

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES

REQUEST FOR PROPOSALS

PREVENTION OF DEVELOPMENTAL DISABILITIES

March 5, 2014

Elizabeth Shea, Assistant Commissioner
Division of Developmental Disabilities

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I. Introduction & RFP Purpose

The Department of Human Services (DHS), Division of Developmental Disabilities (Division), Office for the Prevention of Developmental Disabilities (OPDD), is soliciting proposals to assist DHS in reducing the incidence of intellectual and developmental disabilities in New Jersey.

Preventing developmental disabilities begins long before a woman gets pregnant and continues long after her children are born. Numerous developmental disabilities can be stopped through good maternal, paternal and child health practices.

There is a body of research that supports the effectiveness and cost savings attributable to prevention interventions. Effective prevention efforts use multifaceted systems approaches that range in scope from educating individuals to influencing policy and legislation. They involve interdisciplinary collaborations on an increasing continuum of awareness levels. The various intervention levels include increasing the awareness and knowledge of individuals and community groups, educating providers, establishing advisory boards and coalitions to coordinate efforts and make recommendations, and influencing policy and legislation. Another important piece of the prevention puzzle is developing surveillance and tracking systems that provide baseline data and capture information over time that allow for comparisons and identification of trends.

Funding for approved proposals will be provided for the following types of projects:

- **Statewide Projects:** Projects must address prevention activities that will have an impact throughout the State, and cannot be limited to one geographic area. Projects can be focused on specific age groups (i.e., birth - 5, 6-10, teens, etc.), issues (lead poisoning, helmet use, etc.) or populations (pregnant women, newborns, etc.).
- **Special Projects:** Projects should address the unique needs of populations and/or specific underserved regions throughout the State. Evidence and rationale for the need of a specific focus on a region or topic must be provided.

An evaluation by an outside entity (NJ preferred) of the efficacy or potential efficacy of the project will be required, with the expectation that a full evaluation report will be submitted at the end of the contract period. Quarterly reporting will also be required.

II. Background

The Office for the Prevention of Developmental Disabilities was established in 1987. The OPDD's mission is to reduce the frequency of occurrence of severe chronic intellectual/developmental and physical disabilities that originate during pregnancy or early childhood. This goal is achieved by many means, including but not limited to:

- Educating the public, targeting potentially young and new parents about the preventable causes of disabilities, such as ingesting lead paint and non-lead paint sources such as jewelry, toys stoneware etc., as well as maternal alcohol consumption during pregnancy, or unintentional injury during childhood;
- Alerting health care providers and others to new discoveries that suggest ways to reduce the risks of permanent damage to children before, during, or after birth;
- Publicizing newly discovered causes of disability that arise from societal or environmental changes;

- Fostering coordination among different agencies, each of which may be part of the solution to a problem;
- Stimulating research to push forward the frontiers of biomedical knowledge including basic science research to fill important gaps in the sciences of the prevention of disabilities; and
- Advocating for changes in social conditions that endanger children.

The following subjects are provided as examples of past and potential future areas of focus for OPDD funding:

- Unintentional Injury
- Folic Acid
- Genetic Metabolic Screening
- Fetal Alcohol Spectrum Disorder
- Lead, Chemical, Social and Environmental Impact on Maternal and Child Health

The most recent projects focusing on prevention of developmental disabilities funded through the OPDD can be found at:

- <http://www.state.nj.us/humanservices/opmrdd/home/programs/index.html>.

The most recent long term planning documents from the Governor’s Council on the Prevention of Developmental Disabilities and its standing committees can be found at:

- <http://www.state.nj.us/humanservices/opmrdd/news/ChangesChallengesBooklet.pdf>
- <http://www.state.nj.us/humanservices/opmrdd/news/BeintheKnowFINAL12.12.pdf>
- http://www.state.nj.us/humanservices/opmrdd/news/NJITF_prev_lead_poisoning.pdf

Prevention information from the Substance Abuse and Mental Health Services Administration (SAMHSA) can be found here:

- <http://captus.samhsa.gov/prevention-practice/strategic-prevention-framework>
- <http://captus.samhsa.gov/prevention-practice/prevention-and-behavioral-health/levels-risk-levels-intervention/2>

Useful data and information from the NJ Department of Health (DOH) can be found here:

- <http://www.state.nj.us/health/fhs/nbs/index.shtml>
- <http://www4.state.nj.us/dhss-shad/indicator/Introduction.html>

III. Target Population & Statement of Need

This RFP is focused upon the prevention of developmental disabilities in the State of New Jersey. The Division serves approximately 29,000 adults with developmental disabilities. The Department of Children and Families (DCF) serves approximately 15,000 children with developmental disabilities.

