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cc: Gene  
Planning

Adm.

**Lashway, Lisa**

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**From:** egg@dca.state.nj.us  
**Sent:** Tuesday, August 19, 2008 10:33 AM  
**To:** Lashway, Lisa  
**Subject:** Changes to Affirmative Action in Contracting Regulations  
**Attachments:** 2008-15 AA for EEO Changes (2).doc

Dear Municipal Clerk:

The State's Division of Contract Compliance and Equal Employment Opportunity in Public Contracts have made important rule changes that affect all local unit public works contracting procedures. Local Finance Notice 2008-15 presents the changes, which includes the elimination of local unit responsibility to include the 1/2 of 1% training allocation for their construction projects. That cost will now be absorbed by the State. A copy of the Finance Notice is included with this e-mail.

PLEASE REMEMBER: If your e-mail address changes or if you change employers send us the details by replying to this e-mail.

**LFN 2008-15**

**August 18, 2008**

**Contact Information**

**Director's Office**

V. 609.292.6613

F. 609.292.9073

**Local Government Research**

V. 609.292.6110

F. 609.292.9073

**Financial Regulation  
and Assistance**

V. 609.292.4806

F. 609.984.7388

**Local Finance Board**

V. 609.292.0479

F. 609.633.6243

**Local Management Services**

V. 609.292.7842

F. 609.633.6243

**Authority Regulation**

V. 609.984.0132

F. 609.984.7388

**Mail and Delivery**

101 South Broad St.

PO Box 803

Trenton, New Jersey

08625-0803

Web: [www.nj.gov/dca/lgs](http://www.nj.gov/dca/lgs)

E-mail: [dlgs@dca.state.nj.us](mailto:dlgs@dca.state.nj.us)

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# Local Finance Notice

Jon S. Corzine  
Governor

Joseph V. Doria  
Commissioner

Susan Jacobucci  
Director

## Changes to Contract Compliance and Equal Opportunity Employment in Public Contracting Procedures

This Notice contains important information on updated Department of Treasury Contract Compliance and Affirmative Action Rules. Recipients should review this carefully and share it with appropriate local elected and appointed officials.

### Change in Procedures

The State FY 2009 Appropriations Act changes the way NJ Build, the training program for minorities and women in the construction trades, is funded. Part of the change transfers responsibility of the program from the Department of Treasury, Division of Contract Compliance and Equal Employment Opportunity in Public Contracts (DCC) to the Department of Labor and Workforce Development.

Most importantly, however, beginning July 1, 2008, the funding of NJ Build will be exclusively provided by state government agencies. **Local government agencies will no longer be required to include the ½ of 1% training allocation for their construction projects.** Instead, the new requirements for the ½ of 1% training fund allocation applies only to State agencies. Although local government agencies are no longer required to make a funding commitment, they may voluntarily contribute to the construction trades training program. Contact the DCC for information on making voluntary contributions.

Even though the training allocation was eliminated, local government agencies are still subject to EEO (Equal Employment Opportunity) requirements in public contracting. Mandatory language for goods and services, including professional services, bid specifications/contracts and mandatory language for construction bid specifications/contracts (see yellow book) are still required in all bid specifications.

The DCC published a rule proposal in the New Jersey Register on June 16, 2008. 40 N.J.R. 3339-3772 would amend N.J.A.C. 17:27 to implement the provisions of the FY 2009 Appropriations Act and other changes to existing procedures.

If you have questions or require additional information, please contact the Division of Contract Compliance and Equal Employment Opportunity in Public Contracts at 609-292-5473 or submit a question at [www.nj.gov/treasury/contract\\_compliance/ccmail.shtml](http://www.nj.gov/treasury/contract_compliance/ccmail.shtml).

Thank you for your attention to these issues.

Approved: Susan Jacobucci, Director