



**REQUEST FOR PROPOSALS**

**FOR**

**ATLANTIC COUNTY STREET OUTREACH PROGRAM**

**Note: This funding is contingent upon receipt of federal funding**

**CFDA 93.557**

36-month project with three 12-month budget periods for the Federal funding is anticipated

**Funding of up to \$189,400 per year and up to \$588,200 Total Available**

**There will be no Bidders Conference for this RFP.**

**Questions are due by: July 10, 2015**

**Bids are due: August 7, 2015 at 12:00pm**

Allison Blake, PhD., L.S.W.

Commissioner

June 25, 2015

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**Funding Agency**

State of New Jersey  
Department of Children and Families  
50 East State Street  
Trenton, New Jersey 08625-0717

**Special Notices:**

- 1) **Questions will be accepted via email to: DCFASKRFP@dcf.state.nj.us by July 10, 2015.**
- 2) **This funding is subject to and contingent upon the receipt of Street Outreach funding and the continued adherence by the provider to all requirements of Street Outreach Program HHS-2015-ACF-ACYF-YO-0956 CFDA #93.557.**

**Section I – General Information**

**A. Purpose:**

The New Jersey Department of Children and Families' (DCF) Office of Adolescent Services (OAS) announces the availability of up to \$588,200 over the term of the grant period from Street Outreach HHS-2015-ACF-ACYF-YO-0956 CFDA #93.557 (STREET OUTREACH) funding for a Street Outreach program in Atlantic County to provide prevention services to runaway, homeless and street youth who have been subjected to, or are at risk of being subjected to, sexual exploitation and/or sexual abuse. DCF is seeking to expand and enhance street outreach services/community-based homeless youth programming, individualized assessment and case planning, prevention services, education and outreach for youth under 21 years of age. The goal is to provide youth with linkages to the stabilization and supportive services and resources they need, and prepare youth for their transition to adulthood. These program components will provide a continuum of care for homeless youth and will serve as major entry points to ensure engagement and treatment programs are available.

**B. Background:**

DCF is charged with serving and safeguarding the most vulnerable children, youth, and families in the State and ensuring that service delivery is directed towards their safety, protection, permanency and well-being.

Youth who are homeless or at-risk for homelessness are more vulnerable for becoming a victim of sexual exploitation, abuse, human trafficking, substance abuse, and other risk factors. Through community-based

street outreach and other approaches, homeless youth will be identified, engaged, and linked with services that will develop and build upon protective and promotive factors to help them achieve safety, well-being, and success.

DCF will fund one program to conduct street outreach to youth in Atlantic County, link youth with the necessary resources and supports, and promote community awareness and prevention about homelessness, sexual exploitation and human trafficking. The program will work to maintain homeless youth in safe environments and if possible reunite them with their families. When reunification is not possible, the awarded provider will refer youth to appropriate programs and resources that will help them progress from crisis and transitional care to stabilization and independent living (through adolescent housing programs and other sustainable housing options).

DCF expects the program to be:

- Safe and welcoming for all youth, including youth who are pregnant or parenting; sexually exploited; in need of substance abuse or mental health services; or Lesbian, Gay, Bisexual, Transgender, Questioning, and Intersex (LGBTQI);
- Driven by a protective and promotive factors lens (i.e. Youth Thrive Framework) and youth voice;
- Appropriately trained and experienced in providing case management to homeless youth;
- Competent (culturally and linguistically) in diverse cultures and backgrounds of youth;
- Experienced in delivering street outreach services;
- Trauma-informed and/or providing trauma-informed services; and
- Utilizing evidence-informed practices.

### **C. Services to be Funded:**

The Street Outreach Program will be responsible for:

1. Locating and addressing the needs of homeless youth through community-based street outreach, public outreach awareness efforts, and other approaches:

- Night and Day Youth Outreach Specific to Community Needs
- Creative Engagement Approaches
- Provision of Transportation
- Safety Planning

- Crisis Intervention
  - Emergency Shelter
  - Information, Referral and Follow Up
2. Assessing the youth for sexual exploitation, abuse, and/or human trafficking, in addition to assessing the needs of youth in the following areas:
    - Housing
    - Education
    - Employment
    - Healthcare (mental and physical health)
    - Family and caring connections/social supports
    - Finance
    - Life skills
    - Legal Status and Immigration Services
    - Other Critical Services
  3. Providing linkage, access, and/or addressing needs through community resources such as:
    - Emergency, Transitional, and/or Sustainable Housing
    - Trauma-Informed Crisis Intervention and Counseling
    - Prevention and Psycho-Education
    - Education Programming
    - Employment Programming
    - Healthcare Organizations
    - Social Services
    - Organizations that can address the youth's specific, individualized, and immediate concrete needs (i.e. clothes, food) for stabilization
    - Follow-Up Support and Aftercare Services
    - Transportation
    - Legal Status and Immigration Services
  4. Building collaborative relationships with communities to develop additional "safe spots" for youth in crisis, to provide immediate and concrete needs (food clothes, shelter, and health).
  5. Developing a Drop-In Center that is either separate standing (preferred) or an addition to an existing facility for youth. The

proposed Drop-In Center shall be a place for youth to have access to a computer, phone, basic kitchen and bathroom/shower, lockers and additional resources.

6. Building relationships and conducting outreach and training to communities regarding the needs and circumstances of homeless youth, human trafficking and sexual exploitation in the region, and the services and supports available through this program. This will include outreach to:
  - Schools
  - Law Enforcement Agencies
  - Hospitals
  - Federally Qualified Health Centers and Other Providers
  - Faith-Based Organizations
  - Local Businesses
  - Other Community-Based Organizations who may come in contact with at-risk youth
7. Creating a safe and welcoming atmosphere for individuals who identify themselves as LGBTQI by:
  - Having qualified and trained staff, and,
  - Providing linkages to services/resources specific to this population.
8. Collecting data on measurable indicators to monitor progress and improve program performance.

### Staffing and Qualifications

The provider must have at least two years of successful experience within the last five years working with youth who are at-risk of homelessness due to factors such as substance abuse, mental health issues, trauma, aging out of the child welfare or youth behavioral healthcare systems, court-involvement, family instability, and economic stressors.

The provider should be fiscally sound and capable of managing the proposed program.

The staffing model should consist of two full time outreach workers, one part time outreach worker, and one part time supervisor/site director

(clinical license required) dedicated at a minimum of 25% of their time and effort. Each of these key staff members must have at least two years of successful and relevant experience within the last five years.

- The site supervisor/site director must have either a Master's Degree in Social Work or a Human Services Related Field (preferred) with a minimum of five years of experience working with children, youth, and/or families and a minimum of two years of experience in supervision or other relevant experience and credentials that will be required to be approved in advance by DCF.
- The outreach workers must have either a Bachelor's Degree in a Human Services Related Field and a minimum of two years working with children, youth, and/or families OR other relevant experience that will be required to be approved in advance by DCF.

