

18A: 18A-3 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:18A-3 et al. (Public school contracts--increases bid threshold to \$7500)

LAWS OF: 1983

CHAPTER: 171

Bill No: S1597

Sponsor(s): Dumont, Feldman and Ewing

Date Introduced: July 12, 1982

Committee: Assembly: _____

Senate: Education

Amended during passage: Yes // Substituted for A1737 (not attached since identical to S1597). Amendments during passage denoted by asterisks.

Date of Passage: Assembly: March 14, 1983

Senate: Oct. 18, 1982

Date of Approval: May 4, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly /// No

Senate Yes //

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: Yes //

Hearings: /// No

Report referred to in statements:

974.90 New Jersey. Commission on Business Efficiency of the Public Schools.
S372 Financial Management Subcommittee.
1982 Public school district purchasing programs in New Jersey: a review of specific issues and problems. August, 1982. Trenton, 1982.
(pp.1, 3, Appendix A)

SENATE, No. 1597
STATE OF NEW JERSEY

INTRODUCED JULY 12, 1982

By Senators DUMONT, FELDMAN and EWING

Referred to Committee on Education

AN ACT concerning the threshold requirement for the solicitation of bids pursuant to the "Public School Contracts Law," and amending sections 18A:18A-3, 18A:18A-4, 18A:18A-7, 18A:18A-8, 18A:18A-18, 18A:18A-37 and 18A:18A-45 of the New Jersey Statutes.

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

1 1. N. J. S. 18A:18A-3 is amended to read as follows:

2 18A:18A-3. Purchases, contracts and agreements not requiring
3 advertising. *a.* Any purchase, contract or agreement for the per-
4 formance of any work or the furnishing or hiring of materials or
5 supplies, the cost or price of which, together with any other sums
6 expended or foreseeably to be expended for the performance of
7 any work or services in connection with the same project or the
8 furnishing of similar materials or supplies during the same fiscal
9 year paid with or out of school funds, does not exceed the total sum
10 of **[\$4,500.00]** \$7,500.00 or the amount determined pursuant to sub-
11 section *b.* of this section, in the fiscal year or, in the case of pur-
12 chases that are not annually recurring, in a period of one year may
13 be made, negotiated and awarded by a contracting agent when so
14 authorized by resolution of the board of education without public
15 advertising for bids and bidding therefor.

16 *b.* Commencing January 1, 1983 and every two years thereafter,
17 the Commissioner of Education shall adjust the threshold amount
18 set forth in subsection *a.* of this section in direct proportion to the
19 rise or fall of the consumer price index for all urban consumers in

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the act
is not enacted and is intended to be omitted in the law.
Matter printed in italics thus is new matter.**

1982

20 *the New York City and the Philadelphia areas as reported by the*
 21 *United States Department of Labor. The commissioner shall notify*
 22 *all local school districts of the adjustment. The adjustment shall*
 23 *become effective on July 1 of the year in which it is reported.*

1 2. N. J. S. 18A:18A-4 is amended to read as follows:

2 18A:18A-4. Contracts and agreements requiring advertising.
 3 Every contract or agreement for the performance of any work or
 4 the furnishing or hiring of any materials or supplies, the cost or
 5 the contract price whereof is to be paid with or out of school funds,
 6 not included within the terms of N. J. S. 18A:18A-3, shall be made
 7 and awarded only by the board of education after public advertising
 8 for bids and bidding therefor, except as is provided otherwise in
 9 this chapter or specifically by any other law.

10 No work, materials or supplies shall be undertaken, acquired or
 11 furnished for a sum exceeding in the aggregate **[\$4,500.00]** *the*
 12 *amount set forth in, or calculated by the Commissioner of Educa-*
 13 *tion pursuant to, N. J. S. 18A:18A-3* except by contract or agree-
 14 ment.

