

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES  
DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES

**CULTURAL COMPETENCY  
TRAINING and PRACTICE  
for  
OPIOID TREATMENT PROVIDERS**

REQUEST FOR PROPOSALS

November 16, 2021

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Division of Mental Health and Addiction Services

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## I. Purpose and Intent

This Request for Proposals (RFP) is issued by the New Jersey Department of Human Services (DHS), Division of Mental Health and Addiction Services (DMHAS) for the development of Cultural Competency Training and Practice for Opioid Treatment Providers (OTP). This RFP is funded through the Substance Abuse and Mental Health Services Administration (SAMHSA) State Opioid Response Grant (SOR). Total annualized funding for this RFP is \$750,000, subject to federal appropriations. The contract award is through September 29, 2022 depending on federal appropriations. Through this initiative, the successful bidder will provide training, coaching, and consultation services to counselors and leadership employed at Department of Health (DOH)-licensed Opioid Treatment Providers (OTPs). The goal of this initiative is to narrow the treatment gap experienced by Black/African Americans (AA) who are diagnosed with opioid and stimulant use disorders and who are statistically less likely to receive or access services. A second goal of this initiative is to increase the prescribing of Medication for Opioid Use Disorders (MOUD) among the Black/African American community. DMHAS anticipates making one (1) award.

This project will provide OTP counselors and agency leadership with the knowledge, skills, and attitudes necessary to ensure that services are provided in a manner which exemplifies the National Standards for Culturally and Linguistically Appropriate Services (CLAS) in Health and Health Care and SAMHSA's *TIP 59: Improving Cultural Competence*. While it can be challenging to take a holistic view of an individual and see more than the substance use disorder (SUD), this may be even more so for Black/African Americans who are subjected to the implicit biases of the health care system. Failing to bridge a racial cultural divide often contributes to premature termination of treatment among people of color. When the cultural context is ignored or misunderstood, respect for the client is lacking, little hope is provided, and it becomes challenging for Black/African Americans with Opioid Use Disorder (OUD) to engage in treatment.

No funding match is required; however, bidders will need to identify any other sources of funding, both in-kind and monetary, that will be used. Bidders may not fund any costs incurred for the planning or preparing of a proposal in response to this RFP from current DHS/DMHAS contracts.

The following summarizes the RFP schedule:

November 16, 2021	Notice of Funding Availability
December 14, 2021	Deadline for receipt of proposals - no later than 4:00 p.m.
January 14, 2022	Preliminary award announcement
January 24, 2022	Appeal deadline
January 31, 2022	Final award announcement
February 22, 2022	Anticipated contract start date

## II. Background and Population to be Served

SAMHSA's Center for Substance Abuse Treatment released the Fiscal Year (FY) 2020 SOR funding opportunity for states and territories in March 2020. Funding was made

available for grants to states and territories via a formula based on unmet needs for OUD treatment and drug poisoning. The goals of the SOR are to address the opioid crisis by increasing access to MOUD using medications approved by the federal Food and Drug Administration (methadone, buprenorphine, and naltrexone). SOR funding is also meant to reduce unmet treatment needs and opioid overdose-related deaths through the provision of prevention, treatment, and recovery activities for OUD (including illicit use of prescription opioids, heroin, and fentanyl and fentanyl analogs). SOR funding also supports evidence-based prevention, treatment, and recovery support services to address stimulant misuse and use disorders, including cocaine and methamphetamine.

Attention to the opioid epidemic has historically focused primarily on White suburban and rural communities. Less attention has focused on Black/African American communities which are similarly experiencing dramatic increases in opioid misuse and overdose deaths. For example, the rate of increase of Black/African American drug overdose deaths between 2015-2016 was 40 percent compared to the overall population increase at 21 percent. This exceeded all other racial and ethnic population groups in the U.S.<sup>i</sup>. From 2011-2016, compared to all other populations, Black/African Americans had the highest increase in overdose death rate for opioid deaths involving synthetic opioids like fentanyl and fentanyl analogs.<sup>ii</sup> These statistics are particularly evident in New Jersey as the State is ranked 3<sup>rd</sup> in the nation for opioid deaths among Blacks/African Americans.<sup>iii</sup>

One reason for the high death rates is that Black/African Americans with opioid use disorder (OUD) have experienced limited access to the full range of MOUD when compared to Whites.<sup>iv</sup> Unequal treatment is common in many Black/African American communities, where access to treatment options is more dependent on race, income, geography, and insurance status, rather than individual preferences, or medical or psychiatric indicators.<sup>v</sup> This phenomenon is magnified in the Black/African American community where there is significant historical mistrust of the health care, social services, and the justice system. In particular, for men, there is the looming fear that seeking treatment will result in severe sentencing and incarceration reminiscent of the harsh policies of the past.

