

SENATE, No. 1984

STATE OF NEW JERSEY

INTRODUCED APRIL 17, 1997

By Senators EWING, MARTIN and Palaia

1 AN ACT concerning subcontracting by boards of education and
2 supplementing chapter 18A of Title 18A of the New Jersey
3 Statutes.

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

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8 1. As used in this act:

9 a. "Employer" means the board of education of a local or regional
10 school district, county special services school district, county
11 vocational school district, educational services commission or jointure
12 commission.

13 b. "Employee" means a full-time or part-time employee of an
14 employer.

15 c. "Subcontracting" means any contract, agreement, or
16 arrangement entered into by an employer which results in any service
17 or work, or part of any service or work, performed or provided by
18 any of its employees being performed or provided by any other person,
19 vendor, corporation, partnership, or entity other than the employer.

20 d. "Service or work" means custodial services; janitorial services;
21 maintenance services of any type for the facilities, equipment, property
22 or vehicles of the employer; cafeteria operations; food staff service and
23 operations; or bus and other transportation services.

24 e. "Subcontracting agreement" means any contract, agreement, or
25 arrangement entered into by an employer to implement subcontracting.

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27 2. Notwithstanding the provisions of N.J.S.18A:18A-21 or any
28 other law, rule or regulation to the contrary, when a board of
29 education is required to advertise for bids for a subcontracting
30 agreement, the contracting agent of the board of education shall unseal
31 the bids for the agreement and publicly announce the contents only at
32 a regularly scheduled, public meeting of the board of education.

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34 3. This act shall take effect immediately and shall apply to
35 advertisements for bids for subcontracting agreements published after
36 the effective date of this act.

STATEMENT

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This bill provides that when the board of education of a local or regional school district, county special services school district, county vocational school district, educational services commission or jointure commission is required to advertise for bids for a subcontracting agreement, the contracting agent of the board must unseal the bids for the agreement and publicly announce the contents only at a regularly scheduled, public meeting of the board. The services or work covered under the subcontracting agreements include custodial services; janitorial services; maintenance services of any type for the facilities, equipment, property or vehicles of the employer; cafeteria operations; food staff service and operations; or bus and other transportation services.

Requires board of education to unseal and announce contents of bids for certain subcontracting only at regularly scheduled, public meetings of the board.