1 3. N. J. S. 18A:18A-7 is amended to read as follows:

2 18A:18A-7. Emergency purchases and contracts. Any purchase,
 3 contract or agreement may be made, negotiated or awarded for a
 4 board of education without public advertising for bids and bidding
 5 therefor notwithstanding that the cost or contract price will exceed
 6 **[\$4,500.00]** *the amount set forth in, or calculated by the Commis-*
 7 *sioner of Education pursuant to, N. J. S. 18A:18A-3* when an emer-
 8 gency affecting the health or safety of occupants of school property
 9 requires the immediate delivery of the articles or the performance
 10 of the service, provided that the awarding or making of such pur-
 11 chases, contracts or agreements are made in the following manner:

12 a. A written requisition for the performance of such work or
 13 labor, or the furnishing of materials, supplies or services is filed
 14 with the contracting agent or his deputy in charge describing the
 15 nature of the emergency, the time of its occurrence and the need
 16 for invoking this section, certified by the employee in charge of the
 17 building, facility or equipment wherein the emergency occurred.

18 The contracting agent, or his deputy in charge, being satisfied
 19 that the emergency exists, is hereby authorized to award a contract
 20 for said work or labor, materials, supplies or services.

21 b. Upon the furnishing of such work or labor, materials, supplies
 22 or services, in accordance with the terms of the contract or agree-
 23 ment, the contractor furnishing such work or labor, materials,
 24 supplies or services, shall be entitled to be paid therefor and the
 25 board of education shall be obligated for said payment. The board

26 of education shall take such action as shall be required to provide
27 for the payment of the contract price.

28 c. The State Board of Education shall prescribe rules and pro-
29 cedures to implement the requirements of this section.

1 4. N. J. S. 18A:18A-8 is amended to read as follows:

2 18A:18A-8. Contracts not to be divided. No purchase, contract
3 or agreement, which is single in character or which necessarily or
4 by reason of the quantities required to effectuate the purpose of
5 the purchase, contract or agreement, includes the furnishing of
6 additional services or equipment or buying materials or supplies
7 or the doing of additional work, shall be subdivided, so as to bring
8 it or any of the parts thereof under the maximum price or cost
9 limitation of **[\$4,500.00]** *the amount set forth in, or calculated by*
10 *the Commissioner of Education pursuant to, N. J. S. 18A:18A-3,*
11 *thus dispensing with the requirement of public advertising and*
12 *bidding therefor. In purchasing or contracting for, or agreeing for*
13 *the furnishing of, any services, equipment, materials or supplies,*
14 *the doing of any work included in or incident to the performance*
15 *or completion of any project, which is single in character or in-*
16 *clusive of the furnishing of additional services or equipment or*
17 *buying materials or supplies or the doing of additional work, or*
18 *which requires the furnishing of more than one article of equipment*
19 *or buying materials or supplies, all of the services, materials or*
20 *supplies requisite for the completion of such project shall be in-*
21 *cluded in one purchase, contract or agreement.*

1 5. N. J. S. 18A:18A-18 is amended to read as follows:

2 18A:18A-18. Separate plans for various types of work; bids;
3 contracts. In the preparation of plans and specifications for the
4 construction, alteration or repair of any building by a board of
5 education, when the entire cost of the work and materials will
6 exceed **[\$4,500.00,]** *the amount set forth in, or calculated by the*
7 *Commissioner of Education pursuant to, N. J. S. 18A:18A-3* *sepa-*
8 *rate plans and specifications shall be prepared for each of the fol-*
9 *lowing, and all work and materials kindred thereto to be performed*
10 *or furnished in connection therewith:*

- 11 a. The plumbing and gas fitting work;
- 12 b. The heating and ventilating systems and equipment;
- 13 c. The electrical work, including any electrical power plant;
- 14 d. The structural steel and ornamental iron work;
- 15 e. All other work and materials required for the completion of
- 16 the project.

17 The board of education or its contracting agent shall advertise
18 for and receive, in the manner provided by law, (1) separate bids

19 for each of said branches of work, and (2) bids for all the work
20 and materials required to complete the building to be included in
21 a single overall contract. There will be set forth in the bid
22 the name or names of, and evidence of performance security from,
23 all subcontractors to whom the bidder will subcontract the
24 furnishing of plumbing and gas fitting, and all kindred work, and
25 of the heating and ventilating systems and equipment, and elec-
26 trical work, structural steel and ornamental iron work, each of
27 which subcontractors shall be qualified in accordance with this
28 chapter.