This initiative will target up to nine OTPs each grant year, with a minimum of 60 participants served at each agency per year. Depending on agency participation, additional training and technical assistance may be offered to agencies approved to provide MOUD through a DOH waiver.

### **III. Who Can Apply?**

To be eligible for consideration for this RFP, the bidder must satisfy the following requirements:

- The bidder may be a non-profit, for-profit, or governmental entity;
- For a bidder that has a contract with DMHAS in place when this RFP is issued, that bidder must have all outstanding Plans of Correction (PoC) for deficiencies submitted to DMHAS for approval prior to proposal submission;
- The bidder must be fiscally viable based upon an assessment of the bidder's audited financial statements. If a bidder is determined, in DMHAS' sole discretion, to be

insolvent or to present insolvency within the twelve (12) months after bid submission, DMHAS will deem the proposal ineligible for contract award;

- The bidder must not appear on the State of New Jersey Consolidated Debarment Report at <http://www.nj.gov/treasury/revenue/debarment/debsearch.shtml> or be suspended or debarred by any other State or Federal entity from receiving funds;
- The bidder shall not employ a member of the Board of Directors as an employee or in a consultant capacity; and
- Pursuant to N.J.S.A. 52:32-44, a for-profit bidder and each proposed subcontractor must have a valid Business Registration Certificate on file with the Division of Revenue. This statutory requirement does not apply to non-profit organizations, private colleges and universities, or state and municipal agencies.

#### **IV. Contract Scope of Work**

DMHAS expects that the funding awarded to the successful bidder will significantly improve agency leadership and counselor level of cultural competence, and as a result, narrow the disproportionate treatment gap for Black/African Americans. The successful bidder will assist agencies with embodying CLAS standards in engaging and providing treatment to this population. The successful bidder will demonstrate how they will address contextual factors that present challenges to the prevention and treatment of the prevalence of opioid misuse and deaths among the Black/African population. Another goal of the initiative will lead to the implementation of culturally competent practices throughout all levels of an organization. The successful bidder will employ interventions that ensure leadership and clinical staff working at OTP agencies have the capacity, knowledge, and skills to engage clients and gather the appropriate cultural information to support their impact on early intervention, treatment initiation, and retention, and recovery support services through, but not limited to:

- Addressing misperceptions and faulty explanations about addiction and opioids that contribute to the Black/African American communities lack of understanding of SUD as a disease and the high risk for OUD from prescription opioid misuse.
- Addressing the social determinants of health and other community and system level factors when discussing the contextual factors associated with any major public health issue.
- Addressing negative images of Black/African Americans with SUD that contribute to mistreatment, discrimination, and harsh punishment instead of treatment and recovery services.
- Dispelling the misperceptions that Black/African Americans are “drug seekers” which results in health care providers not prescribing opiates or under-prescribing opiates for pain when it is warranted.
- An understanding that intergenerational and polysubstance use are common among some impoverished communities and that disentangling the behaviors of a person’s social network, including their family, are challenging yet critically necessary.
- Addressing that opioids are a way of coping in the absence of healing when a community has been traumatized by decades of violence, poverty, and neglect.

This initiative will target up to nine OTPs each grant year with a minimum of 60

participants served each year at each agency. OTPs will be selected to participate in trainings through an application process managed by the awardee and approved by DMHAS. With DMHAS approval, the awardee will develop application, and score and select applications for training participation.

Services provided by the successful bidder should include, but are not limited to, trainings, workshops, consultation, coaching, and supervised practice, and simulations. The proposal should include the method in which the bidder will provide services to leadership and clinical staff (e.g., face-to-face, web-based, etc.). The proposal should address agency and staff obstacles to implementing culturally competent practices within agencies and develop solutions to overcome those obstacles. The successful bidder's proposal must include strategies to promote their services to the target population. The proposal should be inclusive of staff qualifications, a schedule of services and a plan for sustainability. The successful bidder will provide training and consultation services in a way that minimizes impact on service delivery, while supporting individual staff members' learning. To fulfill the RFP, the prospective awardee will demonstrate:

- success with providing trainings and technical assistance that led to the implementation of culturally appropriate counseling skills;
- success with engaging counselors and leadership in activities that improve cultural competence which includes awareness, knowledge, and skills;
- ability to implement cultural aspects and norms within client assessments and evaluations;
- capacity to survey clients' perception on how their culture was considered within their treatment plans;
- applied knowledge of stimulant use disorder, OUD, and MOUD;
- skill to measure improvement in the cultural competence of counselors and leadership within the grant period; and
- qualifications to provide trainings, coaching, and consultation services that increase knowledge of treatment barriers for access to MOU.

The successful bidder is responsible for all training logistics, including but not limited to, training space, equipment, marketing, hiring and payment of consultants, and cost of electronic training and consultation tools.

