

**NOTICE:**  
**POLICY UNDER**  
**REVISION**

**STATE OF NEW JERSEY**  
**DEPARTMENT OF CHILDREN AND FAMILIES**

DEPARTMENT POLICY: DCF.P1.01-2007

EFFECTIVE DATE: August 31, 2007

SUBJECT: **Documents and Conditions Required for Processing, Executing and Documenting a Third Party Contract**

**I. PURPOSE**

The purpose of this policy is to standardize contract documentation on a departmental basis.

**II. SCOPE**

This policy circular applies to all DCF Third Party Contracts and Individual Provider Agreements.

**III. DEFINITIONS**

The definitions and/or purpose and use for the documents are stated individually on each document.

**IV. POLICY**

A. Minimum Requirements

Contracts shall not be executed without the minimally required documents. The following documents are the minimum required when executing a contract regardless of the contract value or funding source or Departmental Component responsible for managing the contract:

1. DCF departmental component contract award or renewal letter;
2. A list containing the contact persons in the departmental component for the provider agency, including the name, title, phone and e-mail information. The list would minimally include the program manager, contract supervisor, contract administrator and, where applicable, the person responsible for payments;
3. A copy of the Required Documents Checklist (Attachment 1);
4. Two Standard Language Documents (SLD), each with original signatures by the contract provider's board authorized signatory (DCF.P2.01). The

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appropriate SLD for the provider agency will be identified by the departmental component;

5. Signed and dated Public Law 2005, Chapter 51 Contractor Certification and Disclosure of Political Contributions Form(s) (N.J.S.A. 19:44A-20.13-20.25, superseding Executive Order 134 (2004) Certification Form(s);
6. Signed and dated Ownership Disclosure Form, required by N.J.S.A. 52:25-24.2.
7. Signed and dated Public Law 2005, Chapter 92 Survey Form for State Contracts (N.J.S.A. 52:34-13.2, formerly Executive Order 129);
8. Two duplicates of the appropriate Fiscal Budgets: either an Annex B, B-2 and/or Budget Summary each with original signatures by the Contract Provider's Board Authorized signatory (DCF.P2.01):
  - a. An Annex B (including the contract information form, contract expense summary, contract expense detail-personnel, contract expense detail-other than personnel, and the following six schedules: cost allocation data, revenue, applicable credits, related organization, depreciation/use allowance, cost of equipment;
  - b. An Annex B-2; or,
  - c. A Budget Summary.
9. An Annex A (or a description of the project/initiative from the original grant proposal) (or an Annex A Update Form for a renewal);
10. Performance outputs or outcomes (these may be included in the Annex A);
11. A copy of the insurance declaration page(s) showing the amounts and types of insurance. The "State of New Jersey" must be named as the additional insured (followed by the name of the departmental component and its mailing address). Also bonding certificates/insurance must be submitted where applicable (DCF.P2.01); (individual providers' do not have to indemnify the state, however, they must provide a copy of their malpractice insurance declaration/face sheet showing the amount of their coverage);
12. A copy of the certificate of incorporation (DCF.P1.01);

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13. A completed standardized board resolution form (signed by the chairperson) approving the terms and conditions of the contract, naming the contract signatory, signatories for invoices and checks relating to the contract, and addressing any other contractual commitments. (DCF.P1.06) and (CRM, 5.3)

**B. Other Requirements**

1. The following documents, if not available at the time the contract is executed, must be provided or be available on site (See Attachment 1 for allowable options (within 30 days of executing the contract:
  - a. A dated, current list of board members, their terms, the officers, each member's home address, and any business address or affiliation.
  - b. A copy of all applicable licenses;
  - c. A list of all contracts and grants to be awarded to the Provider Agency by any federal, State, local government, or private agency during the contract term. The awarding agency, amount, term, and the type of service(s) of the contract/grant(s) must be listed;
  - d. A chart showing the organizational structure of the Provider Agency (DCF.P1.01, DCF.P-Misc.03);
  - e. A copy of the Agency's current Personnel Manual or Employee Handbook;
  - f. A copy of the Certification issued by the NJ Department of the Treasury, Division of Contract Compliance and Equal Employment Opportunity (IMP91-2), or a copy of the EEO AA 302 form, a copy of the Provider's Affirmative Action Policy, or if not available a plan to meet the Affirmative Action requirements in the Standard Language Document (DCF.P2.01) certification.
  - g. A copy of the Provider Agency's Conflict of Interest Policy (DCF.P8.05);
  - h. A copy of the Provider Agency's By-Laws (current or latest revision) (DCF.P1.01) Note: the cover sheet for the by-laws should show a date of Board review no older than 3 years);
  - i. A copy of all local certificates of occupancy (where applicable);

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- j. A copy of the lease or mortgage(s)
  - k. A copy of the Annual Report to the Secretary of State (DCF.P1.01, DCF.P1.04);
  - l. A copy of the Annual Report – Charitable Organization (DCF.P1.03, DCF.P1.04);
  - m. A copy of the most recent Tax Exempt Form 990, if the Agency is an incorporated not-for-profit, or a copy of the most recent U.S. Corporation Income Tax Return, Form 1120, if the Agency is incorporated as a for-profit;
  - n. A copy of the Agency’s Procurement Policy;
  - o. A current Equipment inventory of items purchased with DCF funds (DCF.P4.05) (Note: the inventory shall include: a description of the item, a State identifying number or code, original date of purchase, date of receipt, location at the Provider Agency, person(s) assigned to the equipment, etc
  - p. A copy of all Subcontracts or Consultant Agreements, related to the DCF Contracts, signed and dated by both parties (DCF.P2.01).
2. A Departmental Component may require a Provider Agency to complete additional contract forms (e.g. unique reporting or attendance forms). See Attachment 1.