Intellectual and Developmental Disabilities (IDDs) are disorders that are usually present at birth and affect the trajectory of the individual’s physical, intellectual, and/or emotional development.¹ About one in six children in the U.S. have one or more developmental disabilities or other developmental delays.² Some conditions considered to be developmental disabilities include:

¹ <http://www.nichd.nih.gov/health/topics/idds/conditioninfo/Pages/default.aspx>

² <http://www.cdc.gov/ncbddd/developmentaldisabilities/index.html>

intellectual disabilities, cerebral palsy, autism, epilepsy, spina bifida, traumatic brain injuries and certain neurological disorders.

Developmental disabilities begin anytime during the developmental period and usually last throughout a person's lifetime. Most developmental disabilities begin before a baby is born, but some can happen after birth because of injury, infection, or other factors.

Most developmental disabilities are thought to be caused by a complex mix of factors. These factors include genetics; parental health and behaviors (such as smoking and drinking) during pregnancy; complications during birth; infections the mother might have during pregnancy or the baby might have very early in life; unintentional injury during childhood; or exposure of the mother or child to high levels of environmental toxins, such as lead.³

Although proposals can be targeted generally to children and pregnant women, proposals that focus upon specific, at-risk communities are also encouraged. [For example, some candies and other foods, imported from other countries, have lead added to them because of the sweet taste.] Programs and activities that are oriented toward particular demographic populations, living in specific cities or counties, are encouraged.

Proposals should include current statistical information regarding demographic, economic, geographic, cultural, health and educational status of the populations that are to be served. This data should not simply provide background information but should be utilized to demonstrate the needs that will be addressed through the project's activities.

IV. Scope of Work/Service Model

Proposals must include a succinct but comprehensive scope of work that includes descriptions of the critical components of the project. This narrative must show a clear path to address the core issues that drive the project. Of particular importance will be any current, evidence-based or state-of-the-art work that is to be advanced.

Historically, many OPDD funded projects have included collaborative efforts designed to increase a project's impact. Past collaborations have been as complex as partnering for Statewide educational events or as simple as assisting with the dispersal of e-mail or web based information. An opportunity for agencies to collaborate regarding the prevention of DD is encouraged at nearly any point in the service model.

The scope of work/service model should display a good understanding of cultural competence.⁴ Additionally, proposals should reflect a knowledge of "person first" language.⁵

Please augment your narrative description by utilizing the attached "Scope of Work Grid", to present the project's goals, objectives and activities.

³ <http://www.cdc.gov/ncbddd/developmentaldisabilities/facts.html>

⁴ Cultural competence describes the ability of an individual or organization to interact effectively with people of different cultures. See <http://captus.samhsa.gov/prevention-practice/strategic-prevention-framework/cultural-competence>

⁵ <http://www.state.nj.us/humanservices/news/publications/PeopleFirstFlyer.pdf>

V. Outcome & Evaluation (Deliverables) Requirements

Proposals will need to clearly demonstrate how agency activities will lead to expected outcomes. A well-constructed timeline will be an important component of an agency's proposal and must detail when various program components will be implemented.

Applicants must agree to use an outside entity (preferably from New Jersey) to evaluate the project's effectiveness. The project's final evaluation must show how the proposed project changed the outcome or incidence of developmental disabilities. The proposed project must be able to show the efficacy of the project's method and demonstrate the impact these methods may have on the incidence of developmental disabilities in New Jersey.

