a public entity may become the owner or lessee of the  
29 project or the lessee of the land, or both, may issue indebtedness in  
30 accordance with the public entity's enabling legislation and,  
31 notwithstanding any provision of law to the contrary, shall be  
32 empowered to enter into contracts with a private entity and its  
33 affiliates without being subject to the procurement and contracting  
34 requirements of any statute applicable to the public entity provided  
35 that the private entity has been selected by the institution of higher  
36 education pursuant to a solicitation of proposals or qualifications.  
37 For the purposes of this section, a public entity shall include the  
38 New Jersey Economic Development Authority, and any project  
39 undertaken pursuant to subsection a. of this section of which the  
40 authority becomes the owner or lessee, or which is situated on land  
41 of which the authority becomes the lessee, shall be deemed a

**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.**

1 "project" under the "New Jersey Economic Development Authority  
2 Act," P.L.1974, c.80 (C.34:1B-1 et seq.).

3 (2) As the carrying out of any project described pursuant to this  
4 section constitutes the performance of an essential public function,  
5 all projects predominantly used in furtherance of the educational  
6 purposes of the institution undertaken pursuant to this section,  
7 provided it is owned by or leased to a public entity, non-profit  
8 business entity, foreign or domestic, or a business entity wholly  
9 owned by such non-profit business entity, shall at all times be  
10 exempt from property taxation and special assessments of the State,  
11 or any municipality, or other political subdivision of the State and,  
12 notwithstanding the provisions of section 15 of P.L.1974, c.80  
13 (C.34:1B-15) or section 2 of P.L.1977, c.272 (C.54:4-2.2b) or any  
14 other section of law to the contrary, shall not be required to make  
15 payments in lieu of taxes. The land upon which the project is  
16 located shall also at all times be exempt from property taxation.  
17 Further, the project and land upon which the project is located shall  
18 not be subject to the provisions of section 1 of P.L.1984, c.176  
19 (C.54:4-1.10) regarding the tax liability of private parties  
20 conducting for profit activities on tax exempt land, or section 1 of  
21 P.L.1949, c.177 (C.54:4-2.3) regarding the taxation of leasehold  
22 interests in exempt property that are held by nonexempt parties.

23 c. Each worker employed in the construction, rehabilitation, or  
24 building maintenance services of facilities by a private entity that  
25 has entered into a public-private partnership agreement with a State  
26 or county college pursuant to subsection a. of this section shall be  
27 paid not less than the prevailing wage rate for the worker's craft or  
28 trade as determined by the Commissioner of Labor and Workforce  
29 Development pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.)  
30 and P.L.2005, c.379 (C.34:11-56.58 et seq.).

31 d. (1) All construction projects under a public-private  
32 partnership agreement entered into pursuant to this section shall  
33 contain a project labor agreement. The project labor agreement  
34 shall be subject to the provisions of P.L.2002, c.44 (C.52:38-1 et  
35 seq.), and shall be in a manner that to the greatest extent possible  
36 enhances employment opportunities for individuals residing in the  
37 county of the project's location. Further, the general contractor,  
38 construction manager, design-build team, or subcontractor for a  
39 construction project proposed in accordance with this paragraph  
40 shall be registered pursuant to the provisions of P.L.1999, c.238  
41 (C.34:11-56.48 et seq.), and shall be classified by the Division of  
42 Property Management and Construction to perform work on a  
43 public-private partnership higher education project. All  
44 construction projects proposed in accordance with this paragraph  
45 shall be submitted to the New Jersey Economic Development  
46 Authority for its review and approval and, when practicable, are  
47 encouraged to adhere to the Leadership in Energy and

1 Environmental Design Green Building Rating System as adopted by  
2 the United States Green Building Council.

3 (2) Where no public fund has been established for the financing  
4 of a public improvement, the chief financial officer of the public  
5 owner shall require the private entity for whom the public  
6 improvement is being made to post, or cause to be posted, a bond  
7 guaranteeing prompt payment of moneys due to the contractor, his  
8 or her subcontractors and to all persons furnishing labor or  
9 materials to the contractor or his or her subcontractors in the  
10 prosecution of the work on the public improvement.

