

SENATE, No. 254

STATE OF NEW JERSEY 221st LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2024 SESSION

Sponsored by:

Senator BOB SMITH

District 17 (Middlesex and Somerset)

SYNOPSIS

Concerns contracting powers of certain local entities related to redevelopment.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning contracting powers of certain local entities
2 related to redevelopment and amending various parts of the
3 statutory law.

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

7
8 1. Section 12 of P.L.1960, c.183 (C.40:37A-55) is amended to
9 read as follows:

10 12. Every authority shall be a public body politic and corporate
11 constituting a political subdivision of the State established as an
12 instrumentality exercising public and essential governmental
13 functions to provide for the public convenience, benefit and welfare
14 and shall have perpetual succession and, for the effectuation of its
15 purposes, have the following additional powers:

16 (a) To adopt and have a common seal and to alter the same at
17 pleasure;

18 (b) To sue and be sued;

19 (c) To acquire, hold, use and dispose of its facility charges and
20 other revenues and other moneys;

21 (d) To acquire, rent, hold, use and dispose of other personal
22 property for the purposes of the authority;

23 (e) Subject to the provisions of section 26 of this act, to acquire
24 by purchase, gift, condemnation or otherwise, or lease as lessee,
25 real property and easements or interests therein necessary or useful
26 and convenient for the purposes of the authority, whether subject to
27 mortgages, deeds of trust or other liens or otherwise, and to hold
28 and to use the same, and to dispose of property so acquired no
29 longer necessary for the purposes of the authority; provided that the
30 authority may dispose of such property at any time to any
31 governmental unit or person if the authority shall receive a
32 leasehold interest in the property for such term as the authority
33 deems appropriate to fulfill its purposes;

34 (f) Subject to the provisions of section 13 of this act, to lease to
35 any governmental unit or person, all or any part of any public
36 facility for such consideration and for such period or periods of
37 time and upon such other terms and conditions as it may fix and
38 agree upon;

39 (g) To enter into agreements to lease, as lessee, public facilities
40 for such term and under such conditions as the authority may deem
41 necessary and desirable to fulfill its purposes, and to agree,
42 pursuant thereto, to be unconditionally obligated to make payments
43 for the term of the lease, without set-off or counterclaim, whether or
44 not the public facility is completed, operating or operable, and
45 notwithstanding the destruction of, damage to, or suspension,

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 interruption, interference, reduction or curtailment of the
2 availability or output of the public facility to which the agreement
3 applies;

4 (h) To extend credit or make loans to any governmental unit or
5 person for the planning, design, acquisition, construction, equipping
6 and furnishing of a public facility, upon the terms and conditions
7 that the loans be secured by loan and security agreements,
8 mortgages, leases and other instruments, the payments on which
9 shall be sufficient to pay the principal of and interest on any bonds
10 issued for the purpose by the authority, and upon such other terms
11 and conditions as the authority shall deem reasonable;

12 (i) Subject to the provisions of section 13 of this act, to make
13 agreements of any kind with any governmental unit or person for
14 the use or operation of all or any part of any public facility for such
15 consideration and for such period or periods of time and upon such
16 other terms and conditions as it may fix and agree upon;

17 (j) (1) To borrow money and issue negotiable bonds or notes or
18 other obligations and provide for and secure the payment of any
19 bonds and the rights of the holders thereof, and to purchase, hold
20 and dispose of any bonds;

21 (2) To issue bonds, notes or other obligations to provide funding
22 to a municipality that finances the purchase and installation of
23 renewable energy systems and energy efficiency improvements by
24 property owners as provided in section 2 of P.L.2011, c.187
25 (C.40:56-13.1);

26 (3) To issue bonds, notes, or other obligations to finance a C-
27 PACE project for a local C-PACE program pursuant to section 9 of
28 P.L.2021, c.201 (C.34:1B-382);

29 (k) To apply for and to accept gifts or grants of real or personal
30 property, money, material, labor or supplies for the purposes of the
31 authority from any governmental unit or person, and to make and
32 perform agreements and contracts and to do any and all things
33 necessary or useful and convenient in connection with the
34 procuring, acceptance or disposition of such gifts or grants;