The proposal must have the capacity to measure progress toward the outcomes associated with the ambitions of the project and the effect the project has had on reducing incidents of developmental disabilities. [The tracking of outcomes should not simply include the number of seminars held or advertisements or brochures produced etc. For example, if the project goal is to change the number of accidental head injuries due to wearing a helmet, or to statistically increase the number of children that wear helmets, of particular interest would be if the project could demonstrate a reduction in head injuries.] The use of accepted statistical methods will be of particular importance in demonstrating efficacy. All evaluation tools must be noted and their use/role in the project explained.

On a quarterly basis, agencies will be expected to provide e-mail updates, utilizing a provided template, regarding their project. These quarterly updates will provide the OPDD with information regarding the activities in which the agency has engaged in order to reach the goals and objectives specified in their scope of work. The quarterly reports will also keep the OPDD informed of any interagency collaborative work that may occur in order to achieve goals and objectives.

VI. Qualifications

- The applicant must be a fiscally viable for-profit or non-profit organization or governmental entity.
- The applicant must currently meet, or be able to meet, the terms and conditions of the Department of Human Services contracting rules and regulations as set forth in the Standard Language Document, the Contract Reimbursement Manual (CRM), and the Contract Policy and Information Manual (CPIM).
- Non-public applicants must demonstrate that they are incorporated through the New Jersey Department of State and provide documentation of their current non-profit status under Federal 501(c) (3) regulations, as applicable.
- If the applicant is a for-profit entity, the applicant must obtain a business registration certificate from the New Jersey Department of the Treasury prior to the time the contract is awarded. For-profits may obtain this certificate at <http://www.state.nj.us/treasury/revenue/busregcert.shtml>

VII. Funding Availability

Contracts of up to \$125,000 per year subject to State appropriation, may be available for programs that are Statewide, and grants up to \$40,000 per year subject to State appropriation, is

expected to be available for special projects (i.e., regional, intended to support specific underserved populations, etc.).

Contracts will be given for one year with the option of renewal for a second year, dependent on the availability of funding and performance of the contract recipient. Applicants should indicate if they anticipate requesting a renewal after the first year.

VIII. Requirements for Submission

Proposals must address the following:

1. Funding Proposal Cover Sheet – (5 Points) – Utilize Template
 - a) Incorporated name of Agency (applicant),
 - b) Agency type (i.e., profit, non-profit, hospital-based, public)
 - c) Federal identification number
 - d) Charity’s registration number, as applicable
 - e) Corporate address
 - f) Contact person – name, title, phone, fax, email address
 - g) Total dollar amount requested
 - h) Agency Fiscal Year end date
 - i) Counties in which services are to be provided
2. Target Population & Statement of Need (see section III. Above) – (15 Points) – 2 Pages Max
 - a) Who do you look to serve with this proposal?
 - b) Please provide a rationale for how this proposal has the impact to affect the target population.
 - c) Please include current stats regarding target population.
3. Agency History and Experience – (10 Points) – 2 Pages Max + requested references
 - a) Please provide the following information related to your agency:
 - A brief summary of your agency’s history and mission;
 - Your agency’s experience in conducting developmental disability prevention work and/or related activities; including two (2) references that may be contacted for a referral; and
 - An explanation of your plan for the project at the end of the grant.
4. Scope of Work/Project Model (see section IV. Above) – (25 Points) – 3 Page Max + attached grid
 - a) Describe your project.
 - How does it meet the needs and requirements described in this RFP?
 - State and explain your project goals and measurable objectives. All goals must be clearly and directly linked to the desired outcomes of the project. All objectives under each goal should also be clear and measurable. Please describe how your program activities will achieve the stated goals and objectives. Please also include a description of the following:
 - Any collaboration you anticipate with other agencies and/or organizations;
 - Any barriers you anticipate in meeting your goals, and how you expect to overcome them; and