All services provided by the successful bidder must be sensitive to age, culture, religion/spirituality, language, gender, race/ethnicity, disabilities, behavioral health issues and gender identity. All trainers, coaches, consultants, etc. will have expertise in educating counselors and OTP treatment agency leadership about skills in cultural competence and implementing those skills in the agency's practice. Staff must be representative of the of cultural, economic, and linguistic backgrounds that represent the individuals to be served.

This initiative will be funded through cost reimbursement contracting.

Proposals must provide specific project timelines, including milestones and target dates for every activity outlined in this *Contract Scope of Work*.

### **Data Collection/Evaluation**

The successful bidder will provide an evaluation plan for the provision of multicultural training, coaching, and consultant services for OTP counselors and leadership. The bidder must be prepared to supply:

- in collaboration with DMHAS, methods used to promote services to OTP treatment agencies;
- methods used to determine selection of participants at each agency;
- number of participants (including position, title, etc.) receiving training, coaching, and consultation services all levels of each agencies' organizational structure;
- methods for assessing OTP counselors' perceived skills in cultural competencies;
- methods for assessing the cultural environment of the workplace, including leadership's cultural competency levels;
- number of hours of trainings, coaching, and consultation sessions received by both counselors and leadership; sessions (both in-person and web-based platforms if applicable);
- obstacles to full implementation of the initiative at each agency;
- efforts to overcome obstacles unique to each agency;
- participants' perception of progress with understanding and utilizing culturally competent strategies within their therapeutic practice;
- data that demonstrates an increase in Black/African American admissions, and treatment retention;
- data that demonstrates an increase in MOUD prescriptions to Black/African Americans who are statistically less likely to receive and access services;
- methods to evaluate clients' understanding and comfortability with MOUD interventions;
- assessing and evaluating changes in attitudes, knowledge, and skills among those trained;
- agency practice, protocol, and procedural changes to ensure the sustainability of this initiative; and
- a quantitative and qualitative evaluation of all services.

This plan must include measures used to identify progress along with the reporting tools used to communicate with DMHAS. The proposal must include assurances that ensure completion of reports and/or participation in weekly status meetings with DMHAS (either in-person or by teleconference) and that will provide any ad hoc reports requested by DMHAS.

### **Budget**

Eligible expenses include:

- Staff and consultant hiring and compensation
- Training, practice, coaching, consultation, and assessment materials
- Marketing materials
- Registration and tracking, and evaluation tools
- Light refreshments not to exceed \$3.00 per person

- Office space
- Equipment
- Supplies
- Telehealth equipment and services
- Event, training, or service location logistics

## **Other**

All data, technical information, materials gathered, originated, developed, prepared, used or obtained in the performance of the requested services, including but not limited to, all papers, reports, surveys, plans, charts, records, analyses or publications produced for, or as a result of, this agreement (hereinafter “Work Product”) shall bear an acknowledgement of DMHAS' support and shall be the property of DMHAS. The awardee shall submit any such work product to DMHAS sixty (60) days prior to the publication or presentation. DMHAS shall have sixty (60) days from the date the document is delivered to review. A party shall agree to abide by the policies of the applicable journals and presentations organizers as to such matter as the public release or availability of data related to the publication or presentation, including poster presentations (collectively “Publications”). All parties shall mutually agree to resolve any difference which may arise during the review of a Publication. Authorship of Publications of the research results will be determined in accordance with appropriate scientific and academic standards and customs. Proper acknowledgements will be made for the contribution of each party to the research. Due consideration shall be given to the scheduling of any Publication to allow time to: (a) seek protection of any intellectual property which may be developed by one of the parties, such period not to exceed thirty (30) days and (b) identify confidential information which one party may wish to delete. It is recognized that due to the nature of the services of the RFP, articles may be jointly authored, and such joint authorship shall be so recognized where appropriate. No work product produced utilizing funds or data obtained under this Agreement shall be released to the public without the prior written consent of DMHAS. DMHAS shall have the right to edit such work product and shall further have the right to add co-authorship or disclaimers as it, in its sole discretion, deems appropriate. DMHAS shall assume all responsibilities relative to determining compliance and effect of the Open Public Records Act (N.J.S.A. 47:1A-1) as it pertains to work products provided by the successful bidder.

DMHAS reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use, the work products (deliverables) developed pursuant to the RFP.

## **V. General Contracting Information**

Bidders must meet the terms and conditions of the DHS contracting rules and regulations as set forth in the Standard Language Document (“SLD”), the Contract Reimbursement Manual (“CRM”), and the Contract Policy and Information Manual (“CPIM”). These documents are available on the DHS website at <https://www.state.nj.us/humanservices/olra/contracting/policy/>.

Bidders are required to comply with the Affirmative Action Requirements of Public Law



1975, c. 124 (N.J.A.C. 17:27) and the requirements of the Americans with Disabilities Act of 1991 (P.L. 101-336).

Budgets should be reasonable and reflect the scope of responsibilities in order to accomplish the goals of this project.

