

**SUBTITLE E. NEW JERSEY TURNPIKE AUTHORITY**

**CHAPTER 9**

**NEW JERSEY TURNPIKE AUTHORITY**

**Authority**

N.J.S.A. 27:23-1, 27:23-5(e), 27:23-5(h),  
27:23-5(o), 27:23-9 and 27:23-29.

**Source and Effective Date**

R.1998 d.492, effective September 11, 1998.  
See: 30 N.J.R. 2835(a), 30 N.J.R. 3661(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 9, New Jersey Turnpike Authority, expires on September 11, 2003.

**Chapter Historical Note**

Chapter 9, New Jersey Turnpike Authority, was filed and became effective December 3, 1963.

Subchapter 9 was adopted as R.1973 d.173, effective June 29, 1973. See: 5 N.J.R. 205(b), 5 N.J.R. 295(b).

Pursuant to Executive Order 66(1978), Chapter 9, New Jersey Turnpike Authority, was readopted as R.1983 d.301, effective July 13, 1983. See: 15 N.J.R. 886(a), 15 N.J.R. 1257(a). Subchapter 9 was repealed and adopted as new rules by R.1983 d.556, effective December 5, 1983. See: 15 N.J.R. 1639(a), 15 N.J.R. 2046(d). Pursuant to Executive Order 66(1978), Chapter 9 expired on July 13, 1988.

Chapter 9, New Jersey Turnpike Authority, was adopted as new rules by R.1988 d.483, effective October 17, 1988. See: 20 N.J.R. 1338(a), 20 N.J.R. 2591(a).

Subchapter 7 was adopted as R.1989 d.444, effective July 24, 1989. See: 21 N.J.R. 2528(b).

Subchapter 6 was adopted as R.1989 d.580, effective November 20, 1989. See: 21 N.J.R. 2440(a), 21 N.J.R. 3675(a).

Pursuant to Executive Order No. 66(1978), Chapter 9, New Jersey Turnpike Authority, was readopted as R.1993 d.496, effective September 13, 1993. See: 25 N.J.R. 2839(b), 25 N.J.R. 3685(a), 25 N.J.R. 4605(a). Administrative Correction. See: 25 N.J.R. 4927(c).

Pursuant to Executive Order No. 66(1978), Chapter 9, New Jersey Turnpike Authority, was readopted as R.1998 d.492, effective September 11, 1998, and Subchapter 8, Debarment, Suspension and Disqualification from Contracting, was adopted by R.1998 d.492, effective October 5, 1998. See: Source and Effective Date. See, also, section annotations.

**CHAPTER TABLE OF CONTENTS**

**SUBCHAPTER 1. TRAFFIC CONTROL ON NEW JERSEY TURNPIKE**

- 19:9-1.1 Definitions
- 19:9-1.2 Speed limits
- 19:9-1.3 Traffic control
- 19:9-1.4 Uniform direction of traffic
- 19:9-1.5 "U" turns prohibited
- 19:9-1.6 Parking, standing or stopping on Turnpike prohibited, except in case of emergency
- 19:9-1.7 Use of medial strip prohibited
- 19:9-1.8 (Reserved)

- 19:9-1.9 Limitations on use of Turnpike
- 19:9-1.10 Waste and rubbish
- 19:9-1.11 Loose cargo; discharges
- 19:9-1.12 Damaging of Turnpike property
- 19:9-1.13 Hitch-hiking, loitering, soliciting, and distributing prohibited
- 19:9-1.14 Repairs and towing
- 19:9-1.15 Transportation of hazardous materials
- 19:9-1.16 Intoxicating beverages
- 19:9-1.17 Operation of vehicles on Turnpike projects; care required
- 19:9-1.18 Noise limits
- 19:9-1.19 Tolls; payment required
- 19:9-1.20 Records
- 19:9-1.21 Other regulations
- 19:9-1.22 Filming, photographing or videotaping on the Turnpike prohibited, except as authorized
- 19:9-1.23 Distribution of literature
- 19:9-1.24 Lane usage; Interchanges 11 to 14

**SUBCHAPTER 2. PURCHASING AND CONTRACTING**

- 19:9-2.1 General provisions
- 19:9-2.2 Purchases for amounts requiring public advertising
- 19:9-2.3 Purchases under amount requiring public advertising
- 19:9-2.4 Termination of contract
- 19:9-2.5 Purchases under or in combination with State or other agency contracts
- 19:9-2.6 Sale of surplus personal property
- 19:9-2.7 Procedure for prequalification and award of construction contracts
- 19:9-2.8 Procedure to resolve protested solicitations and awards
- 19:9-2.9 Licenses to cross
- 19:9-2.10 Procedure to resolve protested applications for, and awards of, licenses to cross
- 19:9-2.11 License to cross fee schedule

