

North Jersey NIGP Chapter #7

Chartered October 26, 1977

President: *Maria J. Rivera*

Treasurer/Membership: *Ehab Salama*

Vice President: *Kevin O'Keefe*

Secretary: *Michael Kupec, Jr.*

MINUTES

REGULAR MEETING

JUNE 18, 2026

The meeting was called to order at 10:00 am by President Maria Rivera. All were asked to rise for the Pledge of Allegiance.

President Maria J. Rivera announced that speaker Nicola Reid would not be able to join us today.

President Maria J. Rivera asked members to remain standing for a prayer for those who served our country and are no longer with us.

President Maria J. Rivera acknowledged new members.

President Maria J. Rivera asked for a motion to accept the Treasurer's Report. Ehab Salama /Treasurer reported that the report was emailed. Balance was approximately \$15,368. A motion was made and seconded to accept the Treasurer's Report. Motion unanimously passed.

President Maria J. Rivera asked for a motion to accept the Minutes of the March 19th, 2026. A Motion was made and seconded. Motion unanimously passed.

President Maria J. Rivera then introduced our first guest speaker.

GUEST SPEAKER

**Alysia Walsh, Esq., Director, Public Contracting Oversight Division,
Office of the State Comptroller**

Topic: THE LEGAL AND PRACTICAL EFFECTS OF P.L. 2025, c.180NIGP

Personal Background:

Alysia Walsh joined the Office of the State Comptroller as a Staff Attorney in 2016. She has worked within the Procurement Division (now, the Public Contracting Oversight Division) throughout her tenure at OSC, working on all aspects of governmental contracting law, and other

Closing Comments

President Maria J. Rivera announced that reminders of important dates will be distributed via email once all details are available.

President Maria J. Rivera mentioned that our September 2026 meeting would be held at the Somerville Elks Lodge 1068, 375 Union Avenue, Bridgewater, NJ 08807.

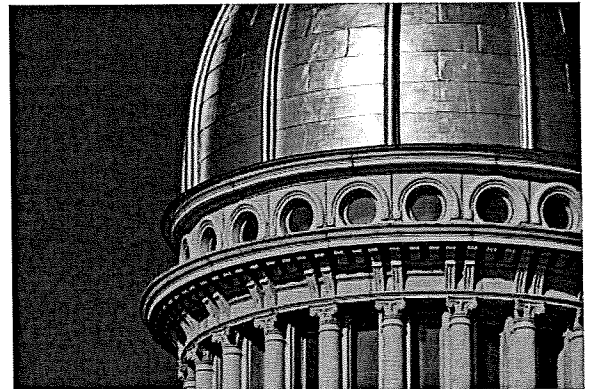
A motion was made and seconded to adjourn the meeting at 12:30 pm. Motion unanimously passed.

Respectfully Submitted,
Michael Kupec, Jr.
Secretary

**OFFICE OF THE STATE COMPTROLLER
PUBLIC CONTRACTING OVERSIGHT
DIVISION:**

**THE LEGAL AND PRACTICAL
EFFECTS OF P.L. 2025, c.180**

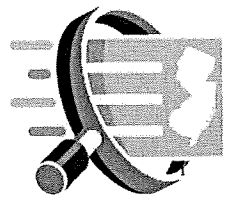
**NIGP NORTHERN NEW JERSEY CHAPTER 7
QUARTERLY MEETING**



JUNE 18, 2026

**ALYSIA WALSH, ESQ.
PUBLIC CONTRACTING OVERSIGHT DIVISION, DIRECTOR**

*This presentation may not be exhaustive, and it is not intended as legal advice.
OSC recommends that you confer with legal counsel as necessary.
This presentation is the property of OSC. Use of this guidance other than as a resource for the
intended recipients is prohibited.*



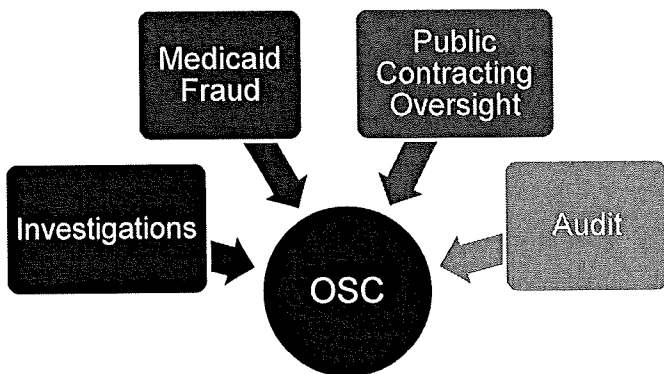
AGENDA

- About OSC and the PCO Division
- P.L. 2025, c. 180
 - The History
 - Key Changes Under the Law
 - Important Definitions
 - Effects on Local Units
 - Cooperatives
 - Anticipated DLGS Rule Changes
- Additional Considerations
- Discussion and Questions
- Keep in Touch with OSC

