

18A:64G-6

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:64G-6 (University of Medicine and Dentistry--contracts--increase bidding threshold to \$12,500)

LAWS OF: 1985 CHAPTER: 514

BILL NO: S1128

Sponsor(s): Caufield and others

Date Introduced: January 30, 1985

Committee: Assembly: Higher Education and Regulated Professions

Senate: Education

Amended during passage: No

Date of Passage: Assembly: January 13, 1986

Senate: March 1, 1984

Date of Approval: January 21, 1986

Following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly Yes

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: ~~No~~ Yes

Following were printed:

Reports: No

Hearings: No

Bill, referred to in senate committee statement: S3312 (1983).

CHAPTER 514 LAWS OF N. J. 1985  
APPROVED 1-21-86

SENATE, No. 1128

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1984

By Senators CAUFIELD, FELDMAN, CARDINALE, DORSEY,  
FORAN and EWING

Referred to Committee on Education

AN ACT to amend the "Medical and Dental Education Act of 1970,"  
approved June 16, 1970 (P. L. 1970, c. 102).

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

1 1. Section 6 of P. L. 1970, c. 102 (C. 18A:64G-6) is amended  
2 to read as follows:

3 6. The board of trustees of the university, within the general  
4 policies and guidelines set by the Board of Higher Education, shall  
5 have the general supervision over and be vested with the conduct  
6 of the university, including its health care facilities regardless of  
7 the source of funding. It shall have the power and duty to:

8 (a) Adopt and use a corporate seal;

9 (b) Determine the educational curriculum and program of the  
10 university;

11 (c) Determine policies for the organization, administration, and  
12 development of the university;

13 (d) Study the educational and financial needs of the university,  
14 annually acquaint the Governor and Legislature with the condi-  
15 tion of the university, and prepare and submit an annual request  
16 for appropriation to the State Board of Higher Education in ac-  
17 cordance with law;

18 (e) Disburse all moneys appropriated to the university by the  
19 Legislature and all moneys received from tuition, fees, auxiliary  
20 services and other sources;

21 (f) Direct and control expenditures and transfers of funds ap-

**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.

22 appropriated to the university in accordance with the provisions of  
23 the State budget and appropriation acts of the Legislature, and,  
24 as to funds received from other sources, direct and control ex-  
25 penditures and transfers in accordance with the terms of any  
26 applicable trusts, gifts, bequests, or other special provisions, re-  
27 porting changes and additions thereto and transfers thereof to the  
28 Director of the Division of Budget and Accounting in the [State]  
29 Department of the Treasury and to the Chancellor of Higher  
30 Education. All accounts of the university shall be subject to audit  
31 by the State at any time ;

32 (g) In accordance with the provisions of the State budget and  
33 appropriation acts of the Legislature, appoint and fix the com-  
34 pensation and term of office of a president of the university who  
35 shall be the executive officer of the university ;

36 (h) In accordance with the provisions of the State budget and  
37 appropriation acts of the Legislature, appoint, upon nomination  
38 of the president, such deans and other members of the academic,  
39 administrative and teaching staffs as shall be required and fix  
40 their compensation and terms of employment ;

41 (i) In accordance with the provisions of the State budget and  
42 appropriation acts of the Legislature, appoint, remove, promote  
43 and transfer such other officers, agents, or employees as may be  
44 required to carry out the provisions of this act and assign their  
45 duties, determine their salaries, and prescribe qualifications for  
46 all positions and in accordance with the salary schedules of the  
47 [State] Civil Service Commission wherever possible ;

48 (j) Fix and determine, after consultation with the Board of  
49 Higher Education, tuition rates, and other fees to be paid by stu-  
50 dents ;

51 (k) Grant diplomas, certificates or degrees ;

52 (l) Enter into contracts and agreements with the State or any  
53 of its political subdivisions or with the United States, or with any  
54 public body, department or other agency of the State or the United  
55 States or with any individual, firm or corporation which are deemed  
56 necessary or advisable by the board for carrying out the provisions  
57 of this act. A contract or agreement pursuant to this subsection  
58 may require a municipality to undertake obligations and duties  
59 to be performed subsequent to the expiration of the term of office  
60 of the elected governing body of such municipality which initially  
61 entered into or approved said contract or agreement, and the obli-  
62 gations and duties so incurred by such municipality shall be binding  
63 and of full force and effect, notwithstanding that the term of office  
64 of the elected governing body of such municipality which initially