**SUBCHAPTER 3. FEES**

- 19:9-3.1 Towing rates
- 19:9-3.2 Road service rates
- 19:9-3.3 Questions and disputes
- 19:9-3.4 Miscellaneous permits and fees

**SUBCHAPTER 4. INSPECTION AND OBTAINING OF AUTHORITY RECORDS**

- 19:9-4.1 General provisions
- 19:9-4.2 Nonpublic information
- 19:9-4.3 Procedures for obtaining Authority records
- 19:9-4.4 Fees

**SUBCHAPTER 5. ADMINISTRATIVE PRACTICES**

- 19:9-5.1 Pre-employment screening
- 19:9-5.2 Waivers generally
- 19:9-5.3 Procedure for waiver

**SUBCHAPTER 6. PETITIONS FOR RULES**

- 19:9-6.1 Scope
- 19:9-6.2 Procedure for petitioner
- 19:9-6.3 Procedure of the Authority

**SUBCHAPTER 7. ORGANIZATION OF THE NEW JERSEY TURNPIKE AUTHORITY**

- 19:9-7.1 Authority responsibilities
- 19:9-7.2 (Reserved)
- 19:9-7.3 Functions of departmental units
- 19:9-7.4 Information

## SUBCHAPTER 8. DEBARMENT, SUSPENSION AND DISQUALIFICATION FROM CONTRACTING

- 19:9-8.1 Definitions
- 19:9-8.2 Causes for debarment of a person(s)
- 19:9-8.3 Conditions affecting the debarment of a person(s)
- 19:9-8.4 Procedures, period of debarment, and scope of debarment affecting the debarment of a person(s)
- 19:9-8.5 Causes for suspension of a person(s)
- 19:9-8.6 Conditions for suspension of a person(s)
- 19:9-8.7 Procedures, period of suspension and scope of suspension affecting the suspension of a person(s)
- 19:9-8.8 Extent of debarment or suspension
- 19:9-8.9 Disqualification of a person(s) as bidder
- 19:9-8.10 Lists of other agencies
- 19:9-8.11 Discretion

## APPENDIX A. SCHEDULE OF CLASSIFICATIONS

## APPENDIX B. (RESERVED)

## SUBCHAPTER 1. TRAFFIC CONTROL ON NEW JERSEY TURNPIKE

### 19:9-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Abandoned vehicles” means any vehicle whose occupants leave the vehicle unattended on the Turnpike for any reason for any period of time.

“Authority” means the New Jersey Turnpike Authority, the body corporate and politic defined in N.J.S.A. 27:23-1 et seq., acting by and through the duly appointed commissioners thereof and their designees.

“Bicycle” means any vehicle with two wheels supported by a frame propelled by the feet acting upon pedals.

“Commercial vehicles” means every type of motor driven vehicle used for commercial purposes on the Turnpike such as the transportation of goods, wares and merchandise, excepting such vehicle of the passenger car type.

“Construction equipment” means all vehicles, machinery and equipment enumerated in N.J.S.A. 39:3-20.

“Gross combination weight rating (G.C.W.R.)” means the value specified by the manufacturer as the loaded weight of a combination vehicle.

“Gross vehicle weight rating (G.V.W.R.)” means the value specified by the manufacturer as the loaded weight of a single vehicle.

“Gross weight” means the combined weight of a vehicle and any load thereon.

“Interstate 95 Extension” means that portion of Interstate Highway 95 previously maintained by the New Jersey Department of Transportation and transferred to the Authority by N.J.S.A. 27:23-23.7, beginning at milepost 117.9+ and thence in a general northerly direction to milepost 122.0+, and all bridges, tunnels, underpasses, interchanges, entrance plazas, approaches, toll houses, service areas, service stations, service facilities, communication facilities, and administration, storage and other buildings which the Authority may deem necessary for the operation of such extension, together with all property, rights, easements and interests which may be acquired by the Authority for the construction or the operation of such extension and all other property within the Interstate 95 Extension right-of-way.

“Motorcycles” means all motor operated vehicles of the bicycle or tricycle type, whether the motor power being a part thereof or attached thereto and having a saddle or seat with driver seat astride or upon it.

“Motor trucks” means every motor vehicle designed, used or maintained primarily for the transportation of property, which property is not affixed to or a necessary part of the design or construction of the vehicle itself.

“Official traffic control devices” means only those signs, signals, markings and devices approved and accepted by the Authority and placed, erected or caused to be placed or erected by the Authority for the purpose of regulating, warning or guiding traffic on the Turnpike.

“Omnibus” means any motor vehicle capable of transporting 10 or more passengers and registered as a bus, as indicated by the letter “O” preceding the registration number or the word “Bus” or “Omnibus” on the vehicle’s license plate. Vehicles with the letters “CV” or the word “Livery” or “Autocab” on the license plate are excluded from this definition.