35 (l) To determine the location, type and character of any public
36 facility and all other matters in connection with all or any part of
37 any public facility which it is authorized to own, construct,
38 establish, effectuate or control;

39 (m) To make and enforce bylaws or rules and regulations for the
40 management and regulation of its business and affairs and for the
41 use, maintenance and operation of any public facility, and to amend
42 the same;

43 (n) To do and perform any acts and things authorized by this act
44 under, through or by means of its own officers, agents and
45 employees, or by contract with any governmental unit or person;

46 (o) To acquire, purchase, construct, lease, operate, maintain and
47 undertake any project and to fix and collect facility charges for the
48 use thereof;

1 (p) To mortgage, pledge or assign or otherwise encumber all or
2 any portion of its revenues and other income, real and personal
3 property, projects and facilities for the purpose of securing its
4 bonds, notes and other obligations or otherwise in furtherance of the
5 purpose of this act;

6 (q) To extend credit or make loans to redevelopers for the
7 planning, designing, acquiring, constructing, reconstructing,
8 improving, equipping and furnishing any redevelopment project or
9 redevelopment work;

10 (r) To conduct examinations and investigations, hear testimony
11 and take proof, under oath at public or private hearings of any
12 material matter, require the attendance of witnesses and the
13 production of books and papers and issue commissions for the
14 examination of witnesses who are out of the State, unable to attend,
15 or excused from attendance;

16 (s) To authorize a committee designated by it consisting of one
17 or more members, or counsel, or any officer or employee to conduct
18 any such investigation or examination, in which case such
19 committee, counsel, officer or employee shall have power to
20 administer oaths, take affidavits and issue subpoenas or
21 commissions;

22 (t) To enter into any and all agreements or contracts, execute
23 any and all instruments, and do and perform any and all acts or
24 things necessary, convenient or desirable for the purposes of the
25 authority or to carry out any power expressly given in this act
26 subject to the "Local Public Contracts Law," P.L.1971, c.198
27 (C.40A:11-1 et seq.) or section 34 of P.L.1979, c.275 (C.40:37A-
28 55.1);

29 (u) To pool loans for any local governmental units within the
30 county or any beneficiary county that are refunding bonds and do
31 and perform any and all acts or things necessary, convenient or
32 desirable for the purpose of the authority to achieve more favorable
33 interest rates and terms for those local governmental units; and

34 (v) To act and exercise the powers of a land bank entity
35 pursuant to P.L.2019, c.159 (C.40A:12A-74 et al.) for any
36 municipality situated within the county pursuant to a land banking
37 agreement approved by an ordinance adopted by the municipal
38 governing body.

39 (cf: P.L.2021, c.201, s.14)

40

41 2. Section 5 of P.L.1971, c.198 (C.40A:11-5) is amended to read
42 as follows:

43 5. Any contract the amount of which exceeds the bid threshold,
44 may be negotiated and awarded by the governing body without
45 public advertising for bids and bidding therefor and shall be
46 awarded by resolution of the governing body if:

47 (1) The subject matter thereof consists of:

1 (a) (i) Professional services. The governing body shall in each
2 instance state supporting reasons for its action in the resolution
3 awarding each contract and shall forthwith cause to be printed once,
4 in the official newspaper, a brief notice stating the nature, duration,
5 service and amount of the contract, and that the resolution and
6 contract are on file and available for public inspection in the office
7 of the clerk of the county or municipality, or, in the case of a
8 contracting unit created by more than one county or municipality, of
9 the counties or municipalities creating the contracting unit; or (ii)
10 Extraordinary unspecifiable services. The application of this
11 exception shall be construed narrowly in favor of open competitive
12 bidding, whenever possible, and the Division of Local Government
13 Services is authorized to adopt and promulgate rules and regulations
14 after consultation with the Commissioner of Education limiting the
15 use of this exception in accordance with the intention herein
16 expressed. The governing body shall in each instance state
17 supporting reasons for its action in the resolution awarding each
18 contract and shall forthwith cause to be printed, in the manner set
19 forth in subsection (1) (a) (i) of this section, a brief notice of the
20 award of the contract;