11 e. A general contractor, construction manager, design-build  
12 team, or subcontractor shall be registered pursuant to the provisions  
13 of P.L.1999, c.238 (C.34:11-56.48 et seq.), and shall be classified  
14 by the Division of Property Management and Construction to  
15 perform work on a public-private partnership higher education  
16 project.

17 f. (1) On or before ~~February~~ August 1, ~~2012~~ 2013, all  
18 projects proposed in accordance with this section shall be submitted  
19 to the New Jersey Economic Development Authority for its review  
20 and approval. The projects are encouraged, when practicable, to  
21 adhere to the green building manual prepared by the Commissioner  
22 of Community Affairs pursuant to section 1 of P.L.2007, c.132  
23 (C.52:27D-130.6). Any application that is deemed to be incomplete  
24 on ~~February~~ August 2, ~~2012~~ 2013 shall not be eligible for  
25 consideration.

26 (2) (a) In order for an application to be complete and considered  
27 by the authority it shall include, but not be limited to: (i) a public-  
28 private partnership agreement between the State or county college  
29 and the private developer; (ii) a full description of the project; (iii)  
30 the estimated costs and financial documentation for the project; (iv)  
31 a timetable for completion of the project extending no more than  
32 five years after consideration and approval; and (v) any other  
33 requirements that the authority deems appropriate or necessary.

34 (b) As part of the estimated costs and financial documentation  
35 for the project the application shall contain a long-range  
36 maintenance plan and shall specify the expenditures that qualify as  
37 an appropriate investment in maintenance. This long-range  
38 maintenance plan shall be approved by the authority pursuant to  
39 regulations promulgated by the authority that reflect national  
40 building maintenance standards and other appropriate building  
41 maintenance benchmarks. All contracts to implement a long-range  
42 maintenance plan pursuant to this paragraph shall contain a project  
43 labor agreement. The project labor agreement shall be subject to  
44 the provisions of P.L.2002, c.44 (C.52:38-1 et seq.), and shall be in  
45 a manner that to the greatest extent possible enhances employment  
46 opportunities for individuals residing in the county of the project's  
47 location.

1 (3) The authority shall review all completed applications, and  
2 request additional information as is needed to make a complete  
3 assessment of the project. No project shall be undertaken until final  
4 approval has been granted by the authority; provided, however, that  
5 the authority shall retain the right to revoke approval if it  
6 determines that the project has deviated from the plan submitted  
7 pursuant to paragraph (2) of this subsection.

8 (4) The authority may promulgate any rules and regulations  
9 necessary to implement this subsection, including provisions for  
10 fees to cover administrative costs.

11 Where no public fund has been established for the financing of a  
12 public improvement, the chief financial officer of the public owner  
13 shall require the private entity for whom the public improvement is  
14 being made to post, or cause to be posted, a bond guaranteeing  
15 prompt payment of moneys due to the contractor, his or her  
16 subcontractors and to all persons furnishing labor or materials to the  
17 contractor or his or her subcontractors in the prosecution of the  
18 work on the public improvement.

19 g. The provisions of P.L.2009, c.136 (C.52:18-42 et al.) shall  
20 not apply to any project carried out pursuant to this section.

21 (cf: P.L.2010, c.10, s.1)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill changes current law by extending the application  
29 deadline for 18 months, from February 1, 2012 to August 1, 2013,  
30 for the submission of certain project applications to the New Jersey  
31 Economic Development Authority (“authority”) for the authority’s  
32 review and approval. Specifically, the bill would provide an  
33 additional 18 months for a public institution of higher education to  
34 submit to the authority for review and approval proposed projects in  
35 which a private entity is to assume the full financial and  
36 administrative responsibility for the on-campus construction,  
37 reconstruction, repair, alteration, improvement, or extension of a  
38 building, structure, or facility of, or for the benefit of, the  
39 institution, provided that the project is financed in whole by the  
40 private entity and that the institution retains full ownership of the  
41 land upon which the project is completed.