All bidders will be notified in writing of the DHS' intent to award a contract(s). All proposals are considered public information and will be made available for a defined period after announcement of the contract awards and prior to final award, as well as through the State Open Public Records Act process at the conclusion of the RFP process.

The contract awarded as a result of this RFP may be renewable for one (1) year at DMHAS' sole discretion and with the agreement of the awardee. Funds may only be used to support services that are specific to this award; hence, this funding may not be used to supplant or duplicate existing funding streams. Actual funding levels will depend on the availability of funds and satisfactory performance.

In accordance with Policy P1.12 available on the web at <https://www.state.nj.us/humanservices/olra/assets/documents/CPIManual.pdf>, programs awarded pursuant to this RFP will be separately clustered until the DMHAS determines, in its sole discretion, that the program is stable in terms of service provision, expenditures, and applicable revenue generation.

Should service provision be delayed through no fault of the provider, funding continuation will be considered on a case-by-case basis based upon the circumstances creating the delay and availability of funding. In no case shall the DMHAS continue funding when service commencement commitments are not met, and in no case shall funding be provided for a period of non-service provision in excess of three (3) months. In the event that the timeframe will be longer than three (3) months, DMHAS must be notified so the circumstances resulting in the anticipated delay may be reviewed and addressed. Should services not be rendered, funds provided pursuant to this agreement shall be returned to DMHAS.

The bidder must comply with all rules and regulations for any DMHAS program element of service proposed by the bidder. Additionally, please take note of Community Mental Health Services Regulations, N.J.A.C. 10:37, which apply to all contracted mental health services. These regulations can be accessed at <http://www.nj.gov/humanservices/providers/rulefees/regs/>.

## **VI. Written Intent to Apply and Contact for Further Information**

Bidders must email [SUD.upload@dhs.nj.gov](mailto:SUD.upload@dhs.nj.gov) no later than December 7, 2021 indicating their agency's intent to submit a proposal. Submitting a notice of intent to apply does not obligate an agency to apply.

Any questions regarding this RFP should be directed via email to [SUD.upload@dhs.nj.gov](mailto:SUD.upload@dhs.nj.gov) no later than November 23, 2021. All questions and responses will be compiled and emailed to all those who provided a notice of intent to apply. Bidders are guided to rely upon the information in this RFP and the responses to questions that

were submitted by email to develop their proposals. Specific guidance, however, will not be provided to individual applicants at any time.

## **VII. Required Proposal Content**

All bidders must submit a written narrative proposal that addresses the following topics, adheres to all instructions, and includes required supporting documentation noted below:

### **Funding Proposal Cover Sheet (RFP Attachment A)**

#### **Bidder's Organization, History and Experience (10 points)**

Provide a brief and concise summary of the bidder's background and experience in providing multicultural training and coaching services to OTP counselors and agency leadership and explain how the bidder is qualified to fulfill the obligations of this RFP. The written narrative should:

1. Describe your organization's history, mission, purpose, current licenses, and record of accomplishments, most importantly, those related to providing training and coaching to and services on cultural competence.
2. Describe why your organization is the most appropriate and best qualified to engage counselors and leadership at OTP treatment agencies and provide trainings on the use of multicultural techniques in the therapeutic practice setting, including:
  - Expertise and knowledge of techniques and strategies necessary for counselors to engage clients of diverse backgrounds.
  - Understanding of the social determinants and issues related to the disproportionate access of OUD and MOUD treatment services to Black/African Americans.
  - Define success with providing multicultural trainings to OTP treatment providers.
  - Describe existing methods of engaging counselors and leadership and measuring their perceptions of multicultural constructs.
  - Ability to accommodate varying levels of staff baseline knowledge and skill.
  - Capacity to measure improvement in client outcomes within the grant period.
  - Understanding of how overlapping identities combined with a SUD and co-occurring disorder can create discrimination and privilege in accessing and maintaining treatment and recovery.
  - Understanding of the use of stimulants and MOUD and the obstacles that clients may experience when accessing prescriptions.
  - Positive evaluations of providing trainings and services that lead to the implementation of culturally appropriate counseling practices and increases in the use of MOUD.
3. Summarize administrative and organizational capacity to establish and provide the services required to successfully carry out this initiative.
4. Attach a one-page copy of the bidder's organizational chart showing the location of the proposed project and its links in the organization. This chart must show the names of key staff, as well as where the services will be housed.
5. Describe the bidder's current status and history relative to debarment by any State, Federal or local government agency. If there is debarment activity, it must be explained with supporting documentation as an appendix to your proposal.
6. Provide a description of all active litigation in which your agency is involved, including

pending litigation of which the bidder has received notice. Failure to disclose active or pending litigation may result in your agency being ineligible for contract award at DMHAS' sole discretion.