65 entered into or approved said contract or agreement, shall have  
66 expired;

67 (m) Accept from any government or governmental department,  
68 agency or other public or private body or from any other source  
69 grants or contributions of money or property which the board may  
70 use for or in aid of any of its purposes;

71 (n) (1) Acquire (by gift, purchase, condemnation or otherwise),  
72 own, lease, dispose of, use and operate property, whether real,  
73 personal or mixed, or any interest therein, which is necessary or  
74 desirable for university purposes;

75 (2) Adopt standing operating rules and procedures for the pur-  
76 chase of all equipment, materials, supplies and services; however,  
77 no contract on behalf of the university shall be entered into for  
78 the purchase of services, materials, equipment and supplies, for  
79 doing of any work, or for the hiring of equipment or vehicles,  
80 where the sum to be expended exceeds [the sum established in P. L.  
81 1954, chapter 48 and all amendments and supplements thereto]  
82 \$12,500.00 or the amount determined by the Governor as pro-  
83 vided herein, unless the university shall first publicly adver-  
84 tise for bids and shall award the contract to that responsible  
85 bidder whose bid, conforming to the invitation for bids, will be most  
86 advantageous to the university, price and other factors considered.  
87 Such advertising shall not be required in those exceptions created  
88 by the board of trustees of the university, which shall be in sub-  
89 stance those exceptions contained in sections 4 and 5 of P. L. 1954,  
90 c. 48 (C. 52:34-9 and 10) or for the supplying of any product or the  
91 rendering of any service by a public utility subject to the jurisdic-  
92 tion of the Board of Public Utilities of this State and tariffs and  
93 schedules of the charges, made, charged, or exacted by the public  
94 utility for any such products to be supplied or services to be ren-  
94A dered are filed with the said board. *Commencing January 1, 1985*  
94B *and every two years thereafter, the Governor, in consultation with*  
94C *the Department of the Treasury, shall adjust the threshold amount*  
94D *set forth in this paragraph in direct proportion to the rise or fall of*  
94E *the consumer price index for all urban consumers in the New York*  
94F *City and the Philadelphia areas as reported by the United States*  
94G *Department of Labor. The Governor shall notify the university of*  
94H *the adjustment. The adjustment shall become effective on July 1 of*  
94I *the year in which it is reported.*

95 This subsection shall not prevent the university from having  
96 any work done by its own employees, nor shall it apply to repairs,  
97 or to the furnishing of materials, supplies or labor, or the hiring  
98 of equipment or vehicles, when the safety or protection of its or

99 other public property or the public convenience requires or the  
100 exigency of the university's service will not admit of such adver-  
101 tisement. In such case, the university shall, by resolution passed  
102 by the affirmative vote of its board of trustees, declare the exigency  
103 or emergency to exist, and set forth in the resolution the nature  
104 and approximate amount to be expended; shall maintain appro-  
105 priate records as to the reason for such awards; and shall report  
106 regularly to its board of trustees on all such purchases, the amounts  
107 and the reasons therefor;

108 (3) Employ architects to plan buildings; secure bids for the  
109 construction of buildings and for the equipment thereof; make  
110 contracts for the construction of buildings and for equipment; and  
111 supervise the construction of buildings. All capital expenditures  
112 in excess of \$500,000.00 shall be subject to the approval of the Board  
113 of Higher Education; and

114 (4) Manage and maintain, and provide for the payment of all  
115 charges on and expenses in respect of, all properties utilized by the  
116 university;

117 (o) Borrow money for the needs of the university, as deemed  
118 requisite by the board, in such amounts and for such time and upon  
119 such terms as may be determined by the board, provided that no  
120 such borrowing shall be deemed or construed to create or constitute  
121 a debt, liability, or a loan or pledge of the credit, or be payable out  
122 of property or funds, other than moneys appropriated for that  
123 purpose, of the State;

124 (p) Exercise the right of eminent domain, pursuant to the pro-  
125 visions of the "Eminent Domain Act of 1971," P. L. 1971, c. 361  
126 (C. 20:3-1 et seq.), to acquire any property or interest therein;

