

18A: 18A-42.1

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:18A-42.1 (School food service contracts--permit 2 renewals without public bidding)

LAWS 1981 CHAPTER 186

Bill No. S1292

Sponsor(s) Dumont and others

Date Introduced May 19, 1980

Committee: Assembly Education

Senate Education

Amended during passage Yes ~~No~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly June 8, 1981

Senate Jan. 22, 1981

Date of approval June 25, 1981

Following statements are attached if available:

Sponsor statement Yes ~~No~~ (Below) Also attached: Senate amendment, adopted 1-22-81 (with statement)

Committee Statement: Assembly Yes ~~No~~
Senate Yes ~~No~~

Fiscal Note ~~Yes~~ No

Veto Message ~~Yes~~ No

Message on signing ~~Yes~~ No

Following were printed:

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

Sponsor's statement:

This bill eliminates the necessity and expense of annually soliciting bids for public school food service management contracts in those cases where the contract has initially been bid and currently is being performed in an effective and efficient manner in the judgement of the board of education of the district.

186 LAWS OF N. J. 1981
APPROVED 6-25-81

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SENATE, No. 1292

STATE OF NEW JERSEY

INTRODUCED MAY 19, 1980

By Senators DUMONT, FELDMAN, EWING, WEISS and DODD

Referred to Committee on Education

AN ACT concerning education in respect to food service management contracts **and supplementing Title 18A of the New Jersey Statutes**.

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

1 1. Every contract or agreement for the services of a food service
2 management company heretofore or hereafter entered into between
3 a board of education and a food service management company
4 after public advertising for bids and bidding therefor may be
5 renewed ***[on a year to year basis thereafter]*** **yearly for not*
6 *more than 2 additional years** without any further solicitation for
7 bids or bidding upon a finding by the board of education that the
8 services are being performed in an effective and efficient manner**;
9 *however, if a board of education elects to renew an existing con-*
10 *tract with a food service management company, the terms and*
11 *conditions of the existing contract shall remain substantially un-*
12 *changed and any increase in the contract cost of the food or ser-*
13 *vices, or both, shall be no greater than 20% over the additional*
14 *2-year period**.*

1 2. This act shall take effect immediately.

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

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ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1292

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STATE OF NEW JERSEY

DATED: MAY 14, 1981

PROVISIONS:

This bill, as amended, will allow a local board of education to renew an annual existing food service management contract twice without further bidding on that contract.

FISCAL IMPLICATIONS:

There are no costs to the State associated with this bill. There might be some savings for local districts if they elect to avoid the costs associated with annual public advertising and bidding.

BACKGROUND:

This bill would make State requirements consistent with the Federal regulations governing school districts which sponsor the National School Lunch Program. The stipulation that contracts be rebid at least every 3 years is consistent with the policy of the Public School Contracts Law which nowhere allows the unlimited renewal of contracts without rebidding.

If a board of education elects to renew an existing contract with a food service management company, the terms and conditions of the existing contract must remain substantially unchanged and any modification in the cost of the food or services or both, must be reasonable and competitive.

SENATE AMENDMENT TO
SENATE, No. 1292
[OFFICIAL COPY REPRINT]

STATE OF NEW JERSEY

ADOPTED JANUARY 22, 1981

Amend page 1, section 1, line 8, after "manner", insert "; however, if a board of education elects to renew an existing contract with a food service management company, the terms and conditions of the existing contract shall remain substantially unchanged and any increase in the contract cost of the food or services, or both, shall be no greater than 20% over the additional 2-year period".

STATEMENT

Senate Bill No. 1292 permits boards of education to renew a food service contract twice without further bidding.

This amendment is intended to make clear the legislative intent that what is permitted is a renewal, and, therefore, should be substantially the same as the original contract. It also provides that any increase in the costs of the contract shall be no more than 20% over the additional 2-year period.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1292

with Senate committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 11, 1980

PROVISIONS:

This bill, as amended, will allow a local board of education to renew an existing food service management contract twice without further bidding on that contract.

FISCAL IMPLICATIONS:

There are no costs to the State associated with this bill. There might be some savings for local districts if they elect to avoid the costs associated with annual public advertising and bidding.

COMMITTEE AMENDMENTS:

The bill in its original form would have permitted renewal of existing food service management contracts indefinitely. The committee amendments limit the contract term to 3 years.

BACKGROUND:

This bill would make State requirements consistent with the Federal regulations governing school districts which sponsor the National School Lunch Program. The stipulation that contracts be rebid at least every 3 years is consistent with the policy of the Public School Contracts Law which nowhere allows the unlimited renewal of contracts without rebidding.

If a board of education elects to renew an existing contract with a food service management company, the terms and conditions of the existing contract must remain substantially unchanged and any modification in the cost of the food or services or both, must be reasonable and competitive.