21 (b) The doing of any work by employees of the contracting unit;

22 (c) The printing of legal briefs, records, and appendices to be
23 used in any legal proceeding in which the contracting unit may be a
24 party;

25 (d) The furnishing of a tax map or maps for the contracting unit;

26 (e) The purchase of perishable foods as a subsistence supply;

27 (f) The supplying of any product or the rendering of any service
28 by a public utility, which is subject to the jurisdiction of the Board
29 of Public Utilities or the Federal Energy Regulatory Commission or
30 its successor, in accordance with tariffs and schedules of charges
31 made, charged or exacted, filed with the board or commission;

32 (g) The acquisition, subject to prior approval of the Attorney
33 General, of special equipment for confidential investigation;

34 (h) The printing of bonds and documents necessary to the
35 issuance and sale thereof by a contracting unit;

36 (i) Equipment repair service if in the nature of an extraordinary
37 unspecifiable service and necessary parts furnished in connection
38 with the service, which exception shall be in accordance with the
39 requirements for extraordinary unspecifiable services;

40 (j) The publishing of legal notices in newspapers as required by
41 law;

42 (k) The acquisition of artifacts or other items of unique intrinsic,
43 artistic or historical character;

44 (l) Those goods and services necessary or required to prepare
45 and conduct an election;

46 (m) Insurance, including the purchase of insurance coverage and
47 consultant services, which exception shall be in accordance with the
48 requirements for extraordinary unspecifiable services;

- 1 (n) The doing of any work by persons with disabilities
2 employed by a sheltered workshop;
- 3 (o) The provision of any goods or services including those of a
4 commercial nature, attendant upon the operation of a restaurant by
5 any nonprofit, duly incorporated, historical society at or on any
6 historical preservation site;
- 7 (p) (Deleted by amendment, P.L.1999, c.440.)
- 8 (q) Library and educational goods and services;
- 9 (r) (Deleted by amendment, P.L.2005, c.212).
- 10 (s) The marketing of recyclable materials recovered through a
11 recycling program, or the marketing of any product intentionally
12 produced or derived from solid waste received at a resource
13 recovery facility or recovered through a resource recovery program,
14 including, but not limited to, refuse-derived fuel, compost materials,
15 methane gas, and other similar products;
- 16 (t) (Deleted by amendment, P.L.1999, c.440.)
- 17 (u) Contracting unit towing and storage contracts, provided that
18 all of the contracts shall be pursuant to reasonable non-exclusionary
19 and non-discriminatory terms and conditions, which may include
20 the provision of the services on a rotating basis, at the rates and
21 charges set by the municipality pursuant to section 1 of P.L.1979,
22 c.101 (C.40:48-2.49). All contracting unit towing and storage
23 contracts for services to be provided at rates and charges other than
24 those established pursuant to the terms of this paragraph shall only
25 be awarded to the lowest responsible bidder in accordance with the
26 provisions of the "Local Public Contracts Law," P.L.1971, c.198
27 (C.40A:11-1 et seq.) and without regard for the value of the
28 contract therefor;
- 29 (v) The purchase of steam or electricity from, or the rendering
30 of services directly related to the purchase of steam or electricity
31 from a qualifying small power production facility or a qualifying
32 cogeneration facility as defined pursuant to 16 U.S.C. s.796;
- 33 (w) The purchase of electricity or administrative or dispatching
34 services directly related to the transmission of purchased electricity
35 by a contracting unit engaged in the generation of electricity;
- 36 (x) The printing of municipal ordinances or other services
37 necessarily incurred in connection with the revision and
38 codification of municipal ordinances;
- 39 (y) An agreement for the purchase of an equitable interest in a
40 water supply facility or for the provision of water supply services
41 entered into pursuant to section 2 of P.L.1993, c.381 (C.58:28-2), or
42 an agreement entered into pursuant to N.J.S.40A:31-1 et al., so long
43 as the agreement is entered into no later than six months after the
44 effective date of P.L.1993, c.381;
- 45 (z) A contract for the provision of water supply services entered
46 into pursuant to P.L.1995, c.101 (C.58:26-19 et al.);
- 47 (aa) The cooperative marketing of recyclable materials recovered
48 through a recycling program;

