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**COUNTY OF PASSAIC**  
Board of County Commissioners

**Memorandum**

**TO: Board of County Commissioners**

**FROM: Matthew P. Jordan, Esq.  
County Administrator**

**RE: Amendments to Project Labor Agreement Resolution**

**DATE: April 24, 2026**

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Background

On June 25, 2024, the Board of County Commissioners (hereafter “Board”) adopted Resolution No. 24-628 adopting a Project Labor Agreement (hereafter “PLA”) policy for public works contracts over five million dollars (\$5,000,000.00). Since that time, the County of Passaic (hereafter “County”) has undertaken five (5) public works projects that included a PLA, with three (3) pending bidding. The PLA policy accomplished the twofold goal of retaining contractors with a skilled workforce and putting Passaic County residents to work on County public works projects.

Recently, P.L. 2025, c. 327 was signed into law, eliminating the five-million-dollar (\$5,000,000.00) PLA threshold. Now, there is broad discretion to impose PLA provisions as a standard procurement tool at any project size. Considering this legal change to PLA thresholds, the below amendments to the County’s PLA policy are being submitted for consideration by the Board.

Amendments to PLA Policy

For consideration by the Board, and following approval from the Administration and Finance Committee and Public Works Committee, the following amendments to Resolution No. 24-628:

Section 1. Project Labor Agreement Threshold.

- (a) The County is authorized to use a Project Labor Agreement for public works projects equal to or exceeding three million dollars (\$3,000,000.00).
- (b) For any public works projects with a construction estimate of less than three million dollars (\$3,000,000.00), the Board may require inclusion of a Project Labor Agreement via resolution. The County Engineer shall present the Public

Works Committee with construction estimates when seeking resolutions to authorize bidding of public works projects to make this determination, and authorization of the Project Labor Agreement shall be included therein.

Section 2. Incorporation in County Public Works Projects Bid Specifications.

The Purchasing Agent, upon direction from the County Engineer, shall include a letter of assent to enter into a Project Labor Agreement in the bid specifications for public works projects that shall be a material condition of bidding on the public works project. It shall provide that a successful bidder shall execute the Project Labor Agreement as a condition of the contract award by the Board.

Section 3. Administration and Compliance.

The County Engineer, Purchasing Agent, and County Counsel shall ensure bid specifications comply with all relevant procurement statutes and regulations; coordinate inclusion and administration of Project Labor Agreements; and maintain documentation of such Project Labor Agreements.

Section 4. Project Labor Agreement Provisions.

The Project Labor Agreement shall include all provisions as required by the law, and any others as determined by the County Counsel.

Section 5. Negotiation of Project Labor Agreements.

Project Labor Agreements shall be negotiated with labor organizations through the County Administrator, in consultation with the County Engineer, County Counsel, and Purchasing Agent.

Conclusion

If acceptable, these amendments to Resolution No. 24-628 shall be moved through the legislative process for approval by the Board and incorporation into the County's procurement process.

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cc: Timothy Roetman, Deputy County Administrator  
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