127 (q) Adopt bylaws and make and promulgate such rules, regula-  
128 tions and orders, not inconsistent with the provisions of this act  
129 as are necessary and proper for the administration and operation  
130 of the university and to implement the provisions of this act;

131 (r) Authorize any new program, educational department or  
132 school which will require, at the time of establishment or thereafter,  
133 an additional expenditure of money, if the establishment thereof  
134 is approved by the Board of Higher Education and provision is  
135 made therefor by law; and

136 (s) Function as a public employer under the "New Jersey Em-  
137 ployer-Employee Relations Act," [P. L. 1968, c. 303] *P. L. 1941,*  
138 *c. 100* (C. 34:13A-1 et seq.) and conduct all labor negotiations, and  
139 with the participation of the Chancellor's Office and the Governor's  
140 Office of Employee Relations act as the chief spokesperson with  
141 respect to all matters under negotiation.

1 2. This act shall take effect immediately.

## STATEMENT

This bill removes the University of Medicine and Dentistry from the bidding threshold requirements of the State Public Contracts Law (P. L. 1954, c. 48, C. 52:34-6 et seq.) and establishes a bidding threshold for the University of \$12,500.00.

It also provides for the adjustment of that threshold in direct proportion to the rise or fall of the New York City/Philadelphia Consumer Price Index.

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## STATEMENT

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51128 (1981)

ASSEMBLY HIGHER EDUCATION AND REGULATED  
PROFESSIONS COMMITTEE

STATEMENT TO

**SENATE, No. 1128**

**STATE OF NEW JERSEY**

DATED: DECEMBER 6, 1984

The Assembly Higher Education and Regulated Professions Committee favorably reports Senate Bill No. 1128. The bill removes the University of Medicine and Dentistry (UMDNJ) from the bid threshold requirements of the State Public Contracts Law (P. L. 1954, c. 48). Senate Bill No. 1128 will raise the bid threshold for UMDNJ to \$12,500 and beginning in January, 1985 provide for its adjustment every two years in proportion to the rise or fall of the New York City and Philadelphia Consumer Price Index.



SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 1128**

**STATE OF NEW JERSEY**

DATED: FEBRUARY 23, 1984

This bill removes the University of Medicine and Dentistry from the bidding threshold requirements of the State Public Contracts Law (P. L. 1954, c. 48, C. 52:34-6 et seq.) and establishes a bidding threshold for the university of \$12,500.00.

It also provides for the adjustment of that threshold in direct proportion to the rise or fall of the New York City/Philadelphia Consumer Price Index.

**PRIOR ACTION:**

During the 1982-83 session this bill was passed by the Senate and referred to the Assembly Higher Education and Regulated Professions Committee; however, no action was taken by the Assembly.

**BACKGROUND:**

According to the University of Medicine and Dentistry, the higher bidding threshold is made necessary because of the operation of the hospital and the cost of pharmaceutical and other medical supplies.

A-4100, sponsored by Assemblyman Robert Littell, R-Sussex, to establish a 13-member New Jersey Monorail Legislative Commission and to designate the Department of Transportation as the exclusive department for the development of a monorail system.

A-4351, sponsored by Assemblyman Wayne Bryant, D-Camden, to require casino licensees to phase in mandatory minority and women business enterprise participation in contracts over a seven-year period.

S-315, sponsored by Senator Wayne Dumont, R-Warren, to permit school districts in Warren, Sussex, and Hunterdon counties to provide transportation to and from school to pupils attending non-public schools out of state but within 20 miles of the pupil's residence.

S-1128, sponsored by Senator John Caufield, D-Essex, to increase from \$2,500 to \$12,500 the minimum for advertised bidding for the University of Medicine and Dentistry.

Senate Committee Substitute for S-2107, S-1229, and A-2355, to extend to widowers eligibility for both the \$50 veterans' tax deduction as well as the exemption from taxation for disabled veterans.

S-2313, sponsored by Senator Gerald Stockman, D-Mercer, to make a number of technical amendments to and remove obsolete language from the Municipal Land Use Law.

A-647, sponsored by Senator C. William Haines, R-Burlington, to authorize the New Jersey Turnpike Authority to construct an interchange at the crossover of Interstate Route 295 and the Turnpike in Burlington County.