

STATE OF NEW JERSEY
DIVISION OF MENTAL HEALTH AND ADDICTION SERVICES
SUPERSTORM SANDY – RECOVERY AND REBUILDING

REQUEST FOR PROPOSALS TO PROVIDE
HOUSING NAVIGATION SERVICES FOR SUPPORTIVE HOUSING

May 5, 2014

Lynn A. Kovich, Assistant Commissioner
Division of Mental Health and Addiction Services

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I. Introduction

The State of New Jersey has been awarded funding from the US Department of Health and Human Services, Administration for Children and Families (ACF) in support of the State of New Jersey Recovery and Rebuilding efforts. The Department of Human Services (DHS), Division of Mental Health and Addiction Services (DMHAS) has received a grant for \$24,744,000 to expend from now until September 30, 2015 through the Social Services Block Grant (SSBG). The funds will provide time-limited supportive housing services for up to 354 individuals with a substance use disorder, a serious mental illness¹ or those with a serious mental illness and co-occurring substance use disorder who were residents of the 10 counties identified, (Atlantic, Bergen, Cape May, Cumberland, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union), between October 28th and 30th, 2012, as suffering great impact from the Superstorm Sandy, as well as Housing Navigator services as described in this RFP.

II. Purpose of the Request

Specifically, in the current initiative the DMHAS will be awarding up to \$1,000,000 (to be expended over federal fiscal years 2014 – 2015) to provide housing navigator services to the aforementioned 354 individuals with a substance use disorder, mental illness or co-occurring mental illness and substance use disorder served by the SSBG temporary voucher initiatives.

DMHAS will be awarding funds for three housing navigator programs (“Navigators”) to assist the Supportive Housing Providers awarded contracts through other RFPs (“Providers”) in the 10 impacted counties. Navigators will be regionally based with the equivalent of at least 3 FTEs serving in each of 3 regions: North, Central and South. Additionally, funding to support other-than-personnel (OTP) costs, including one time and travel funds, will be available.

DMHAS is funding housing navigation services to assist the Providers awarded contracts through two previously issued RFPs, “Supportive Housing to Individuals with a Mental Illness or Co-Occurring Mental Illness and Substance Use Disorder” and “Supportive Housing for Individuals with a Substance Use Disorder.” Up to \$13,846,400 will be awarded for 213 supportive housing vouchers to consumers with a mental illness or co-occurring mental illness and substance use disorder. The second RFP will provide up to \$9,897,600 for 141 supportive housing vouchers for consumers with a substance use disorder. In total, housing navigation services will identify housing opportunities for up to 354 individuals served in the two supportive housing initiatives.

¹ Serious mental illness is defined as “individuals who currently, or at any time during the past year, have had a diagnosable mental, behavioral, or emotional disorder of sufficient duration to meet diagnostic criteria specified within (the Diagnostic and Statistical Manual), that has resulted in functional impairment which substantially interferes with or limits one or more major life activities” (Federal Register, Vol. 58, No. 96, May 20, 1993, p. 29425).

III. Target Population

To be eligible for this program, individuals must be referred from the aforementioned Providers. They will have been able to demonstrate to those Providers, (and approved by DMHAS) that they were residents of one of the ten counties impacted between October 28, 2012 and October 30, 2012 when Super Storm Sandy (Sandy) made landfall in New Jersey. Individuals do not have to currently reside in those counties and can choose to live in any one of the 21 counties in NJ; however, they must have been a resident in one of the ten aforementioned counties at the time of the storm.

In addition, individuals must be at least 18 years of age, have a diagnosis of a serious mental illness, or a dual diagnosis of a mental illness and substance use disorder (SMI/SUD) or a substance use disorder based on DSM IV/V criteria.

IV. Funding Availability

Approximately up to \$1,000,000 is available to be awarded for 3 regionally based housing navigator programs to assist in locating appropriate housing for up to 354 individuals. Each program will be awarded funding to include the equivalent of at least 3 FTE staff, plus other-than-personnel costs including one-time and travel funding necessary to operationalize the services. One time funds may include (but need not be limited to: office furniture, office supplies, computers, printers, cell phones, land-line phones, cars, etc.) Programs awarded will be located in each of the three regions; North, Central and South to assist Providers in locating housing.