A black and white photograph of a 'WELCOME' sign. The word 'WELCOME' is written in large, bold, capital letters, where each letter is constructed from numerous small, glowing light bulbs. The sign is set against a dark, textured background, possibly a wall or a screen.

ABOUT OSC AND THE PCO DIVISION

INTRODUCTION



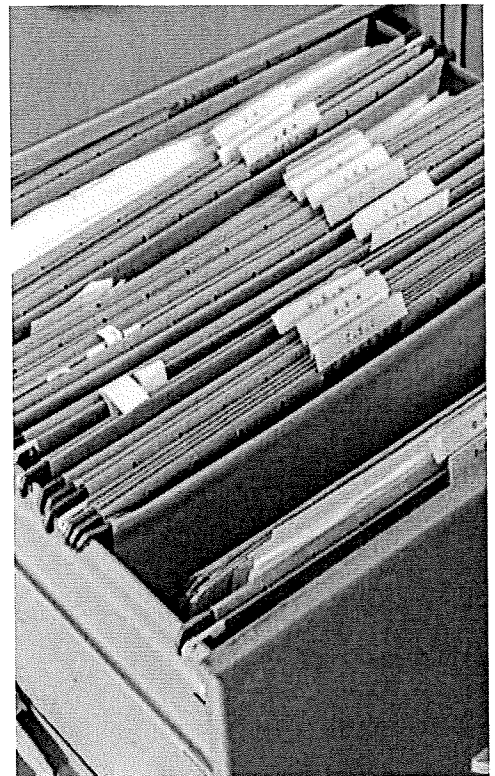
- Independent agency created in 2007.
- OSC oversees, monitors, investigates, and audits state agencies, independent state authorities, state colleges and universities, counties, local governments, local and county commissions, boards and authorities, and boards of education.
- OSC provides technical assistance and training regarding best practices for financial management, internal controls, and preventing misuse of public funds.
- Public Contracting Oversight Division oversees public contracting for over 1,900 government entities.

ABOUT OSC AND THE PCO DIVISION

ABOUT THE PCO DIVISION

N.J.A.C. 19:70-1A.3

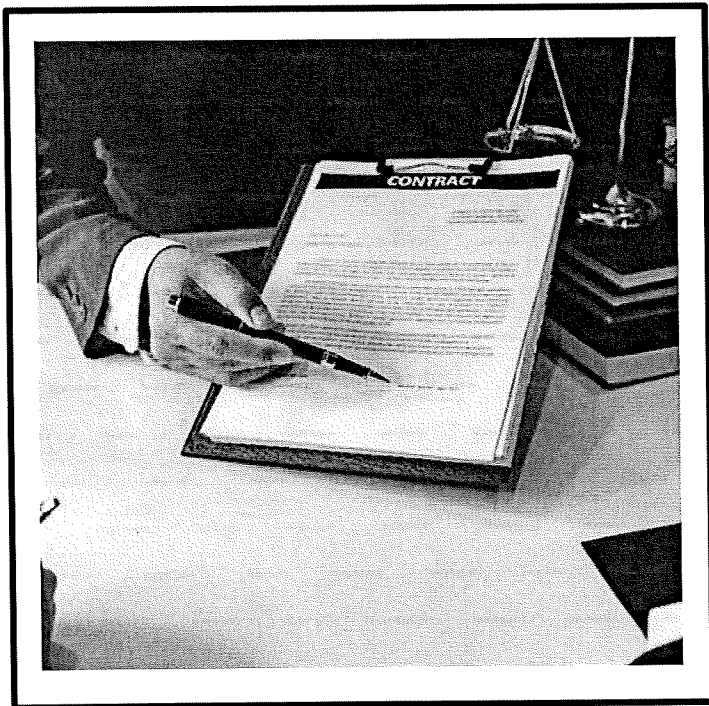
- Monitors, reviews, and provides guidance on the solicitation and award process for contracts under OSC's jurisdiction.
- Ensures competition, transparency, public confidence in government, avoidance of favoritism, and that procurement processes comply with applicable public contracting laws, rules, regulations, and policies.
- Provides guidance, in the context of its reviews, to contracting units to correct deficiencies in contracts prior to advertisement and to ensure future contracts comply with applicable procurement processes.
- In response to complaints, referrals, and contract reviews, the OSC may investigate to gather additional information regarding the procurement process, contract award process, and financial management and performance of contracting units, and may issue public letters or reports based on these findings.



