

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

REQUEST FOR PROPOSALS TO PROVIDE  
SUPPORTIVE HOUSING TO INDIVIDUALS WITH A MENTAL ILLNESS  
OR  
CO-OCCURRING MENTAL ILLNESS AND SUBSTANCE USE DISORDER

March 24, 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, 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 and supportive housing services for up to 354 individuals with a substance use disorder and/or mental illness who were residents of the ten (10) counties identified (Atlantic, Bergen, Cape May, Cumberland, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union), between October 28 and 30, 2012, as suffering great impact from the Superstorm Sandy.

Specifically, in the current initiative, DMHAS will be awarding \$13,846,400 (to be expended over federal fiscal years 2014 – 2015) to provide time-limited supportive housing and related services to 213 individuals with a mental illness or co-occurring mental illness and substance use disorder who were residents of the 10 counties identified above.

Career services (supported employment and supported education) will be made available through other providers to individuals receiving housing through this initiative. Career services will be procured through a separate process, outside of the current Request for Proposal (RFP), specifically for the individuals receiving supportive housing and services through this initiative. Career services will assist individuals in attaining employment, enabling them to achieve self-sufficiency and ultimately transition from SSBG-funded rental assistance.

In a separate procurement, DMHAS will be awarding funds for 9 Housing Navigators in the 10 impacted counties to assist the supportive housing providers awarded contracts through this RFP and another SSBG supportive housing RFP. Navigators will be regionally based with the equivalent of at least 3 FTEs serving in each of 3 regions: north, central and south. Additionally, one time and travel funds will be available.

## **II. Purpose of the Request**

DMHAS is issuing the current Request for Proposal (RFP) to engage providers (“Providers”) to temporarily develop up to 213 supportive housing vouchers and housing support services to individuals diagnosed with a mental illness or dually diagnosed with a mental illness and substance use disorder.

### III. Target Population

To be eligible for this program, individuals must be able to demonstrate that they were residents of one of the 10 counties impacted between October 28, 2012 and October 30, 2012 when Superstorm Sandy (Sandy) made landfall in New Jersey. The 10 counties that were affected are: Atlantic, Bergen, Cape May, Cumberland, Essex, Hudson, Middlesex, Monmouth, Ocean, and Union. 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 10 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,<sup>1</sup> or a dual diagnosis of a mental illness and substance use disorder (SMI/SUD) based on DSM IV/V criteria. Individuals who are participating in other rental assistance programs, who do not have permanent resident status or are not a citizen of the United States, are not eligible to receive a housing subsidy. In addition, *an individual who is in a State psychiatric hospital, in the community who is homeless, at risk of homelessness or at risk of hospitalization and for which an appropriate DMHAS' funded bed is available, is not eligible for this service.*

Individuals who will be served by PACT (Program for Assertive Community Treatment) are not eligible for the supportive housing services awarded pursuant to this RFP. Integrated Case Management Services (ICMS) and Projects for Assistance in Transition from Homelessness (PATH) may refer individuals to the Supportive Housing Program as part of their role to link consumers to community-based services. Upon a consumer's enrollment in a supportive housing program funded under this initiative, ICMS and PATH must terminate services.

Applications for temporary rental assistance must be submitted by the Providers to the DMHAS' housing unit. The individual must be a citizen of the United States or have permanent residency. This will be evidenced by an original or certified birth certificate, passport, consular registration of birth abroad certificate, certificate of citizenship, certificate of naturalization or green card. In addition, residency will be evidenced by presenting a NJ driver's license, passport, shelter records, school records showing address, utility records, credit card bill, checking or savings account statement showing address, original lease or rental agreement, property tax bill, statement or record from the past year, any letter or correspondence received from the IRS or State tax office, first class mail received from any Federal, State or local government agency in the past year or provider agency service documentation. Documentation must be submitted by applicant to potential provider of services.

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<sup>1</sup> 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).

Provider will confirm residency on application to DMHAS' housing unit. A copy of the documentation reviewed by the provider agency asserting eligibility must be retained in the consumer record maintained by the Provider. DMHAS will monitor consumer program eligibility.