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44

45

46 Extends for 18 months application submission deadline to EDA  
47 for review and approval of certain construction projects involving  
48 public institutions of higher education.

# SENATE, No. 1027

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED JANUARY 17, 2012

**Sponsored by:**

**Senator RAYMOND J. LESNIAK**

**District 20 (Union)**

**Senator STEPHEN M. SWEENEY**

**District 3 (Cumberland, Gloucester and Salem)**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblyman ALBERT COUTINHO**

**District 29 (Essex)**

**Assemblyman TROY SINGLETON**

**District 7 (Burlington)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

**Senators Kyrillos, Oroho, Assemblymen Diegnan and Coughlin**

**SYNOPSIS**

Extends for 18 months application submission deadline to EDA for review and approval of certain construction projects involving public institutions of higher education.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 2/17/2012)

1 AN ACT concerning agreements of State and county colleges  
2 involving certain projects and amending P.L.2009, c.90.

3

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

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7 1. Section 43 of P.L.2009, c.90 (C.18A:64-85) is amended to  
8 read as follows:

9 43. a. A State college or county college may enter into a contract  
10 with a private entity, subject to subsection f. of this section, to be  
11 referred to as a public-private partnership agreement, that permits  
12 the private entity to assume full financial and administrative  
13 responsibility for the on-campus construction, reconstruction,  
14 repair, alteration, improvement or extension of a building, structure,  
15 or facility of, or for the benefit of, the institution, provided that the  
16 project is financed in whole by the private entity and that the State  
17 or institution of higher education, as applicable, retains full  
18 ownership of the land upon which the project is completed.

19 b. (1) A private entity that assumes financial and administrative  
20 responsibility for a project pursuant to subsection a. of this section  
21 shall not be subject to the procurement and contracting  
22 requirements of all statutes applicable to the institution of higher  
23 education at which the project is completed, including, but not  
24 limited to, the "State College Contracts Law," P.L.1986, c.43  
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42 "project" under the "New Jersey Economic Development Authority  
43 Act," P.L.1974, c.80 (C.34:1B-1 et seq.).

44 (2) As the carrying out of any project described pursuant to this  
45 section constitutes the performance of an essential public function,

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not enacted and is intended to be omitted in the law.**

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6 exempt from property taxation and special assessments of the State,  
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19 on ~~February~~ August 2, ~~2012~~ 2013 shall not be eligible for  
20 consideration.

21 (2) (a) In order for an application to be complete and considered  
22 by the authority it shall include, but not be limited to: (i) a public-  
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25 the estimated costs and financial documentation for the project; (iv)  
26 a timetable for completion of the project extending no more than  
27 five years after consideration and approval; and (v) any other  
28 requirements that the authority deems appropriate or necessary.

29 (b) As part of the estimated costs and financial documentation  
30 for the project the application shall contain a long-range  
31 maintenance plan and shall specify the expenditures that qualify as  
32 an appropriate investment in maintenance. This long-range  
33 maintenance plan shall be approved by the authority pursuant to  
34 regulations promulgated by the authority that reflect national  
35 building maintenance standards and other appropriate building  
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42 location.

43 (3) The authority shall review all completed applications, and  
44 request additional information as is needed to make a complete  
45 assessment of the project. No project shall be undertaken until final  
46 approval has been granted by the authority; provided, however, that  
47 the authority shall retain the right to revoke approval if it

1 determines that the project has deviated from the plan submitted  
2 pursuant to paragraph (2) of this subsection.

3 (4) The authority may promulgate any rules and regulations  
4 necessary to implement this subsection, including provisions for  
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6 Where no public fund has been established for the financing of a  
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12 contractor or his or her subcontractors in the prosecution of the  
13 work on the public improvement.

14 g. The provisions of P.L.2009, c.136 (C.52:18-42 et al.) shall  
15 not apply to any project carried out pursuant to this section.  
16 (cf: P.L.2010, c.10, s.1)

17

18 2. This act shall take effect immediately.

