STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES

OFFICE OF NEW AMERICANS

REQUEST FOR PROPOSALS

**Excluded New Jerseyans Fund Program**

Issued September 17, 2021 – Applications due October 1, 2021

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# TABLE OF CONTENTS

1. [Purpose and Intent 2](#_bookmark0)
2. [Background and Population to Serve 4](#_bookmark1)
3. [Who can apply? 4](#_bookmark2)
4. [Scope of Work 5](#_bookmark3)
5. [General Contracting Information 6](#_bookmark4)
6. [Required Proposal Content 7](#_bookmark5)
7. [Submission of Proposal Requirements 9](#_bookmark6)
8. [Review of Proposals 9](#_bookmark7)
9. [Appeal of Award Decisions 10](#_bookmark8)
10. [Post Award Required Documentation 10](#_bookmark9)
11. [Attachments 11](#_bookmark10)

[Attachment A – Proposal Cover Sheet 12](#_bookmark11)

[Attachment B – Application Template 14](#_bookmark12)

[Attachment C – Addendum to RFP for Social Service and Training Contracts 17](#_bookmark13)

[Attachment D – Statement of Assurances 19](#_bookmark14)

[Attachment E - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary](#_bookmark15) [Exclusion Lower Tier Covered Transactions 21](#_bookmark15)

[Attachment F – EO 166 Posting Notice 24](#_bookmark16)

# Purpose and Intent

Funding is available to service providers to assist the State of New Jersey Department of Human Services (DHS) in the implementation of the $40 million Excluded New Jerseyans Fund (ENJF) Program. The funding will be provided to eligible service providers able to support the implementation of the ENJF Program by processing applications submitted, assisting applicants in the collection of supporting documentation, and determining eligibility based on that information. Additionally, service providers and/or their partners will assist individuals in submitting applications, and provide program education and outreach to individuals and households potentially eligible for the ENJF Program.

This Request for Proposals (RFP) is issued by DHS, Office of New Americans (ONA) seeking bidders to provide the services described in this RFP anticipated to begin on October 22, 2021 and ending when funds are exhausted or on December 30, 2021, whichever is sooner.

The following services are requested under this RFP:

Program Implementation: including processing applications received, collecting supporting documentation to determine eligibility, and making eligibility determinations in a timely manner to ensure funds are distributed fairly and on-time.

Program Outreach, Education and Support: including providing community education and outreach to eligible individuals and households and providing application assistance as needed.

Approximately $900,000 in funding is available for the services encompassed by this RFP through December 30, 2021. An initial allocation of not less than $10,000 in grant funding will be provided by DHS to successful bidders to allow for program outreach, startup, and related costs based on organizational size, capacity and regional reach. In addition, vendors will receive monthly payments equal to $10 for each non-duplicate program application completed through the eligibility process during that month. Bidders must provide a budget using the provided template that includes all projected costs for outreach, start-up and application processing (using your organization’s best estimate of application capacity during the program period). Please note that grantees must maintain expenditure documentation to be provided to DHS upon program conclusion.

# The following summarizes the anticipated RFP schedule:

|  |  |  |
| --- | --- | --- |
| *Date* | *Action* | *Notes* |
| *September 17, 2021* | Notice of Funding Availability |  |
| *September 22, 2021* | DHS Prospective Bidder Presentation | Voluntary meeting to explain program and RFP details. |

|  |  |  |
| --- | --- | --- |
| *September 24, 2021* | Deadline for prospective bidders to submit questions to Daniel.Prupis@dhs.nj.gov | All questions received, along with answers, will be at [https://www.state.nj.us/humanservice](https://www.state.nj.us/humanservices/providers/grants/rfprfi/index.html) [s/providers/grants/rfprfi/index.html](https://www.state.nj.us/humanservices/providers/grants/rfprfi/index.html) |
| *October 1, 2021* | Deadline for receipt of proposals | Proposals must be submitted to Daniel.Prupis@dhs.nj.gov no later than 5 pm. Complete proposals shall include a single PDF of all required documents (see Proposal Instructions, below) along with a completed budget template form. |
| *October 8, 2021* | Preliminary award announcement |  |
| *October 15, 2021* | Appeal Deadline |  |
| *October 22, 2021* | Final award announcement |  |
| *October 22, 2021* | Anticipated start date |  |