7. Demonstrate your organization's commitment to cultural competency and diversity (Law against Discrimination, N.J.S.A. 10:5-1 et seq.) and ability to provide culturally competent services.
8. Describe your organization's current status and compliance with DMHAS contract commitments in regard to programmatic performance and level of service, if applicable.

### **Project Description (40 points)**

In this section, you must provide an overview of how you will deliver the services detailed in the *Contract Scope of Work*.

#### Agency Implementation:

- a. Describe how the bidder will design and provide multicultural training and coaching to counselors and leadership that addresses the role culture plays in assessment, diagnosis, treatment planning, and client retention.
- b. Describe the method for choosing the training and coaching modality.
- c. Describe the specific teaching and training techniques used for counselors and agency leadership.
- d. Describe how this initiative will significantly improve the personal and professional cultural competence of counselors and leadership and how it will positively affect clients' recovery.
- e. Describe how bidder will ensure provision of multicultural training, coaching, and consultation services as described in this initiative, including but not limited to:
  - Training modalities
  - Promotion of services
  - Supervision
  - Workflow
  - Staff Orientation
  - Evaluation, referral, and termination criteria
- f. Explain how the bidder will motivate participation in the provision of multicultural training and coaching throughout the grant period without a negative impact on service delivery.
- g. Describe how the bidder will assess and monitor services and activities provided to individuals throughout the grant period.
- h. Provide a description of all anticipated barriers and challenges that individuals may face when seeking these services and how the bidder will develop solutions to overcome these obstacles.
- i. Explain how the bidder will prepare each agency to sustain the use of multicultural therapeutic practices after the grant period ends.

### **Outcome(s) and Evaluation (10 points)**

Include in your proposal an evaluation plan for the provision of multicultural training, coaching, and consultation services for OTP treatment providers and agency leadership participating in this RFP. The bidder must be prepared to supply specific information in the Data Collection/Evaluation of this RFP including:

- Number of participants trained from all levels of each agencies' organizational structure
- Number of total training (both in-person and web-based platforms, if applicable)
- Number of training hours each participant received (both in-person and web-based platforms, if applicable)
- Number of consultation hours and a full description of all consultation activities
- Obstacles to training, coaching, consultation, and delivery of services
- Measures taken to increase MOUD authorizations including efforts to overcome obstacles to prescribing at each agency
- Treatment provider's perception of progress and level of cultural competence after receiving multicultural training, coaching, and consultation services
- Leadership's perception of progress of the implementation of cultural considerations within the agency's environment
- Description of the methods used to increase the treatment retention of individuals who identify themselves as Black/African American
- Description of the methods used to improve client engagement
- Description of OTPs' increased awareness of the stigma and mistreatment experienced of Black/African Americans within the treatment setting
- Description of methods used to increase participants' attitudes, knowledge, and skills necessary to practice cross-cultural counseling
- Description of the methods used to increase the provision of MOUD in Black/African clients' trainings, consultations, and/or coaching sessions

Please describe the measures the bidder will use to identify progress and the reporting mechanisms that will be used to communicate with DMHAS. Proposals must include assurances that the bidder will participate in status meetings as noted with DMHAS (either in- person or teleconference) and that bidder will provide any ad hoc reports requested by DMHAS.

### **Staffing (15 points)**

All contracted staff providing multicultural training and consultation must have understanding, applied knowledge, and experience providing services to individuals with OUDs and MOUDs.

The proposal must include a staffing plan providing:

1. An organizational chart as an appendix, including where this initiative will be housed in your organization, along with names of key staff
2. The staffing structures
3. Key existing staff
4. Key staff you plan to hire or enter into contracts with, including your recruitment plan
5. For all key staff: job descriptions, curriculum vitae (CVs)/resumes, skill sets, qualifications, certifications, professional licenses, competencies, fluency in non-English languages and related experience
6. A clear description of staff tasks and the timeframe in which these tasks will be completed. Details for Full Time Equivalent (FTE) and/or Part Time Equivalent (PTE) employees.

7. The organization's efforts in recruiting and maintaining their agency's staff that reflect populations served.
8. The organization's hiring policies, including background and credential checks, as well as handling of prior criminal convictions.
9. The agency's board members, their current terms, professional licensure, and organizational affiliation(s). The proposal must indicate if the Board of Directors votes on contract-related matters.

### **Facilities, Logistics, Equipment (5 points)**

Proposals must detail the bidder's facilities, where normal business operations will be performed and identify equipment and other logistical issues, including at a minimum:

- A description of the plan for office space.
- A description of how the plan will be implemented to best accommodate the participating provider agencies
- A description of the manner in which tangible assets, i.e., computers, phones, other special service equipment, etc., will be acquired and allocated
- A description of web-based platforms and services.
- A description of the bidder's Americans with Disabilities Act (ADA) accessibility to its facilities and/or offices for individuals with disabilities

### **Budget (20 points)**

DMHAS will consider the cost efficiency of the proposed budget as it relates to all of the requirements in the *Contract Scope of Work*. In addition to the required budget forms, bidders must provide budget notes.