- 1 (bb) A contract for the provision of wastewater treatment
2 services entered into pursuant to P.L.1995, c.216 (C.58:27-19 et
3 al.);
- 4 (cc) Expenses for travel and conferences;
- 5 (dd) The provision or performance of goods or services for the
6 support or maintenance of proprietary computer hardware and
7 software, except that this provision shall not be utilized to acquire
8 or upgrade non-proprietary hardware or to acquire or update non-
9 proprietary software;
- 10 (ee) The management or operation of an airport owned by the
11 contracting unit pursuant to R.S.40:8-1 et seq.;
- 12 (ff) Purchases of goods and services at rates set by the Universal
13 Service Fund administered by the Federal Communications
14 Commission;
- 15 (gg) A contract for the provision of water supply services or
16 wastewater treatment services entered into pursuant to section 2 of
17 P.L.2002, c.47 (C.40A:11-5.1), or the designing, financing,
18 construction, operation, or maintenance, or any combination
19 thereof, of a water supply facility as defined in subsection (16) of
20 section 15 of P.L.1971, c.198 (C.40A:11-15) or a wastewater
21 treatment system as defined in subsection (19) of section 15 of
22 P.L.1971, c.198 (C.40A:11-15), or any component part or parts
23 thereof, including a water filtration system as defined in subsection
24 (16) of section 15 of P.L.1971, c.198 (C.40A:11-15); **[or]**
- 25 (hh) The purchase of electricity generated from a power
26 production facility that is fueled by methane gas extracted from a
27 landfill in the county of the contracting unit; or
- 28 (ii) The provision or performance of goods or services, including
29 public works contracts, when acting in connection with a
30 redevelopment plan adopted in accordance with section 7 of the
31 "Local Redevelopment and Housing Law," P.L.1992, c.79
32 (C.40A:12A-7).
- 33 (2) It is to be made or entered into with the United States of
34 America, the State of New Jersey, county, or municipality, or any
35 board, body, officer, agency, or authority thereof, or any other state
36 or subdivision thereof.
- 37 (3) Bids have been advertised pursuant to section 4 of P.L.1971,
38 c.198 (C.40A:11-4) on two occasions and (a) no bids have been
39 received on both occasions in response to the advertisement, or (b)
40 the governing body has rejected the bids on two occasions because
41 it has determined that they are not reasonable as to price, on the
42 basis of cost estimates prepared for or by the contracting agent prior
43 to the advertising therefor, or have not been independently arrived
44 at in open competition, or (c) on one occasion no bids were received
45 pursuant to (a) and on one occasion all bids were rejected pursuant
46 to (b), in whatever sequence; a contract may then be negotiated and
47 may be awarded upon adoption of a resolution by a two-thirds

1 affirmative vote of the authorized membership of the governing
2 body authorizing the contract; provided, however, that:

3 (i) A reasonable effort is first made by the contracting agent to
4 determine that the same or equivalent goods or services, at a cost
5 which is lower than the negotiated price, are not available from an
6 agency or authority of the United States, the State of New Jersey or
7 of the county in which the contracting unit is located, or any
8 municipality in close proximity to the contracting unit;

9 (ii) The terms, conditions, restrictions, and specifications set
10 forth in the negotiated contract are not substantially different from
11 those which were the subject of competitive bidding pursuant to
12 section 4 of P.L.1971, c.198 (C.40A:11-4); and

13 (iii) Any minor amendment or modification of any of the terms,
14 conditions, restrictions, and specifications, which were the subject
15 of competitive bidding pursuant to section 4 of P.L.1971, c.198
16 (C.40A:11-4), shall be stated in the resolution awarding the
17 contract; provided further, however, that if on the second occasion
18 the bids received are rejected as unreasonable as to price, the
19 contracting agent shall notify each responsible bidder submitting
20 bids on the second occasion of its intention to negotiate, and afford
21 each bidder a reasonable opportunity to negotiate, but the governing
22 body shall not award the contract unless the negotiated price is
23 lower than the lowest rejected bid price submitted on the second
24 occasion by a responsible bidder, is the lowest negotiated price
25 offered by any responsible vendor, and is a reasonable price for
26 goods or services.

