

DEPARTMENT OF HUMAN SERVICES

DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

REQUEST FOR PROPOSALS

SUPER STORM SANDY RECOVERY AND REBUILDING INITIATIVES

SUPPORTIVE HOUSING FOR INDIVIDUALS WITH A SUBSTANCE USE DISORDER

LYNN KOVICH, ASSISTANT COMMISSIONER

DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

FEBRUARY 10, 2014

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I. Introduction

The State of New Jersey has been awarded funding from the US Department of Health and Human Services, Administration for Children and Families (ACF) in support of the State of New Jersey Recovery and Rebuilding efforts. The Department of Human Services (DHS), Division of Mental Health and Addiction Services has received a grant for \$ 24,744,000 to expend between now and September 30, 2015 through the Social Services Block Grant (SSBG) to provide time-limited supportive housing and supportive housing services which include 354 individuals with a substance use disorder and/or mental illness who were or are residents of the ten counties identified (Atlantic, Bergen, Cape May, Cumberland, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union) as suffering great impact from the Super Storm Sandy.

II. Purpose of the Request

The Division of Mental Health and Addiction Services (DMHAS) is issuing the current Request for Proposal (RFP) to engage a provider (“Provider”) to temporarily develop approximately 141 of the aforementioned 354 supportive housing beds and housing support services to individuals diagnosed with a substance use disorder. Supportive housing beds, along with related support services for individuals with mental illness and/or co-occurring substance use disorder, will be procured in a separate solicitation.

III. Target Population

To be eligible for this program, individuals must be able to demonstrate that they were residents of one of the ten counties impacted between October 28, 2012 and October 30, 2012 when Super Storm Sandy (Sandy) made landfall in New Jersey. The ten counties that were affected are: Atlantic, Bergen, Cape May, Cumberland, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union. Individuals do not have to currently reside in those counties and can choose to live in any one of the 21 counties in NJ; however, they must have been a resident in one of the ten aforementioned counties at the time of the storm. Individuals who have completed long term residential, halfway house treatment in a DHS licensed substance abuse facility or those who are homeless or at risk of homelessness will be prioritized for award.

In addition, individuals must be at least 18 years of age and have a diagnosis of a substance use disorder¹ based on DSM IV/V criteria. Individuals who are participating in other rental assistance programs, who do not have permanent resident status or are not a citizen of the United States, are not eligible to receive a housing subsidy.

¹ Substance Use Disorder is defined as a maladaptive pattern of substance use leading to clinically significant impairment or distress, as manifested by 2 (or more) categories as outlined in the DSMV, occurring within a 12-month period.

If a client is pursuing or receiving Medication Assisted Treatment (MAT) and the client requires pharmaceutical services, the Provider shall support, or, at a minimum, shall not interfere with the client's MAT. This may include, but not be limited to, methadone, suboxone or injectable naltrexone for the treatment of substance use disorders.

Applications for temporary rental assistance must be submitted by the provider agency to the DMHAS' housing unit. The individual must be a citizen of the United States or have permanent residency. This must be evidenced by an original or certified birth certificate, passport, consular registration of birth abroad certificate, certificate of citizenship, or a certificate of naturalization or green card. In addition, residency will be evidenced by presenting a New Jersey driver's license, a passport, shelter records, school records showing address, utility records, credit card bill, checking or savings account statement showing address, original lease or rental agreement, property tax bill, statement or record from the past year, any letter or correspondence received from the IRS or state tax office, first class mail received from any federal, state or local government agency in the past year or provider agency service documentation. Should aforementioned documentation not be readily available, the agency must work with the individual to try and obtain such information and provide clear documentation articulating efforts to obtain documentation. The Provider will make every effort to obtain documentation of the individual's eligibility. Where documentation is determined not to exist, individuals must attest to their eligibility on a form to be provided by DHS. Documentation must be submitted by the Provider to any potential provider of treatment services. The Provider will confirm residency on application to the DMHAS' housing unit. The Provider must retain a copy of the documentation reviewed by the provider agency demonstrating eligibility. DMHAS will monitor compliance with contract and SSBG requirements

IV. Funding Availability

Approximately \$9,897,600 will be expended from contract awards through the end of the grant period, September 30, 2015. DMHAS will award supportive housing contracts based on a \$34,875 per person annualized rate. This amount will be paid as per-person unit cost in monthly increments of \$2,906.25. This amount includes the cost of the housing subsidy but excludes one-time costs pertaining to housing start-up such as housing security deposits, utility deposits and purchase of furnishings. DMHAS will make available up to \$5,250 for such one-time costs for each person served. Included in this rate is up to \$3,000 for furnishings, security deposits up to one and one-half months' rent up to the equivalent of one and one-half months of the New Jersey Department of Community Affairs Housing Choice Voucher Payment Standards and up to \$300 where a deposit is required to turn on utilities.