19

20

21

#### STATEMENT

22

23 This bill changes current law by extending the application  
24 deadline for 18 months, from February 1, 2012 to August 1, 2013,  
25 for the submission of certain project applications to the New Jersey  
26 Economic Development Authority (“authority”) for the authority’s  
27 review and approval. Specifically, the bill would provide an  
28 additional 18 months for a public institution of higher education to  
29 submit to the authority for review and approval proposed projects in  
30 which a private entity is to assume the full financial and  
31 administrative responsibility for the on-campus construction,  
32 reconstruction, repair, alteration, improvement, or extension of a  
33 building, structure, or facility of, or for the benefit of, the  
34 institution, provided that the project is financed in whole by the  
35 private entity and that the institution retains full ownership of the  
36 land upon which the project is completed.

SENATE ECONOMIC GROWTH COMMITTEE

STATEMENT TO

**SENATE, No. 1027**

**STATE OF NEW JERSEY**

DATED: JANUARY 23, 2012

The Senate Economic Growth Committee reports favorably Senate Bill, No. 1027.

This bill changes current law by extending the application deadline for 18 months, from February 1, 2012 to August 1, 2013, for the submission of certain project applications to the New Jersey Economic Development Authority (“authority”). Specifically, the bill would provide an additional 18 months for a public institution of higher education to submit to the authority for review and approval proposed projects in which a private entity is to assume the full financial and administrative responsibility for the on-campus construction, reconstruction, repair, alteration, improvement, or extension of a building, structure, or facility of, or for the benefit of, the institution, provided that the project is financed in whole by the private entity and that the institution retains full ownership of the land upon which the project is completed.

# ASSEMBLY, No. 2271

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 2, 2012

**Sponsored by:**

**Assemblywoman PAMELA R. LAMPITT**

**District 6 (Burlington and Camden)**

**Assemblyman ALBERT COUTINHO**

**District 29 (Essex)**

**Assemblyman TROY SINGLETON**

**District 7 (Burlington)**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman PAUL D. MORIARTY**

**District 4 (Camden and Gloucester)**

**Co-Sponsored by:**

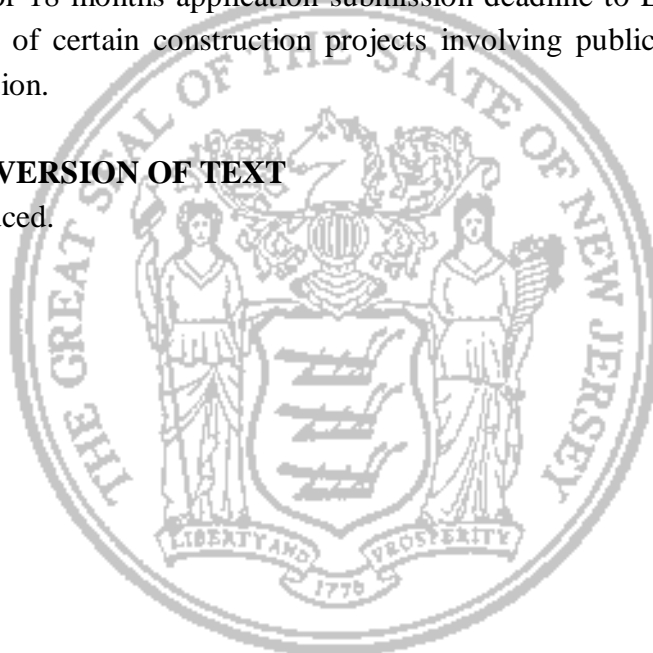
**Assemblymen Diegnan and Coughlin**

**SYNOPSIS**

Extends for 18 months application submission deadline to EDA for review and approval of certain construction projects involving public institutions of higher education.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/17/2012)**

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2 involving certain projects and amending P.L.2009, c.90.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State  
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10 with a private entity, subject to subsection f. of this section, to be  
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41 of which the authority becomes the lessee, shall be deemed a  
42 "project" under the "New Jersey Economic Development Authority  
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45 section constitutes the performance of an essential public function,