27 Whenever a contracting unit shall determine that a bid was not
28 arrived at independently in open competition pursuant to subsection
29 (3) of this section it shall thereupon notify the county prosecutor of
30 the county in which the contracting unit is located and the Attorney
31 General of the facts upon which its determination is based, and
32 when appropriate, it may institute appropriate proceedings in any
33 State or federal court of competent jurisdiction for a violation of
34 any State or federal antitrust law or laws relating to the unlawful
35 restraint of trade.

36 (4) The contracting unit has solicited and received at least three
37 quotations on materials, supplies, or equipment for which a State
38 contract has been issued pursuant to section 12 of P.L.1971, c.198
39 (C.40A:11-12), and the lowest responsible quotation is at least 10
40 percent less than the price the contracting unit would be charged for
41 the identical materials, supplies, or equipment, in the same
42 quantities, under the State contract. A contract entered into
43 pursuant to this subsection may be awarded only upon adoption of a
44 resolution by the affirmative vote of two-thirds of the full
45 membership of the governing body of the contracting unit at a
46 meeting thereof authorizing the contract. A copy of the purchase
47 order relating to the contract, the requisition for purchase order, if
48 applicable, and documentation identifying the price of the materials,

1 supplies or equipment under the State contract and the State
2 contract number shall be filed with the director within five working
3 days of the award of the contract by the contracting unit. The
4 director shall notify the contracting unit of receipt of the material
5 and shall make the material available to the State Treasurer. The
6 contracting unit shall make available to the director upon request
7 any other documents relating to the solicitation and award of the
8 contract, including, but not limited to, quotations, requests for
9 quotations, and resolutions. The director periodically shall review
10 material submitted by contracting units to determine the impact of
11 the contracts on local contracting and shall consult with the State
12 Treasurer on the impact of the contracts on the State procurement
13 process. The director may, after consultation with the State
14 Treasurer, adopt rules in accordance with the "Administrative
15 Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.) to limit the
16 use of this subsection, after considering the impact of contracts
17 awarded under this subsection on State and local contracting, or
18 after considering the extent to which the award of contracts
19 pursuant to this subsection is consistent with and in furtherance of
20 the purposes of the public contracting laws.

21 (5) Notwithstanding any provision of law, rule, or regulation to
22 the contrary, the subject matter consists of the combined collection
23 and marketing, or the cooperative combined collection and
24 marketing of recycled material recovered through a recycling
25 program, or any product intentionally produced or derived from
26 solid waste received at a resource recovery facility or recovered
27 through a resource recovery program including, but not limited to,
28 refuse-derived fuel, compost materials, methane gas, and other
29 similar products, provided that in lieu of engaging in public
30 advertising for bids and the bidding therefor, the contracting unit
31 shall, prior to commencing the procurement process, submit for
32 approval to the Director of the Division of Local Government
33 Services, a written detailed description of the process to be
34 followed in securing the services. Within 30 days after receipt of
35 the written description the director shall, if the director finds that
36 the process provides for fair competition and integrity in the
37 negotiation process, approve, in writing, the description submitted
38 by the contracting unit. If the director finds that the process does
39 not provide for fair competition and integrity in the negotiation
40 process, the director shall advise the contracting unit of the
41 deficiencies that must be remedied. If the director fails to respond
42 in writing to the contracting unit within 30 days, the procurement
43 process as described shall be deemed approved. As used in this
44 section, "collection" means the physical removal of recyclable
45 materials from curbside or any other location selected by the
46 contracting unit.