29 Contracts shall be awarded to the lowest responsible bidder.
30 The contract shall be awarded in the following manner: If the sum
31 total of the amounts bid by the lowest responsible bidder for each
32 branch is less than the amount bid by the lowest responsible bidder
33 for all the work and materials, the board of education shall award
34 separate contracts for each of such branches to the lowest
35 responsible bidder therefor, but if the sum total of the amount
36 bid by the lowest responsible bidder for each branch is not
37 less than the amount bid by the lowest responsible bidder for all
38 the work and materials, the board of education shall award a
39 single overall contract to the lowest responsible bidder for all of
40 such work and materials. In every case in which a contract is
41 awarded under (2) above, all payments required to be made under
42 such contract for work and materials supplied by a subcontractor
43 shall, upon the certification of the contractor of the amount due to
44 the subcontractor, be paid directly to the subcontractor.

1 6. N. J. S. 18A:18A-37 is amended to read as follows:

2 18A:18A-37. Award of purchases, contracts or agreements.

3 All purchases, contracts or agreements which require public
4 advertisement for bids shall be awarded to the lowest responsible
5 bidder.

6 Prior to the award of any other purchase, contract or agreement,
7 the contracting agent shall, except in the case of the performance
8 of professional services, solicit quotations, whenever practicable,
9 on any such purchase, contract or agreement the estimated cost or
10 price of which is ~~[\$500.00]~~ 20% or more, of the amount set forth in,
11 or calculated by the Commissioner of Education pursuant to,
12 N. J. S. 18A:18A-3 and the award thereof shall be made, in accor-
13 dance with N. J. S. 18A:18A-3 or N. J. S. 18A:18A-4, as the case
14 may be, on the basis of the lowest responsible quotation received,
15 which quotation is most advantageous to the board of education,
16 price and other factors considered; provided, however, that if the
17 contracting agent deems it impractical to solicit competitive quota-

18 tions in the case of extraordinary, unspecifiable service; or, in the
19 case of such or any other purchase, contract or agreement awarded
20 hereunder, having sought such quotations determines that it should
21 not be awarded on the basis of the lowest quotation received, the
22 contracting agent shall file a statement of explanation of the reason
23 or reasons therefor, which shall be placed on file with said purchase,
24 contract or agreement.

1 7. N. J. S. 18A:18A-45 is amended to read as follows:

2 18A:18A-45. Manner and method of sale. Any board of educa-
3 tion may, by resolution, authorize the sale of its personal property
4 not needed for school purposes.

5 a. If the estimated fair value of the property to be sold exceeds
6 ~~[\$2,500.00]~~ *the amount set forth in, or calculated by the Commis-*
7 *sioner of Education pursuant to, N. J. S. 18A:18A-3, in any one*
8 *sale and it is neither livestock nor perishable goods, it shall be sold*
9 *at public sale to the highest bidder.*

10 b. Notice of the date, time and place of the public sale, together
11 with a description of the items to be sold and the conditions of
12 sale, shall be published once in a legal newspaper. Such sale shall
13 be held not less than seven nor more than 14 days after the publi-
14 cation of the notice thereof.

15 c. Personal property may be sold to the United States, the
16 State of New Jersey, another board of education or to any body
17 politic by private sale without advertising for bids.

18 d. If no bids are received the property may then be sold at
19 private sale without further publication or notice thereof, but in
20 no event at less than the estimated fair value; or the board of
21 education may if it so elect reoffer the property at public sale.
22 As used herein, "estimated fair value" means the market value of
23 the property between a willing seller and a willing buyer less the
24 cost to the board of education to continue storage or maintenance
25 of any personal property not needed for school purposes to be
26 sold pursuant to this section.