“Passenger vehicles” means all automobiles used and designed for the transportation of passengers other than omnibuses and school buses, irrespective of whether the vehicle has commercial or noncommercial registration license plates.

“Recreational vehicle” means a self-propelled or towed vehicle equipped to serve as temporary living quarters for recreational, camping or travel purposes and used solely as a family or personal conveyance.

“Semitrailer” means every vehicle with or without motive power, including a pole trailer, designed for carrying persons or property and for being drawn by a motor vehicle and so constructed that some parts of its weight and that of its load rests upon or is carried by another vehicle.

(e) Any operator, owner or lessee of a vehicle on the Turnpike which contains any hazardous material shall be subject to all provisions and penalties hereunder, in addition to any provisions of the United States Code, the New Jersey Statutes and the New Jersey Administrative Code.

(f) In the event of a discharge of hazardous materials on the Turnpike, all remedial efforts shall be conducted in compliance with these rules and under the supervision of the Authority, the State Police, and/or the Department of Environmental Protection and Energy.

1. Where practicable, not contrary to the rules of the Department of Environmental Protection and Energy, and not contrary to the safety of the operator, the general public, or the Turnpike, the operator, owner or lessee of the vehicle may be afforded the opportunity to contain and remove discharged material using personnel, materials and equipment provided:

i. Aboard the vehicle from which the discharge occurred;

ii. By another vehicle owned or leased by the operator, owner or lessee of the vehicle from which the discharge occurred;

iii. By a specialized response team operated by the manufacturer or distributor of the hazardous material that has been discharged (hereafter, "manufacturers' response team"); or

iv. By third parties contracted to contain, clean up, and/or dispose of the discharge (hereafter, "emergency response contractors") by the operator, owner or lessee of the vehicle specifically for the purpose of remediating hazardous materials discharges from the operator's vehicle.

2. No emergency response services may be provided pursuant to (f)1ii through iv above unless all the entities undertaking such services have provided to the Authority proof of adequate insurance and such other information as may be required by the Director of Operations.

3. The Authority shall make available to any operator, owner or lessee so requesting a list of emergency response contractors that have met the requirements of (f)2 above to perform emergency response services on the Turnpike. The operator, owner or lessee shall arrange and pay for emergency response services to be performed by such contractors. Approval of such contractors pursuant to (f)2 above is not to be considered a warranty or assurance by the Authority of such contractors' ability to perform emergency response services.

4. Whenever the operator, owner or lessee refuses to arrange for an emergency response contractor, or whenever exigent circumstances or the risk posed by the discharge to Turnpike patrons, the general public, or the Authority's agents or employees is too great to await the arrival of the emergency response contractor(s) arranged

by the operator, owner or lessee in the opinion of the Director of Operations or the Director's designee, the Director or the Director's designee may arrange for emergency response services and long-term remedial efforts to be provided by a third party of the Authority's choice. Emergency response and long term remedial services may be performed by or through the Department of Environmental Protection and Energy or its agents, including any county environmental health department, or by private organizations engaged by the Authority. The cost of services pursuant to this paragraph shall be based on the most recent agreement between the Authority and the third party, or if there is no such agreement, shall be based on the schedule of rates normally charged to commercial concerns for emergency response or long-term remedial services, and shall be borne by the operator, owner or lessee of the vehicle.

i. If, at the time the emergency response contractor arrives at the scene of the discharge, the operator, owner or lessee of the vehicle refuses to agree to pay or complete any documents necessary to engage the contractor for such services, the Authority may impound the vehicle and any cargo or contents thereof until such time as the costs of remedial services are satisfied. If such costs are not satisfied within 14 days, the Authority shall have the right to sell the vehicle, its cargo and contents at public auction and/or to recover any unsatisfied costs by filing a civil action in the Superior Court of New Jersey or in any District Court of the United States having jurisdiction over such action.

ii. If the emergency response contractor refuses to contract with the operator, owner or lessee of the vehicle because of a bona fide concern about the operator's, owner's or lessee's ability or willingness to pay for such services, the Director or the Director's designee may authorize such services to be performed at the Authority's expense, and the Authority may thereafter recover the costs thereof from the operator, owner or lessee by filing a civil action in Superior Court of New Jersey or in any District Court of the United States having jurisdiction over such action. The emergency response contractor's concern shall be deemed bona fide if the operator's, owner's or lessee's credit record indicates a history of refusal or failure to pay commercial debts.

Amended by R.1977 d.63, effective March 1, 1977.

See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).

Amended by R.1983 d.263, effective July 5, 1983.