The awarded provider will be expected to conduct criminal and child abuse registry checks for paid and volunteer staff and contractors to ensure the safety of youth and staff.

### Outreach Services

The program design shall include service delivery in locations where youth are known to congregate within Atlantic County. The role of the street outreach provider is to: engage and make connections with youth; distribute information about youth services; link youth with resources; develop relevant community partnerships; materials and referrals; develop individualized safety plans with youth; and transport youth to their homes, shelters, or other safe environments.

The provider shall operate within the area designated in their contract, as well as identify in the proposal specific locations for daily canvassing and focused outreach. The provider shall, at the direction of DCF, adjust their operations, as necessary, to ensure that locations where youth congregate are covered.

The provider will be required to convene a meeting(s) with youth and youth serving stakeholders in Atlantic County within 30 days of the award to identify target locations for street outreach programs, formalize partnerships, facilitate an exchange of information, and promote/market the street outreach service availability in Atlantic County. It is recommended that the awarded provider convene these meetings tri-annually or as needed to obtain updated information and feedback regarding the street outreach services.

The provider will also be required to perform weekly outreach and training to various stakeholders outlining the needs and circumstances of homeless youth, and information regarding human trafficking and sexual exploitation in the region.

### Target Population and Services Levels

The target population for the youth outreach services is runaway, homeless and at-risk youth under the age of 21 in Atlantic county. The program shall make at least 1200 documented unduplicated contacts with at-risk and/or homeless youth annually. Additional performance standards can be found under the Data Collection, Reporting and Evaluation section below.

### Engagement

The provider shall actively search for homeless and at-risk youth 7 days a week with flexible daytime and nighttime hours. Outreach workers shall locate and engage youth to encourage acceptance of and participation in services that can help them.

### Sensitivity

The provider shall provide culturally, developmentally, and trauma informed service delivery to runaway, homeless and at-risk youth. This service delivery should consider the possible needs of youth that might have immigration issues, language barriers, be pregnant or parenting, and/or identify as LGBTQI.

The provider must demonstrate policies and procedures that prohibit harassment and promote an organizational culture with cultural humility and competency regarding gender identity (expression), religion, sexual orientation, gender, race, national origin, and disability.

### Urgent Needs Assessment

When needed, the provider shall provide the youth with immediate linkage to crisis intervention and counseling services, information about resources, and helping them access the immediate services and supports that they need.

The successful applicant will have capacity to provide up to 3 months of aftercare or follow up services after the youth is linked with needed services.



## Support and Referral Services

The provider will assess the youth to identify the services and supports needed. The provider will identify information and materials to the youth that will address their concrete and case management needs. This includes but is not limited to: food, clothes, counseling, healthcare, housing, employment, education, financial, legal, and/or immigration services.

The provider will be expected to use the information and understanding collected from the assessment and screening of each youth to create integrated, holistic, and comprehensive service prioritization plans. The information collected from the assessment and screening process should be utilized for the planning document that will transform the needs of a youth into goals with realistic and achievable objectives. At a minimum, the planning form/document should include information on the following:

- Supportive relationships and community connections;
- Education;
- Employment;
- Living arrangement/Housing;
- Health;
- Transitional service and supports (including gateway services);
- The youth's statement/perspective of their future goals; and
- The youth's successes, strengths, and interests/hobbies.

The awarded agency will be strongly recommended to use the following tools:

- Casey Life Skills Assessment
- New Jersey Career Assistance Navigator
- Youth Connections Scale or Permanency Pact

## Permanency Planning

The provider shall help the youth to identify and develop a network of healthy and sustainable supports and connections. The planning and discussion should occur during initial youth contact and throughout all ongoing planning with the youth.

## Permanent Housing Resources

Through a partnership with the New Jersey Department of Community Affairs (DCA), DCF was able to secure 5 project-based permanent housing vouchers for this project and is piloting these resources as a Housing First focused enhancement to the Street Outreach Model outlined in this RFP. In addition to managing five (5) project-based permanent housing vouchers the applicant will need to provide

supportive case management to a minimum of five youth until a youth's 21<sup>st</sup> birthday. The applicant will need to identify funding or other creative strategies to continue supportive case management to these youth after they turn 21. Vouchers will be available to both individual youth and pregnant or parenting youth. The provider must use a screening tool such as the Transition Age Youth (TAY) to identify youth most at risk for chronic homelessness and in highest need of these housing vouchers.

### Gateway Services

The provider shall provide gateway services as needed (food, clothing, hygiene items, etc.) and shall carry basic need packs and other gateway service items with them in the agency vehicle to provide during street outreach efforts.

### Transportation

When youth are in need of transportation, the provider shall escort them home, to a shelter or other safe environment, or if appropriate, to a hospital.

Youth outreach vehicles may only be used by staff who hold a valid State license.

### Communication Network

The provider shall maintain a means of communication (i.e. cell phone or radio) in order to accept referrals from various sources such as: 211, crisis shelter, faith based organization, or other community resources. At the direction of DCF, the provider shall develop a protocol for transporting youth to a crisis shelter during hours of operation.

### Linkages

The provider shall have established linkages with community service providers, youth advocacy networks, law enforcement, faith based organizations, and other critical stakeholders that can help to support the youth as described in the "Services To Be Funded" section of this RFP.

The provider shall provide linkage, access, and/or address youth needs through community resources such as:

- Emergency, Transitional, and/or Sustainable Housing
- Trauma-Informed Crisis Intervention and Counseling
- Prevention and Psycho-Education
- Educational Programming
- Employment Programming
- Healthcare Organizations

- Other critical services (e.g., county welfare, legal and immigration services, afterschool activities, mentoring programs, etc.)

Specifically with regard to housing, the provider will need to identify guaranteed emergency and 24 hour shelters, housing partners in the community, be familiar with the New Jersey Adolescent Housing Hub and the New Jersey Homeless Management Information System, and be/become a member of Atlantic County's Continuum of Care.

### Drop-In Center

The Drop-In Center shall be established in a new facility (preferred) or housed in an existing facility. Information regarding the drop-in center should be provided in program marketing materials and to youth encountered during street outreach efforts.

### Data Collection, Reporting and Evaluation

The provider shall maintain a log of all youth contacts and provide statistics as directed by DCF, including the number of youth served daily, the primary geographical locations where services were provided, the number and nature of services and referrals provided, and the information and materials distributed.