#### **IV. Funding Availability**

Approximately \$6,923,200 for Federal fiscal year 2014 and \$6,923,200 for Federal fiscal year 2015 will be expended for awards made through this RFP. Specifically, DMHAS will award supportive housing contracts based on a \$34,875 per person annualized rate. This amount will be reimbursed monthly on a per person unit cost of \$2,906.25, less any insurance reimbursement collected for services provided. This amount includes the cost of the housing subsidy, but excludes one-time costs pertaining to housing start-up such as housing security deposits, utility deposits and purchase of furnishings. DMHAS will make available up to \$5,250 for such one-time costs for each person served. Included in this rate is up to \$3,000 for furnishings, security deposits up to one and one-half months rent up to the equivalent of one and one-half months of the New Jersey Department of Community Affairs' Housing Choice Voucher Payment Standards and up to \$300 where a deposit is required to turn on utilities.

Any agency participating in this initiative shall enter into a DMHAS - B2 (rate-based) contract. Payment will be based on a \$2,906.25 per month rate, per consumer, as individuals are referred and accepted into the program. Revenue collected will be shown on the Report of Expenditures (ROE) and deducted from the gross total amount for the reporting period, resulting in a net payment to the Providers of the monthly rate less revenue collected. The reimbursement will be made on a monthly basis for every month an individual is in the program up to September 30, 2015 or until the individual no longer needs this service, whichever comes first.

#### **V. Goals of the Program**

Individuals with mental illness or co-occurring disorder are typically priced out of the affordable housing market under normal circumstances. As individuals and families have been displaced due to the storm, the marketplace for housing for DMHAS' consumers has become more limited. The housing vouchers and related wrap-around services will allow consumers to access subsidized housing on a temporary basis (up to September 30, 2015). Since the SSBG resources will not continue past September 30, 2015, it is important that the Providers work with the individual towards a goal of achieving self-sufficiency. Some of these services may include linking individuals to Housing and Urban Development (HUD) Housing Choice (formerly known as Section 8) vouchers, by contacting local public housing authorities and/or through linkages to career services, thereby supporting individuals to obtain competitive employment. In rare instances, DMHAS' subsidies may be used to support an individual's continued tenancy in housing.

- A. The Providers shall support each participant's wellness and recovery through the provision of supportive housing and related services. These services shall include: temporary housing subsidies (based on New Jersey Department of Community Affairs Housing Choice Voucher Payment Standards); and services focused on assisting individuals to develop skills that promote community inclusion and housing stability and enable individuals to manage their own illness. In addition, the Providers shall offer case management, linkage and referrals to medical care and community mental health and substance abuse treatment such as self-help and other community resources.

Overall, the services provided must focus on the development of skills and supports that promote wellness, recovery and resiliency; including community integration, illness management, socialization, work readiness and employment, peer support, and skills and opportunities that foster increased personal responsibility and self-direction for one's life.

## **VI. Housing Model and Supportive Housing Approach**

All housing must be provided in accordance with the following key principles of supportive housing:

- lease-based or occupancy agreement with the protection of New Jersey's landlord/tenant laws;
- leases are held in the name of the consumer;
- housing that promotes community inclusion, normalization, and independence;
- services are available yet provided in a flexible, individualized manner; and
- services are available, but not mandated as a stipulation to maintain housing, with Service Providers actively seeking engagement and relationship building and strengthening, especially during times when the client may be ambivalent or reluctant.

Housing opportunities and program design shall also demonstrate the principles of supportive housing that prohibit removal due to lack of service participation, hospital admission or incarceration and that preservation of housing is primary and recognized as essential to overall wellness and recovery.

## **VII. Housing Unit Requirements**

The housing setting must provide private bedrooms, reasonably comfortable shared living space and reasonably adequate kitchen and bathroom facilities.

Clients shall be charged no more than 30% of their income for rent.