- Any other resources that you may need to utilize or develop in order to meet your goals.
 - Please complete the attached “Scope of Work Grid”.
5. Outcomes & Evaluation (see section V. above) – (20 Points) – 3 Pages Max
- a) Please provide the following information related to the projected outcomes associated with your proposal as well as all evaluation methods that will be utilized to measure successes and/or setbacks associated with this project:
- Phase-in schedule – Provide a detailed monthly timeline of activities, commencing from the date of award.
 - Methods used to measure the achievement of identified goals and objectives.
 - Discuss in detail the methods you will use to evaluate your project’s outcomes.
 - List and describe any tools that will be used in the evaluation.
 - Provide information regarding the program evaluation entity, i.e. name of agency, contact information, brief description of the credentials and experience of the outside agency conducting the program evaluation.
6. Staffing – (10 Points) – 2 Pages Max for narrative + requested documents
- a) Please indicate the following information regarding staffing related to this project and your agency:
- Staffing (FTE numbers) required to provide intended services.
 - Resume/CVs for staff involved with the project.
 - A description of the composition and required skill set of the proposed program team.
 - The number of work hours per week that constitute any FTE or PTE in your proposal.
 - A work week schedule. Work week schedule must demonstrate weekend and evening on-site coverage, if applicable.
7. Budget – (15 Points) – 3 Pages Max to accompany attached Annex B Spreadsheet
- a) A program budget with the following characteristics must be submitted:
- A detailed budget using the Annex B categories for expenses and revenues, utilizing the Excel template. The budget must be presented in three clearly labeled separate columns:
 - i. One to show the full annualized operating costs excluding one-time costs;
 - ii. One to show only the one-time costs; and
 - iii. One to show the phase-in amount excluding one-time costs.
 - Phase-in budget that shows projected costs and revenues from the point at which the contract commences until program completion, irrespective of contract year. The budget must project revenues and explain assumptions of the methodology used to determine projections.
 - Budget Notes are often useful to help explain costs and assumptions made regarding certain non-salary expenses and the calculations behind various revenue estimates. Please note that reviewers will need to fully understand the budget projections from the information presented, and failure to provide adequate information could result in lower ranking of the proposal. Please provide Budget Notes if you believe such notes would assist the reviewers.
 - Please identify all funding support that is current for this project or has been, or is expected to be applied for from your agency or from other sources for this project. Also, if other sources of funding are received for this project, the applicant must detail how the applicant will handle any extra funding sources. All funds that currently

support or are planned to support the project must be identified and discussed. Finally, the funding sustainability of the project going forward must be detailed.

- Include name(s) and address(es) of any organization providing support as a subcontractor.
- For personnel line items, the staff position titles and hours per workweek are needed.
- Provide the number of hours associated with each line of any clinical consultant so that cost/hour may be considered by the evaluators.
- Staff fringe benefit expenses may be presented as a percentage factor of total salary costs, and should be consistent with your organization's current fringe benefits percentage.
- General & Administrative (G&A) expenses, otherwise known as indirect or overhead costs should be included if attributable and allocable to the proposed program. Because administrative costs for existing Division programs reallocated to a new program do not require new Division resources, applicants that currently contract with the Division should limit the G&A expense projection to "new" G&A only by showing the full amount as an expense and the offsetting savings in other programs in the revenue section.
- Required Respondent Assurances: Express written assurance that if your organization receives an award pursuant to this RFP you will pursue all available sources of revenue and support upon award and in future contracts including your agreement to obtain approval as a Medicaid-eligible provider. Failure to maintain certification may result in termination of the service contract.

8. Required Documents

- a) Please provide the following:
 - i. Overview of agency services;
 - ii. Documentation of incorporation status;
 - iii. Proof of 501c (3) status, if applicable;
 - iv. Agency organization chart;
 - v. Agency code of ethics and /or conflict of interest policy;
 - vi. Most recent audited financial statement;
 - vii. Current Board of Directors, officers and terms of each; and
 - viii. Current Agency Licensure/Accreditation Status.

IX. Question & Answer Period

Technical assistance regarding this RFP will be provided via the DHS web site. Potential applicants are encouraged to submit questions to the OPDD at ddd.preventiondd@dhs.state.nj.us by March 17, 2014. Responses to submitted questions will be posted on the DHS website location <http://www.state.nj.us/humanservices/providers/grants/rfprfi/> by March 20, 2014.

X. Submission of Proposals

DHS assumes no responsibility and bears no liability for costs incurred by the bidder in the preparation and submittal of a proposal in response to this RFP.