At a minimum, the awarded provider will also be expected to collect data and report performance on the following indicators; benchmarks are included in parentheses:

- Number of unduplicated youth contacted through outreach workers' efforts (3500 annually)
- Number of unduplicated youth and number of times provided gateway services, such as food, clothing, hygiene, and other supplies to meet their basic needs and build trust with outreach workers (2000)
- Number of youth provided safety plans and/or mental and behavioral health support to reduce likelihood of sexual exploitation, assault, or substance abuse (500)
- Number and percentage of runaway, homeless, or street youth contacts that resulted in a youth entering a shelter or safe and stable housing within 72 hours (700 or 20%)
- Number of youth (18+) receiving long term/stable housing opportunities through project-based housing vouchers (5)
- Number of unduplicated youth provided assessment, intensive case management, and follow-up services to address emotional and behavioral needs while establishing permanency plan (500)

- Number of youth provided resource plans to promote well-being and self-sufficiency through connection with school, employment, transportation, and housing services (800)

At a minimum, long term outcomes to be measured include that youth are:

- Safe and stably housed
- Socially and emotionally well
- Self-sufficient
- Have permanent connections with families, communities, schools, and other positive social networks

The awarded provider will be expected to measure these long-term outcomes through follow up to youth 3, 6, and 12 months after receiving street outreach services.

#### Other Requirements

All applicants are advised that any software purchased in connection with the proposed project must receive prior approval by the New Jersey Office of Information Technology.

Applicants are also advised that any data collected or maintained through the implementation of the proposed program shall remain the property of DCF.

Organ and Tissue Donation: As defined in section 2 of P.L. 2012, c. 4 (N.J.S.A.52:32-33), contractors are encouraged to notify their employees, through information and materials or through an organ and tissue awareness program, of organ donation options. The information provided to employees shall be prepared in collaboration with the organ procurement organizations designated pursuant to 42 U.S.C. §1320b-8 to serve in this State.

#### **D. Funding Information:**

For the purpose of this initiative, the Department will make available up to \$588,200 total funding, \$511,200 in Federal Runaway and Homeless Youth funding (STREET OUTREACH) and \$77,000 in DCF matched funding over 36 months. **This funding is subject to and contingent upon the receipt of STREET OUTREACH Federal funding and the adherence by the provider to all STREET OUTREACH requirements.** The Department is anticipating that the resulting contract will contain up to \$588,200 for up to 3 years with an option to extend by DCF.

Continuation funding is contingent upon the availability of funds in future fiscal years.

The grantee shall receive an estimated \$189,400 in the first year (plus start-up costs of up to \$20,000) and an estimated \$189,400 in both the second and third year. Applicants must provide a justification and separate detailed summary of all start-up expenses that must be met in order to begin program operations. Funds awarded under this program may not be used to supplant or duplicate existing funding.

Any expenses incurred prior to the effective date of the contract will not be reimbursed by DCF.

### **E. Applicant Eligibility Requirements:**

1. Applicants must be for profit, not for profit corporations or designated lead agencies that are duly registered to conduct business within the State of New Jersey.
2. Applicants must be in good standing with all State and Federal agencies with which they have an existing grant or contractual relationship.
3. Applicants must demonstrate experience providing case management and supportive services to homeless youth and case management needs as part of their existing services. Please note that priority will be given to applicants that have experience in delivering street outreach services to homeless youth, are trauma-informed, and/or have experience and/or expertise delivering services specific to addressing human trafficking.
4. Applicants may not be suspended, terminated or barred for deficiencies in performance of any award, and if applicable, all past issues must be resolved as demonstrated by written documentation.
5. Applicants that are presently under contract with DCF must be in compliance with the terms and conditions of their contract. If Applicant is under a corrective action plan with DCF, or any other New Jersey State agency or authority, the Applicant may not submit a proposal for this RFP. Responses shall not be reviewed and considered by DCF until all deficiencies listed in the corrective action plan have been eliminated to the satisfaction of DCF for a period of 6 months
6. Where required, all applicants and/or their employees must hold current State licenses.
7. Applicants that are not governmental entities must have a governing body that provides oversight as is legally required.
8. Applicants must have the capability to uphold all administrative and operating standards as outlined in this document.

9. Applicants must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, the State Affirmative Action policy.
10. All applicants must have a Data Universal Numbering System (DUNS) number. To acquire a DUNS number, contact the dedicated toll-free DUNS number request line at 1-866-705-5711 or inquire on-line at [www.dnb.com](http://www.dnb.com)
11. The applicant must be fiscally viable.
12. Any fiscally viable entity that meets the eligibility requirements, terms and conditions of the RFP, and the contracting rules and regulations set forth in the DCF Contract Policy and Information Manual (N.J.A.C. 10:3) may submit an application.

**F. RFP Schedule:**

<b>June 25, 2015</b>	<b>Notice of Availability of Funds/RFP publication</b>
<b>July 10, 2015 until 12PM</b>	<b>Period for Email Questions sent to <a href="mailto:DCFASKRFP@dcf.state.nj.us">DCFASKRFP@dcf.state.nj.us</a></b>
<b>August 7, 2015</b>	<b>Deadline for Receipt of Proposals by 12:00PM</b>

Proposals must be received by 12:00 PM on the date for the deadline above. Applicants should submit **one (1) signed original** and **one CD ROM**, including a signed cover letter of transmittal as indicated below.

Proposals must be delivered either:

**1) In person to:**

Catherine Schafer, Director of Grants Management, Auditing and Records  
 Department of Children and Families  
 Trenton, New Jersey 08625

Please allow time for the elevator and access through the security guard. Applicants submitting proposals in person or by commercial carrier should submit **one (1) signed original** and **one CD ROM** with all documents including a signed cover letter of transmittal.

**2) Commercial Carrier (hand delivery, federal express or UPS) to:**

Catherine Schafer, Director of Grants Management, Auditing and Records  
 Department of Children and Families  
 101 South Broad Street, 7<sup>th</sup> Floor  
 Trenton, New Jersey 08625

Applicants submitting proposals in person or by commercial carrier should submit **one (1) signed original** and **one CD ROM** with all documents including a signed cover letter of transmittal.

**3) Online- <https://ftpw.dcf.state.nj.us>**

DCF offers the alternative for our bidders to submit proposals electronically to the web address above. Online training is available at the bidder's conference and on our website at: [www.nj.gov/dcf/providers/notices/](http://www.nj.gov/dcf/providers/notices/)

We recommend that you do not wait until the date of delivery in case there are technical difficulties during your submission. Only a registered Authorized Organization Representative (AOR) or the designated alternate is eligible to send in a submission. Registration forms are available on our website. Registered AOR forms must be received 5 business days prior to the date the bid is due. You need to register only if you are submitting a proposal online.

## **G. Administration:**

### **1. Screening for Eligibility, Conformity and Completeness**

DCF will screen proposals for eligibility and conformity with the specifications set forth in this RFP. A preliminary review will be conducted to determine whether the application is eligible for evaluation or immediate rejection.