V. Goals of the Program

Housing Navigator Services shall be designed to ensure consumers of behavioral health services a choice of safe, affordable housing within the county of service.

Housing navigators shall work to develop more partnerships with landlords and assist Providers to help consumers locate and secure appropriate housing units.

At all times, the consumer is expected to assume responsibility for his/her home and have a lease arrangement with a landlord.

VI. Scope of Services

Navigators shall:

- A. Work collaboratively with multiple supportive housing Providers and their consumers;
- B. Develop and maintain a database of various types of available housing stock;
- C. Work with the consumers directly to ascertain housing preferences and needs;
- D. Facilitate tenant-landlord negotiations when warranted;

- E. Locate housing that is in accordance with the principles of supportive housing, including the following:
 - 1. Lease-based or occupancy agreement with the protection of New Jersey's landlord/tenant laws;
 - 2. Leases are held in the name of the consumer;
 - 3. Housing that promotes community inclusion, normalization, and independence.

VII. Provider Qualifications

In order to be eligible for consideration for a contract under this Request for Proposal:

- A. The applicant must be duly registered to conduct business within the State of New Jersey;
- B. The applicant must be a fiscally viable for-profit or non-profit organization or government entity;
- C. Housing Navigator services are not licensed by DHS. However, the applicant must have an understanding of the rules and regulations applicable to DMHAS' contracted supportive housing services, found at N.J.A.C.10:37A.; specifically the types of services offered, found at N.J.A.C 10:37A-4.3
- D. The applicant must possess the ability to work with individuals with a serious mental illness, a substance use disorder or a co-occurring mental health and substance use disorder;
- E. The applicant must possess an understanding of accessible, affordable, appropriate housing which meets HUD Quality Standards: <http://www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g10GUID.pdf>
- F. The applicant must have an understanding of ADA compliant housing;
- G. The applicant must comply with the terms and conditions of the Department of Human Services' contracting rules and regulations as set forth in the Standard Language Document, the Contract Reimbursement Manual (CRM), and the Contract Policy and Information Manual (CPIM). A copy of this manual can be accessed from the Office of Contract Policy and Management's (OCPM) webpage at: <http://www.state.nj.us/humanservices/ocpm/home/resources/manuals/index.html> and
- H. Non-public applicants must demonstrate that they are incorporated through the New Jersey Department of the Treasury, Division of Revenue and provide documentation of their current non-profit status, if applicable.

VIII. Contracting and Fiscal Consequences Related to Performance

Successful applicants already under contract with DMHAS will be awarded new, separate contracts for these services.

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

IX. Requirements for Submission

Proposals must address the following:

- A. Funding Proposal Cover Sheet. Please use the Cover Sheet included in the RFP and place it on top of the entire RFP package. (1 point)
- B. Briefly describe your agency, its current clientele and current services offered, including any experience in Housing Navigator services. (15 points)
- C. Describe how staffing and services will be phased in based on the volume of referrals that come in, and the maximum number of individuals that can be served. (5 points)
- D. Please describe the process your agency will use to work with Providers awarded in the aforementioned RFPs to engage individuals to be served and integrate them into new housing. (15 points)
- E. Describe the process to be used in locating safe, affordable housing in a timely manner, including relationships with landlords and how housing may be located for consumers with poor credit history or negative background checks. (20 points)
- F. Describe your experience and ability to work with consumers with a serious mental illness, or a substance use disorder, or a co-occurring mental illness and substance use disorder as outlined in the Target Population section of this RFP. (10 points)
- G. Applicants who do not currently contract with the Division must also include:
 1. Organization history including mission and goals;
 2. Overview of agency services;
 3. Documentation of incorporation status;
 4. Agency organization chart;
 5. Agency code of ethics and /or Conflict of Interest policy;
 6. Most recent agency audited financial statements; and
 7. Listing of current Board of Directors, Officers and terms of each.
- H. Format of proposal must follow directions for submission outlined in Section XII, and include a Statement of Assurances signed by Chief Executive Officer (Attachment C) and a signed Debarment Certification (Attachment D). (2 Points)

- I. Please provide written assurances that, if your organization is funded pursuant to this RFP: (8 points)
 1. You will collaborate with local housing authorities and/or other related housing development entities to identify housing options for enrolled clients;
 2. You will keep funding for this initiative segregated from funding for all other initiatives/programs operated by the organization and will have ability to specifically report on the individuals served in this initiative;
 3. You will work in cooperation with the regional and central offices of DMHAS, collect such data as DMHAS may require and participate in any standardized affiliation agreements that may be developed; and
 4. You will comply with any reporting and monitoring requirements specific to this initiative that DMHAS may require.