ABOUT OSC AND THE PCO DIVISION

ABOUT THE PCO DIVISION

ABOUT US

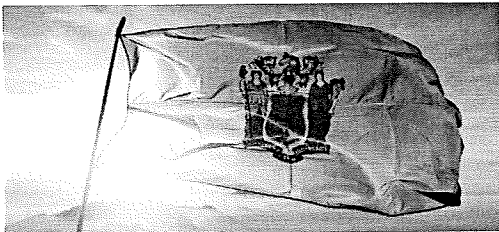
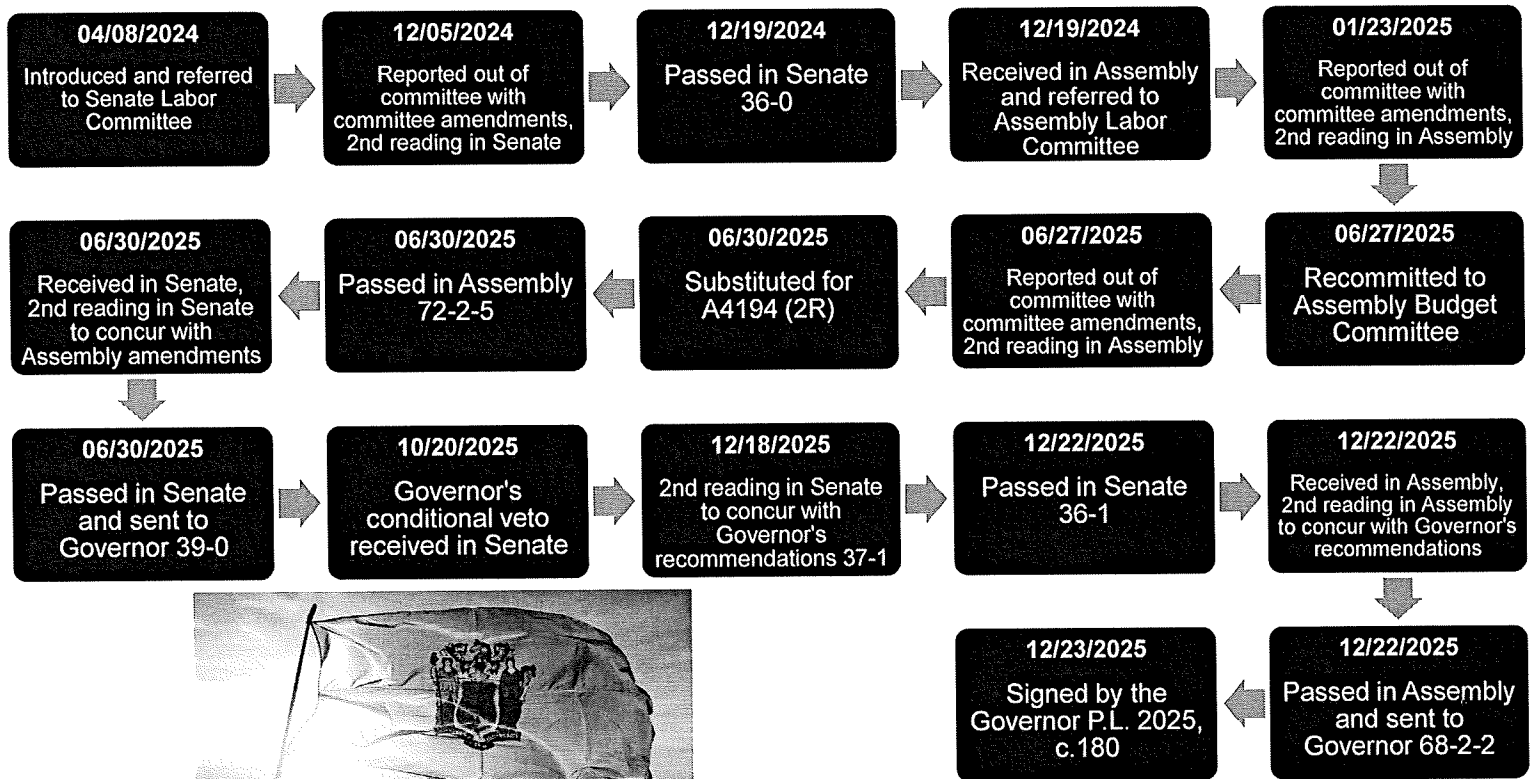