47 (6) Notwithstanding any provision of law, rule, or regulation to
48 the contrary, the contract is for the provision of electricity by a

1 contracting unit engaged in the distribution of electricity for retail
2 sale, for the provision of wholesale electricity by a municipal
3 shared services energy authority as defined pursuant to section 3 of
4 P.L.2015, c.129 (C.40A:66-3), or for the provision of administrative
5 or dispatching services related to the transmission of electricity,
6 provided that in lieu of engaging in public advertising for bids and
7 the bidding therefor, the contracting unit shall, prior to commencing
8 the procurement process, submit for approval to the Director of the
9 Division of Local Government Services, a written detailed
10 description of the process to be followed in securing these services.
11 The process shall be designed in a way that is appropriate to and
12 commensurate with industry practices, and the integrity of the
13 government contracting process. Within 30 days after receipt of the
14 written description, the director shall, if the director finds that the
15 process provides for fair competition and integrity in the
16 negotiation process, approve, in writing, the description submitted
17 by the contracting unit. If the director finds that the process does
18 not provide for fair competition and integrity in the negotiation
19 process, the director shall advise the contracting unit of the
20 deficiencies that must be remedied. If the director fails to respond
21 in writing to the contracting unit within 30 days, the procurement
22 process, as submitted to the director pursuant to this section, shall
23 be deemed approved.

24 (cf: P.L.2017, c.131, s.174)

25

26 3. Section 8 of P.L.1992, c.79 (C.40A:12A-8) is amended to
27 read as follows:

28 8. Upon the adoption of a redevelopment plan pursuant to
29 section 7 of P.L.1992, c.79 (C.40A:12A-7), the municipality or
30 redevelopment entity designated by the governing body may
31 proceed with the clearance, replanning, development and
32 redevelopment of the area designated in that plan. In order to carry
33 out and effectuate the purposes of this act and the terms of the
34 redevelopment plan, the municipality or designated redevelopment
35 entity may:

36 a. Undertake redevelopment projects, and for this purpose issue
37 bonds in accordance with the provisions of section 29 of P.L.1992,
38 c.79 (C.40A:12A-29).

39 b. Acquire property pursuant to subsection i. of section 22 of
40 P.L.1992, c.79 (C.40A:12A-22).

41 c. Acquire, by condemnation, any land or building which is
42 necessary for the redevelopment project, pursuant to the provisions
43 of the "Eminent Domain Act of 1971," P.L.1971, c.361 (C.20:3-1 et
44 seq.), provided that the land or building is located within (1) an area
45 that was determined to be in need of redevelopment prior to the
46 effective date of P.L.2013, c.159, or (2) a Condemnation
47 Redevelopment Area.

- 1 d. Clear any area owned or acquired and install, construct or
2 reconstruct streets, facilities, utilities, and site improvements
3 essential to the preparation of sites for use in accordance with the
4 redevelopment plan.
- 5 e. Prepare or arrange by contract for the provision of
6 professional services and the preparation of plans by registered
7 architects, licensed professional engineers or planners, or other
8 consultants for the carrying out of redevelopment projects.
- 9 f. **【Arrange】** Notwithstanding any contrary provision of law,
10 rule, or regulation requiring public bidding, negotiate, arrange, or
11 contract with public agencies or redevelopers for the planning,
12 replanning, construction, or undertaking of any project or
13 redevelopment work, or any part thereof, without public bidding
14 and at such prices and upon such terms as it deems reasonable,
15 provided that the project or redevelopment work, or any part
16 thereof, is undertaken pursuant to a redevelopment plan adopted in
17 accordance with section 7 of P.L.1992, c.79 (C.40A:12A-7);
18 negotiate and collect revenue from a redeveloper to defray the costs
19 of the redevelopment entity, including where applicable the costs
20 incurred in conjunction with bonds, notes or other obligations
21 issued by the redevelopment entity, and to secure payment of such
22 revenue; as part of any such arrangement or contract, provide for
23 extension of credit, or making of loans, to redevelopers to finance
24 any project or redevelopment work, or upon a finding that the
25 project or redevelopment work would not be undertaken but for the
26 provision of financial assistance, or would not be undertaken in its
27 intended scope without the provision of financial assistance,
28 provide as part of an arrangement or contract for capital grants to
29 redevelopers; and arrange or contract with public agencies or
30 redevelopers for the opening, grading or closing of streets, roads,
31 roadways, alleys, or other places or for the furnishing of facilities or
32 for the acquisition by such agency of property options or property
33 rights or for the furnishing of property or services in connection
34 with a redevelopment area.
- 35 g. Except with regard to property subject to the requirements of
36 P.L.2008, c.65 (C.40A:5-14.2 et al.), lease or convey property or
37 improvements to any other party pursuant to this section, without
38 public bidding and at such prices and upon such terms as it deems
39 reasonable, provided that the lease or conveyance is made in
40 conjunction with a redevelopment plan, notwithstanding the
41 provisions of any law, rule, or regulation to the contrary.
- 42 h. Enter upon any building or property in any redevelopment
43 area in order to conduct investigations or make surveys, sounding or
44 test borings necessary to carry out the purposes of this act.
- 45 i. Arrange or contract with a public agency for the relocation,
46 pursuant to the "Relocation Assistance Law of 1967," P.L.1967,
47 c.79 (C.52:31B-1 et seq.) and the "Relocation Assistance Act,"