X. Budget Requirements (30 points)

A program budget with the following characteristics must be submitted.

- A. Provide a detailed, line-item 12 month budget using the Annex B categories for expenses and revenues (if any), utilizing Excel or similar software.
- B. Separately list and explain any one-time costs requested as part of the costs for the first year of operation.
- C. All budget data, if approved and included in signed contracts, will be subject to the provisions of DHS' Contract Policy & Information Manual, and DHS' Contract Reimbursement Manual. These manuals can be accessed from OCPM's webpage at:
<http://www.state.nj.us/humanservices/ocpm/home/resources/manuals/index.html> .
The Contracting Manuals' link is available from the webpage sidebar.
- D. Budget Notes are often useful to help explain costs and assumptions made regarding certain non-salary expenses and the calculations behind various revenue estimates. Please note that reviewers will need to fully understand the budget projections from the information presented, and failure to provide adequate information could result in lower ranking of the proposal. Please provide Budget Notes if you believe such notes would assist the reviewers. Enter notes, to the maximum extent possible, on the budget file itself.
- E. Include name and addresses of any organization providing support other than third party payers.
- F. For personnel line items, staff names should not be included, but the staff position titles and hours per workweek are needed.
- G. Provide the number of hours associated with each line of any clinical consultant so that cost/hour may be considered by the evaluators.

- H. Staff fringe benefit expenses may be presented as a percentage factor of total salary costs, and should be consistent with your organization's current fringe benefits percentage.
- I. If applicable, General & Administrative (G&A) expenses, otherwise known as indirect or overhead costs, should be included if attributable and allocable to the proposed program. Because administrative costs for existing DMHAS programs reallocated to a new program do not require new DMHAS resources, applicants that currently contract with DMHAS should limit your G&A expense projection to "new" G&A only by showing the total G&A costs for the new service, and the savings from reductions in G&A from other programs as a revenue off-set.

XI. Mandatory Bidder's Conference

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

DATE: Thursday, May 15, 2014
TIME: 1:00pm – 2:30pm
LOCATION: 222 South Warren Street
1st Floor Conference Room
Trenton, NJ 08625

To register for this mandatory bidder's conference, go to:

<http://njsams.rutgers.edu/training/HNS/register.aspx>

If you require assistance with this link, please contact Alicia Meyer, Coordinator, Division of Mental Health and Addiction Services at alicia.meyer@dhs.state.nj.us or at 609-777-0069, no later than two days prior to the Bidder's Conference.

XII. Submission of Proposal

All proposals are due to the offices below no later than 4:00 PM, June 12, 2014. Submit your proposal in a single file PDF format via email to RFP.submissions@dhs.state.nj.us. Single PDF attachments and emails are highly preferred. Your email "subject" should include your agency name, and the proposal name and date. Proposals should be limited to 15 pages, with the exception of the budget and supporting documents – in a font size no smaller than 12. Additionally, one hard copy of the proposal with an original signature and six additional hard copies must be submitted to: Alisa Robinson no later than 4:00 pm, June 12, 2014 at the following address:

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

Four hard copies and an electronic version of the proposal shall also be submitted to the County Mental Health Administrator(s) for the county (ies) in which you are proposing to provide services. Please refer to the following weblink regarding contact information for the respective Mental Health Administrators:

<http://www.state.nj.us/humanservices/dmhs/services/admin/>.

XIII. Review of Proposal and Notification of Preliminary Award

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

DMHAS will convene an RFP review committee to review and score timely submitted proposals. This review committee will consist of State of NJ employees, including staff from DMHAS' Central Office, and DMHAS' State hospital staff.

