



Patrick Madden

Business Administrator/Board Secretary

March 23, 2026

Attn: Camden County ESC Co-Op # 66CCEPS Members & Vendor/Contractors

Subject: Compliance with S3041

After consultation with legal counsel, it has been determined that the Awarded Contracts listed under Cooperative Pricing System # 66CCEPS are compliant. S3041 does not fundamentally alter the legal framework governing cooperative agreements or prevailing wage compliance. The obligation to pay prevailing wage for public works projects has applied regardless of whether the work is procured through a traditional bid or cooperative pricing system.

Additionally, Members & Vendors/Contractors shall ensure compliance by:

- To the extent that any work performed under this contract constitutes a "public works" project, as defined by the New Jersey Prevailing Wage Act ("NJPWA"), N.J.S.A. 34:11-56.25, et seq., the Contractor shall comply with all requirements therein, including but not limited to the payment of not less than the prevailing wage rate as determined by the New Jersey Department of Labor and Workforce Development for the locality in which the work is performed.
- The Contractor acknowledges that the applicability of the NJPWA shall be determined on a project-by-project basis by the participating Member contracting unit. Where applicable, the Contractor agrees that prevailing wage requirements shall supersede any conflicting pricing set forth in a contract.
- The Contractor shall also maintain all records required by law, including certified payroll records, and shall make such records available for inspection by the Member contracting unit, upon request.
- Nothing in a contract shall be construed to relieve the Contractor of its obligation under applicable law, nor to limit the responsibility of the participating Member contracting unit to ensure compliance with all statutory requirements.
- Member contracting units should determine if their project constitutes a "public works" project subject to the NJPWA and ensure compliance by collecting and retaining certified payrolls for those projects.
- Member contracting units should visit the NJ Prevailing Wage Debarment List regularly to make sure the contractor(s) is not listed

The Camden County ESC reserves the right to change/modify its approach if more guidance and/or regulations are presented. I am hopeful this notice provides Members and Vendor/Contractors the clarity needed to move forward in the way they feel most appropriate.

Best Regards,

A handwritten signature in black ink that reads "W P Madden".

W. Patrick Madden  
School Business Administrator / Board Secretary