27 e. A board of education may reject all bids if it determines such
28 rejection to be in the public interest. In any case in which the
29 board of education has rejected all bids, it may readvertise
30 such personal property for a subsequent public sale. If it elects to
31 reject all bids at a second public sale, pursuant to this section, it
32 may then sell such personal property without further publication
33 or notice thereof at private sale, provided that in no event shall
34 the negotiated price at private sale be less than the highest price
35 of any bid rejected at the preceding two public sales and provided
36 further that in no event shall the terms or conditions of sale be
37 changed or amended.

38 f. If the estimated fair value of the property to be sold does not
39 exceed **[\$2,500.00]** *the amount set forth in, or calculated by the*
40 *Commissioner of Education pursuant to, N. J. S. 18A:18A-3, in*
41 *any one sale or is either livestock or perishable goods, it may be*
42 *sold at private sale without advertising for bids.*

1 8. This act shall take effect immediately.

STATEMENT

This bill increases the bid threshold for "Public Schools Contracts Law" from \$4,500.00 to \$7,500.00.

It also directs the Commissioner of Education to adjust the threshold commencing January 1, 1983, effective July 1, 1983 and every two years thereafter, in direct proportion to the rise or fall of the consumer price index for all urban consumers in the New York City and Philadelphia areas as reported by the United States Department of Labor.

This bill is one of a series of bills implementing the July, 1982 report of the Financial Management Subcommittee of the Commission on Business Efficiency of the Public Schools.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1597

with Senate committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 23, 1982

PROVISIONS:

This bill increases the bid threshold for the "Public School Contracts Law" from \$4,500.00 to \$7,500.00.

Further, the ceiling for quotations is changed from \$500.00 to 20% of the bid ceiling.

As amended, it also provides that the Governor in consultation with the Department of Treasury, shall adjust the threshold every two years in proportion to the rise or fall of the New York City/Philadelphia Consumer Price Index.

BACKGROUND:

This bill implements one of the recommendations of the Financial Management Subcommittee of the Commission on Business Efficiency of the Public Schools.

According to the commission, the purposes of this legislation is to make the bid ceiling reflect current expenses; provide a faster response to the economy; and provide continuous flexibility without the need for new legislation.

AMENDMENTS:

The committee has amended the bill to provide that the Governor, in consultation with the Department of Treasury, set the bid limit rather than the Commissioner of Education. This is more in conformity with current practice.

[OFFICIAL COPY REPRINT]

SENATE, No. 1597

STATE OF NEW JERSEY

INTRODUCED JULY 12, 1982

By Senators DUMONT, FELDMAN and EWING

Referred to Committee on Education

AN ACT concerning the threshold requirement for the solicitation of bids pursuant to the "Public School Contracts Law," and amending sections 18A:18A-3, 18A:18A-4, 18A:18A-7, 18A:18A-8, 18A:18A-18, 18A:18A-37 and 18A:18A-45 of the New Jersey Statutes.

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

1 1. N. J. S. 18A:18A-3 is amended to read as follows:

2 18A:18A-3. Purchases, contracts and agreements not requiring
3 advertising. *a.* Any purchase, contract or agreement for the per-
4 formance of any work or the furnishing or hiring of materials or
5 supplies, the cost or price of which, together with any other sums
6 expended or foreseeably to be expended for the performance of
7 any work or services in connection with the same project or the
8 furnishing of similar materials or supplies during the same fiscal
9 year paid with or out of school funds, does not exceed the total sum
10 of **[\$4,500.00]** *\$7,500.00 or the amount determined pursuant to sub-*
11 *section b. of this section,* in the fiscal year or, in the case of pur-
12 chases that are not annually recurring, in a period of one year may
13 be made, negotiated and awarded by a contracting agent when so
14 authorized by resolution of the board of education without public
15 advertising for bids and bidding therefor.

16 *b.* *Commencing January 1, 1983 and every two years thereafter,*
17 *the ***[Commissioner of Education]*** *Governor, in consultation*
17A *with the Department of Treasury,* shall adjust the threshold*
18 *amount set forth in subsection a. of this section in direct proportion*

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 printed in italics *thus* is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

*—Senate committee amendments adopted September 23, 1982.