See: 15 N.J.R. 687(b), 15 N.J.R. 1105(c).

In (b), added transportation of Class A, B and C explosives.

Amended by R.1993 d.496, effective October 4, 1993.

See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

Amended by R.1994 d.414, effective August 15, 1994.

See: 26 N.J.R. 337(a), 26 N.J.R. 3463(a).

Amended by R.1998 d.492, effective October 5, 1998.

See: 30 N.J.R. 2835(a), 30 N.J.R. 3661(a).

In (b), substituted "Manager of Emergency Services" for "Director of Operations" and added a new last sentence.

**19:9-1.16 Intoxicating beverages**

No person shall consume or imbibe any intoxicating beverage from a bottle or container containing liquor, beer, wine or other alcoholic beverage while operating a vehicle on the Turnpike.

Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

**19:9-1.17 Operation of vehicles on Turnpike projects; care required**

No vehicle shall be operated carelessly, without due caution or prudence, or in a manner so as to endanger any person or property, or while the operator is under the influence of intoxicating liquors or any narcotic or habit-forming drug.

Amended by R.1977 d.63, effective March 1, 1977.  
See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).  
Amended by R.1983 d.555, effective December 5, 1983.  
See: 15 N.J.R. 1638(b), 15 N.J.R. 2046(c).  
Deleted old (a) and (b).  
Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

**Case Notes**

State trooper's stop of defendant's vehicle was justified by reasonable suspicion that driver was violating New Jersey's careless driving statute. U.S. v. Kikumura, C.A.3 (N.J.)1990, 918 F.2d 1084.

**19:9-1.18 Noise limits**

(a) No vehicle shall be operated on the Turnpike in violation of 49 C.F.R. 325 or any other noise standards promulgated by the United States or the State of New Jersey and applicable to that class of vehicle.

(b) No vehicle shall be operated on the Turnpike whose exhaust system is:

1. Not equipped with an exhaust chamber, resonator or noise dissipative device;
2. Not in constant operation and properly maintained;
3. Equipped with any cutout, bypass or similar device designed to reduce the effectiveness of noise control devices or to increase noise.

New Rule, R.1974 d.227, effective October 1, 1974.  
See: 6 N.J.R. 209(c), 6 N.J.R. 370(c).  
Amended by R.1975 d.25, effective February 7, 1975.  
See: 7 N.J.R. 122(d).  
Amended by R.1983 d.301, effective August 1, 1983.  
See: 15 N.J.R. 886(a), 15 N.J.R. 1257(a).  
Deleted several sound level limitations from Table 1.  
Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

**19:9-1.19 Tolls; payment required**

No vehicle shall be operated on the Turnpike except upon the payment of such tolls as are required by the Turnpike Authority.

New Rule, R.1977 d.63, effective March 1, 1977.  
See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).

Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

**19:9-1.20 Records**

(a) Any operator of a commercial motor vehicle, omnibus, or tractor in interstate commerce upon the Turnpike shall keep records showing the day and hour when, and the place where, the operator went on and off duty. The operator's records must reflect the current duty status of the operator upon entering the Turnpike.

(b) Records showing the day and hour when, and the place where, the operator went on duty and was not released from duty are not needed, provided:

1. The operator does not operate beyond a 100 air-mile radius of the normal work reporting location;
2. The operator, except a driver salesperson, returns to the work reporting location and is released from work within 12 consecutive hours;
3. At least eight consecutive hours off duty separate each 12 hours on duty;
4. The operator does not exceed 10 hours maximum driving time following eight consecutive hours off duty; and
5. The motor carrier which employs the operator maintains and retains for a period of six months accurate and true time records showing:
  - i. The total number of hours the operator is on duty each day;
  - ii. The time the operator reports for duty each day;
  - iii. The time the operator is released from duty each day; and
  - iv. The total on-duty time for the preceding seven days for operators used for the first time or intermittently.

Amended by R.1977 d.63, effective March 1, 1977.  
See: 9 N.J.R. 56(a), 9 N.J.R. 203(a).  
Amended by R.1983 d.555, effective December 5, 1983.  
See: 15 N.J.R. 1638(b), 15 N.J.R. 2046(c).  
Added (b).  
Amended by R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).  
Amended by R.1998 d.520, effective November 2, 1998.  
See: 30 N.J.R. 2368(a), 30 N.J.R. 3971(a).  
Rewrote the section.

**19:9-1.21 Other regulations**

In addition to these traffic rules, users of the Turnpike are subject to all applicable statutory provisions, including, but not limited to, penalties for nonpayment of tolls (N.J.S.A. 27:23-25), penalties for violation of any of the Authority's regulations (N.J.S.A. 27:23-32), United States Department of Transportation regulations, and, except as otherwise provided hereinabove, the Motor Vehicle and Traffic Acts of New Jersey relating to lights, brakes, weights, registration and other matters (N.J.S.A. 39:3-1 et seq. and 39:4-1 et seq.). Commercial vehicles in interstate commerce using the Turnpike remain subject to Interstate Commerce Commission regulations.