Housing units may be clustered or scattered-site model and may be single occupancy or up to four individuals within a particular site. If there are multiple units within a site, each individual must have their own bedroom and the site must be lease-based and adhere to supportive housing principles.

DMHAS' housing unit will process applications, including a review of documentation that determines the amount of the housing subsidy and the portion of rent to be paid by the individual. DMHAS' housing program staff will conduct on-site monitoring reviews within the first month of a Providers commencing its participation in this initiative and then a minimum of every three months following the initial monitoring visit through September 30, 2015. Monitoring visits will include a review of documentation to ensure individuals have been appropriately determined to be eligible for services, documentation to support rental fees, and, if applicable, deposits, furnishings and support services and confirmation that individuals continue to live in subsidized housing. In addition, DMHAS staff will conduct site visits of a random sample of apartments to ensure compliance with HUD Quality Standards: <http://www.hud.gov/offices/adm/hudclips/guidebooks/7420.10G/7420g10GUID.pdf>

The goal for the current initiative is for individuals to become self-sufficient and no longer requiring a SSBG-funded housing subsidy. However, if the Providers and/or client anticipates that the client will continue to need a housing subsidy after September 30, 2015, the Providers shall provide information and support to the client in identifying and applying for all available mainstream housing vouchers or subsidies. If funding is available, DMHAS may make continued housing subsidies available. These resources are anticipated to be available for a limited number of consumers.

## **VIII. Provider Qualifications**

In order to be eligible for consideration for a contract described in this Request for Proposals:

- Programs must be licensed as Supportive Housing Programs and, as such, they must meet the requirements in DMHAS' residential regulations (N.J.A.C. 10:37A-2.8);
- The applicant must be duly registered to conduct business within the State of New Jersey;
- The applicant must be a fiscally viable for-profit or non-profit organization or government entity;
- The applicant must have experience in successfully providing mental health support, rehabilitation, and treatment or housing services for adults with serious and persistent mental illness;
- 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 webpage of the Office of Contract Policy and Management webpage at: <http://www.state.nj.us/humanservices/ocpm/home/resources/>;

- Non-public applicants must demonstrate that they are incorporated through the New Jersey Department of State and provide documentation of their current non-profit status; and
- The applicant must currently meet applicable DMHAS supportive housing licensing standards (N.J.A.C. 10:37A-2.8) or be capable of meeting such standards were a contract to be awarded.

## **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. Indicate the number of consumers that will be enrolled by the Supportive Housing program as a result of this initiative. (5 points)
- C. Program start-up will be dependent on demand and requests for services. Describe how staffing and services will be phased in based on the volume of referrals. (5 points)
- D. Briefly describe the process your agency will use to engage individuals to be served and integrate them into new housing. (5 points)
- E. Describe how you will assist and support consumers in receiving career services in order to move them toward self-sufficiency and self-support (for rental payments) by the end of this grant cycle. (15 points)
- F. Indicate your ability to provide housing that is accessible to individuals who have difficulty with mobility or are wheelchair bound, in accordance with Americans with Disabilities Act requirements. (3 points)
- G. Describe the full range of recovery and support services that will be provided to service recipients. (10 points)
- H. Describe your agency's ability to affirmatively link individuals to primary care practitioners, support the consumers as they engage in primary care treatment and facilitate the coordination of primary care and behavioral healthcare with and on behalf of the consumers. (5 points)
- I. Describe how your agency will monitor medication and ensure that necessary blood work is completed in order to optimize medication adherence. (5 points)
- J. Provide a brief description of the housing model(s) that will be made available (one-bedroom apartments, single family home, shared living, scattered site apartments, apartment building with mixed use, etc.). Include rationale for choosing this particular housing design. (3 points)
- K. Provide the municipality and county where housing will be located. (2 points)