## Requirements

Responses submitted to this RFP must meet the following requirements:

* + Bidders must meet the eligibility criteria;
	+ Full proposals are due no later than October 1, 2021 5:00 pm EST. Proposals must be submitted via email to: Daniel.Prupis@dhs.nj.gov. Instructions on content of applications and submittal are below;
	+ Funds may be used to support collaborations between multiple organizations. Each proposal should identify the primary bidder and any other partners that will be funded by this grant, if awarded;
	+ Grant funds will be allocated based on organizational size, regional reach, and capacity to process and review applications and provide community outreach, education and assistance;
	+ Matching funds are not required, but leveraged support, including in the form of in-kind services are encouraged and may strengthen a bidder’s proposal;
	+ Bidders are required to identify their capacity to complete a certain number of applications and/or level of outreach to prospective applicants;
	+ Bidders that are awarded grant funds will be required to prepare a final report at the end of the program following guidance that will be provided to all grantees;
	+ Successful bidders will be required to participate in compliance and eligibility training;
	+ Successful bidders will be paid in two distinct ways: a flat grant fund amount at the start of the program for program implementation/outreach services, and a payment of the per- completed application-fee on a monthly basis, with all grant funds received no later than December 30, 2021. All successful bidders must provide their final reports within 30 days of the completion of the ENJF Program.

# Background and Population to Serve

New Jersey residents have faced substantial financial hardship since the onset of the COVID- 19 pandemic. While many New Jersey residents have been able to access financial support from federal relief programs such as pandemic related unemployment assistance and stimulus payments, some New Jersey residents were excluded from this aid.

DHS is establishing the ENJF with a funding allotment of $40 million from Federal Coronavirus Relief Funds (CRF) to provide a one-time, direct cash benefit to New Jersey households with incomes at or below $55,000 who have suffered an economic hardship due to COVID-19 and were excluded from or ineligible for federal stimulus checks and/or pandemic related unemployment assistance, including undocumented individuals, individuals re-entering from the justice system, and any other individuals otherwise excluded. This includes those who have experienced any of the following from March 2020 to present due to COVID-19:

* + Reduced income/wages as a result of employment loss, reduced hours, inability to work due to child’s remote school situation or quarantine requirement
	+ Inability to pay for basic costs such as housing costs and medical expenses
	+ COVID illness or death of a household member

The ENJF will provide benefit payments of up to $1,000 for individuals and $2,000 per household based on eligibility and program criteria. Between 20,000 to 40,000 applications are expected for this initiative. Sample application and list of supporting documents available upon request.

# Who can apply?

To be eligible for consideration to be awarded grant funds, the bidder must satisfy the following requirements:

* + The bidder may be a non-profit or for-profit entity or governmental entity;
	+ The bidder must be in good standing with DHS if it has an existing grant or contract in place. If applicable, the bidder must have all outstanding Plans of Correction (PoC) for deficiencies submitted to DHS for approval prior to submission.
	+ The bidder must be fiscally viable based upon an assessment of the bidder's audited financial statements. If a bidder is determined, in DHS’ sole discretion, to be insolvent or to present insolvency within the twelve (12) months after bid submission, DHS will deem the proposal ineligible for grant award.
	+ The bidder must not appear on the State of New Jersey Consolidated Debarment Report at <http://www.state.nj.us/treasury/revenue/debar-ment/debarsearch.shtml>or be suspended or debarred by any other State or Federal entity from receiving funds; and
	+ The bidder shall not employ a member of its Board of Directors in a consultant capacity.

Additional requirements of bidders:

* + - Ability to provide services to diverse communities across the state. Bidders must be able to provide services to at least one of the following counties with significant COVID impact and/or larger numbers of excluded populations: Essex, Passaic,

 Hudson, Union, Middlesex, Mercer, Monmouth, Ocean, Camden, Cumberland

and Atlantic.