New Rule, R.1993 d.496, effective October 4, 1993.  
See: 25 N.J.R. 2839(b), 25 N.J.R. 4605(a).

**19:9-1.22 Filming, photographing or videotaping on the Turnpike prohibited, except as authorized**

(a) To insure the health, safety and welfare of motorists, the general public and the Authority, no person shall be

permitted to park, stop, stand or travel at a slow speed in violation of N.J.S.A. 27:23-27, for the purpose of taking photographs, videos or motion pictures (hereinafter collectively "film") on the Turnpike, except as provided in (b) below or except as otherwise authorized pursuant to (c) or (d) below.

3. That such party will be afforded an opportunity for a hearing before the Authority if he or she so requests within 14 days from the date of personal delivery or 17 days from the date of mailing of such notice by the Authority. All such hearings shall be conducted in accordance with the provisions of the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) Notwithstanding the requirements set forth in (a) above, where another department or agency of the State of New Jersey has imposed debarment upon a party, the Authority may also impose a similar debarment without affording an opportunity for a hearing, provided that the Authority furnishes notice of the proposed similar debarment to the party, and affords that party an opportunity to present information on his behalf to explain why the proposed similar debarment should not be imposed in whole or in part.

(c) Debarment shall be for a reasonable, definitely stated period of time, which shall not exceed an initial period of five years. If the Authority determines, in its discretion, that after the expiration of the initial period of debarment an additional period of debarment is warranted, such additional debarment period shall be permitted, provided that notice thereof is furnished and the party is afforded an opportunity to contest the proposed further debarment in accordance with the procedures set forth in (a) above. Such additional period of debarment shall be for a reasonable, definitely stated period of time, which shall not exceed five years.

(d) Except as otherwise provided by law, a debarment may be removed or the period thereof may be reduced in the discretion of the Authority upon the submission of a good faith application under oath, supported by documentary evidence setting forth substantial and appropriate grounds for the granting of relief, such as newly discovered material evidence, reversal of a conviction or judgment, actual change of ownership, management or control, or the elimination of the cause(s) for which the debarment was imposed.

(e) A debarment may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case by case basis after providing that affiliate an opportunity to contest such proposed debarment in accordance with the procedure set forth in (a) above.

#### **19:9-8.5 Causes for suspension of a person(s)**

In the public interest, the Authority may suspend a person for any cause specified in N.J.A.C. 19:9-8.2 or upon reasonable suspicion that such cause exists.

#### **19:9-8.6 Conditions for suspension of a person(s)**

(a) The following conditions concerning suspension are to be adhered to:

1. Suspension shall be imposed only upon approval of the Authority, except as otherwise provided by law.

2. The existence of any cause for suspension shall not require that a suspension be imposed, and a decision to suspend shall be made at the discretion of the Authority and shall be rendered in the best interest of the Authority.

3. Suspension shall not be based upon unsupported accusation, but upon adequate evidence that cause exists or upon evidence adequate to create a reasonable suspicion that cause exists. In assessing whether adequate evidence exists, consideration shall be given to the amount of credible evidence which is available, to the existence or absence of corroboration as to important allegations, and to inferences which may properly be drawn from the existence or absence of affirmative facts.

4. Reasonable suspicion of the existence of cause described in N.J.A.C. 19:9-8.2(a)1 through 8 may be established by the rendering of a final judgment or conviction by a court or administrative agency of competent jurisdiction, by grand jury indictment, or by evidence that such violations of civil or criminal law did in fact occur.

5. A suspension invoked by another agency or authority or commission of the State of New Jersey for any of the causes described in N.J.A.C. 19:9-8.2 may be the basis for the imposition of a concurrent suspension by the Authority.

#### **19:9-8.7 Procedures, period of suspension and scope of suspension affecting the suspension of a person(s)**

(a) The Authority may suspend a person or his or her affiliates, provided that within 10 days after the effective date of the suspension, the Authority provides such party with a written notice stating:

1. That a suspension has been imposed and its effective date;

2. The reasons for the suspension;

3. That the suspension is for a temporary period pending the completion of an investigation and such legal proceedings as may ensue; and

4. That if such legal proceedings are not commenced or the suspension is not removed within 60 days of the date of such notice from the Authority, the party will be given a statement of the reasons for the continuation of the suspension and an opportunity for a hearing before the Authority conducted in accordance with the Administrative Procedures Act, N.J.S.A. 52:14B-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

(b) A suspension shall not continue beyond 18 months from its effective date unless civil or criminal action regarding the alleged violation shall have been initiated within that period, or unless debarment action has been commenced.