Submit your proposal in a PDF formatted file via email to Jonathan Sabin, Director, Office for the Prevention of Developmental Disabilities, Division of Developmental Disabilities at

jonathan.sabin@dhs.state.nj.us. Your email “subject” should include your agency name, and the proposal name and date. Application program narratives must be no more than 15 pages in length excluding Annex B, Scope of Work Grid and any other required attachments. Font size can be no smaller than 12 point. Applicants should use Times New Roman or Arial fonts for their application.

RFP responses must be received at the above addresses by 4:00 P.M. on April 24, 2014, to be considered eligible. Facsimile submissions will not be accepted. Additionally, one hard copy of the proposal with an original signature and six additional hard copies must be submitted to the attention of Jonathan Sabin at the address below:

Jonathan Sabin, Director, Office for the Prevention of Developmental Disabilities
Division of Developmental Disabilities, Department of Human Services
P.O. Box 726
Trenton, NJ 08625-0726

The original proposal and copies should be received no later than 4:00 pm on April 25, 2014. No format other than the PDF and one original signed hardcopy and six hard copies will be accepted for this RFP.

XI. Review of Proposals and Notification of Preliminary Award

Proposals received after the due date and time, will not be accepted by the Department and will not be evaluated. There will be a review process for all timely submitted proposals which meet all the requirements outlined in this RFP.

An advisory group comprised of members of the Governor’s Council on the Prevention of Developmental Disabilities will evaluate all proposals and provide their comments to the Division. A committee, comprised of staff from the Division, will review and score the proposals.

The Division reserves the right to reject all proposals when circumstances indicate that it is in its best interest to do so. The Division’s best interests in this context include, but are not limited to, loss of funding, inability of the Applicant(s) to provide adequate services, and indication of misrepresentation of information and/or non-compliance with State and federal laws and regulations, existing Department Contracts, and procedures set forth in DHS CPIM Policy Circular P1.04. The Division will notify all applicants of awards, contingent upon the satisfactory final negotiation of a contract with the Office of Contract Administration, by May 29, 2014.

All budget data, if approved and included in signed contracts, will be subject to the provisions of the DHS Contract Policy & Information Manual, and the DHS Contract Reimbursement Manual. These manuals can be accessed from the Office of Contract Policy and Management (OCPM) webpage at: <http://www.state.nj.us/humanservices/ocpm/home/resources/>. The Contracting Manuals’ link is available from the webpage sidebar.

Any agency, selected for funding via this RFP, will be required to attend a training class pertaining to DDD contracting requirements.

XII. Appeal of Award Decisions

Appeals of any award determinations may be made only by the respondents to this proposal. All appeals must be made in writing and must be received by the Division at the address below no later than 5:00 P.M. on June 12, 2014. The written request must clearly set forth the basis for the appeal.

Appeal correspondence should be addressed to:

Jonathan Sabin, Director, Office for the Prevention of Developmental Disabilities

Division of Developmental Disabilities, Department of Human Services

P.O. Box 726

Trenton, NJ 08625-0726

Please note that all costs incurred in connection with any appeals of the Division of Developmental Disabilities decisions are considered unallowable costs for purposes of the Division of Developmental Disabilities contract funding.

The Division of Developmental Disabilities will review any appeals and render final decisions by June 19, 2014. Awards will not be considered final until all timely appeals have been reviewed and final decisions rendered.

**STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
Division of Developmental Disabilities**

Cover Sheet

Name of RFP _____

Incorporated Name of Applicant: _____

Type: Public _____ Profit _____ Non-Profit _____ Hospital-Based _____

Federal ID Number: _____ Charities Reg. Number (if applicable) _____

Address of Applicant: _____

Contact Person: _____ Phone No.: _____

Total dollar amount requested: _____ Fiscal Year End: _____

Funding Period: From _____ to _____

County/Countries in which program and/or services are to be provided: _____

Brief description of the project and its purpose:

Authorization: Chief Executive Officer (printed name): _____

Signature: _____ Date: _____

Attachment B

STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES

ADDENDUM TO REQUEST FOR PROPOSAL FOR SOCIAL SERVICE AND TRAINING CONTRACTS

Executive Order No. 189 establishes the expected standard of responsibility for all parties that enter into a contract with the State of New Jersey. All such parties must meet a standard of responsibility that assures the State and its citizens that such parties will compete and perform honestly in their dealings with the State and avoid conflicts of interest.