* + - Experience rapidly setting up infrastructure to support application-based programs.
		- Demonstrate at least two (2) years of experience providing culturally relevant and linguistically appropriate services to ethnically diverse immigrant communities, which may include, but should not be limited to, immigrant communities from the following geographic regions of origin: Asia/Pacific Islands, Central, South America and the Caribbean, and Africa and individuals re-entering from the criminal justice system.
		- Ability to assist applicants by phone.
		- Strong social media and community based presence for public education and outreach.
		- Experience with community outreach, public education, and information sharing with immigrant and refugee communities.
		- Experience with implementing social service programs such as cash, food, or housing assistance
		- Capacity to review applications and supporting materials to process between 1,000 to 5,000 applications during the Contract term.
		- Technological resources to access applications and materials virtually including web access and equipment for all employees.
		- Telephonic capacity to process applications via phone for those who are unable to submit applications electronically and provide customer service to applicants seeking updates and information on status of their application.
		- Demonstrates some experience with serving vulnerable communities, providing culturally relevant and linguistically appropriate services to ethnically diverse immigrant communities.

# Scope of Work

Successful bidders shall undertake initiatives in compliance with all applicable laws, regulations, and guidelines that further the objectives of the ENJF. For ENJF, successful bidders must be able to implement all of the following activities. DHS strongly encourages potential bidders to engage with other community partners able to support the community outreach and education components.

The following services are required for this RFP: Program Implementation includes:

* + Processing applications received
	+ Collecting supporting documentation to determine eligibility
	+ Making eligibility determinations in a timely manner to ensure funds are distributed equitably and on-time.

Program Outreach, Education and Support includes:

* + Providing community education and outreach to eligible individuals and households.
	+ Providing application assistance as needed.

Successful bidders shall review applications and supporting documents to ensure eligibility criteria are met, following compliance guidelines.

Successful bidders shall interact with applicants by phone and/or in-person to obtain any additional materials for incomplete applications if additional information is needed. They will also serve as points of contacts for applicants looking for information and status updates about their applications.

# 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 accurately reflect the scope of responsibilities in order to accomplish the goals of this program.

All bidders will be notified in writing of DHS’ intent to award contract(s). Bid responses are considered public information and can 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.

All bidders should be aware of the requirements for posting of winning proposals and contract documents set forth in Executive Order 166. Please see Attachment F.

Successful bidders shall maintain all documentation related to products, transactions or services under this contract for a period of five years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

In accordance with DHS Policy P1.12 available on the web at: <https://www.state.nj.us/humanservices/olra/assets/documents/CPIManual.pdf> , funds awarded pursuant to this RFP will be kept separate from existing programs in place between the bidder and DHS/ONA until ONA 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 successful bidder, funding

continuation will be considered on a case-by-case basis. Should services not be rendered, any funds which have been provided pursuant to this agreement shall be returned to DHS/ONA.

# Required Proposal Content

The ENJF funding will give priority consideration to bidders located in counties within the state identified in this RFP as having a larger COVID-impact and a larger percentage of target population, as well as experience in delivering services to these groups. Organizational capacity, regional reach, and experience working with vulnerable communities will be considered as well. All bidders must submit the following items:

**Funding Proposal Cover Sheet** (RFP Attachment A) All bidders must submit a written response that addresses organization’s role in this program; overview of organization’s work, programs, and initiatives; profile of experience with prospective applicant communities; short narrative; and capacity to implement this program in no more than 5-6 pages.

**Specific Requirements** *–* note this may be submitted in narrative or outline format.

* + Organizational Capacity - This can include capacity accounting for partners on this proposal *(20 points)*
		- Demonstrate capacity and capability to provide services to geographically diverse communities across the state with a focus on at least one of the following counties with significant COVID impact and/or larger numbers of excluded populations: Essex, Passaic, Hudson, Union, Middlesex, Mercer, Monmouth, Ocean, Camden, Cumberland and Atlantic.
		- Demonstrate experience providing culturally relevant and linguistically appropriate services to ethnically diverse immigrant communities.
		- Demonstrate capacity to review applications and supporting documents, noting an estimate number of applications the organization can complete in the time allocated with the resources available.
	+ Program Implementation Capacity *(30 points)*
		- Bidders must outline how they will be able to assist potential applicants with completing an application, particularly applicants who lack digital access and need language support.
		- Overview of social service programs that the organization has implemented previously, including size of these programs, number of applicants served, type of benefits provided, and target community noting any experience serving vulnerable communities.
		- Number of staff that will be dedicated to this project and any other additional resources that your organization has available for this project.
		- Summary of technological and telephonic resources needed to implement the program.
		- Experience and capacity in providing phone customer support, including language access and cultural competency practices.
	+ Program Outreach, Education and Support Capacity *(25 points)*
		- Bidders need to demonstrate their capacity and experience in managing community education and outreach, which can include engaging other community partners. Bidders are encouraged to provide a list of potential community outreach partners for this RFP.
		- Outline of experience providing services to ethnically diverse communities, including language access and cultural competency practices. Note experience with community outreach, public education, and information sharing to immigrant communities as well as individuals in re-entry.
		- Estimate number of people the organization could do outreach to in the region or communities they serve.
		- Summary of capacity to access online applications and answer questions by phone.
		- Summary of social media engagement and presence in local community.