Whenever prosecution or debarment action has been initiated, the suspension may continue until the legal proceedings are completed.

(c) A suspension may include all known affiliates of a person, provided that each decision to include an affiliate is made on a case-by-case basis after giving due regard to all relevant facts and circumstances and after providing such affiliate(s) an opportunity for a hearing before the Authority.

#### 19:9-8.8 Extent of debarment or suspension

(a) The exclusion from contracting by virtue of debarment or suspension shall extend to all contracting and subcontracting within the control or jurisdiction of the Authority, including any contracts which utilize Authority funds. When it is determined by the Authority to be essential to the public interest, an exception from total exclusion may be made with respect to a particular contract.

(b) After the opening of bids or receipt of proposals, the contracting officer shall review the list of persons debarred or suspended. Bids received from debarred or suspended persons in response to an invitation for bids shall be rejected unless the Authority determines that there is a compelling reason to consider the bid.

(c) Proposals, quotations, or offers received from any debarred or suspended person shall not be evaluated for award, nor shall discussions be conducted with a debarred or suspended person, unless the Authority determines that there is a compelling reason to do so. If the period of ineligibility expires or is terminated after bid opening but prior to award, the contracting officer may, but is not required to, consider such proposals, quotations or offers.

#### 19:9-8.9 Disqualification of a person(s) as bidder

(a) The Authority reserves the right to disqualify or refuse to receive a proposal from a prospective bidder even though the prospective bidder is prequalified, and even though the prospective bidder has not been debarred or suspended, or reject a proposal after having received same for any of the following reasons:

1. Lack of competency or lack of adequate machinery, plant or other equipment;
2. Uncompleted work which, in the judgement of the Authority, might hinder or prevent the prompt completion of additional work, if awarded;
3. Failure to pay, or satisfactorily settle, all bills due for labor, equipment or material on previous contracts;
4. Failure to comply with any prequalification requirements, bid specifications or regulations of the Authority;
5. Default under any previous contract;
6. Unsatisfactory performance on previous or current contracts;

7. Questionable moral integrity as determined by the Attorney General of New Jersey or the Authority;

8. Failure to reimburse the Authority for monies owed on any previously awarded contracts including those where the prospective bidder is a party to a joint venture and the joint venture has failed to reimburse the Authority for monies owed;

9. Submission of false information to the Authority in connection with the Proposal or any other contract; or

10. Any cause specified in N.J.A.C. 19:9-8.2 or upon reasonable suspicion that such cause exists.

(b) A prospective bidder may also be disqualified pursuant to N.J.A.C. 19:9-2.7. Nothing in this subchapter shall be deemed to affect, change or limit the requirements set forth in N.J.A.C. 19:9-2.7.

#### 19:9-8.10 Lists of other agencies

Notwithstanding the failure of the Authority to debar, suspend, or disqualify any person pursuant to these rules, whenever the Authority participates in any program or project financed, issued or guaranteed by any department, agency or instrumentality of the State of New Jersey or the United States Government, it may rely on any list of persons suspended or debarred by such agency, department or instrumentality and prevent the listed person from participating in that program or project.

#### 19:9-8.11 Discretion

Nothing contained herein shall be construed to limit the authority of the Authority to refrain from contracting within the discretion allowed by law.

## APPENDIX A

### SCHEDULE OF CLASSIFICATIONS

#### Classification—Brief Description

1. Bridge Structures—  
Bridge, viaducts, retaining walls, foundations, fabrication and erection of structural steel, intermediate members, deck repair and/or replacement.
2. Communications—  
Installation and testing of switching equipment, telecommunications and all other communication systems.
3. Computer Systems—  
Fabrication of computer system, installation, electrical and other work incidental thereto, including associated software.
4. Concrete Maintenance—  
Concrete repair to reinforced concrete structures, and all bridge related repairs including concrete, reinforcement steel and structural steel.
5. Demolition—  
Demolition and/or removal of buildings, structures.
6. Dredging—

