



RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

RUTGERS
Continuing Studies

UPDATE: LPCL REFERENCE GUIDE & YELLOW BOOK

2022 League of Municipalities Conference





Today's Session

- A New Partnership and a New Reference Guide (Michele)
- Exploring the Reference Guide (Marc)
- Crowd-Sourcing a new Yellow Book (Marc, Michele, Nicola)



RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

RUTGERS

Continuing Studies

A NEW PARTNERSHIP

How to Crowd Source

- Online tool – Poll Everywhere – lets you submit questions and comments via smart phone or your computer/tablet that we will see.
 - Go to: www.polleve.com/techcity From there you can enter comments
 - or Text **TEHCITY to 37607** Once you get confirmation, send text messages to that site.
- Or come up to the microphone



RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

RUTGERS

Continuing Studies

The New Partnership

New Jersey
Local Public Contracts Law
and Regulation
Reference Manual
With Related and Supporting Information

N.J.S.A. 40A:11-1 et seq. and
N.J.A.C. 5:34

Current as of April 1, 2014

Prepared by:
Bloustein Local Government Research Center,
Rutgers, the State University
and
New Jersey Division of Local Government Services

Version 2.0, November 2022

N.J. Local Public Contracts Law and Regulations **Reference Guide**

N.J.S.A. 40A:11 and N.J.A.C. 5:34 and related laws and rules
With pertinent and supporting information

Prepared by the:
Center for Government Services
Division of Continuing Studies, and the
Bloustein Local Government Research Center
Edward J. Bloustein School of Planning and Public Policy, of
Rutgers, The State University of New Jersey;
in cooperation with the
Division of Local Government Services
NJ Department of Community Affairs

Download this Guide



The LPCL/NJAC Reference Guide – Version 2.0

https://go.rutgers.edu/LPCL_Reference_Guide





About the Reference Guide

- We plan to keep it as current as reasonably possible. That means when significant things happen, a new version will come out.
- When a new version is released, the changes will be listed on the inside front cover of the Guide.
- **That link is a permanent** as we can make it. Whenever you go to it, you'll receive the latest version. The link to it is on the inside front cover as a QR and text (and on the cover).

Reference Guide Updates

- New versions will be announced by DLGS through its email lists.
- CGS is also creating a notification list for people who are not DLGS's lists.
- Get on the CGS list.
- https://go.rutgers.edu/CGS_Purchasing
- Look for: *NEW! LPCL RESOURCE DOCUMENTS!*



Reference Guide Features

- Contains the full text of LPCL and relevant NJAC rules
- Table of Contents with links to each section of the law and rules
- Continues in-statute links to supplemental and authoritative resources
- NEW: Topic Headings in the Table of Contents
- Rules also includes text or links to the (new) QPA certification rule, P-Card rules, P3, and Design/Build
- Appendices are refreshed with new content, plus a new one (E) that summarizes key “public work” laws and rules





Goods and Services Bid Specifications, aka The Yellow Book

**A Guide for New Jersey Local Public Agencies
Bringing It Current**

Updating the Yellow Book

- History and Why It's the "Yellow Book"
 - 1995 – effort with GPANJ to develop a much needed standard spec and common forms
 - Updated in 2000 (V2), 2018 (V3) and 2019 (v.4) as part of QPA training
- But it's now out of date
- It has always been expected that a local unit would work with their attorney to make changes that suited their needs and circumstances
 - While it's authoritative, its not mandated



For the Next Version

- Want documents and forms that, where possible, simplify possible to make it easier for bidders. Filling out forms should not stymie bidding.
- For Part A – the next version will likely have numbered sections and paragraphs as in an outline; using I, A, 1, a, I; or a numeric sequence 1.2.3.4.5
- And we're going to ask for your help on this. We're going to ask you some questions and get input from you today. Also do the same at some upcoming association meetings. If you think you have really good forms or language, send them along.
Marc.Pfeiffer@rutgers.edu
- Input will also involve QPA Instructors and the Comptroller's Office

Some Key Considerations

- Format of Word documents is critical.
- Ideally, they should be designed to facilitate being filled in on a computer (Word or PDF)
- We plan to design them with:
 - Fill in fields for the agency name
 - Fill in fields for items that bidder to fill in
 - Check boxes that can be checked manually,
 - Work the same inside Word or when output to Acrobat



Yellow Book Questions (show of hands)

1. Type size preferences: assuming its always legible: fewer pages or larger type size?
2. How many receive most bids filled out by hand?
3. For tradition paper bids, how many places use Adobe Acrobat (or similar) software to prepare bid packages
4. Use of terms for bidder vs. proposer usage. *Should use "offeror."*
5. If using Acrobat to prepare specs, do you use their form converter to allow PDF forms to be filled out by computer



Yellow Book Style Questions (Poll)

Assume forms will use Word to create fillable fields and checkboxes.

- What will you do with them:
 - a. Redo them on your own using Word
 - b. Edit them in Word
 - c. Convert to PDF and edit them
- How do you provide them to bidders
 - 1. Convert to PDF to be filled out as PDF forms
 - 2. Distribute as PDF and filled out manually



Updates to be Considered

- Separate sections for Public Work-related requirements and forms
- Forms generally
 - Simplify some forms (ownership and debarment disclosures – maybe combine?)
 - Add Debarment and the upcoming bid less than 10% prevailing wage certification
 - And the Russia/Iran disclosure form
 - Make Non-Collusion a certification to resolve the notary issue
- State Comptroller threshold changes and submission instructions
- Will check clarity of using of bidder or contractor
- Consideration of single sign off sheet (as can be done with e-procure)
- Perhaps identify fatal vs non-fatal on Form Checklist



RUTGERS

Edward J. Bloustein School
of Planning and Public Policy

RUTGERS
Continuing Studies

Into the Book!