

**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.

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

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

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

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

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

b. Whenever the governing body adopts an ordinance to provide for the collection or disposal of solid waste within its municipal boundaries by imposing solid waste charges based on the number of solid waste containers processed per household pursuant to subsection b. of R.S.40:66-5, on or after the first day of the 13th month following the effective date of that ordinance, the governing body may request the relevant solid waste collector to whom a multi-year contract has been awarded to renegotiate the contract to reflect any reduction in the annual volume of solid waste collected achieved as a result of the ordinance.  
(cf: P.L.2001, c.92, s.2)

2. This act shall take effect immediately.

#### STATEMENT

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