- Grading and drainage, excavation, embankment, fill, subgrade material, muck removal—primarily by dredging methods.
7. Electrical Work, Buildings—  
All electrical work for buildings.
  8. General Construction, Buildings—  
General construction of buildings including all incidental work.
  9. General Construction, Highway—  
Work involving excavation, embankment, grading, drainage, paving (no bridge construction).
  10. Grading and Drainage—  
All clearing, excavation, embankment grading and drainage, including the construction of storm drainage structures and storm drainage pipe installation.
  11. Guard Rail—  
All types of guardrail.
  12. Heating, Ventilating and—  
All heating, ventilating, air conditioning work involved in building construction.
  13. Heavy Highway—  
Work involving the combination of excavation, embankment, grading, drainage, paving, and/or bridges.
  14. Kitchen Equipment—  
Fabrication, installation of kitchen and restaurant equipment for buildings.
  15. Landscaping—  
Planting, seeding, topsoiling, grading, jute mesh, erosion control and all other landscaping procedures.
  16. Electrical Work, Highway—  
Roadway, area, parking and ramp lighting, lighting standards, electrical distribution panels and other underground and overhead electrical work.
  17. Painting—  
Cleaning, priming, painting of structural steel and members (bridges, towers, tanks).
  18. Paving—  
New construction of various courses of bituminous concrete with machine operated with automatic controls. Final preparation of the underlying material is also included.
  19. Plumbing—  
All plumbing work for building construction including sanitary facilities.
  20. Sewerage and Water Supply—  
Construction of sewerage and water treatment plants and pumping stations, including structures and equipment, installation and repair; erection, repair and/or replacement of water towers.
  21. Signing—  
All types of signing, delineation, overhead sign structures.
  22. Structural Steel and Iron—  
Erection of Buildings structural steel for buildings, including reinforcing and ornamental iron work.
  23. Toll booths—  
Fabrication of toll booths.
  24. Special Classifications—  
Specialized work not sufficiently included in other defined classifications such as, but not limited to the following:  
Toll Revenue and Computer—  
Toll revenue system design, systems fabrication, testing, installation, including associated computer and communication subsystems with software development.
- Timber Construction—  
Bridge fender systems and all types of timber construction.
- Architectural Metal Panel Construction—  
All types of architectural metal panel construction.
- Fencing—  
All types of fencing.
- Fuel Distribution Systems—  
Construction of fuel distribution systems including installation of dispensers, storage tanks, and all associated electrical work and piping.
- Interior Furnishings—  
Carpeting and other interior furnishings.
- Water Supply Well Construction, Rehabilitation and Testing—  
Construction, rehabilitation and testing of water supply wells.
- Lining Fuel Storage Tanks—  
Epoxy resin lining of fuel storage tanks.
- Automotive Service Equipment—  
Vehicle lifts and all types of automotive service equipment.
- Concrete Median Barrier—  
Construction of concrete median barrier using extrusion (slip-form) techniques.
- Bridge Drainage Systems—  
Construction and modification of bridge supported and in-ground bridge drainage systems.
- Prefabricated Buildings—  
Installation of all types of prefabricated buildings.
- Roofing—  
Construction and rehabilitation of all types of roofing systems.
- Fire Protection Systems—  
Construction of dry chemical, pre-engineered and CO<sub>2</sub> type fire protection systems.
- Telephone Systems—  
Design, fabrication and installation of computer controlled telephone systems with special interfaces including testing, equipment maintenance, software development and owner training.
- Asbestos Removal/Treatment—  
Work involving removal, replacement, repair, enclosure, encapsulation, and/or legal disposal of asbestos and asbestos containing materials.
- Local Area Network—  
Providing a complete baseband or broadband local area network, such as Ethernet, Manufacturing Automation Protocol (MAP) or Token Ring. These installations shall also include related electrical work.  
Basic materials consist of coaxial cable, communications cable, radio cable, connectors, terminal blocks, equipment jacks, modems, terminal servers, routers, transceivers, electronic enclosures, and other miscellaneous components. This type of work shall be demonstrated to have been completed by the Contractor and not subcontracted to others.
- Precast-Concrete Noise Barriers—  
Fabricating and furnishing pre-concrete noise barriers consisting of sound absorbing materials of lightweight concrete or mineralized wood chips and portland cement such as Sound-Lok as manufactured by Easi-Set Industries, Midland, VA or Duri-

sol as manufactured by Fanwell Corp., Arlington, VA.

Fabricating plant must be capable of fabricating 5,000 square feet per day of precast concrete noise barrier panels and storing 200,000 square feet of such panels.

**Signage—Fabrication only—**

Fabricating and furnishing all types of signing, delineation and overhead sign structures.

**Traffic Control Electronics—**

Fabricating, testing and installing traffic control unit enclosures complete with electronics and associated computer subsystems.

**Precast-Concrete Noise Barriers—Non-Absorptive Materials—**

Fabrication and furnishing of reinforced precast concrete noise barrier Materials system components consisting of posts and modular panels. Fabrication methods shall employ form liners for precasting standard materials consisting of concrete, reinforced with epoxy coated deformed bars. No sound absorptive materials should be integrated within these barrier components.

Fabricating plant must be capable of fabricating 5,000 square feet per day of precast concrete noise barrier panels and storing 200,000 square feet of such panels.

**Miscellaneous Concrete—**

Non-structural repairs (that is, curb and sidewalk), concrete sawing, sealing and curing.

