



Association for the Improvement
of American Infrastructure

P3 Snapshot: **New Jersey**

SUMMARY OF P3 LEGISLATIVE STATUS:

New Jersey's P3-enabling authority is limited to community or county scale hospitals. It formerly had P3 authority for colleges which were used for dormitory or student living.

- 1. Does this state have broadly enabling P3 legislation?**
The current limitation for New Jersey allows for the use of P3s for rehabilitation and facilities upgrades for a county hospital.
- 2. Does the state allow for **Unsolicited Proposals**?**
There is no provision for receiving or reviewing unsolicited proposals for New Jersey.
- 3. What is the state's P3 **Review Process**?**
Should there be a need for a specific solicitation for a county hospital upgrade, the review procedures would be delineated in that process description. In the past, NJ has utilized a prequalification and competitive bid review and selection process.
- 4. Does the state have a **Centralized Agency** dedicated to P3?**
There are plans to reinstate appropriate, and sector-specific review authorities, in the event that P3s are re-established within NJ's procurement code.
- 5. Is this a **Home Rule state**, with limitations or opportunities for P3?**
New Jersey is a Home Rule state; but the authority to obligate state funds, applied to public works infrastructure, remains with the State Department of Transportation.
- 6. Does this state have programmatic requirements for P3 participation (ie MWDBE or labor)?**
There are funding compliance guidelines for minority-owned business participation in public works projects. There are also payment and performance guarantee stipulations for Federally funded works. New Jersey is generally considered a labor friendly state, where prevailing wage is engaged for most project work.
- 7. Are P3 projects in this state eligible for other financing programs?**
Where applicable, public infrastructure projects have been able to draw upon Federal funds and finance mechanisms in support of transportation projects (i.e., TIFIA, PABs).
- 8. What Projects or Asset Classes are eligible for P3 in this state?**
Currently limited to county or community scale hospitals. Formerly allowed for student living or campus dormitory authorities for colleges in NJ.
- 9. Are there Projects where the P3 procurement method has been applied?**
Of note, P3s have been applied to the Bayonne Municipal Water facilities upgrade. Through the Port Authority of New York & New Jersey, the Goethals Bridge is being replaced through a DBFM P3. In the past, Montclair State University was able to upgrade and expand capacity for its campus through an alternative project delivery procurement.
- 10. What is the legislative foundation for P3s in this state?**
Senate Bill No. 2361 (dated: JUNE 16, 2016) amended the "Municipal Hospital Authority Law," P.L.2006, c.46 (C.30:9-23.15 et al.), to allow certain counties to create a hospital authority, including the ability to exercise public-private partnerships.

D: Design | **B:** Build | **F:** Finance | **O:** Operate | **M:** Maintain