19 to the rise or fall of the consumer price index for all urban con-
 20 sumers in the New York City and the Philadelphia areas as
 21 reported by the United States Department of Labor. The ***Com-**
 22 **missioner**]* *Governor* shall notify all local school districts of
 23 the adjustment. The adjustment shall become effective on July 1
 24 of the year in which it is reported.

1 2. N. J. S. 18A:18A-4 is amended to read as follows:

2 18A:18A-4. Contracts and agreements requiring advertising.
 3 Every contract or agreement for the performance of any work or
 4 the furnishing or hiring of any materials or supplies, the cost or
 5 the contract price whereof is to be paid with or out of school funds,
 6 not included within the terms of N. J. S. 18A:18A-3, shall be made
 7 and awarded only by the board of education after public advertising
 8 for bids and bidding therefor, except as is provided otherwise in
 9 this chapter or specifically by any other law.

10 No work, materials or supplies shall be undertaken, acquired or
 11 furnished for a sum exceeding in the aggregate **[\$4,500.00]** the
 12 amount set forth in, or calculated by the ***Commissioner of Edu-**
 13 **cation**]* *Governor* pursuant to, N. J. S. 18A:18A-3 except by
 14 contract or agreement.

1 3. N. J. S. 18A:18A-7 is amended to read as follows:

2 18A:18A-7. Emergency purchases and contracts. Any purchase,
 3 contract or agreement may be made, negotiated or awarded for a
 4 board of education without public advertising for bids and bidding
 5 therefor notwithstanding that the cost or contract price will exceed
 6 **[\$4,500.00]** the amount set forth in, or calculated by the ***Com-**
 7 **missioner of Education**]* *Governor* pursuant to, N. J. S.
 8 18A:18A-3 when an emergency affecting the health or safety of
 9 occupants of school property requires the immediate delivery of
 10 the articles or the performance of the service, provided that the
 11 awarding or making of such purchases, contracts or agreements
 12 are made in the following manner:

12 a. A written requisition for the performance of such work or
 13 labor, or the furnishing of materials, supplies or services is filed
 14 with the contracting agent or his deputy in charge describing the
 15 nature of the emergency, the time of its occurrence and the need
 16 for invoking this section, certified by the employee in charge of the
 17 building, facility or equipment wherein the emergency occurred.

18 The contracting agent, or his deputy in charge, being satisfied
 19 that the emergency exists, is hereby authorized to award a contract
 20 for said work or labor, materials, supplies or services.

21 b. Upon the furnishing of such work or labor, materials, supplies
 22 or services, in accordance with the terms of the contract or agree-

23 ment, the contractor furnishing such work or labor, materials,
24 supplies or services, shall be entitled to be paid therefor and the
25 board of education shall be obligated for said payment. The board
26 of education shall take such action as shall be required to provide
27 for the payment of the contract price.

28 c. The State Board of Education shall prescribe rules and pro-
29 cedures to implement the requirements of this section.

1 4. N. J. S. 18A:18A-8 is amended to read as follows:

2 18A:18A-8. Contracts not to be divided. No purchase, contract
3 or agreement, which is single in character or which necessarily or
4 by reason of the quantities required to effectuate the purpose of
5 the purchase, contract or agreement, includes the furnishing of
6 additional services or equipment or buying materials or supplies
7 or the doing of additional work, shall be subdivided, so as to bring
8 it or any of the parts thereof under the maximum price or cost
9 limitation of **[\$4,500.00]** *the amount set forth in, or calculated by*
10 *the ***[Commissioner of Education]*** *Governor* pursuant to,*
11 *N. J. S. 18A:18A-3*, thus dispensing with the requirement of public
12 advertising and bidding therefor. In purchasing or contracting
13 for, or agreeing for the furnishing of, any services, equipment,
14 materials or supplies, the doing of any work included in or incident
15 to the performance or completion of any project, which is single
16 in character or inclusive of the furnishing of additional services
17 or equipment or buying materials or supplies or the doing of
18 additional work, or which requires the furnishing of more than
19 one article of equipment or buying materials or supplies, all of
20 the services, materials or supplies requisite for the completion of
21 such project shall be included in one purchase, contract or
22 agreement.