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1 all projects predominantly used in furtherance of the educational  
2 purposes of the institution undertaken pursuant to this section,  
3 provided it is owned by or leased to a public entity, non-profit  
4 business entity, foreign or domestic, or a business entity wholly  
5 owned by such non-profit business entity, shall at all times be  
6 exempt from property taxation and special assessments of the State,  
7 or any municipality, or other political subdivision of the State and,  
8 notwithstanding the provisions of section 15 of P.L.1974, c.80  
9 (C.34:1B-15) or section 2 of P.L.1977, c.272 (C.54:4-2.2b) or any  
10 other section of law to the contrary, shall not be required to make  
11 payments in lieu of taxes. The land upon which the project is  
12 located shall also at all times be exempt from property taxation.  
13 Further, the project and land upon which the project is located shall  
14 not be subject to the provisions of section 1 of P.L.1984, c.176  
15 (C.54:4-1.10) regarding the tax liability of private parties  
16 conducting for profit activities on tax exempt land, or section 1 of  
17 P.L.1949, c.177 (C.54:4-2.3) regarding the taxation of leasehold  
18 interests in exempt property that are held by nonexempt parties.

19 c. Each worker employed in the construction, rehabilitation, or  
20 building maintenance services of facilities by a private entity that  
21 has entered into a public-private partnership agreement with a State  
22 or county college pursuant to subsection a. of this section shall be  
23 paid not less than the prevailing wage rate for the worker's craft or  
24 trade as determined by the Commissioner of Labor and Workforce  
25 Development pursuant to P.L.1963, c.150 (C.34:11-56.25 et seq.)  
26 and P.L.2005, c.379 (C.34:11-56.58 et seq.).

27 d. (1) All construction projects under a public-private  
28 partnership agreement entered into pursuant to this section shall  
29 contain a project labor agreement. The project labor agreement  
30 shall be subject to the provisions of P.L.2002, c.44 (C.52:38-1 et  
31 seq.), and shall be in a manner that to the greatest extent possible  
32 enhances employment opportunities for individuals residing in the  
33 county of the project's location. Further, the general contractor,  
34 construction manager, design-build team, or subcontractor for a  
35 construction project proposed in accordance with this paragraph  
36 shall be registered pursuant to the provisions of P.L.1999, c.238  
37 (C.34:11-56.48 et seq.), and shall be classified by the Division of  
38 Property Management and Construction to perform work on a  
39 public-private partnership higher education project. All  
40 construction projects proposed in accordance with this paragraph  
41 shall be submitted to the New Jersey Economic Development  
42 Authority for its review and approval and, when practicable, are  
43 encouraged to adhere to the Leadership in Energy and  
44 Environmental Design Green Building Rating System as adopted by  
45 the United States Green Building Council.

46 (2) Where no public fund has been established for the financing  
47 of a public improvement, the chief financial officer of the public  
48 owner shall require the private entity for whom the public

1 improvement is being made to post, or cause to be posted, a bond  
2 guaranteeing prompt payment of moneys due to the contractor, his  
3 or her subcontractors and to all persons furnishing labor or  
4 materials to the contractor or his or her subcontractors in the  
5 prosecution of the work on the public improvement.

6 e. A general contractor, construction manager, design-build  
7 team, or subcontractor shall be registered pursuant to the provisions  
8 of P.L.1999, c.238 (C.34:11-56.48 et seq.), and shall be classified  
9 by the Division of Property Management and Construction to  
10 perform work on a public-private partnership higher education  
11 project.

12 f. (1) On or before ~~February~~ August 1, ~~2012~~ 2013, all  
13 projects proposed in accordance with this section shall be submitted  
14 to the New Jersey Economic Development Authority for its review  
15 and approval. The projects are encouraged, when practicable, to  
16 adhere to the green building manual prepared by the Commissioner  
17 of Community Affairs pursuant to section 1 of P.L.2007, c.132  
18 (C.52:27D-130.6). Any application that is deemed to be incomplete  
19 on ~~February~~ August 2, ~~2012~~ 2013 shall not be eligible for  
20 consideration.