- 1 P.L.1971, c.362 (C.20:4-1 et seq.), of residents, industry or
2 commerce displaced from a redevelopment area.
- 3 j. Make, consistent with the redevelopment plan: (1) plans for
4 carrying out a program of voluntary repair and rehabilitation of
5 buildings and improvements; and (2) plans for the enforcement of
6 laws, codes, and regulations relating to the use and occupancy of
7 buildings and improvements, and to the compulsory repair,
8 rehabilitation, demolition, or removal of buildings and
9 improvements.
- 10 k. Request that the planning board recommend and governing
11 body designate particular areas as being in need of redevelopment
12 or rehabilitation in accordance with the provisions of this act and
13 make recommendations for the redevelopment or rehabilitation of
14 such areas.
- 15 l. Study the recommendations of the planning board or
16 governing body for redevelopment of the area.
- 17 m. Publish and disseminate information concerning any
18 redevelopment area, plan or project.
- 19 n. Do all things necessary or convenient to carry out its powers.
20 (cf: P.L.2013, c.159, s.3)

21

22 4. This act shall take effect immediately.

23

24

25

STATEMENT

26

27 This relates to contracting powers of certain local entities related
28 to redevelopment.

29 Currently, a county improvement authority's ability to enter into
30 and execute any contract "necessary, convenient, or desirable" to
31 the authority's purposes, is subject to the "Local Public Contracts
32 Law," P.L.1971, c. 198 (C.40A:11-1 et seq.). This bill would
33 provide an alternative requirement and allow a county improvement
34 authority to enter such contracts subject to section 34 of P.L.1979,
35 c.275 (C.40:37A-55.1). That provision of the statutory law sets
36 forth the authority's power to address and provide for the
37 redevelopment of blighted and deteriorating areas. Expanding a
38 county improvement authority's ability to contract for
39 redevelopment purposes will allow for more flexibility and greater
40 opportunity to participate in redevelopment.

41 The bill also amends the "Local Public Contracts Law" to allow
42 any contract that exceeds the bid threshold to be negotiated and
43 awarded by a contracting unit's governing body, without public
44 advertising for bids and bidding, if the contract is for the provision
45 or performance of goods or services when acting in connection with
46 a redevelopment plan adopted in accordance with section 7 of the
47 "Local Redevelopment and Housing Law," P.L.1992, c.79
48 (C.40A:12A-7).

1 The bill further amends the "Local Redevelopment and Housing
2 Law," P.L.1992, c.79 (C.40A:12A-1 et al.), to clarify that
3 municipalities and designated redevelopment entities may negotiate,
4 arrange, or contract with public agencies or redevelopers for the
5 planning, replanning, construction, or undertaking of any project or
6 redevelopment work without public bidding. The bill further
7 specifies that a municipality or designated redevelopment entity
8 may do so at such prices and upon such terms as it deems
9 reasonable, if the project or redevelopment work is undertaken
10 pursuant to a redevelopment plan adopted in accordance with
11 section 7 of P.L.1992, c.79 (C.40A:12A-7).