1 5. N. J. S. 18A:18A-18 is amended to read as follows:

2 18A:18A-18. Separate plans for various types of work; bids;
3 contracts. In the preparation of plans and specifications for the
4 construction, alteration or repair of any building by a board of
5 education, when the entire cost of the work and materials will
6 exceed **[\$4,500.00,]** *the amount set forth in, or calculated by the*
7 ****[Commissioner of Education]*** *Governor* pursuant to, N. J. S.*
8 *18A:18A-3* separate plans and specifications shall be prepared for
9 each of the following, and all work and materials kindred thereto
10 to be performed or furnished in connection therewith:

- 11 a. The plumbing and gas fitting work;
- 12 b. The heating and ventilating systems and equipment;
- 13 c. The electrical work, including any electrical power plant;
- 14 d. The structural steel and ornamental iron work;

15 e. All other work and materials required for the completion of
16 the project.

17 The board of education or its contracting agent shall advertise
18 for and receive, in the manner provided by law, (1) separate bids
19 for each of said branches of work, and (2) bids for all the work
20 and materials required to complete the building to be included in
21 a single overall contract. There will be set forth in the bid
22 the name or names of, and evidence of performance security from,
23 all subcontractors to whom the bidder will subcontract the
24 furnishing of plumbing and gas fitting, and all kindred work, and
25 of the heating and ventilating systems and equipment, and elec-
26 trical work, structural steel and ornamental iron work, each of
27 which subcontractors shall be qualified in accordance with this
28 chapter.

29 Contracts shall be awarded to the lowest responsible bidder.
30 The contract shall be awarded in the following manner: If the sum
31 total of the amounts bid by the lowest responsible bidder for each
32 branch is less than the amount bid by the lowest responsible bidder
33 for all the work and materials, the board of education shall award
34 separate contracts for each of such branches to the lowest
35 responsible bidder therefor, but if the sum total of the amount
36 bid by the lowest responsible bidder for each branch is not
37 less than the amount bid by the lowest responsible bidder for all
38 the work and materials, the board of education shall award a
39 single overall contract to the lowest responsible bidder for all of
40 such work and materials. In every case in which a contract is
41 awarded under (2) above, all payments required to be made under
42 such contract for work and materials supplied by a subcontractor
43 shall, upon the certification of the contractor of the amount due to
44 the subcontractor, be paid directly to the subcontractor.

1 6. N. J. S. 18A:18A-37 is amended to read as follows:

2 18A:18A-37. Award of purchases, contracts or agreements.

3 All purchases, contracts or agreements which require public
4 advertisement for bids shall be awarded to the lowest responsible
5 bidder.

6 Prior to the award of any other purchase, contract or agreement,
7 the contracting agent shall, except in the case of the performance
8 of professional services, solicit quotations, whenever practicable,
9 on any such purchase, contract or agreement the estimated cost or
10 price of which is **[\$500.00]** 20% or more, *of the amount set forth in,*
11 *or calculated by the ***[Commissioner of Education]*** *Governor**
12 *pursuant to, N. J. S. 18A:18A-3* and the award thereof shall be
13 made, in accordance with N. J. S. 18A:18A-3 or N. J. S.

14 18A:18A-4, as the case may be, on the basis of the lowest respons-
15 ible quotation received, which quotation is most advantageous to
16 the board of education, price and other factors considered; pro-
17 vided, however, that if the contracting agent deems it impractical
18 to solicit competitive quotations in the case of extraordinary,
19 unspecifiable service, or, in the case of such or any other purchase,
20 contract or agreement awarded hereunder, having sought such
21 quotations determines that it should not be awarded on the
22 basis of the lowest quotation received, the contracting agent shall
23 file a statement of explanation of the reason or reasons therefor,
24 which shall be placed on file with said purchase, contract or
25 agreement.