21 (2) (a) In order for an application to be complete and considered  
22 by the authority it shall include, but not be limited to: (i) a public-  
23 private partnership agreement between the State or county college  
24 and the private developer; (ii) a full description of the project; (iii)  
25 the estimated costs and financial documentation for the project; (iv)  
26 a timetable for completion of the project extending no more than  
27 five years after consideration and approval; and (v) any other  
28 requirements that the authority deems appropriate or necessary.

29 (b) As part of the estimated costs and financial documentation  
30 for the project the application shall contain a long-range  
31 maintenance plan and shall specify the expenditures that qualify as  
32 an appropriate investment in maintenance. This long-range  
33 maintenance plan shall be approved by the authority pursuant to  
34 regulations promulgated by the authority that reflect national  
35 building maintenance standards and other appropriate building  
36 maintenance benchmarks. All contracts to implement a long-range  
37 maintenance plan pursuant to this paragraph shall contain a project  
38 labor agreement. The project labor agreement shall be subject to  
39 the provisions of P.L.2002, c.44 (C.52:38-1 et seq.), and shall be in  
40 a manner that to the greatest extent possible enhances employment  
41 opportunities for individuals residing in the county of the project's  
42 location.

43 (3) The authority shall review all completed applications, and  
44 request additional information as is needed to make a complete  
45 assessment of the project. No project shall be undertaken until final  
46 approval has been granted by the authority; provided, however, that  
47 the authority shall retain the right to revoke approval if it



1 determines that the project has deviated from the plan submitted  
2 pursuant to paragraph (2) of this subsection.

3 (4) The authority may promulgate any rules and regulations  
4 necessary to implement this subsection, including provisions for  
5 fees to cover administrative costs.

6 Where no public fund has been established for the financing of a  
7 public improvement, the chief financial officer of the public owner  
8 shall require the private entity for whom the public improvement is  
9 being made to post, or cause to be posted, a bond guaranteeing  
10 prompt payment of moneys due to the contractor, his or her  
11 subcontractors and to all persons furnishing labor or materials to the  
12 contractor or his or her subcontractors in the prosecution of the  
13 work on the public improvement.

14 g. The provisions of P.L.2009, c.136 (C.52:18-42 et al.) shall  
15 not apply to any project carried out pursuant to this section.  
16 (cf: P.L.2010, c.10, s.1)

17

18 2. This act shall take effect immediately.

19

20

21

#### STATEMENT

22

23 This bill changes current law by extending the application  
24 deadline for 18 months, from February 1, 2012 to August 1, 2013,  
25 for the submission of certain project applications to the New Jersey  
26 Economic Development Authority (“authority”) for the authority’s  
27 review and approval. Specifically, the bill would provide an  
28 additional 18 months for a public institution of higher education to  
29 submit to the authority for review and approval proposed projects in  
30 which a private entity is to assume the full financial and  
31 administrative responsibility for the on-campus construction,  
32 reconstruction, repair, alteration, improvement, or extension of a  
33 building, structure, or facility of, or for the benefit of, the  
34 institution, provided that the project is financed in whole by the  
35 private entity and that the institution retains full ownership of the  
36 land upon which the project is completed.

ASSEMBLY COMMERCE AND ECONOMIC DEVELOPMENT  
COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 2271**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 6, 2012

The Assembly Commerce and Economic Development Committee reports favorably Assembly Bill No. 2271.

This bill would extend the deadline for public colleges to submit proposed public-private partnership applications to the New Jersey Economic Development Authority (“EDA”) for the EDA's review and approval. Under current law, a public college must submit an application for a proposed public-private partnership to the EDA by February 1, 2012. This bill would extend that deadline for 18 months to August 1, 2013.

The bill would provide public colleges an additional 18 months to propose projects in which a private entity assumes the full financial and administrative responsibility for the construction, reconstruction, repair, alteration, improvement, or extension of a building, structure, or facility on the public college's campus.