

(a)

DIVISION OF PROCUREMENT
Notice of Readoption
Contracts for Professional Services
Readoption: N.J.A.C. 16:44A

Authority: N.J.S.A. 27:1A-5, 27:1A-6, and 52:34-9.1 et seq.

Authorized By: Diane Gutierrez-Scaccetti, Commissioner,
 Department of Transportation.

Effective Date: May 10, 2023.

New Expiration Date: May 10, 2030.

Take notice that, pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 16:44A were scheduled to expire on August 26, 2023. These rules provide the criteria used by the Department of Transportation (Department) for the selection of the most highly qualified professional firms with which to contract for architectural, landscape architectural, engineering, and land surveying services. In addition, the rules incorporate the statutory requirements for prequalification of professional firms.

The Department has reviewed the rules and determined that they should be readopted without change. The rules are necessary, reasonable, adequate, and responsive for the purpose for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

OTHER AGENCIES

(b)

NEW JERSEY SCHOOLS DEVELOPMENT
AUTHORITY
Notice of Readoption
Preconstruction Activities
Readoption: N.J.A.C. 19:34

Authority: P.L. 2007, c. 137, § 4k (N.J.S.A. 52:18A-238k; 52:18A-240) (rulemaking authority); P.L. 2000, c. 72 (N.J.S.A. 18A:7G-1

et seq.); and P.L. 2007, c. 137 (N.J.S.A. 52:18A-235 et seq.) (enabling statutes).

Authorized By: New Jersey Schools Development Authority,
 Manuel M. Da Silva, Chief Executive Officer (with the approval
 of the New Jersey Schools Development Authority Board).

Effective Date: April 25, 2023.

New Expiration Date: April 25, 2030.

Take notice that, in accordance with N.J.S.A. 52:14B-5.1.c, the rules of the New Jersey Schools Development Authority ("SDA" or "Authority") at N.J.A.C. 19:34 were scheduled to expire on May 26, 2023. The rules implement Section 5 of the Educational Facilities Construction and Financing Act ("EFCFA" or the "Act"), P.L. 2000 c. 72 (N.J.S.A. 18A:7G-1 et seq.), and govern the standards and procedures for the SDA's undertaking of preconstruction activities on behalf of SDA school districts. Pursuant to N.J.S.A. 18A:7G-5, preconstruction activities are those activities required to prepare an application for Department of Education approval of a school facilities project, which includes site identification, investigation and acquisition, feasibility studies, land-related design work, design work, site remediation, demolition, and acquisition of temporary facilities.

This chapter addresses: definitions; disclosure and publicity; access to documents and record retention; waivers; appeals; the roles and responsibilities of SDA school districts, the Department of Education, and the SDA; the standards and procedures with respect to district applications for approval of preconstruction activities; procedures for site identification, including the creation of an inventory of district-owned and municipal-owned property for consideration in response to a site acquisition request; as well as the procedures for conducting a feasibility analysis, environmental investigation, title review, and site appraisal, all in support of site acquisition. Also, provided for are standards governing the relocation of residential and commercial parties displaced by SDA site acquisitions, as well as the procedures for the Authority's procurement of temporary facilities to support a school facilities project.

The SDA has reviewed Chapter 34 and has determined that this chapter remains necessary, proper, reasonable, efficient, understandable, and responsive to the purposes for which it was originally promulgated, as amended and supplemented over time, and should be readopted without change. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), N.J.A.C. 19:34 is readopted and shall continue in effect for a seven-year period.