The Provider shall enter into a B-2 (rate-based) contract with DMHAS. Payments will be made on a monthly basis for each individual in the program up to September 30, 2015 or until the individual no longer needs the service, whichever comes first. Payments will be made on a reimbursement basis after receipt and approval of monthly Reports of Expenditures (ROE's). In their proposals, applicants are to

clearly articulate the maximum number of housing units they will provide for each county in which they are proposing to provide services.

V. Goals of the Program

Individuals with substance use disorders are typically priced out of the affordable housing market under normal circumstances. As individuals and families have been displaced due to the storm, the marketplace for housing for DMHAS' clients has become more limited. The housing vouchers and related wrap-around services will allow clients to access subsidized housing on a temporary basis up to September 30, 2015. Since the SSBG resources will not continue past September 30, 2015, it is important that the Provider assist the individual towards a goal of achieving self-sufficiency. Some of these services can include linking individuals to Housing and Urban Development (HUD) Housing Choice (formerly known as Section 8) vouchers by contacting local public housing authorities and/or through linkages to career services, thereby supporting individuals to obtain competitive employment. In rare instances, DMHAS subsidies may be made available to support an individual's continued tenancy in housing.

VI. Related Services

- A. Career services (supported employment and supported education) will be made available through other providers to individuals receiving housing through this initiative. Career services will be procured through a separate process, outside of the current RFP specifically for the individuals receiving supportive housing and services through this initiative. Career services will assist individuals in attaining employment enabling them to achieve self-sufficiency and ultimately transition from SSBG-funded rental assistance.
- B. DMHAS will be procuring housing navigation services separately to serve as an additional resource for the current initiative to assist Providers participating in this initiative to locate housing.
- C. The Provider shall provide, as appropriate, case management and skills building in the areas of: medication management, rehabilitation, relapse prevention, and personal assistance that improves daily living skills and assists access to appropriate public benefits and services necessary to live successfully in the community.

The Provider shall provide, as appropriate, linkages and/or referrals to appropriate providers located nearby or that are readily accessible through public transportation, to comprehensively address the client's physical and behavioral needs in the areas of primary medical health (e.g. regular care, maintaining appointments, medication adherence, medication literacy), substance abuse counseling, services and treatment (including 12-step/self-help groups and sober recreation programs), domestic violence counseling, (if needed), mental health, dental care and HIV/STD prevention, treatment and support services as appropriate;

The Provider shall coordinate all substance abuse support services directly with appropriate DMHAS' licensed providers located nearby or at a central location that is readily accessible to public transportation;

The Provider shall promote the client's recovery to his or her fullest potential by conducting assessment of skills, including literacy, providing educational opportunities (GED, certification program), job readiness skills, vocational training, employment placement and retention and career development.

Overall, the services provided must focus on the development of skills and supports that promote wellness, recovery and resiliency; including community integration, illness management, socialization, work readiness and employment, peer support, and skills and opportunities that foster increased personal responsibility and self-direction for one's life.

VII. Housing Model and Supportive Housing Approach

All housing must be provided in accordance with the following key principles of supportive housing:

- A. Lease-based or occupancy agreement with the protection of New Jersey's landlord/tenant laws;
- B. Leases are held in the name of consumer;
- C. Housing that promotes community inclusion, normalization, and independence;
- D. Services are available yet provided in a flexible, individualized manner, and
- E. Services are available, but not mandated as a stipulation to maintain housing, with service providers actively seeking engagement and relationship building and strengthening, especially during times when the client may be ambivalent or reluctant.

Housing opportunities and program design shall also demonstrate the principles of supportive housing that prohibit removal due to lack of service participation, hospital admission or incarceration and that preservation of housing is primary and recognized as essential to overall wellness and recovery.

VIII. Housing Unit Requirements

The housing setting must provide private bedrooms, reasonably comfortable shared living space and reasonably adequate kitchen and bathroom facilities.

Clients shall be charged no more than 30% of their income for rent.