The following criteria will be considered, where applicable, as part of the preliminary screening process:

- a. The application was received prior to the stated deadline
- b. The application is signed and authorized by the applicant's Chief Executive Officer or equivalent
- c. The applicant attended the Bidders Conference (if required)
- d. The application is complete in its entirety, including all required attachments and appendices
- e. The application conforms to the specifications set forth in the RFP

Upon completion of the initial screening, proposals meeting the requirements of the RFP will be distributed to the Proposal Evaluation Committee for its review and recommendations. Failure to meet the criteria outlined above, or the submission of incomplete or non-responsive applications constitutes grounds for immediate rejection of

the proposal if such absence affects the ability of the committee to fairly judge the application.

**2. Proposal Review Process**

DCF will convene a Proposal Evaluation Committee in accordance with existing regulation and policy. The Committee will review each application in accordance with the established criteria outlined in Section II of this document. All reviewers, voting and advisory, will complete a conflict of interest form. Those individuals with conflicts or the appearance of a conflict will be disqualified from participation in the review process. The voting members of the Proposal Evaluation Committee will review proposals, deliberate as a group, and then independently score applications to determine the recommendation for contract and the final funding decisions.

The Department reserves the right to request that applicants present their proposals in person for final scoring. In the event of a tie in the scoring by the Committee, the bidders that are the subject of the tie shall provide a presentation of their proposal to the evaluation committee. The evaluation committee will request specific information and/or specific questions to be answered during a presentation by the provider and a brief time-constrained presentation. The presentation will be scored out of 50 possible points, based on the following criteria and the highest score will be recommended for approval as the winning bidder.

Requested information was covered-	10 Points
Approach to the contract and program design was thoroughly and clearly explained and was consistent with the RFP requirements-	20 Points
Background of organization and staffing explained-	10 Points
Speakers were knowledgeable about topic-	5 Points
Speakers responded well to questions -	5 Points

The Department also reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so. The Department’s best interests in this context include, but are not limited to: State loss of funding for the contract; the inability of the applicant to provide adequate services; the applicant’s lack of good standing with the Department, and any indication, including solely an allegation, of misrepresentation of information and/or non-compliance



with any State of New Jersey contracts, policies and procedures, or State and/or Federal laws and regulations.

All applicants will be notified in writing of the Department's intent to award a contract.

### **3. Special Requirements**

The successful Applicant 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.

Applicants must comply with the requirements of N.J.S.A. 10:5-31 et seq. and N.J.A.C. 17:27, the State Affirmative Action policy. A copy is attached as **Exhibit 2.**

Applicants must comply with laws relating to Anti- Discrimination as attached as **Exhibit 3.**

## **H. Appeals:**

An appeal of the selection process will be heard only if it is alleged that the Department has violated a statutory or regulatory provision in awarding the grant. An appeal will not be heard based upon a challenge to the evaluation of a proposal. Applicants may appeal by submitting a written request to

Office of Legal Affairs  
Contract Appeals  
50 East State Street 4<sup>th</sup> Floor  
Trenton NJ 08625

no later than five (5) calendar days following receipt of the notification or by the deadline posted in this announcement.

## **I. Post Award Review:**

As a courtesy, DCF may offer unsuccessful applicants an opportunity to review the Evaluation Committee's rating of their individual proposals. All Post Award Reviews will be conducted by appointment.

Applicants may request a Post Award Review by contacting:  
[DCFASKRFP@dcf.state.nj.us](mailto:DCFASKRFP@dcf.state.nj.us)

Post Award Reviews will not be conducted after six months from the date of issuance of this RFP.

## **J. Post Award Requirements:**

Successful applicants will be required to comply with the terms and conditions of the Department of Children and Families' contracting rules and regulations as set forth in the Standard Language Document, the Contract Reimbursement Manual and the Contract Policy and Information Manual. Applicants may review these items via the Internet at [www.nj.gov/dcf/providers/contracting/manuals](http://www.nj.gov/dcf/providers/contracting/manuals)

Selected applicants will also be required to comply with all applicable State and Federal laws and statutes, assurances, certifications and regulations regarding funding.

Upon receipt of the award announcement, and where appropriate, selected applicants will be minimally required to submit one (1) copy of the following documents:

1. A copy of the Acknowledgement of Receipt of the NJ State Policy and Procedures returned to the DCF Office of the EEO/AA
2. DCF Third Party Contract Reforms Attestation
3. Proof of Insurance naming DCF as additionally insured from agencies and camps qualified to provide their services.
4. Proof of Insurance naming the camp where their aid will work as additionally insured from agencies qualified to provide their services to camps
5. Bonding Certificate
6. Notification of Licensed Public Accountant (NLPA) with a copy of Accountant's Certification
7. ACH- Credit Authorization for automatic deposit (for new agencies only)

The actual award of funds is contingent upon a successful Contract negotiation. If, during the negotiations, it is found that the selected Applicant is incapable of providing the services or has misrepresented any material fact or its ability to manage the program, the notice of intent to award may be rescinded.

## **Section II – Application Instructions**

### **A. Proposal Requirements and Review Criteria:**

All applications will be evaluated and scored in accordance with the following criteria:

The narrative portion of the proposal should be double-spaced with margins of 1 inch on the top and bottom and 1½ inches on the left and right. The font may be no smaller than 12 points. There is a 20 page limitation for the narrative portion of the grant application. A one (1) point reduction per page will be administered to proposals exceeding the page limit requirements. Five (5) points will be deducted for each missing document. If the deductions total 20 points or more, the proposal shall be rejected as non-responsive. The narrative must be organized appropriately and address the key concepts outlined in the RFP.

Proposals may be fastened by a heavy-duty binder clip. Do not submit proposals stapled, in loose-leaf binders, plastic sleeves or folders.

Each proposal narrative must contain the following items organized by heading in the same order as presented below:

#### **1) Applicant Organization**

**(10 Points)**

Describe the agency's history, mission and goals, and where appropriate, a record of accomplishments in working in collaboration with the Department of Children and Families and/or relevant projects with other State of New Jersey and/or federal governmental entities.

Describe the agency's background and experience with homeless youth and youth at risk of homelessness and in implementing community-based case management and supportive services to this population.

Describe the agency's experience with providing evidence-informed and trauma-informed services. Please be specific.

Describe the agency's experience in utilizing a positive youth development approach and how the agency will integrate a protective and promotive factors framework into their program (for example, <http://www.cssp.org/reform/child-welfare/youth-thrive>).

Describe any existing partnerships your agency has within the community that can be used to support this program. Preference will be given to those providers who attach agreements, MOUs affiliation agreements and/or letters of support as appendices.