**Resurfacing—**

High Volume Roadway/Multilane roadway pavement removal and bituminous concrete resurfacing using various courses, under traffic, to line and grade using automatic controls.

**Concrete Base—**

Construction of a concrete base course of a portland concrete mix, with or without reinforcement, and the final preparation of the underlying material.

**Steel & Iron Fabrication—**

Fabrication of Structural Steel for buildings, including ornamental iron work.

**Toll Plaza—**

Installation of toll booths, canopies, roofing and construction of toll islands with associated electrical work.

**Bridge Deck Repairs (Standard)—**

Selective replacement of complete deck panels bounded by stringers and diaphragms; partial depth concrete spall repairs; joint header, abutment headblock and joint riser bar replacement or repairs; joint seal installation or replacement; isolated parapet restoration; removal and replacement of existing bituminous concrete wearing surface and membrane with a new membrane/ bituminous concrete system or with a high density, impermeable, cementitious overlay.

Construction work is to be performed in short, multi-day work cycles, usually scheduled during the week and partial weekends. Around the clock work is required at certain bridge structures on some days. Repair volumes, in general, are less than those required for complex projects. Requires the contractor's ability to perform the following minimum quantities within a 4½ day cycle:

200 square yards of deck replacement with catch with proper cure at a minimum of five separate locations

1,500 square yards of asphalt surfacing replacement including waterproofing membrane requiring special deck preparation

3,000 square feet of Type 1 spall repairs (average depth 3 inches)

200 tons of bituminous concrete bridge surfacing (average depth 2 inches)

Average daily traffic volumes fluctuate from light to moderate depending on location.

Work is scheduled in confined areas within lane closings delineated by traffic cones. Concrete construction barrier is required for deck replacements.

**Bridge Deck Repairs (Complex)—**

Selective replacement of complete deck panels bounded by stringers and diaphragms; partial depth concrete spall repairs; joint header, abutment headblock and joint riser bar replacement or repairs; joint seal removal and/or installation; safety walk repairs, isolated parapet restoration or replacement; removal and replacement of existing asphalt concrete wearing surface and membrane with a new membrane/asphalt concrete system or with a high density, impermeable, cementitious overlay.

Construction work is to be performed in six days or less, around the clock, condensed work cycles requiring extensive weekend and nighttime work. The quantity of repairs on each structure is usually significantly greater than for standard Turnpike bridge deck replacement and rehabilitation projects due to the size and length of the bridges, major structures and viaducts involved. Requires the contractor's ability to perform the following minimum quantities within a six day cycle:

500 square yards of deck replacement with catch with proper cure at a minimum of 10 separate locations

5,000 square yards of asphalt surfacing replacement including waterproofing membrane requiring special deck preparation

7,500 square feet of Type 1 spall repair (average depth 3 inches ±)

750 tons of asphalt concrete bridge surfacing (average depth 2 inches)

The contract location, in general, is in the northern sector of the Turnpike in areas of traffic volumes exceeding 100,000 ADT. Contract amount is usually less than \$5 million.

Work is scheduled in confined areas within lane closings delineated by traffic cones. Concrete construction barrier is required for deck replacements.

**Utility Work—**

The construction of water and sewer pipelines including restoration of affected facilities.

**Environmental Remediation Systems—**

Construction of soil and/or groundwater remediation systems in accordance with applicable State and Federal regulations. The constructed system shall utilize air sparging well installation in conjunction with soil vapor extraction technology, including all associated separators, strippers, pumps, oxidizers, electrical work, piping and contaminated material removal. The contractor shall provide evidence of the appropriate State and/or Federal certification for soil and/or groundwater remediation systems if applicable.

Erection of Sound Barriers—

Work involving the erection of prefabricated panels and posts for ground mounted and bridge mounted sound barriers. Work also includes grading, drainage and installation of median barrier associated with the erection of the sound barrier.

CLASSIFICATION RATINGS:

- A. up to \$150,000 maximum
- B. up to \$500,000 maximum
- C. up to \$1,000,000 maximum
- D. up to \$2,000,000 maximum

- E. up to \$3,500,000 maximum
- F. up to \$5,000,000 maximum
- G. up to \$10,000,000 maximum
- H. Unlimited

Special Rating—

(Limits to be established in specific situations where other Classification Rating is not adequate)

Amended by R.1998 d.492, effective October 5, 1998.

See: 30 N.J.R. 2835(a), 30 N.J.R. 3661(a).

Rewrote the section.

**APPENDIX B**

**(RESERVED)**

Repealed by R.1998 d.492, effective October 5, 1998.  
See: 30 N.J.R. 2835(a), 30 N.J.R. 3661(a).  
Appendix was "Table of Organization".