

ASSEMBLY LABOR COMMITTEE

STATEMENT TO

ASSEMBLY, No. 4869

with committee amendments

STATE OF NEW JERSEY

DATED: DECEMBER 14, 2020

The Assembly Labor Committee reports favorably and with committee amendments Assembly Bill No. 4869.

As amended, this bill provides that if a person makes the lowest bid for a contract with a public body for public work subject to the provisions of the “New Jersey Prevailing Wage Act,” P.L.1963, c.150 (C.34:11-56.25 et seq.) and that bid is 10 percent or more lower than the next lowest bid for the contract, the person making the lowest bid is required to provide proof to the satisfaction of the public body that the prevailing wage rates required by that act will be paid. The bill requires the bid to be rejected if the bidder does not provide that proof.

A person is required to provide certain proofs, which may include contracts or agreements with workers stating the rate of wages that the person contracts or agrees to pay the employees or workers for the contract, documentation of the costs of supplies required to complete the contract, documentation as to the number of employees or workers whose services will be engaged for the contract, the estimated number of hours or days to complete the project, and any additional documentation as may be permitted by the Commissioner of Labor and Workforce Development.

The bill requires the Commissioner of Labor and Workforce Development, in consultation with the Division of Local Government Services, to adopt and promulgate rules and regulations concerning a prevailing wage certification to be included in certain contracts for public work.

COMMITTEE AMENDMENTS:

The committee amended the bill to clarify what proof is required of a person submitting a bid for a public contract that is at least 10 percent lower than the next lowest bid.

Specifically, the amendments provide that the person is required to provide certain proofs, which may include contracts or agreements with workers stating the rate of wages that the person contracts or agrees to pay the employees or workers for the contract, documentation of the costs of supplies required to complete the contract, documentation as to the number of employees or workers whose services will be engaged for the contract, the estimated number

of hours or days to complete the project, and any additional documentation as may be permitted by the Commissioner of Labor and Workforce Development.