

THE PUBLIC WORKS CONTRACTOR REGISTRATION ACT

Please be advised of legislation recently signed into law that will effect public advertisement for bids, solicitation of quotations and the award of certain public contracts, P.L. 1999, c. 238. "THE PUBLIC WORKS CONTRACTOR REGISTRATION ACT" will become effective on April 11, 2000.

Contractors performing covered public work on the effective date must apply for registration within 30 days. Contractors not performing public work on the effective date of the Act must apply for registration before bidding on a public works contract. A copy of the completed and submitted registration application will establish eligibility for award for a period of 30 days.

For purposes of "THE PUBLIC WORKS CONTRACTOR REGISTRATION ACT," "Public Works", is defined as "the construction, reconstruction, demolition, alteration, repair or maintenance of a public building regularly open to and used by the general public or a public institution, and includes any subcontractor or lower tier subcontractor as defined herein, except that for purposes of the Act, no pumping station, treatment plant or other facility associated with utility and environmental construction, reconstruction, demolition, alteration, repair or maintenance shall be regarded as a public building regularly open to and used by the general public or a public institution.

It is important to note that, any work subject to the New Jersey Prevailing Wage Act, (N.J.S.A. 34:11-56.25 et. Seq.), requires compliance with that Act as regards the payment of prevailing wage rates, postings, and completion and submission of certified payrolls, etc.

To avoid potential contract delays and completion extensions, it is suggested public body contracting units and their agents begin to include contractor registration language in advertisements for bids and solicitations for quotations. Evidence of contractor registration should be added to the list of requirements included in future bid specifications and confirmation of registration made on contracts awarded on and after April 11, 2000.

Registration Application Forms and copies of THE PUBLIC WORKS CONTRACTOR REGISTRATION ACT may be obtained by contacting:

Contractor Registration Unit
New Jersey Department of Labor
Division of Wage & Hour Compliance
PO Box 389
Trenton, New Jersey 08625-0389
Telephone: (609) 292-9464
Fax: (609) 633-8591