**Budget** *(25 points)* ***-*** Provide a proposed budget, not to exceed one page, that clearly describes budget categories and funds allocation consistent with the organizational capacity and proposed services bidders are able to provide based on the scope of work. Budgets should include administrative costs, equipment and supplies, staffing, community outreach and support, service provision costs associated with this program. Please include any costs that will be allocated to partner organizations. Budgets will be reviewed based on costs associated with the completion of applications as per organization’s capacity outlined in proposal narrative. Please use the budget template provided for the budget proposal.

## Allowable Costs

No funds from the ENJF grants may be used for lobbying activities as defined in accordance with guidance issued by the New Jersey Election Law Enforcement Commission at: <https://www.elec.nj.gov/forcandidates/gaa_forms.htm>.

# Appendices

The following items must be included as appendices with the bidder's proposal. Please note that if items 10-13 are not submitted, the proposal will not be considered.

1. Bidder’s mission statement;
2. Organizational chart;
3. Job descriptions of key personnel;
4. Outline of staff that will be dedicated for this program if already on staff;
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, if applicable;
6. List of the board of directors, officers and terms;
7. Copy of documentation of the bidder’s charitable registration status;
8. Disclosure of Investment in Iran ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml));
9. Current State of New Jersey Business Registration. Bidders can obtain a copy at<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>);
10. Department of Human Services Statement of Assurances (RFP Attachment D);
11. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions (RFP Attachment E);
12. Statement of Bidder/Vendor Ownership Disclosure ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml));
13. Most recent single audit report (A133) or certified statements (submit only two [2] copies).
14. Any other audits performed in the last two (2) years (submit only two [2] copies).
15. Three (3) references from other agencies or organizations who have worked with you or know firsthand about your work. DHS will notify bidder prior to contacting references.

# Submission of Proposal Requirements

ATTACHMENT B includes an application form that is also available as a Word document along with a Budget template (Excel spreadsheet). All applications must include the following combined as a single PDF with the exception of the completed budget template that must be attached to the transmittal email:

1. Completed Application Form;
2. All materials contained in the list of Appendices in Section VII of this RFP; and
3. Completed Budget Template (in Excel format) as a separate document attached to the application transmittal email.

The completed application form using the template in Attachment B and the Appendices outlined in Section VII of this RFP should be combined into a single PDF document. Bidders should complete the budget form using the budget template provided. Bidders should email the combined single PDF document and completed budget form to Daniel.Prupis@dhs.nj.gov no later than **5:00 pm EST on October 1, 2021.**

# Review of Proposals

DHS, ONA will convene a review committee of public employees to review the recommendations and make final award decisions. The bidder is advised that the contract award may be conditional upon final contract and budget negotiation.

Additionally, if a bidder is determined, in DHS/ONA’s sole discretion, to be insolvent or to present insolvency for this project, DHS/ONA will deem the proposal ineligible for grant award.

DHS/ONA reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so. DHS/ONA’s best interests in this context include, but are not limited to, loss of funding, inability of the bidder(s) to achieve performance, 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 DHS Policy Circular P1.04(<http://www.nj.gov/humanservices/olra/ocpm/resources/manuals/>).

DHS/ONA will notify all bidders of grant awards, contingent upon the satisfactory final negotiation of a contract, by October 8, 2021.

# 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 DHS/ONA at the address below no later than 5:00

p.m. on October 15, 2021. The written appeal must clearly set forth the basis for appeal.

Appeals should be addressed to:

Johanna Calle Director

Office of New Americans Department of Human Services

P.O. Box 0700

222 South Warren Street Trenton, NJ 08625

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

DHS will review all appeals and render a final decision by October 22, 2021. Grant award(s) will not be considered final until all timely filed appeals have been reviewed and final decisions rendered.