All costs associated with the completion of this initiative must be delineated, and the budget notes must clearly articulate budget items including a description of miscellaneous expenses and other costs.

1. A detailed budget using the Annex B Excel template is required. The Excel budget template will be emailed to those who submit a written intent to apply. The Annex B Excel template must be uploaded as an Excel file onto the secure file transfer protocol site described in VIII. Submission of Proposal Requirements. Failure to submit the budget as an Excel file may result in a deduction of points. The standard budget categories for expenses include: A. Personnel, B. Consultants and Professionals, C. Materials & Supplies, D. Facility Costs, E. Specific Assistance to Clients, and F. Other. Supporting schedules for Revenue and General and Administrative Costs Allocation are also required. The budget must include two (2) separate, labeled sections:
  - a. Section 1 – Full annualized operating costs to satisfy the scope of work detailed in the RFP and revenues; (which by formula will be included in total award) and
  - b. Section 2 - Proposed one-time costs up to \$100,000 of total budget.
2. Budget Notes that detail and explain the proposed budget methodology and estimates and assumptions made for expenses and the calculations/computations to support the proposed budget. The State's proposal reviewers need to fully understand the bidder's budget projections from the information presented in its proposal. Failure to provide adequate information could result in lower ranking of the proposal. Budget Notes, to the extent possible, should be displayed on the Excel template itself.
3. The name and address of each organization – other than third-party payers –

providing support and/or money to help fund the program for which the proposal is being submitted.

4. For all proposed personnel, the template should identify the staff position titles and staff names for current staff (only if being allocated to this program) and total hours per workweek.
5. Identify the number of hours per consultant and subcontractee.
6. Staff fringe benefit expenses, which may be presented as a percentage factor of total salary costs, should be consistent with the bidder's current fringe benefit package.
7. If applicable, General & Administrative (G&A) expenses, otherwise known as indirect or overhead costs, should be included if attributable and allocable to the proposed program. Since administrative costs for existing DMHAS programs reallocated to a new program do not require new DMHAS resources, a bidder that currently contracts with DMHAS should limit its G&A expense projection to "new" G&A only by showing the full amount of G&A as an expense and the off-set savings from other programs' G&A in the revenue section.
8. Written assurance that if the bidder receives an award pursuant to this RFP, it will pursue all available sources of revenue and support upon award and in future contracts.

## Appendices

The following items must be included as appendices with the bidder's proposal, limiting appendices to a total of 50 pages. **Please note that if items 8-11 are not submitted and complete, the proposal will not be considered.** Items 12 and 13 below are also required with the proposal unless **the bidder has a current contract with DMHAS and these documents are current and on file with DMHAS. Audits do not count towards appendices 50-page limit.**

1. Bidder mission statement;
2. Organizational chart as described in *Staffing*
3. Job descriptions of key personnel;
4. Resumes of proposed personnel if on staff, limited to two (2) pages each;
5. A description of all pending and in-process audits identifying the requestor, the firm's name and telephone number, and the type and scope of the audit;
6. List of the board of directors, officers, and terms;
7. If applicable, copy of documentation of the bidder's charitable registration status ([www.njconsumeraffairs.gov/charities](http://www.njconsumeraffairs.gov/charities));
8. Department of Human Services Statement of Assurances (RFP Attachment C);
9. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions (RFP Attachment D);
10. Disclosure of Investment in Iran ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml));
11. Statement of Bidder/Vendor Ownership Disclosure ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml));
12. Most recent single audit report (A133) or certified statements;
13. Any other audits performed in the last two (2) years; and
14. Original and/or copies of letters of commitment/support.

Additional attachments that are requested in the written narrative section and not listed in items #1-14 under Appendices do not count towards the 50-page limit for appendices.

Appendix information exceeding 50 pages will not be reviewed.

### **VIII. Submission of Proposal Requirements**

DMHAS 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. The narrative portion of the proposal should not exceed 10 pages, be single-spaced with one (1") inch margins, normal character spacing that is not condensed, and no smaller than twelve (12) point Arial, Courier New or Times New Roman font. For example, if the bidder's narrative starts on page 3 and ends on page 13 it is 11 pages long, not 10 pages. DMHAS will not consider any information submitted beyond the page limit for RFP evaluation purposes.

The budget notes and appendix items do not count towards the narrative page limit. Proposals must be submitted no later than 4:00 p.m. on December 14, 2021. The bidder must submit its proposal (including proposal narrative, budget, budget notes, and appendices) electronically using the DHS secure file transfer protocol (SFTP) site. Additionally, bidders must request login credentials by emailing [SUD.upload@dhs.nj.gov](mailto:SUD.upload@dhs.nj.gov) **no later than one (1) week before the proposal is due**, in order to receive unique login credentials to upload your proposal to the SFTP site. Email requests for login credentials must include the individual's first name, last name, email address and name of agency/provider.