Housing units may be clustered or scattered-site model and may be single occupancy or up to four individuals within a particular site. If there are multiple units within a site, each individual must have their own bedroom and the site must be lease-based and adhere to supportive housing principles.

The DMHAS' housing unit will process applications, including a review of documentation that determines the amount of housing subsidy and portion of rent to be paid by the individual. DMHAS' housing program staff will conduct on-site monitoring reviews within the first month of a Provider commencing its participation in this initiative and then a minimum of every three months following the initial monitoring visit through September 30, 2015. Monitoring visits will include a review of documentation to ensure individuals have been appropriately determined to be eligible for services, documentation to support rental fees, and, if applicable, deposits, furnishings and support services and confirmation that individuals continue to live in subsidized housing. In addition, DMHAS staff will conduct site visits of a random sample of apartments to ensure compliance with HUD Quality Standards <http://www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g10GUID.pdf>

Although the goal for the current initiative is for individuals to become self-sufficient, no longer requiring a SSBG-funded housing subsidy, if the Provider and/or client anticipates that the client will continue to need a housing subsidy after September 30, 2015, the Provider shall provide information and support to the client in identifying and applying for all available mainstream housing vouchers or subsidies. If funding is available, the DMHAS may make continued housing subsidies available. These resources are anticipated to be available for a limited number of consumers.

IX. Referrals

The program will receive referrals from various sources, including the other current DMHAS' SSBG funded services; substance use disorder and outpatient treatment, Early Intervention Support Services (EISS) and the NJ Mental Health Cares' Information and Referral Helpline. Other expected referral sources include 2-1-1 Information and Referral Hotline, housing providers and other provider agencies. The Provider shall screen individuals for eligibility into the program. Since referrals will be based on the demand for services, the Provider will need to be able to ramp up staffing and services as referrals are received.

X. Monitoring

The program will be subject to monitoring from the DMHAS and, potentially, federal monitors, including ACF, to: (1) ensure that individuals served meet the eligibility requirements of this initiative (2) review the cases of the individuals denied services and reason(s) for denial and; (3) ensure the appropriate use of payments made for housing and services.

XI. Provider Qualifications

In order to be eligible for consideration for a contract award:

If the applicant is a for-profit entity, the applicant must obtain a business registration certificate from the New Jersey Department of Treasury prior to the time the contract is awarded. For-profits can apply here: <http://www.state.nj.us/treasury/revenue/busregcert.shtml>

The applicant must be a fiscally viable, for-profit or non-profit organization or government entity as demonstrated by the applicant's audited financial statements.

The applicant must document its experience in successfully providing treatment and/or housing services to individuals with a substance use disorder.

The applicant must demonstrate the ability to comply with all rules and regulations for any DMHAS program element of service proposed by the applicant.

The applicant must comply with 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). A copy of this manual can be accessed from the webpage of the Office of Contract Policy and Management webpage at: <http://www.state.nj.us/humanservices/ocpm/home/resources/>.

XII. Clustering, Incentives and Fiscal Consequences Related to Performance

Contract commitments will be negotiated based upon the RFP and the successful applicant's proposal. Failure to deliver contract commitments may result in termination of the contract.

XIII. Requirements for Submission

Proposals must address the following:

- A. Funding Proposal Cover Sheet. Please use the Cover Sheet included in the RFP and place it on top of the entire RFP package. (1 point)
- B. Describe the assessment and screening process that will be utilized to determine eligibility for housing and services (e.g., resident of one of the 10 designated, impacted counties when Super Storm Sandy made landfall in NJ, has a substance use disorder, is US citizen and/or permanent resident). There is a recognition that some individuals have relocated since Super Storm Sandy, consequently, services do not need to be provided in one of the 10 impacted counties, but need to serve an individual who was a resident of one of the 10 most impacted counties at the time of the storm. (10 points)
- C. Identify the maximum number of individuals that the Provider can serve. (5 points)