As used in this document, "provider agency" or "provider" means any person, firm, corporation, or other entity or representative or employee thereof that offers or proposes to provide goods or services to or performs any contract for the Department of Human Services.

In compliance with Paragraph 3 of Executive Order No. 189, no provider agency shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13D-13b and e, in the Department of the Treasury or any other agency with which such provider agency transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i, of any such officer or employee, or any partnership, firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.

The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any provider agency shall be reported in writing forthwith by the provider agency to the Attorney General and the Executive Commission on Ethical Standards.

No provider agency may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such provider agency to, any State officer or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g. Any relationships subject to this provision shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee or special State officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.

No provider agency shall influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

No provider agency shall cause or influence, or attempt to cause or influence, any State officer or employee or special State officer or employee to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the provider agency or any other person.

The provisions cited above shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from or contracting with provider agencies under the

same terms and conditions as are offered or made available to members of the general public subject to any guidelines the Executive Commission on Ethical Standards may promulgate.

Attachment C

Department of Human Services Statement of Assurances

As the duly authorized Chief Executive Officer/Administrator, I am aware that submission to the Department of Human Services of the accompanying application constitutes the creation of a public document that may be made available upon request at the completion of the RFP process. This may include the application, budget, and list of applicants (bidder's list). In addition, I certify that the applicant:

- Has legal authority to apply for the funds made available under the requirements of the RFP, and has the institutional, managerial and financial capacity (including funds sufficient to pay the non-Federal/State share of project costs, as appropriate) to ensure proper planning, management and completion of the project described in this application.
- Will give the New Jersey Department of Human Services, or its authorized representatives, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with Generally Accepted Accounting Principles (GAAP). Will give proper notice to the independent auditor that DHS will rely upon the fiscal year end audit report to demonstrate compliance with the terms of the contract.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. This means that the applicant did not have any involvement in the preparation of the RFI, including development of specifications, requirements, statement of works, or the evaluation of the RFI applications/bids.
- Will comply with all federal and State statutes and regulations relating to non-discrimination. These include but are not limited to: 1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352;34 CFR Part 100) which prohibits discrimination based on race, color or national origin; 2) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794; 34 CFR Part 104), which prohibits discrimination based on handicaps and the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq.; 3) Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et. seq.; 45 CFR part 90), which prohibits discrimination on the basis of age; 4) P.L. 2975, Chapter 127, of the State of New Jersey (N.J.S.A. 10:5-31 et. seq.) and associated executive orders pertaining to affirmative action and non-discrimination on public contracts; 5) federal Equal Employment Opportunities Act; and 6) Affirmative Action Requirements of PL 1975 c. 127 (NJAC 17:27).
- Will comply with all applicable federal and State laws and regulations.
- Will comply with the Davis-Bacon Act, 40 U.S.C. 276a-276a-5 (29 CFR 5.5) and the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.27 et seq. and all regulations pertaining thereto.
- Is in compliance, for all contracts in excess of \$100,000, with the Byrd Anti-Lobbying amendment, incorporated at Title 31 U.S.C. 1352. This certification extends to all lower tier subcontracts as well.
- Has included a statement of explanation regarding any and all involvement in any litigation, criminal or civil.

- Has signed the certification in compliance with federal Executive Orders 12549 and 12689 and State Executive Order 34 and is not presently debarred, proposed for debarment, declared ineligible, or voluntarily excluded. The applicant will have signed certifications on file for all subcontracted funds.
- Understands that this provider agency is an independent, private employer with all the rights and obligations of such, and is not a political subdivision of the Department of Human Services.
- Understands that unresolved monies owed the Department and/or the State of New Jersey may preclude the receipt of this award.

Applicant Organization

Signature: Chief Executive Officer or Equivalent

Date

Typed Name and Title

6/97

Attachment D

READ THE ATTACHED INSTRUCTIONS BEFORE SIGNING THIS CERTIFICATION. THE INSTRUCTIONS ARE AN INTEGRAL PART OF THE CERTIFICATION.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by an Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

This certification is required by the regulations implementing Executive order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510

Attachment D Cont.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion

Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of facts upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-Procurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.