Proposals must be uploaded to the DHS SFTP site, <https://securexfer.dhs.state.nj.us/login> using your unique login credentials.

### **IX. Review of Proposals**

There will be a review process for all timely submitted proposals. DMHAS will convene a review committee of public employees to conduct a review of each proposal accepted for review.

The bidder must obtain a minimum score of 70 points out of 100 points for the proposal narrative and budget sections in order to be considered eligible for funding.

DMHAS will award up to 20 points for fiscal viability, using a standardized scoring rubric based on the audit, which will be added to the average score given to the proposal from the review committee. Thus, the maximum points any proposal can receive is 120 points, which includes the combined score from the proposal narrative and budget as well as fiscal viability.

In addition, if a bidder is determined, in DMHAS' sole discretion, to be insolvent or to present insolvency within the twelve (12) months after bid submission, DMHAS will deem the proposal ineligible for contract award.

Contract award recommendations will be based on such factors as the proposal scope, quality and appropriateness, bidder history and experience, as well as budget reasonableness. The review committee will look for evidence of cultural competence in each section of the narrative. The review committee may choose to visit a bidder's existing program(s), invite a bidder for interview, and/or review any programmatic or fiscal

documents in the possession of DMHAS. The bidder is advised that the contract award may be conditional upon final contract and budget negotiation.

DMHAS reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so. DMHAS' best interests in this context include, but are not limited to, loss of funding, inability of the bidder(s) to provide adequate services, an indication of misrepresentation of information and/or non-compliance with State and federal laws and regulations, existing DHS contracts, and procedures set forth in Policy Circular P1.04 (<https://www.state.nj.us/humanservices/olra/contracting/policy/>).

DMHAS will notify all bidders of contract awards, contingent upon the satisfactory final negotiation of a contract, by January 14, 2022.

## **X. Appeal of Award Decisions**

An appeal of any award decision may be made only by a respondent to this RFP. All appeals must be made in writing and be received by DMHAS at the address below no later than 4:00 p.m. on January 24, 2022. The written appeal must clearly set forth the basis for the appeal.

Appeal correspondence should be addressed to:

Valerie L. Mielke, Assistant Commissioner  
Division of Mental Health & Addiction Services  
5 Commerce Way  
PO Box 362  
Hamilton, NJ 08691-0362  
Fax: 609-341-2302

Or via email: [Helen.Staton@dhs.nj.gov](mailto:Helen.Staton@dhs.nj.gov)

Please note that all costs incurred in connection with appeals of DMHAS decisions are considered unallowable cost for the purpose of DMHAS contract funding.

DMHAS will review all appeals and render a final decision by January 31, 2022. Contract award will not be considered final until all timely filed appeals have been reviewed and final decisions rendered.

## **XI. Post Award Required Documentation**

Upon final contract award announcement, the successful bidder(s) must be prepared to submit (if not already on file), one (1) original signed document for those requiring a signature or copy of the following documentation (unless noted otherwise) in order to process the contract in a timely manner, as well as any other contract documents required by DHS/DMHAS.

1. Most recent IRS Form 990/IRS Form 1120, and Pension Form 5500 (if applicable) (submit two [2] copies);



2. Copy of the Annual Report-Charitable Organization (for information visit: <https://www.state.nj.us/treasury/revenue/>;
3. A list of all current contracts and grants as well as those for which the bidder has applied from any Federal, state, local government or private agency during the contract term proposed herein, including awarding agency name, amount, period of performance, and purpose of the contract/grant, as well as a contact name for each award and the phone number;
4. Proof of insurance naming the State of New Jersey, Department of Human Services, Division of Mental Health and Addiction Services, PO Box 362, Trenton, NJ 08625-0362 as an additional insured;
5. Board Resolution identifying the authorized staff and signatories for contract actions on behalf of the bidder;
6. Current Agency By-laws;
7. Current Personnel Manual or Employee Handbook;
8. Copy of Lease or Mortgage;
9. Certificate of Incorporation;
10. Co-occurring policies and procedures;
11. Policies regarding the use of medications, if applicable;
12. Policies regarding Recovery Support, specifically peer support services;
13. Conflict of Interest Policy;
14. Affirmative Action Policy;
15. Affirmative Action Certificate of Employee Information Report, newly completed AA 302 form, or a copy of Federal Letter of Approval verifying operation under a federally approved or sanctioned Affirmative Action program. (AA Certificate must be submitted within 60 days of submitting completed AA302 form to Office of Contract Compliance);
16. A copy of all applicable licenses;
17. Local Certificates of Occupancy;
18. Current State of New Jersey Business Registration;
19. Procurement Policy;
20. Current equipment inventory of items purchased with DHS funds (Note: the inventory shall include: a description of the item [make, model], a State identifying number or code, original date of purchase, purchase price, date of receipt, location at the Provider Agency, person(s) assigned to the equipment, etc.);
21. All subcontracts or consultant agreements, related to the DHS contract, signed, and dated by both parties;
22. Business Associate Agreement (BAA) for Health Insurance Portability Accountability Act of 1996 compliance, if applicable, signed and dated;
23. Updated single audit report (A133) or certified statements, if differs from one submitted with proposal;
24. Business Registration (online inquiry to obtain copy at [https://www1.state.nj.us/TYTR\\_BRC/jsp/BRCLoginJsp.jsp](https://www1.state.nj.us/TYTR_BRC/jsp/BRCLoginJsp.jsp); for an entity doing business with the State for the first time, it may register at <http://www.nj.gov/treasury/revenue/>);
25. Source Disclosure (EO129) ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml)); and
26. Chapter 51 Pay-to-Play Certification ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml)).

