

SENATE, No. 3742

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED MAY 11, 2021

Sponsored by:

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

Senator Lagana

SYNOPSIS

Requires provision in municipal solid waste collection contracts to hold bidder responsible for collection of solid waste.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/24/2021)

1 **AN ACT** concerning municipal solid waste collection contracts and
2 amending R.S.40:66-4.

3

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

6

7 1. R.S.40:66-4 is amended to read as follows:

8 40:66-4. a. The governing body may, if it deem it more
9 advantageous, contract with any person for the cleaning of the
10 streets, or the collection or disposal of solid waste. Before making
11 any such contract or contracts the governing body shall first adopt
12 specifications for the doing of the work in a sanitary and
13 inoffensive manner. The specifications may include provisions
14 limiting solid waste collection service and recyclable material
15 collection service to specified operating hours in order to preserve
16 the peace and quiet in neighborhoods during the hours when most
17 residents are asleep.

18 Any specifications adopted by the governing body for the
19 collection or disposal of solid waste shall conform to the uniform
20 bid specifications for municipal solid waste collection contracts
21 established pursuant to section 22 of P.L.1991, c.381 (C.48:13A-
22 7.22). Any such contract or contracts, the total amount of which
23 exceeds in the fiscal year the amount set forth in, or the amount
24 calculated by the Governor pursuant to, section 3 of P.L.1971, c.198
25 (C.40A:11-3), shall be entered into and made only after bids shall
26 have been advertised therefor, and awarded in the manner provided
27 in the "Local Public Contracts Law," P.L.1971, c.198 (C.40A:11-
28 1 et seq.). Any contract shall also contain a provision that holds the
29 bidder responsible for the collection of solid waste, and prohibits
30 the use of subcontractors for this purpose.

31 b. Whenever the governing body adopts an ordinance to
32 provide for the collection or disposal of solid waste within its
33 municipal boundaries by imposing solid waste charges based on the
34 number of solid waste containers processed per household pursuant
35 to subsection b. of R.S.40:66-5, on or after the first day of the 13th
36 month following the effective date of that ordinance, the governing
37 body may request the relevant solid waste collector to whom a
38 multi-year contract has been awarded to renegotiate the contract to
39 reflect any reduction in the annual volume of solid waste collected
40 achieved as a result of the ordinance.

41 (cf: P.L.2001, c.92, s.2)

42

43 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.

Matter underlined thus is new matter.

1 STATEMENT

2
3 This bill would require municipalities to include in any contract
4 with a solid waste collection service for the collection of solid
5 waste in the municipality a provision that holds the person making
6 the bid responsible for the collection of solid waste, and prohibits
7 the use of subcontractors for this purpose.