# Post Award Required Documentation

Upon final award announcement, the successful bidder(s) must be prepared to submit one (1) original signed copy of the documents below (if not already on file), as well as any other required documents. Copies, rather than original signed documents, may be submitted only where indicated below:

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:<http://www.state.nj.us/treasury/revenue/dcr/programs/ann_rpt.shtml>);
3. A list of all current contracts and grants as well as those for which the bidder has applied for from any Federal, state, local government or private agency during the grant 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, Trenton, NJ 08625-0362 as an additional insured;
5. Board Resolution identifying the authorized staff and signatories for grant actions on behalf of the bidder, if applicable;
6. Current Agency By-laws, if applicable;
7. Current Personnel Manual or Employee Handbook, if applicable;
8. Copy of Lease or Mortgage, if applicable;
9. Certificate of Incorporation, if applicable;
10. Co-occurring policies and procedures, if applicable;
11. Conflict of Interest Policy;
12. Affirmative Action Policy;
13. 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);
14. A copy of all applicable licenses;
15. Local Certificates of Occupancy;
16. Procurement Policy;
17. 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 successful bidder, person(s) assigned to the equipment, etc.);
18. All subcontracts or consultant agreements related to the DHS contract signed and dated by both parties;
19. Business Associate Agreement (BAA) for Health Insurance Portability Accountability Act of 1996 compliance, if applicable, signed and dated;
20. Updated single audit report (A133) or certified statements, if differs from one submitted with proposal;
21. Source Disclosure (EO129) ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml)); and
22. Chapter 51 Pay-to-Play Certification ([www.nj.gov/treasury/purchase/forms.shtml](http://www.nj.gov/treasury/purchase/forms.shtml)).

# Attachments:

(See following pages)

# Attachment A – Proposal Cover Sheet

**STATE OF NEW JEREY DEPARTMENT OF HUMAN SERVICES**

**Office of New Americans Proposal Cover Sheet**

**Project Title:**

**Incorporated Name of Bidder:**

**Eligibility Type (check to confirm eligibility):**

 Non-profit bidder with IRS approved 501(c)(3) status that can coordinate and implement social service programs including benefits programs that require eligibility screening and benefits allocations in large volume, as well as able to provide direct services and/or community outreach and education within the community, and/or have a regional or statewide presence within target population that could benefit from the ENJF These may include faith- based organizations, nonprofit organizations that provide wrap-around resources and support for families, etc.;

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

**DUNS Number**:

**Address of Bidder**:

# Website of Bidder:

**Bidder Organization Profile** - State mission and briefly describe areas of expertise and focus:

# Chief Executive Officer Name and Title:

**Phone No.: Email Address:**

**Contact Person Name and Title:**

**Phone No.: Email Address:**

**Total ENJF grant funds requested:** \_

**Total number of residents to be impacted:** (If applying for the Program Application, Eligibility Review, and Customer Service Grant note estimate number of processed applications).

# Geographical area served:

**Brief description of organizational capacity and interest in the ENJF program:**

**Application partners** (include additional sheets as necessary)

Organization Name:

Address:

Website:

Project Contact – name, email, phone:

Application organization profile

**Authorization: Chief Executive Officer** (printed name):

# Signature: Date:

# Attachment B – Application Template

**STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES**

**Application Template**

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

# INTRODUCTION AND CONTEXT

1. Please provide a brief summary description your organizations’ role in participating in the ENJF initiative. Include overview of organizational work, programs, and initiatives. *(1-2 paragraphs)*
2. Please provide a brief profile of experience working with communities (regionally and/or demographically) who may benefit from the ENJF if applicable. *(1-2 paragraphs).* Bidders are encouraged to include the following types of information in their profile:
	* Background information on demographics within the target geography for the ENJF. This background does not need to be a highly complex analysis. This can include a simple outline of communities served, which may include but should not be limited to immigrant communities from the following geographic regions of origin: Asia/Pacific Islands, Central, South America and the Caribbean, and Africa and individuals re- entering from the justice system, recently incarcerated and released.
	* Experience providing services to geographically diverse communities across the state with a particular focus in counties with significant COVID impact and/or larger numbers of excluded populations. Those counties are: Essex, Passaic, Hudson, Union, Middlesex, Mercer, Monmouth, Ocean, Camden, Cumberland and Atlantic.Note any interests in partnering organizations/strategic collaborators/community champions to potentially integrate into this initiative;

