

[First Reprint]

ASSEMBLY, No. 4719

STATE OF NEW JERSEY
221st LEGISLATURE

INTRODUCED SEPTEMBER 12, 2024

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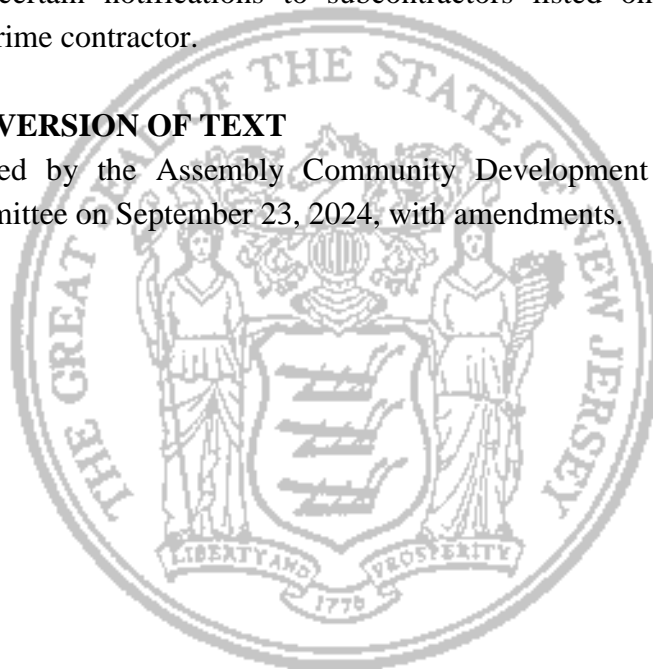
Assemblywomen Hall and Tucker

SYNOPSIS

Requires certain notifications to subcontractors listed on bid for State contract by prime contractor.

CURRENT VERSION OF TEXT

As reported by the Assembly Community Development and Women's Affairs Committee on September 23, 2024, with amendments.



(Sponsorship Updated As Of: 9/26/2024)

1 AN ACT requiring certain notifications to subcontractors who are
2 listed on the bid for a State contract by a prime contractor and
3 supplementing Title 34 of the Revised Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. As used in this section:

9 “Prime contractor” means any person who has a construction,
10 goods and services, or professional services contract with a State
11 agency and who subcontracts all or a part of that contract.

12 “State agency” means any of the principal departments in the
13 Executive Branch of the State Government, and any division, board,
14 bureau, office, commission or other instrumentality within or created
15 by such department, the Legislature of the State and any office, board,
16 bureau or commission within or created by the Legislative Branch, and
17 any independent State authority, commission, instrumentality or
18 agency which is authorized by law to award construction contracts. A
19 county or municipality shall not be deemed an agency or
20 instrumentality of the State.

21 “Subcontractor” means any person who enters into a contract with
22 a prime contractor to perform a specific part of the work for which the
23 prime contractor is responsible under a construction, goods and
24 services, or professional services contract with a State agency.

25 b. If a prime contractor has listed a subcontractor on the bid for a
26 State contract and the prime contractor is awarded the State contract,
27 the prime contractor shall notify the subcontractor by certified mail.
28 The notification shall, at a minimum, include:

29 (1) the name of the State agency that awarded the State contract;

30 (2) a description of the work to be performed by the prime
31 contractor as outlined in the State contract; and

32 (3) the work expected of the subcontractor in regard to the State
33 contract and the timeframe of that work.

34 ¹**【The prime contractor shall not be responsible for notifying the**
35 **subcontractor of necessary applications, certifications, or permits, or**
36 **the associated deadlines required to be eligible to perform under State**
37 **contracts.】¹**

38 The notification shall be sent by certified mail within 30 days of
39 the prime contractor receiving notice of the awarded State contract.
40 The prime contractor shall provide proof of notification to the State
41 Contract Manager for that contract.

42 If the prime contractor fails to notify the subcontractor within the
43 required time, the prime contractor shall be subject to such penalties as
44 may be provided in the contract for failure to comply.

45
46 2. This act shall take effect immediately.

EXPLANATION – Matter enclosed in bold-faced brackets **【thus】 in the above bill is
not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly ACW committee amendments adopted September 23, 2024.