DMHAS recognizes the invaluable perspectives and knowledge of consumers, family members, and County Mental Health Boards . Input from these groups is an integral component of a system that holds Wellness and Recovery principles at its core. Consequently, the Division will convene an advisory group consisting of consumers and family members to meet with members of the RFP review committee and provide their input regarding each of the proposals submitted. County Mental Health Boards should review proposals and provide the Division with their recommendations and comments no later than July 3, 2014. This input will be incorporated into the final deliberations of the review committee. Recommendations are to be submitted to: Bernice Harris, Division of Mental Health and Addiction Services, via email Bernice.Harris@dhs.state.nj.us or by mail to the address listed in Section XIII of this RFP.

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

DMHAS will notify all applicants of preliminary award decisions by July 21, 2014

XIV. Appeal of Award Decisions

Appeals of any determinations may be made only by the respondents to this proposal. All appeals must be made in writing and must be received by DMHAS at the address below no later than July 28, 2014. The written request must clearly set forth the basis for the appeal.

Appeal correspondence should be addressed to:

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

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

DMHAS will review any appeals and render final funding decisions by August 4, 2014. Awards will not be considered final until all timely appeals have been reviewed and final decisions rendered.

Attachment A

Date Received

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

Cover Sheet

Name of RFP _____

Incorporated Name of Applicant: _____

Type: _____

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

Federal ID Number: _____ Charities Reg. Number _____

Address of Applicant: _____

Contact Person: _____ Phone No.: _____

Total dollar amount requested: _____ Fiscal Year End:

Funding Period: From _____ to _____

Total number of unduplicated clients to be served: _____

County in which housing and services are to be provided: _____

Brief description of services by program name and level of service to be provided*:

Authorization: Chief Executive Officer: _____
(Please print)

Signature: _____ Date: _____

*NOTE: If funding request is more than one service, complete a separate description for each service. Identify the number of units to be provided for each service as well as the unit description (hours, days, etc.) If the contract will be based on a rate, please describe how the rate was established.

Attachment B

STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES

Addendum to Request for Proposal For Social Service and Training Contracts

Executive Order No. 189 establishes the expected standard of responsibility for all parties that enter into a contract with the State of New Jersey. All such parties must meet a standard of responsibility that assures the State and its citizens that such parties will compete and perform honestly in their dealings with the State and avoid conflicts of interest.

As used in this document, "provider agency" or "provider" means any person, firm, corporation, or other entity or representative or employee thereof that offers or proposes to provide goods or services to or performs any contract for the Department of Human Services.

In compliance with Paragraph 3 of Executive Order No. 189, no provider agency shall pay, offer to pay, or agree to pay, either directly or indirectly, any fee, commission, compensation, gift, gratuity, or other thing of value of any kind to any State officer or employee or special State officer or employee, as defined by N.J.S.A. 52:13D-13b and e, in the Department of the Treasury or any other agency with which such provider agency transacts or offers or proposes to transact business, or to any member of the immediate family, as defined by N.J.S.A. 52:13D-13i, of any such officer or employee, or any partnership, firm, or corporation with which they are employed or associated, or in which such officer or employee has an interest within the meaning of N.J.S.A. 52:13D-13g.

The solicitation of any fee, commission, compensation, gift, gratuity or other thing of value by any State officer or employee or special State officer or employee from any provider agency shall be reported in writing forthwith by the provider agency to the Attorney General and the Executive Commission on Ethical Standards.

No provider agency may, directly or indirectly, undertake any private business, commercial or entrepreneurial relationship with, whether or not pursuant to employment, contract or other agreement, express or implied, or sell any interest in such provider agency to, any State officer or employee or special State officer or employee having any duties or responsibilities in connection with the purchase, acquisition or sale of any property or services by or to any State agency or any instrumentality thereof, or with any person, firm or entity with which he is employed or associated or in which he has an interest within the meaning of N.J.S.A. 52:13D-13g. Any relationships subject to this provision shall be reported in writing forthwith to the Executive Commission on Ethical Standards, which may grant a waiver of this restriction upon application of the State officer or employee or special State officer or employee upon a finding that the present or proposed relationship does not present the potential, actuality or appearance of a conflict of interest.

No provider agency shall influence, or attempt to influence or cause to be influenced, any State officer or employee or special State officer or employee in his official capacity in any manner which might tend to impair the objectivity or independence of judgment of said officer or employee.