**PROPOSAL NARRATIVE** *(1 -2 pages)* - Address the following questions:

1. What is your experience working with the communities that may benefit from the ENJF?
2. Have you implemented social service programs that required eligibility screening and supporting documents review? If so, how many clients were served.
3. Have you provided accurate information to ethnically diverse communities on public programs or initiatives? If so, how many people were reached by your efforts.
4. What is your customer service experience? Including serving clients over the phone, in person, and/or remotely?
5. How is your organization prepared to take on this project and scale up as needed for a short period of time? Please note any specific structural capacity that exists to take on this initiative, including resources for applicant support.
6. Note any partnerships with other community based organizations on this project, including outreach, education, and application support.

**STAFFING PLAN** *(2-3 paragraphs)*

1. Briefly describe staffing capacity and plan to meet the needs of this initiative in a short period of time.
2. Please provide brief list of key members and their language access and/or cultural competency experience.
3. Note any projections for additional temporary staff for this project.

|  |  |
| --- | --- |
|  |  |
| **Budget Template Form** |
|  |  |
| **Organization Name:** |  |
| **Total Estimated Applications to be Processed:** |
|  |  |
| **Cost Breakdown** |  |
| Personnel - Wages | $ -$ -$ -$ -$ -$ -$ -$ -$ - |
| Personnel - Fringe |
| Consultants/Temporary Staffing |
| Computers/Equipment |
| Materials, Supplies, Printing |
| Subcontracting/Partner costs |
| Translation/Interpretation costs |
| Travel |
| Other |
| **Total** | $ - |
|  |  |
| Additional Information: |  |
|  |
|  |  |
| Please note that documentation of actual costs, including timesheet documents, mustbe submitted to DHS upon program completion. Grant funding in excess of actual costs must be returned to DHS. |

# Attachment C – 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, "successful bidder" 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 successful bidder 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 successful bidder 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 successful bidder shall be reported in writing forthwith by the provider agency to the Attorney General and the Executive Commission on Ethical Standards.

No successful bidder 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 successful bidder 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 successful bidder 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 successful bidder 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 successful bidder 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 successful bidders 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 maypromulgate.

# Attachment D – 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 successful bidder 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

6/97

# Attachment E - Certification Regarding Debarment, Suspension, Ineligibilityand Voluntary Exclusion Lower Tier Covered Transactions

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 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.

1. 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.

# Attachment F

Notice of Executive Order 166 Requirement for Posting of Winning Proposal and Contract Documents

Principal State departments, agencies and independent State authorities must include the following notice in any solicitation:

Pursuant to Executive Order No. 166, signed by Governor Murphy on July 17, 2020, the Office of the State Comptroller (“OSC”) is required to make all approved State contracts for the allocation and expenditure of COVID-19 Recovery Funds available to the public by posting such contracts on an appropriate State website. Such contracts will be posted on the New Jersey transparency website developed by the Governor’s Disaster Recovery Office (GDRO Transparency Website).

The contract resulting from this RFP is subject to the requirements of Executive Order No. 166. Accordingly, the OSC will post a copy of the contract, including the RFP, the winning bidder’s proposal and other related contract documents for the above contract on the GDRO Transparency website.

In submitting its proposal, a bidder/proposer may designate specific information as not subject to disclosure. However, such bidder must have a good faith legal or factual basis to assert that such designated portions of its proposal: (i) are proprietary and confidential financial or commercial information or trade secrets; or (ii) must not be disclosed to protect the personal privacy of an identified individual. The location in the proposal of any such designation should be clearly stated in a cover letter, and a redacted copy of the proposal should be provided. A Bidder’s/Proposer’s failure to designate such information as confidential in submitting a bid/proposal shall result in waiver of such claim.

The State reserves the right to make the determination regarding what is proprietary or confidential and will advise the winning bidder/proposer accordingly. The State will not honor any attempt by a winning bidder/proposer to designate its entire proposal as proprietary or confidential and will not honor a claim of copyright protection for an entire proposal. In the event of any challenge to the winning bidder’s/proposer’s assertion of confidentiality with which the State does not concur, the bidder /proposer shall be solely responsible for defending its designation.

# Attachment G

**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. l7:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, 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%29)

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**