Public Contracting Oversight Division

- Alysia Walsh, Director
- Geoffrey LeGrand, Deputy Director
- Ashley Camporeale, Supervising Attorney
- PCO Division Composition:
 - 9 staff attorneys;
 - 1 paralegal; and
 - 1 administrator.
- PCO staff has decades of collective experience across public, private, and non-profit sectors, including state, federal, and local government.

P.L. 2025, c. 180

THE HISTORY



P.L. 2025, c. 180

KEY CHANGES UNDER THE LAW

Use of Coops

- Allows construction projects via cooperative purchasing systems
- Authorizes the general (goods and service) use of national cooperatives by local units, and construction project use if the master contract is solicited in New Jersey
- Permits the use of State Contracts for construction projects
- Prohibits the use of a master contract which was solicited outside of New Jersey for construction projects

Types of Contracts

- Allows Indefinite Delivery, Indefinite Quantity (IDIQ) Contracts, and the use of cooperative master contracts through cooperative purchasing systems which utilize IDIQ contracts
- Prohibits the use of Time and Materials (T&M) Contracts, and the use of master contracts through cooperative purchasing systems which utilize T&M contracts, for public works construction projects

Oversight

- Authorizes DLGS to issue updated regulations to local units, school districts, and county colleges to address the cooperative purchasing changes resulting from the law
- Requires compliance with PWCRA and PW compliance when utilizing a cooperative contract for construction projects
- Defines the process for the New Jersey wage hub, prevailing wage, record keeping, and reporting (registered member) and posting (lead agency) for construction projects via cooperative purchasing systems

P.L. 2025, c. 180

IMPORTANT DEFINITIONS

Time and Materials

- A contract for the actual costs for materials and acquiring services on the basis of direct labor hours at specified fixed hourly rates that include wages, overhead, general and administrative expenses, and profit.
- Prohibited for construction work requiring compliance with prevailing wage laws.

Indefinite Delivery Indefinite Quantity (IDIQ)

- An agreement that provides for an indefinite amount of supplies or services over a set period of time, where, instead of purchasing a specific amount of goods upfront, agencies establish a minimum and maximum limit, ordering items as needs arise.

Public Works Construction

- Undefined in the new law. Because public works is defined in multiple places in N.J.S.A., we recommend conferring with your legal counsel as necessary about this term, until DLGS issues regulations or a court case determines which definition applies here.**

** N.J.S.A. 34:11-56.26(5); N.J.S.A. 40A:11-2(34); N.J.S.A. 18A:18A-2(z); N.J.S.A. 52:32-44.1; N.J.S.A. 52:38-2; N.J.S.A. 10:5-31; N.J.S.A. 52:33-1; N.J.A.C. 12:60-7.2

P.L. 2025, c. 180

IMPORTANT DEFINITIONS

EXAMPLES OF DEFINITIONS OF "PUBLIC WORKS" IN NEW JERSEY

The Prevailing Wage Act

- N.J.S.A. 34:11-56.26(5)

The LPCL

- N.J.S.A. 40A:11-2(34)

The PSCL

- N.J.S.A. 18A:18A-2(z)

The Federal Debarment
Law

- N.J.S.A. 52:32-44.1

The PLA Act

- N.J.S.A. 52:38-2

The Buy American Act

- N.J.S.A. 52:33-1

The LAD

- N.J.S.A. 10:5-31

Regulations

- i.e., N.J.A.C. 12:60-7.2

P.L. 2025, c. 180
EFFECTS ON LOCAL UNITS
LOCAL COOPERATIVES

**Local Units, BOEs, and County Colleges May Use
Coops for Construction But Must:**

- Comply with Public Works, and Prevailing Wage compliance requirements, including ongoing publishing and reporting to the New Jersey Wage Hub
- Ensure the master contract was solicited and awarded in New Jersey as a low bid solicitation, in compliance with the prevailing wage and public works solicitation requirements as of the time of award
- Ensure the master contract and the registered member contract / task order / purchase order is NOT a time and materials contract
- Comply with the DLGS regulations regarding P.L. 2025, c. 180, when those regulations become effective