1 7. N. J. S. 18A:18A-45 is amended to read as follows:

2 18A:18A-45. Manner and method of sale. Any board of educa-
3 tion may, by resolution, authorize the sale of its personal property
4 not needed for school purposes.

5 a. If the estimated fair value of the property to be sold exceeds
6 **[\$2,500.00]** *the amount set forth in, or calculated by the ***[Com-***
7 *missioner of Education]* *Governor* pursuant to, N. J. S.*
8 *18A:18A-3*, in any one sale and it is neither livestock nor perish-
9 able goods, it shall be sold at public sale to the highest bidder.

10 b. Notice of the date, time and place of the public sale, together
11 with a description of the items to be sold and the conditions of
12 sale, shall be published once in a legal newspaper. Such sale shall
13 be held not less than seven nor more than 14 days after the publi-
14 cation of the notice thereof.

15 c. Personal property may be sold to the United States, the
16 State of New Jersey, another board of education or to any body
17 politic by private sale without advertising for bids.

18 d. If no bids are received the property may then be sold at
19 private sale without further publication or notice thereof, but in
20 no event at less than the estimated fair value; or the board of
21 education may if it so elect reoffer the property at public sale.
22 As used herein, "estimated fair value" means the market value of
23 the property between a willing seller and a willing buyer less the
24 cost to the board of education to continue storage or maintenance
25 of any personal property not needed for school purposes to be
26 sold pursuant to this section.

27 e. A board of education may reject all bids if it determines such
28 rejection to be in the public interest. In any case in which the
29 board of education has rejected all bids, it may readvertise
30 such personal property for a subsequent public sale. If it elects to
31 reject all bids at a second public sale, pursuant to this section, it

32 may then sell such personal property without further publication
33 or notice thereof at private sale, provided that in no event shall
34 the negotiated price at private sale be less than the highest price
35 of any bid rejected at the preceding two public sales and provided
36 further that in no event shall the terms or conditions of sale be
37 changed or amended.

38 f. If the estimated fair value of the property to be sold does not
39 exceed **[\$2,500.00]** *the amount set forth in, or calculated by the*
40 **[Commissioner of Education]* *Governor* pursuant to, N. J. S.*
41 *18A:18A-3*, in any one sale or is either livestock or perishable
42 goods, it may be sold at private sale without advertising for bids.

1 8. This act shall take effect immediately.

OFFICE OF THE GOVERNOR

RELEASE: IMMEDIATE, MAY 4, 1983

CONTACT: CARL GOLDEN

Governor Thomas H. Kean today signed legislation to establish a Statewide program for sterilization of dogs and cats, to be funded through a \$3 surcharge on dog licenses.

The bill, A-1917, was sponsored by Assembly Minority Leader Dean Gallo, R-Morris.

The \$3 charge would be added to the cost of any dog license for any dog which has not been sterilized. The fee would be sent to the State Department of Health and placed in an Animal Population Control Fund. The licensing surcharge applies to dogs only since licenses are not required for cats in New Jersey.

Those pet owners who are considered low income persons under different categories may take their dog or cat to a participating veterinarian and for a \$10 fee, have the animal sterilized.

The veterinarian then is reimbursed by the State Department of Health for 80 percent of the total cost of the operation.

→ The Governor also signed S-1597, sponsored by State Senator Wayne Dumont, R-Warren, to increase the threshold under the Public School Contracts Law from \$4,500 to \$7,500 and to change the ceiling for bid quotations from \$500 to 20 percent of the bid ceiling.

Kean also signed A-3450, sponsored by Assemblyman Richard Van Wagner, D-Monmouth, to appropriate \$17.5 million in unexpended Federal aid funds for various projects in the Departments of Defense, Health, Human Services, and Environmental Protection.

Also signed was A-3451, sponsored by Assemblyman John Rocco, R-Camden, to appropriate \$130 million in unexpended Federal funds for the construction of State and local highway facilities.

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