**V. PROCEDURES**

**A. Agency Contract Documents:**

The following contract documents are to be returned to the provider agency upon execution of the contract:

- 1. SLD (one of the two originally signed documents);
- 2. Annex B, B-2 or budget summary (one of the two originally signed documents); and
- 3. Annex A (or Annex A Update Form for a renewal); and
- 4. Payment schedule (if applicable, a copy of completed, signed document).

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The remaining, required contract documents may be copied and returned to the provider agency; or, if the volume of paper makes this impractical, each document that is included in the official contract can be specifically referenced in a letter to the provider agency acknowledging receipt, approval and its inclusion in the official contract file.

**B. Access to Documents**

Certain DCF Contracting forms are available for downloading from the DCF website. No documents may be altered in any manner except for the insertion of required information. The DCF version of the manuals is the legally binding version.

**C. Authorized Signatory**

Electronic signatures are permissible per N.J.S.A. 12A:12-3, et seq., and are therefore permissible on documents transmitted electronically. It is up to the departmental component to determine if any electronic signature document must be followed up with an originally signed document.

**D. Sanctions**

Non-compliance with this policy may result in a notice of termination to the provider agency or any other action deemed necessary by the departmental component.

**E. Requirements for Updating Contract Documents**

The provider agency is responsible to assure that the departmental component is provided with updates to any documents that have been changed. Updates must be submitted within 10 business days of the change or as otherwise approved by the departmental component.

**F. Requirements for Policy Content**

1. Wherever there is a requirement for a provider agency to submit a copy of the provider agency's policy for a particular subject matter (e.g. conflict of interest, procurement practices, discrimination policies and practices, etc.) there is a corresponding DCF policy detailing the essential content requirements.
2. Where the provider agency's policy does not meet the essential criteria as defined in DCF policy, the provider agency's policy must be amended to include the required information. The revised policy must show the date of

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the revision, minutes of the governing board meeting approving the revision, and the signature of the board authorized signatory.

G. Because each departmental component maintains its own files, provider agencies that contract with multiple DCF departmental components must submit duplicate documents for each contract.

H. Checklist

The provider agency checklist is attached. (Attachment 1).

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Commissioner

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**REQUIRED CONTRACT DOCUMENTS CHECKLIST**

**Instructions:** The Departmental Component shall:

- Check off all of the required documents the provider agency needs to submit (or have available for an onsite review, if noted);
- Send a copy of this form to the provider agency for signature and return along with the required documents;
- Document and monitor the compliance status of the submissions by completing the last four columns; and
- Assure this form is completed annually as part of the preparation of a contract package.

**Contract Number** \_\_\_\_\_

**Contract Agency** \_\_\_\_\_

**Contract Term** \_\_\_\_\_

**Provider agency's authorized signatory** \_\_\_\_\_

**Departmental component** \_\_\_\_\_

**DCF Reviewer & Title** \_\_\_\_\_

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**REQUIRED CONTRACT DOCUMENTS CHECKLIST**

Compliance status-for DCF completion

Required Documents	<u>Agency needs to provide to DCF only if checked</u>	<u>Check if the document submitted is on file and in compliance</u>	<u>Check if NOT in compliance or add other comments</u>	<u>Check if document is to be reviewed at the Agency</u>  Include date when reviewed Onsite	N/A
DCF Award letter					
A Letter /list containing DCF contact persons					
A copy of the Required Contract Documents Checklist					
Two Standard Language Documents					
A Signed/dated PL 2005, Chapter 51					
A Signed/dated Ownership Disclosure Form					
A Signed/dated PL 2005, Chapter 92					
Annex B, B-2 or Budget Summary					
Annex A or Annex A Update					
Performance Outputs/Outcomes					
Copy of Insurance Declaration Page(s) and/or Malpractice Insurance					
Copy of Certificate of Incorporation					
Board Resolution form with authorized Signatories					
Board Resolution/DCF forms for match responsibilities					
A dated current Board Members list					
A copy of all applicable licenses					
A list of all contracts and grants (if not on the Annex B)					
A organizational structure chart					
A copy of the Personnel Manual or Employee Handbook					
Copy of the EEO Affirmative Action Certification or AA302 form					
Copy of the Provider's Affirmative Action Policy or Plan					
Copy of the Conflict of Interest Policy					
Copy of Provider Agency's By-Laws					
Copy of all local certificates of occupancy					
Copy of Lease or Mortgage (s)					
Copy of the Annual Report to the Secretary of State					
Copy of the Annual Report-Charitable Organization					
Copy of the latest Audit					
Copy of Tax Exempt Form 990					
Copy of U.S. Corporation Income Tax Return , form 1120					
Copy of Procurement Policy					
Current Equipment Inventory					
Copy of Subcontracts/Consultant agreements					
Copy of signed Payment Schedule					
Reports:					
Programmatic					
Fiscal					
Close out					
Other Departmental Component-specific documents (D.C. is to specify documents):					