P.L. 2025, c. 180 EFFECTS ON LOCAL UNITS ANTICIPATED DLGS RULE CHANGES



Prior to Adoption of PL2025, c.180

- Compliance was required with DLGS regulations and LFNs stating construction project contracts not allowed off coop contracts

Adoption of PL2025, c.180

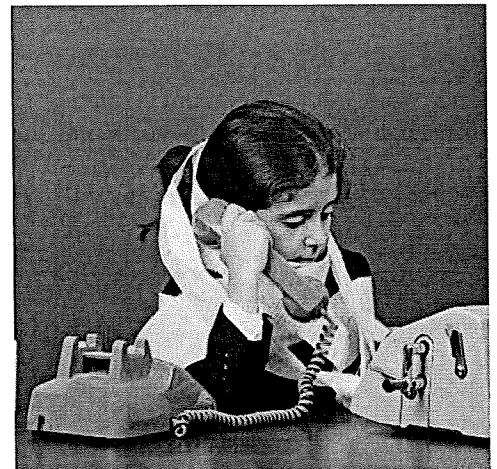
- Compliance is required with PL2025, c.180 – Requires interpretation of the law on a case-by-case basis

Upcoming Adoption of Revised DLGS Regulations

- Compliance will be required with PL2025, c.280 as it is interpreted and explained in the DLGS revised regulations

ADDITIONAL CONSIDERATIONS

- Job Order Contracting (JOC)
 - Differs from T&M because it is bid based upon tasks (time and materials are combined into single unit of the bid proposal)
- Public Works Construction
 - Until a legal determination is made as to which definition of “public works” applies to this term in the law, we recommend seeking guidance from your legal counsel on your specific project if / when it would fall within some definitions but not others
- Public works construction work done under a coop is required to be:
 - Competitively bid and
 - Awarded to the lowest bidder
- IDIQ is now authorized for other types of contracts and can also be used on an individual basis, so long as the project specific task order process is clearly defined



ADDITIONAL CONSIDERATIONS

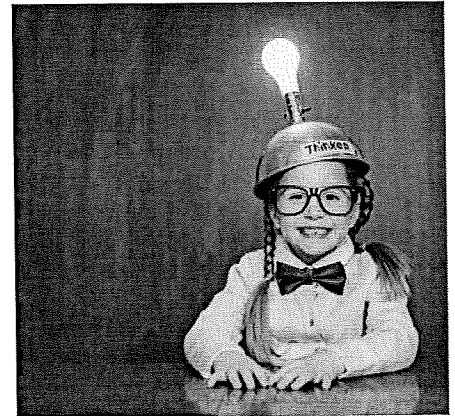


- PCO's Guidance Page
 - <https://nj.gov/comptroller/resources/index.shtml>
- OSC and PCO Rules
 - <https://www.nj.gov/comptroller/about/rules/>
- New Jersey State Bills and New Laws:
 - <https://www.njleg.state.nj.us/>
- DLGS Regulations:
 - https://www.nj.gov/dca/dlgs/rules_reg.shtml

**DISCUSSION AND QUESTIONS?
PLEASE CONTACT US!**

Thank you for attending!

- **Office of the State Comptroller**
 - Website: <https://nj.gov/comptroller>
- **Public Contracting Oversight Division**
 - Email: alysia.walsh@osc.nj.gov
 - Website: <https://nj.gov/comptroller/about/work/contracting/>
- **Submit Contracts**
 - Email: contracts@osc.nj.gov
 - Website:
<https://nj.gov/comptroller/about/work/contracting/contracts.shtml>



KEEP IN TOUCH

REPORTING FRAUD, WASTE, AND ABUSE

If you have information about fraud, waste, or abuse of public funds, submit a complaint to the New Jersey Office of the State Comptroller:

- Fill out the form on our website: www.nj.gov/comptroller
- Email us: ComptrollerTips@osc.nj.gov
- Call us: **1-855-OSC-TIPS**

KEEP IN TOUCH

OSC'S SOCIAL MEDIA CONTACT INFO



@NJComptroller



New Jersey Office of the
State Comptroller



@NJComptroller



@NewJerseyComptroller



@NJComptroller



**Sign Up
For Our
Newsletter!**