- D. Describe how staffing and services will be phased in based on the volume of referrals that come in,. (5 points)
- E. Please briefly describe the process your agency will use to engage individuals to be served and integrate them into new housing. (5 points)
- F. Describe how you will provide employment assistance including linkage to career services, to individuals in order to move them toward self-sufficiency and self-support (for rental payments) by the end of the two year grant cycle. (15 points)
- G. Indicate your ability to provide housing that is accessible to individuals who have difficulty with mobility or are wheelchair bound, in accordance with Americans with Disabilities Act requirements. (3 points)
- H. Describe and demonstrate a detailed emergency response plan including response to medical and psychiatric emergencies. Include in the plan description an explanation of personnel training, including assessing risk and safety, handling emergencies, coordinating with medical, mental health, law enforcement, and other professionals, and implementing health and safety procedures. The emergency response plan should also address situations such as child safety, fire, sexual harassment, disaster, and other incidents that may jeopardize the health and safety of residents. (10 points)
- I. Describe the full range of recovery and support services that will be provided to service recipients. (10 points)
- J. State and justify specific client outcomes related to successful tenancy and increased self-sufficiency and demonstrate how the program will assist them to achieve those outcomes. (10 points)
- K. Describe your policies which prohibit discrimination against clients of substance abuse prevention, treatment and recovery support services who are assisted in their prevention, treatment and/or recovery from substance addiction with legitimately prescribed medication/s. Include your policy (ies) as an Appendix. (2 points)
- L. Describe your agency's ability to affirmatively link individuals to primary care practitioners, support the clients as they engage in primary care treatment and facilitate the coordination of primary care and behavioral healthcare with and on behalf of the clients. (5 points)
- M. Describe how the agency will collaborate with the local boards of social services. (5 points)
- N. Describe how the Provider agency will conduct medication monitoring and ensure that necessary blood work is completed in order to optimize medication adherence. (5 points)

- O. Provide a brief description of the housing model(s) that will be made available (one-bedroom apartments, single family home, shared living, scattered site apartments, apartment building with mixed use, etc.). Include rationale for choosing this particular housing design. (3 points)
- P. Provide the municipality and county where housing will be located. (2 points)
- Q. Specify the process through which potential program participants would be identified and recruited into program. Describe your inclusionary and exclusionary criteria for client selection. (10 points)
- R. Describe your organization's plan to address clients' substance abuse issues, drug and alcohol relapse prevention or harm reduction strategies. Describe how you will ensure that clients receive the minimum required counseling and how you will refer clients to and access substance abuse treatment services if needed. (25 points)
- S. How will your organization support clients in attaining the daily living skills necessary to live integrated lives in the community? (5 points)
- T. Demonstrate how your organization will integrate the following principles into service delivery: (20 points)
 - 1. Promotion of wellness and recovery (grounded in SAMHSA's 8 Domains of Wellness)
 - 2. Promotion of community integration
 - 3. Culturally competent and linguistically accessible services
 - 4. Demonstration of best practices
- U. Describe your experience and success in providing supportive services to, and/or development of housing opportunities for, clients with substance use disorders in the community. (5 points)
- V. Format of proposal must follow requirements for submission set forth in Section XI, and include a Statement of Assurances signed by Chief Executive Officer (Attachment C) and Signed Debarment Certification (Attachment D) (3 Points)
- W. Please provide written assurances that, if your organization is awarded a contract pursuant to this RFP: (2 points)
 - 1. You will pursue available resources (e.g. grants, vouchers, rental assistance, etc.) and collaborate with local housing authorities and/or other related housing development entities to develop, expand, and/or enhance housing options for enrolled clients;

2. You will keep funding for this initiative segregated from funding for all other initiatives/programs operated by the organization and will have ability to specifically report on the individuals served in this initiative.
 3. You will work in cooperation with the regional and central offices of DMHAS (including the DMHAS Women's Coordinator, DMHAS MATI Coordinator), County Drug and Alcohol Directors, Local Advisory Committee on Alcoholism and Drug Abuse (LACADA), and State psychiatric hospitals to identify people to be served, meet data collection requirements, and participate in any standardized affiliation agreements that may be developed;
 4. You will comply with DMHAS reporting and monitoring requirements specific to this initiative.
- X. Applicants who do not currently contract with the Division must also include the following:
1. Organization history including mission and goals.
 2. Overview of agency services.
 3. Documentation of incorporation status.
 4. Agency organization chart.
 5. Agency code of ethics and /or conflict of interest policy.
 6. Most recent agency audited financial statements.
 7. Listing of current Board of Directors, officers and terms of each.

Application program narratives must be no more than 15 pages in length, excluding budget detail, with a font size no smaller than 12. Pages must be clearly numbered, and proposals should not be stapled, in binders, or bound in any way as to preclude easy photocopying.