## **XII. Attachments**

**Attachment A – Proposal Cover Sheet**

\_\_\_\_\_ Date Received

**STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES**  
Division of Mental Health and Addiction Services  
Proposal Cover Sheet

Name of RFP: **Cultural Competency Training and Practice for Opioid Treatment Providers**

Incorporated Name of Bidder: \_\_\_\_\_

Type: Public \_\_\_\_\_ Profit \_\_\_\_\_ Non-Profit \_\_\_\_\_ Hospital-Based \_\_\_\_\_

Federal ID Number: \_\_\_\_\_ Charities Reg. Number (if applicable) \_\_\_\_\_

DUNS Number: \_\_\_\_\_

Address of Bidder: \_\_\_\_\_

Chief Executive Officer Name and Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

Contact Person Name and Title: \_\_\_\_\_

Phone No.: \_\_\_\_\_ Email Address: \_\_\_\_\_

Total dollar amount requested: \_\_\_\_\_ Fiscal Year End: \_\_\_\_\_

Funding Period: From \_\_\_\_\_ to \_\_\_\_\_

Brief description of services to be provided:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE:** In order to contract with the State of New Jersey, all providers applying for contracts, or responding to Request for Proposals (RFPs), *MUST* be pre-registered with the online eProcurement system known as NJSTART. You may register your organization by proceeding to the following web site: <https://www.nj.gov/treasury/purchase/vendor.shtml>. Or via telephone: (609) 341-3500.

Authorization: Chief Executive Officer (printed name): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## **Attachment B – Addendum to RFP for Social Service and Training Contracts**

### **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 – Statement of Assurances

### 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 RFP, including development of specifications, requirements, statement of works, or the evaluation of the RFP 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: CEO or equivalent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed Name and Title

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**Attachment D - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions**

READ THE ATTACHED INSTRUCTIONS BEFORE SIGNING THIS CERTIFICATION.

TH

E 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 are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a 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.

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<sup>i</sup> Rossen, L. M., Bastian B., Warner, M., Khan, D., Chong, Y. (1999-2017). Drug poisoning mortality in the United States. Hyattsville, MD: CDC National Center for Health Statistics; 2019 [cited 2019 Dec 12]. <https://www.cdc.gov/nchs/data-visualization/drug-poisoningimortality/index.htm>

<sup>ii</sup> Spencer, M. R., Warner, M., Bastian, B. A., Trinidad, J. P., Hedegaard, H. (2011-2016). Drug overdose deaths involving fentanyl. *National Vital Statistics Reports* 68(3):1-9. Hyattsville, MD: CDC National Center for Health Statistics; 2019 Mar [cited 2019 Dec 12]. [https://www.cdc.gov/nchs/data/nvsr/nvsr68\\_nvsr68\\_03-508.pd](https://www.cdc.gov/nchs/data/nvsr/nvsr68_nvsr68_03-508.pd)

<sup>iii</sup> Substance Abuse and Mental Health Services Administration. (2020). *The Opioid Crisis and the Black/African American Population: An Urgent Issue*. Publication No. PEP20-05-02-001. Office of Behavioral Health Equity. Substance Abuse and Mental Health Services Administration.

<sup>iv</sup> James, K., Jordan, A. (2018, Jun). The opioid crisis in Black communities. *Journal of Law & Medical Ethics*. [cited 2019 Dec 12];46(2):404-21. [doi.org/10.1177/1073110518782949](https://doi.org/10.1177/1073110518782949)

<sup>v</sup> Smedley, B. D., Stith, A. Y., Nelson, A. R. (2003). *Unequal treatment: Confronting racial and ethnic disparities in health care*. [eBook]. Washington DC; National Academies Press; [cited 2019 Dec 12]. <https://dx.crossref.org/10.17226/12875>



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## Attachment E

### EXHIBIT A

#### **MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

**N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)**

**N.J.A.C. 17:27**

#### **GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and employment, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges,

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universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts Equal Employment Opportunity Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**