Provide an indication of the organization's demonstrated commitment to cultural competency and diversity. The provider shall identify and develop, as needed, accessible culturally responsive services and supports. These shall include, but are not limited to, affiliations with informal or natural helping networks such as language services, neighborhood and civic associations, faith based organizations, and recreational programs determined to be appropriate. Supervisors must be culturally competent and responsive, with training and experience necessary to manage complex cases in the community across child and youth serving systems. The supervisors must have experience with homeless youth, with trauma-informed treatment and be culturally responsive. Explain how the provider is working toward a cultural competency plan that describes actions your agency will take to insure that policies, materials, environment, recruitment, hiring, promotion, training and Board membership reflect the community or the intended recipients of the services you provide and promote the cultural competency of the organization and that resources and services will be provided in a way that is culturally sensitive and relevant.

Describe the agency's governance structure and its administrative, management and organizational capacity to enter into a third party direct state services contract with the Department of Children and Families. Note the existence (if any) of professional advisory boards that support the operations. If applicable, indicate the relationship of the staff to the governing body. Attach a current organizational chart.

Provide an indication of the agency's demonstrated capability to provide services that are consistent with the Department's goals and objectives for the program to be funded. Include information on current programs managed by the agency, the funding sources and if available, any evaluation or outcome data.

**2) Demonstration of Ability to Be Operational (25 points)**

The successful applicant will provide a reasonable and feasible timeline for implementing the proposed project. Applicants must have the ability to achieve full operational services such as outreach within 90 days of contract execution and attach a concrete plan for the location and opening date for the Drop In Center within 120 days of contract execution. Further, where appropriate, applicants must execute sub-contracts with partnering entities. Letters of commitment from potential partnering agencies may be included and will be considered by the evaluation team.

Attach a separate Program Implementation Schedule as part of the appendix. The Program Implementation Schedule should detail how and when the proposed work will be accomplished as well as the responsible parties. It should include the process and timeframe for establishing a staffing team (i.e., recruiting, hiring, training, etc.), for identifying and meeting with stakeholders, for developing a Drop-In Center, etc. Please include a description of factors that could delay or be a barrier to implementation as well as how these factors would be managed.

Discuss your current understanding or awareness of locations and areas where these youth congregate that could be targeted by staff during outreach efforts.

### **3) Program Approach**

**(45 Points)**

Specify a program approach that includes an overview of the proposed services and their anticipated impact on the target population in Atlantic County.

Describe how positive youth development, a protective and promotive factors framework, and youth voice will be incorporated into the program model.

Describe how you will incorporate at least one evidence-informed practice into your program. Specify what the practice(s) is, eligibility criteria, and how referrals to the intervention will be made.

#### Staffing and Qualifications

Indicate the number, qualifications and skills of all staff, consultants, sub-grantees and/or volunteers who will perform the proposed service and training activities.

Discuss the process for recruiting, hiring, and training new staff. Describe anticipated timeframes for hiring program staff as well as potential barriers that could delay the process.

Resumes of the Provider's key staff with relevant experience must be attached as part of the Appendix. In addition, in the Appendices section of the application, attach an organizational chart for the proposed program operation; job descriptions that include all educational and experiential requirements; salary ranges; and resumes of any existing staff who will perform the proposed services.

Describe the management and supervision methods that will be utilized. Describe how the provider will provide 24/7 staffing coverage.

Describe how program staff members receive training that includes crisis intervention, safety and emergency procedures, HIV awareness and education, case records and confidentiality, youth development, child abuse prevention and reporting, suicide prevention, cultural diversity awareness, impact of trauma, domestic violence, pregnancy prevention and parenting, LGBTQI sensitivity, sexual exploitation, substance abuse, and youth with disabilities.

Program staff will be required to attend the Youth Thrive protective and promotive factors trainings that will be offered through DCF. In addition, the provider shall be encouraged to promote staff participation in other training as provided by DCF.

### Outreach Services

Describe the proposed outreach services to be provided and the hours of operation. Discuss your ability to provide street outreach 7 days a week with flexible daytime and night time hours.

Discuss your anticipated plan for street outreach including possible target areas, specific times of outreach and engagement, and frequency of outreach to each area.

Describe the program's safety protocols for street based engagement.

Describe your plan to meet initially and ongoing with youth and youth stakeholders in Atlantic County. Discuss anticipated meeting goals and how you will utilize these meetings to inform your programming.

Describe your plan to provide community awareness training activities to prevent and address human trafficking and increase awareness of the needs and circumstances of homeless youth in Atlantic County.

Describe your plan to provide public outreach awareness to youth and the community about your outreach efforts and available services.

### Target Population and Service Levels

Describe how a "contact" will be defined. Discuss your ability and plans to achieve the performance standards set forth in this RFP.

Describe your experience working with the identified target population.

Describe how your agency will maintain a means of communication (i.e. cell phone or radio) in order to accept referrals from various sources such

as: 211, crisis shelter, faith based organization, or other community resources.

**Additional Required Elements:**

Engagement:

Describe how your outreach staff will effectively engage youth. Discuss your ability to use creative and evidence-based engagement approaches that are trauma/developmentally/culturally informed and help a youth to feel safe and unjudged.

Sensitivity:

Describe how trauma-informed services will be incorporated into your program.

Describe how your services and service delivery model will be culturally competent and specify any services that will be provided to youth with special or unique needs.

Describe your existing policies and procedures that prohibit, monitor, and address harassment and promote an organizational culture with cultural humility and competency.

Describe how the proposed program will meet the needs of various and diverse cultures within the target community based on the Law Against Discrimination (N.J.S.A. 10:51 et seq.).

Urgent Needs Assessment:

Discuss your ability to provide crisis intervention when needed. Describe your assessment process and what services will be available to meet the needs described above.

Support and Referral Services:

Describe the screening and assessment process that will be developed and utilized for encountered youth. Describe your ability to collect information such as demographic information, contact information, and basic information regarding the youth's safety status and needs at the first encounter with a youth. Also discuss additional information that would be collected through follow up contacts with the youth. Attach any relevant tools or forms as an appendix.

Describe your ability to provide immediate information, resources, and referrals regarding healthcare, education, employment, housing, safety tips, etc.

Describe the accessibility of services, including the hours and days that services will be available to clients, the geographic location(s) where services will be provided, a description of transportation options available to clients, and handicapped accessibility.

Describe how the information collected from the assessment and screening of each youth will be utilized to create integrated, holistic, and comprehensive service prioritization plans. Describe the type of planning documents that will be used, and attach copies of them in the appendices.

Describe how you will engage any supports that a youth identifies in the planning and goal setting process.

Outline how you will maintain records of the youth and condense planning processes to best link youth to immediate services with opportunities for youth to return and access additional supports and services.

#### Permanency Planning:

Describe how your agency will help youth to identify and develop a network of healthy supports throughout the planning process.

#### Aftercare Services:

Outline how your agency will provide up to 3 months of aftercare or follow up services for each youth that will provide additional service linkage and supports as needed.