No provider agency shall cause or influence, or attempt to cause or influence, any State officer or employee or special State officer or employee to use, or attempt to use, his official position to secure unwarranted privileges or advantages for the provider agency or any other person.

The provisions cited above shall not be construed to prohibit a State officer or employee or special State officer or employee from receiving gifts from or contracting with provider agencies under the same terms and conditions as are offered or made available to members of the general public subject to any guidelines the Executive Commission on Ethical Standards may promulgate.

Attachment C
Department of Human Services
Statement of Assurances

As the duly authorized Chief Executive Officer/Administrator, I am aware that submission to the Department of Human Services of the accompanying application constitutes the creation of a public document that may be made available upon request at the completion of the RFP process. This may include the application, budget, and list of applicants (bidder's list). In addition, I certify that the applicant:

- Understands that, pursuant to Executive Order No. 125, signed by Governor Christie on February 8, 2013, the Office of the State Comptroller ("OSC") is required to make all approved State contracts for the allocation and expenditure of federal reconstruction resources available to the public by posting such contracts on an appropriate State website. Such contracts are posted on the New Jersey Sandy Transparency website located at: <http://nj.gov/comptroller/sandytransparency/contracts/sandy/> .

The contract resulting from this [RFP/RFQ] is subject to the requirements of Executive Order No. 125. Accordingly, the OSC will post a copy of the contract, including the [RFP/RFQ], the winning bidder's proposal and other related contract documents for the above contract on the Sandy Transparency website.

In submitting its proposal, a bidder may designate specific information as not subject to disclosure. However, such bidder must have a good faith legal and/ 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.

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

- 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.
- Understands that relevant records of private vendors or other persons entering into contracts with covered entities are subject to audit or review by the New Jersey Office of the State Comptroller pursuant to N.J.S.A. 52:15C-14(d). The Contractor 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.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. This means that the applicant did not have any involvement in the preparation of the RFI, including development of specifications, requirements, statement of works, or the evaluation of the RFI applications/bids.
- Will comply with all federal and State statutes and regulations relating to non-discrimination. These include but are not limited to: 1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352;34 CFR Part 100) which prohibits discrimination based on race, color or national origin; 2) Section 504 of the Rehabilitation

Act of 1973, as amended (29 U.S.C. 794; 34 CFR Part 104), which prohibits discrimination based on handicaps and the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq.; 3) Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et. seq.; 45 CFR part 90), which prohibits discrimination on the basis of age; 4) P.L. 2975, Chapter 127, of the State of New Jersey (N.J.S.A. 10:5-31 et. seq.) and associated executive orders pertaining to affirmative action and non-discrimination on public contracts; 5) federal Equal Employment Opportunities Act; and 6) Affirmative Action Requirements of PL 1975 c. 127 (NJAC 17:27).

- Will comply with all applicable federal and State laws and regulations.
- Will comply with the Davis-Bacon Act, 40 U.S.C. 276a-276a-5 (29 CFR 5.5) and the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.27 et seq. and all regulations pertaining thereto, if applicable.
- Is in compliance, for all contracts in excess of \$100,000, with the Byrd Anti-Lobbying amendment, incorporated at Title 31 U.S.C. 1352. This certification extends to all lower tier subcontracts as well.
- Has included a statement of explanation regarding any and all involvement in any litigation, criminal or civil.
- Has signed the certification in compliance with federal Executive Orders 12549 and 12689 and State Executive Order 34 and is not presently debarred, proposed for debarment, declared ineligible, or voluntarily excluded. The applicant will have signed certifications on file for all subcontracted funds.
- Understands that this provider agency is an independent, private employer with all the rights and obligations of such, and is not a political subdivision of the Department of Human Services.
- Understands that unresolved monies owed the Department and/or the State of New Jersey may preclude the receipt of this award.

Applicant Organization

Signature: Chief Executive Officer or Equivalent

Date

Typed Name and Title

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Attachment D

READ THE ATTACHED INSTRUCTIONS BEFORE SIGNING THIS CERTIFICATION.
THE INSTRUCTIONS ARE AN INTEGRAL PART OF THE CERTIFICATION.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by an Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature

Date

This certification is required by the regulations implementing Executive order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510

Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion

Lower Tier Covered Transactions

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of facts upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or

voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.