XIV. Mandatory Bidders' Conference

All applicants intending to submit a proposal in response to this request must attend a mandatory Bidders' Conference. Proposals submitted by an applicant not in attendance will not be considered.

DATE: Thursday, February 20, 2014

TIME: 1:00 pm – 3:00 pm

LOCATION: 222 South Warren Street
1st Floor Conference Room
Trenton, NJ 08625

To register for this mandatory bidders' conference, go to: <http://njsams.rutgers.edu/training/sandy/register.aspx> If you require assistance with this link, please contact Alicia Meyer, Coordinator, Division of Mental Health and Addiction Services at alicia.meyer@dhs.state.nj.us or at 609-777-0069, no later than two days prior to the Bidders Conference.

XV. Submission of Proposal

All proposals are due to the offices below no later than 4:00 PM, March 20, 2014. Proposals are to be submitted in a single file PDF format via email to RFP.submissions@dhs.state.nj.us. Your email "subject" should include your agency name, and the proposal name and date. Proposals should be limited to 15 pages, with the exception of the budget and supporting documents – in a font size no smaller than 12. Additionally, one hard copy of the proposal with an original signature and six additional hard copies that are not bound so as to preclude easy photocopying must be submitted no later than 4:00 pm, March 20, 2014 to Harry Reyes at the following address:

222 South Warren Street, Third Floor
Trenton, NJ 08625-0700

Four hard copies and an electronic version of the proposal shall also be submitted to the County Drug and Alcohol Director(s) for the county (ies) in which you are proposing to develop housing. Please refer to the following web link regarding contact information for the respective County Drug and Alcohol Directors: [http://www.state.nj.us/humanservices/das/treatment/directors/County AD Directors List jan2013.pdf](http://www.state.nj.us/humanservices/das/treatment/directors/County_AD_Directors_List_jan2013.pdf).

XVI. Review of Proposal and Notification of Preliminary Award

There will be a review process for all timely-submitted proposals that meet all the requirements outlined in this RFP.

DMHAS will convene an RFP review committee to review and score timely submitted proposals in response to the current RFP. This review committee will consist of State of NJ employees.

DMHAS recognizes the invaluable perspectives and knowledge that clients and family members offer regarding addictions services. Input from these groups is an integral component of a system that holds Wellness and Recovery principles at its core. Consequently, the Division will convene an advisory group consisting of clients and family members to meet with members of the RFP review committee and provide their input regarding each of the proposals submitted. The LACADA are asked to review proposals and provide the Division with their recommendations and comments no later than April 8, 2014. This input will be incorporated into the final deliberations of the review committee. Recommendations are to be submitted to Harry Reyes, Division of Mental Health and Addiction Services, via email to bernice.harris@dhs.state.nj.us or mailed to the address listed in Section XIII of this RFP.

DMHAS reserves the right to reject all proposals when circumstances indicate that it is in its best interest to do so.

DMHAS will notify all applicants of preliminary award decisions by April 23, 2014.

XVII. Appeal of Award Decisions

Appeals of any determinations may be made only by the respondents to this proposal. All appeals must be made in writing and must be received by the DMHAS at the address below no later than May 1, 2014. The written request must clearly set forth the basis for the appeal.

Appeal correspondence should be addressed to:

**Lynn Kovich, Assistant Commissioner
Division of Mental Health and Addiction Services
222 South Warren Street
PO Box 700
Trenton, New Jersey 08625-0700**

Please note that all costs incurred in connection with any appeals of DMHAS decision are considered unallowable costs for purposes of DMHAS contract funding.

The DMHAS will review any appeals and render final funding decisions by May 12, 2014. Awards will not be considered final until all timely appeals have been reviewed and final decisions rendered.

Attachment A

Proposal Cover Sheet

(Must precede all pages submitted with Proposal)

Date Received

**STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES (DMHAS)**

Name of RFP _____

Incorporated Name of Applicant: _____

Type: _____

Public _____ Profit _____ Non-Profit _____ or Hospital-Based _____

Federal ID Number: _____ Charities Reg. Number _____

Address of Applicant: _____

Contact (name/title): _____ Phone No.: _____

Email _____

Fax _____

Total dollar amount requested: _____ Fiscal Year End: _____

Funding Period: From _____ to _____

Total number of unduplicated clients to be served: _____

County in which housing and services are to be provided _____

Authorization: Chief Executive Officer: _____

(Please print)

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 on file signed certifications 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

Attachment D

PLEASE 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

**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.