If case management services are provided through a housing program or other secured living arrangement, describe how aftercare can be provided to ensure the youth's safety and stability is sustained.

#### Permanent Housing Resources:

Describe how you will identify youth for these housing vouchers. Attach any screening tools as part of the appendix.

Outline how your agency will provide supportive services to (18+) youth who will utilize these vouchers. Discuss what types of supportive services will be provided.



Describe your plan for continuing supportive case management services to youth who have turned 21.

Gateway services:

Describe your ability to provide gateway services and basic need packs (e.g., food, hygiene items, clothing, or other items that might be of immediate need).

Outline how your agency will maintain gateway services on site if a youth shows up and is in need.

Transportation:

Describe the types of transportation that will be provided or secured for youth. For transportation provided by the applicant, describe the hours and days that transportation will be available to youth. Describe how you will provide 24/7 coverage for emergency situations.

Linkages:

Describe how the agency will ensure youth have 24/7 access to shelters or safe and stable housing.

Describe any service coordination, collaborative efforts or processes that will be used to provide the proposed services. Describe how your agency will leverage and/or formalize local partnerships in each of the areas above to ensure a seamless transition to the various services that may be needed by youth.

Attach any affiliation agreements, letters of support or commitment, or Memoranda of Understanding as appendices.

Drop-In Center:

Describe the Drop-in Center proposal including a description of the floor plan, anticipated location, and amenities. Describe how the Drop-In Center will be a welcoming, friendly, and inclusive space for youth of different cultures, religions, and affiliations. Describe how youth voice and feedback will be utilized in the design of the Drop-In Center.

Provide a reasonable and feasible timeline for the opening and operation of the Drop-In Center.

Discuss the hours of operation and staff coverage for the Drop-In Center.

If within or part of an existing program or facility for homeless youth, provide a detailed budget and summary of how the funding and the program requirements shall be segregated.

**4) Data Collection, Reporting and Evaluation (10 Points)**

Describe the outcome measures that will be used to determine that the service goals and objectives of the program have been met. Provide a brief narrative and attach copies of any evaluation tools that will be used to determine the effectiveness of the program services.

Describe how and how often you will collect data and report performance on the following indicators:

- Number of unduplicated youth contacted through outreach workers' efforts
- Number of times unduplicated youth provided gateway services, such as providing food, clothing, hygiene, and other supplies to meet their basic needs and build trust with outreach workers
- Number of youth provided safety plans, mental and behavioral health support to reduce likelihood of sexual exploitation, assault, or substance abuse
- Number and percentage of runaway, homeless, or street youth contacts that resulted in a youth entering a shelter or safe and stable housing within 72 hours
- Number of youth (18+) receiving long term/stable housing opportunities through project-based housing vouchers
- Number of unduplicated youth provided assessment, intensive case management, and follow-up services to address emotional and behavioral needs while establishing permanency plan
- Number of youth provided resource plans to promote well-being and self-sufficiency through connection with school, employment, transportation, and housing services

Describe the frequency and methods that will be used to collect data on the following long-term outcomes:

- Safe and stably housed
- Socially and emotionally well
- Self-sufficient
- Have permanent connections with families, communities, schools, and other positive social networks

Describe your plan for continuous quality improvement. Discuss how youth voice will be incorporated into this plan.

Provide a description of client data to be recorded, the intended use of that data and the means of maintaining confidentiality of client records.

**5) Budget**

**(10 Points)**

The Department will consider the cost efficiency of the proposed budget as it relates to the anticipated level of services (LOS). Therefore, applicants must clearly indicate how this funding will be used to meet the project goals and/or requirements. Provide a line item budget and narrative for the proposed project/program on the Budget Form provided in Exhibit 1.

The budget should be reasonable and reflect the scope of responsibilities required to accomplish the goals of this project. The budget shall also reflect a 12 month operating schedule and must include, in separate columns, total funds needed for each line item, the funds requested in this grant, and funds secured from other sources. All costs associated with the completion of the project must be clearly delineated and the budget narrative must clearly articulate budget items, including a description of miscellaneous expenses or "other" items. The completed budget proposal must also include a detailed summary of and justification for any one-time operational start-up costs. These costs should be reflected on a separate schedule. Quarterly reporting on all expenditures shall be required. Reports shall be detailed and provide sufficient information to satisfy STREET OUTREACH requirements.

The grantee is expected to adhere to all applicable State cost principles.

**B. Supporting Documents:**

Applicants must submit a complete proposal signed and dated by the Chief Executive Officer or equivalent and a CD ROM containing all the documents in PDF or Word format. Failure to submit any of the required documents requested in this RFP will result in a loss of five (5) points per item from the total points awarded for the proposal. A one (1) point reduction per page will be administered to proposals exceeding the 20 page limit requirements. Five (5) points will be deducted for each missing document. If the deductions total 20 points or more, the proposal shall be rejected as non-responsive. The narrative must be organized appropriately and address the key concepts outlined in the RFP. Annex B budget pages, and attachments do not count towards the narrative page limit.

All supporting documents submitted in response to this RFP must be organized in the following manner:

**Part I: Proposal**

1. Proposal Cover Sheet\*
2. Table of Contents
3. Proposal Narrative (in following order)
  - a. Applicant Organization
  - b. Demonstration of Ability to Become Operational
  - c. Program Approach
  - d. Data Collection and Statistical Reporting
  - e. Budget Narrative

**Part II: Appendices**

1. Resumes of Supervisor/Site Director and two Full Time Street Outreach Workers and one Part Time Street Outreach Worker (if available) Detailed job descriptions may also be provided if resumes are not available. (see requirements in section “Program Approach”)
2. Current and proposed agency organizational charts
3. Staffing patterns for Youth Outreach
4. Safe-Child Standards Description of your agency’s implementation of the standards (no more than 2 pages)
5. Budget Form-see Exhibit A
6. Copy of agency’s Conflict of Interest policy
7. Crisis Plan for Youth
8. Program Implementation Schedule including a concrete plan for the location and opening date for the Drop In Center within 120 days of contract execution
9. Copies of all screening, assessment, and planning documents
10. Copies of all data collection and/or evaluation tools
11. Copies of any audits or reviews completed or in process by DCF or other State entities from 2013 to the present. If available, a corrective action plan should be provided and any other pertinent information that will explain or clarify the applicant’s position
12. Letters of Commitment and other supporting documents. Applicable Consulting Contracts, Affiliation Agreements/Memoranda of Understanding
13. Dated List of Names, Titles, Address and Terms of Board of Directors
14. Signed DCF Standard Language Document  
<http://www.nj.gov/dcf/documents/contract/forms/StandardLanguage.doc>
15. Documentation Demonstrating Compliance with Obtaining a DUNS Number. All applicants must have a Data Universal Numbering System (DUNS) number. To acquire a DUNS number, contact the dedicated

- toll-free DUNS number request line at 1-866-705-5711 or inquire on-line at: <http://www.dnb.com>
16. Renewal Printout from the System for Award Management (SAM) website (<https://www.sam.gov/portal/public/SAM/>)
  17. Signed HIPAA Business Associate Agreement (<http://www.nj.gov/dcf/providers/contracting/forms/HIPAA.doc>)
  18. Copies of Applicable Licenses-Licenses are not required but if you have licensed individuals you may provide them.
  19. Current Affirmative Action Certificate or Copy of Renewal Application Sent to Treasury
  20. Certificate of Incorporation
  21. New Jersey Business Registration Certificate with the Division of Revenue
  22. Agency By-laws or Management Operating Agreement if an LLC
  23. Tax Exempt Certification-IRS Determination Letter regarding applicant's charitable contribution or non-profit status, if a non-profit
  24. Disclosure of Investigation and Other Actions Involving Bidder- Full Version\*\* Signed and dated
  25. Disclosure of Investment Activities in Iran\*\* Signed and dated
  26. MacBride Principles\*\* Signed and dated
  27. Statement of Bidder/Vendor Ownership Full Version\*\* Signed and dated
  28. Chapter 271\*\* Signed and dated
  29. Source Disclosure Certification\*\* Signed and dated
  30. Two-Year Chapter 51/Executive Order 117 Vendor Certification and Disclosure of Political Contributions (For-Profit only) \*\*Signed and dated
  31. Annual Report to the Secretary of State ([https://www1.state.nj.us/TYTR\\_COARS/JSP/page1.jsp](https://www1.state.nj.us/TYTR_COARS/JSP/page1.jsp))
  32. Annual Report- Charitable Organizations (If applicable)
  33. W-9 form (new agencies only) or (<http://www.state.nj.us/treasury/omb/forms/pdf/W9.pdf>)
  34. Certification regarding Debarment\* <http://www.state.nj.us/dcf/providers/notices/Cert.Debarment.pdf>
  35. Statement of Assurances\*
  36. Form 990 for Non-Profits or Form 1120 intended for For-Profit entities. LLC's shall provide an applicable tax form and may delete or redact any SSN or personal information
  37. Copy of Most Recent Audit or financial statement certified by an accountant or accounting firm

\*Standard forms for RFP's are available at [www.nj.gov/dcf/providers/notices/](http://www.nj.gov/dcf/providers/notices/) Forms for RFP's are directly under the Notices section.

\*\* Chapter 51 forms are available on the Department of the Treasury website at <http://www.state.nj.us/treasury/purchase/> (Note: non-profit entities are exempt from Chapter 51 disclosure requirements.). Click on Vendor Information and then on Forms.

## C. Requests for Information and Clarification

### Question and Answer:

DCF will provide eligible applicants additional and/or clarifying information about this initiative and application procedures through a time-limited electronic Question and Answer Period. Answers will be posted on the website at: <http://www.state.nj.us/dcf/providers/notices/>

Questions must be submitted in writing via email to: [DCFASKRFP@dcf.state.nj.us](mailto:DCFASKRFP@dcf.state.nj.us).

All inquiries submitted to this email address must identify, in the Subject heading, the specific RFP for which the question/clarification is being sought.

Written questions must be directly tied to the RFP. Questions should be asked in consecutive order, from beginning to end, following the organization of the RFP. Each question should begin by referencing the RFP page number and section number to which it relates.

All other types of inquiries will not be accepted. **Applicants may not contact the Department directly, in person, or by telephone, concerning this RFP.** Inquiries should only be addressed for technical support through [DCFASKRFP@dcf.state.nj.us](mailto:DCFASKRFP@dcf.state.nj.us). Inquiries will not be accepted after the closing date of the Question and Answer Period. Written inquiries will be answered and posted on the DCF website as a written addendum to the RFP.

**Exhibit 1: Budget Spreadsheet**

<b>BUDGET CATEGORIES 12-Month Budget</b>	<b>TOTAL COSTS</b>	<b>DCF Funding request</b>	<b>Other Cash or In-Kind Funding Sources*</b>
A. Personnel - Salary (hours/week)			
Fringe (% rate)			
B. Consultants & Professional Fees			
C. Materials & Supplies			
D. Facility Costs			
E. Specific Assistance to Clients			
F. Other			
G. Gen. & Adm. (G&A) Cost Allocation			
H. Total Operating Costs			
I. Equipment			
J. Total Cost			
K. Revenue (deduct)*	(    )	n/a	n/a
L. Funding Request		n/a	n/a

The budget request shall indicate the Agency's total proposed budget for delivery of the service(s) reduced by the other sources of funding (Line K). If applicable, indicate the sources of leveraged funding and the dollar amounts for each below:

Other Sources of Funding for this Program: (Specify These)			
Other Funding Amounts:	0	0	0

(REVISED 4/10)

**EXHIBIT 2**

**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, 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 Purchase & Property, CCAU, EEO Monitoring Program 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 Purchase & Property, CCAU, EEO Monitoring Program for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27**.

### **EXHIBIT 3**

\*\*\* This section is current through New Jersey 215th Legislature \*\*\*  
First Annual Session, P.L. 2012 Chapter 16, 18-25.  
Annotations current through August 1, 2012

#### TITLE 10. CIVIL RIGHTS CHAPTER 2. DISCRIMINATION IN EMPLOYMENT ON PUBLIC WORKS

#### **GO TO THE NEW JERSEY ANNOTATED STATUTES ARCHIVE DIRECTORY**

*N.J. Stat. § 10:2-1 (2012)*

#### § 10:2-1. Antidiscrimination provisions

Antidiscrimination provisions. Every contract for or on behalf of the State or any county or municipality or other political subdivision of the State, or any agency of or authority created by any of the foregoing, for the construction, alteration or repair of any public building or public work or for the acquisition of materials, equipment, supplies or services shall contain provisions by which the contractor agrees that:

a. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;

b. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;

c. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of \$ 50.00 for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and

d. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

No provision in this section shall be construed to prevent a board of education from designating that a contract, subcontract or other means of procurement of goods, services, equipment or construction shall be awarded to a small business enterprise, minority business enterprise or a women's business enterprise pursuant to P.L.1985, c.490 (*C.18A:18A-51* et seq.).

**HISTORY:** Amended 1945, c. 171, § 1; 1962, c. 213, § 1; 1970, c. 80, § 7; 1985, c. 490, § 9; 1988, c. 37, § 8; 1991, c. 519, § 10; 2006, c. 100, § 1, eff. June 17, 2007.

**NOTES:**

Amendment Note:

2006 amendment, by Chapter 100, inserted "gender identity or expression" in a. and b.

Effective Dates:

Section 16 of L. 2006, c. 100 provides: "This act shall take effect on the 180th day following enactment." Chapter 100, L. 2006, was approved on Dec. 19, 2006.

Cross References:

Complaint of violation; decision of attorney general final, see *10:2-2*.

Rules and regulations; notice of complaint and hearing, see *10:2-3*.

Notice of decision; fixing penalty, see *10:2-4*.

Definitions, see *10:5-31*.

Administrative Code:

1. *N.J.A.C. 2:76-6.18* (2012), CHAPTER STATE AGRICULTURE DEVELOPMENT COMMITTEE, SADC grant agreement with county: General provisions.

2. *N.J.A.C. 5:80-18.2* (2012), CHAPTER NEW JERSEY HOUSING AND MORTGAGE FINANCE AGENCY, Causes for debarment of a person(s).

3. *N.J.A.C. 7:1A-2.17* (2012), CHAPTER WATER SUPPLY LOAN PROGRAMS, Loan conditions.

4. *N.J.A.C. 7:22-3.17* (2012), CHAPTER FINANCIAL ASSISTANCE PROGRAMS FOR ENVIRONMENTAL INFRASTRUCTURE FACILITIES, Loan conditions.

5. *N.J.A.C. 7:22-4.17* (2012), CHAPTER FINANCIAL ASSISTANCE PROGRAMS FOR ENVIRONMENTAL INFRASTRUCTURE FACILITIES, Loan conditions.

6. *N.J.A.C. 7:22-6.17* (2012), CHAPTER FINANCIAL ASSISTANCE PROGRAMS FOR ENVIRONMENTAL INFRASTRUCTURE FACILITIES, Loan conditions.

7. *N.J.A.C. 7:22A-2.4* (2012), CHAPTER SEWAGE INFRASTRUCTURE IMPROVEMENT ACT GRANTS, Grant conditions.
8. *N.J.A.C. 7:24A-4.2* (2012), CHAPTER DAM RESTORATION AND INLAND WATERS PROJECTS LOAN PROGRAM, Loan conditions.
9. *N.J.A.C. 7:26-14A.10* (2012), CHAPTER SOLID WASTE, Loan agreement.
10. *N.J.A.C. 7:26-15.12* (2012), CHAPTER SOLID WASTE, Discriminatory practices.
11. *N.J.A.C. 8:43D-4.2* (2012), CHAPTER STANDARDS FOR LICENSURE OF PEDIATRIC COMMUNITY TRANSITIONAL HOMES, Ownership.
12. *N.J.A.C. 10:3-1.2* (2012), CHAPTER CONTRACT ADMINISTRATION, Causes for debarment of a person.
13. *N.J.A.C. 10:49-11.1* (2012), CHAPTER ADMINISTRATION MANUAL, Program participation.
14. *N.J.A.C. 12A:4-12.3* (2012), CHAPTER POLICY AND PROCEDURE FOR CONTRACTS AND AGREEMENTS FOR THE PURCHASE OF GOODS AND SERVICES, Causes for debarment of a person(s).
15. *N.J.A.C. 14:31-1.5* (2012), CHAPTER GRANT AND LOAN PROGRAMS, Submission requirements.
16. *N.J.A.C. 16:44-11.1* (2012), CHAPTER CONSTRUCTION SERVICES, Causes for debarment.
17. *N.J.A.C. 16:72-4.1* (2012), CHAPTER NEW JERSEY TRANSIT PROCUREMENT POLICIES AND PROCEDURES, Causes for debarment of a person(s).
18. *N.J.A.C. 17:12-6.3* (2012), CHAPTER DIVISION OF PURCHASE AND PROPERTY: PROCUREMENT BUREAU; CONTRACT COMPLIANCE AND AUDIT UNIT; AND DISTRIBUTION SUPPORT SERVICES UNIT, Causes for debarment of a person(s).
19. *N.J.A.C. 17:19-4.1* (2012), CHAPTER CLASSIFICATION AND PREQUALIFICATION OF FIRMS, Causes for debarment of a firm(s) or an individual(s).
20. *N.J.A.C. 17:27-2.1* (2012), CHAPTER EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION RULES, Definitions.
21. *N.J.A.C. 19:9-8.2* (2012), NEW JERSEY TURNPIKE AUTHORITY, Causes for debarment of a person(s).
22. *N.J.A.C. 19:30-2.2* (2012), NEW JERSEY ECONOMIC DEVELOPMENT AUTHORITY, Causes for disqualification/debarment of persons.
23. *N.J.A.C. 19:32-4.2* (2012), NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY, Contract award and compliance.

24. *N.J.A.C. 19:34A-4.2* (2012), NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY, Contract award and compliance.

25. *N.J.A.C. 19:38A-4.1* (2012), NEW JERSEY SCHOOLS DEVELOPMENT AUTHORITY, Grounds for revocation of prequalification or denial of a renewal application.

26. *N.J.A.C. 19:65-7.2* (2012), CHAPTER CASINO REINVESTMENT DEVELOPMENT AUTHORITY, Cause for debarment.

LexisNexis (R) Notes:

#### CASE NOTES

1. Restriction on the right of a person lawfully in the United States to earn a living was to be soberly regarded and construed strictly rather than expansively, and therefore enactment of *N.J. Rev. Stat. § 34:9-2*, *N.J. Stat. Ann. § 10:2-1*, and the Law Against Discrimination, former N.J. Stat. Ann. § 18:25-1 et seq. (see now *N.J. Stat. Ann. § 10:5-1* et seq.), was found to have impliedly repealed *N.J. Rev. Stat. § 34:9-1*, which prohibited the employment of aliens in performance of a public contract. *Department of Labor & Industry v. Cruz*, 45 N.J. 372, 212 A.2d 545, 1965 N.J. LEXIS 185, 1 Empl. Prac. Dec. (CCH) P9716, 9 Fair Empl. Prac. Cas. (BNA) 1334, 52 Lab. Cas. (CCH) P9002 (1965).

2. Restriction on the right of a person lawfully in the United States to earn a living was to be soberly regarded and construed strictly rather than expansively, and therefore enactment of *N.J. Rev. Stat. § 34:9-2*, *N.J. Stat. Ann. § 10:2-1*, and the Law Against Discrimination, former N.J. Stat. Ann. § 18:25-1 et seq. (see now *N.J. Stat. Ann. § 10:5-1* et seq.), was found to have impliedly repealed *N.J. Rev. Stat. § 34:9-1*, which prohibited the employment of aliens in performance of a public contract. *Department of Labor & Industry v. Cruz*, 45 N.J. 372, 212 A.2d 545, 1965 N.J. LEXIS 185, 1 Empl. Prac. Dec. (CCH) P9716, 9 Fair Empl. Prac. Cas. (BNA) 1334, 52 Lab. Cas. (CCH) P9002 (1965).