- L. Describe your organization's plan to address consumers' substance abuse issues, drug and alcohol relapse prevention or harm reduction strategies. (5 points)
- M. Describe how your organization will support consumers in attaining the daily living skills necessary to live integrated lives in the community. (5 points)
- N. Demonstrate how the proposed service will integrate the following principles into service delivery: (20 points)
  - 1. Promotion of wellness and recovery (grounded in SAMHSA's 8 Domains of Wellness);
  - 2. Promotion of community inclusion;
  - 3. Culturally competent and linguistically accessible services; and
  - 4. Demonstration of best practices.
- O. Describe your experience and success in providing supportive services to, and/or development of housing opportunities for, individuals with a mental illness in the community. (5 points)
- P. Format of proposal must follow directions for submission, and include a Statement of Assurances signed by Chief Executive Officer (Attachment C), Signed Debarment Certification (Attachment D). (3 Points)
- Q. Please provide written assurances that, if your organization is funded pursuant to this RFP: (2 points)
  - 1. You will pursue available resources (e.g. grants, vouchers, rental assistance, etc.) and collaborate with local housing authorities and/or other related housing development entities to develop, expand, and/or enhance housing options for enrolled consumers;
  - 2. You will keep funding for this initiative segregated from funding for all other initiatives/programs operated by the organization and will have an 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, County Mental Health Boards and State psychiatric hospitals to identify people to be served, meet data collection requirements, and participate in any standardized affiliation agreements that may be developed;
  - 4. You will comply with DMHAS' reporting requirements specific to this initiative;
  - 5. You will provide the full range of services delineated in DMHAS and related regulations to all individuals enrolled; and
  - 6. You will pursue all available sources of revenue, including Medicaid if you are eligible to bill for the services provided, and will report all revenue generated as an off-set to the monthly rate billed for the aggregate of individuals served each month.
- R. Applicants who do not currently contract with the Division must also include the following:
  - 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;
7. Listing of current Board of Directors, Officers and terms of each.

Application program narratives must be no more than 15 pages in length, with a font size no smaller than 12. Pages must be clearly numbered, and proposals should not be stapled, in binders, or bound in any way as to preclude easy photocopying.

## **X. 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:** March 31, 2014  
**TIME:** 10 am – 12 noon  
**LOCATION:** 222 South Warren Street  
1<sup>st</sup> Floor Conference Room  
Trenton, NJ 08625

To register for this mandatory bidder's conference, go to: <http://njsams.rutgers.edu/training/SANDYR/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](mailto:alicia.meyer@dhs.state.nj.us) or at 609-777-0069, no later than two days prior to the Bidder's Conference.

## **XI. Submission of Proposal**

All proposals are due to the offices below no later than 4:00 PM, April 28, 2014. Submit your proposal in a single file PDF format via email to [RFP.submissions@dhs.state.nj.us](mailto: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 no later than 4:00 pm, April 28, 2014 to Kelly Procaccino 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 develop housing. Please refer to the following web link regarding contact information for the respective Mental Health Administrators:

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

The completed budget template file must be submitted as an e-mail attachment to [RFP.submissions@dhs.state.nj.us](mailto:RFP.submissions@dhs.state.nj.us).

## **XII. 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 in response to the current RFP. 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 that consumers, family members, and County Mental Health Boards possess regarding psychiatric services. 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 May 21, 2014. This input will be incorporated into the final deliberations of the review committee. Recommendations are to be submitted to Cathy Boland, Division of Mental Health and Addiction Services, via email [cathy.boland@dhs.state.nj.us](mailto:cathy.boland@dhs.state.nj.us) or by mail to the address listed in Section XIV 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 June 2, 2014.

## **XIII. 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 June 9, 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 June 16, 2014. Awards will not be considered final until all timely appeals have been reviewed and final decisions rendered.

**PROPOSAL COVER SHEET**  
**(Must precede all pages submitted with Proposal)**

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

**STATE OF NEW JERSEY**  
**DEPARTMENT OF HUMAN SERVICES (DMHAS)**

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 (name/title): \_\_\_\_\_ Phone No.: \_\_\_\_\_

Email \_\_\_\_\_ Fax \_\_\_\_\_

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 \_\_\_\_\_

Authorization: Chief Executive Officer: \_\_\_\_\_

(Please print)

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

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:

- Has legal authority to apply for the funds made available under the requirements of the RFP, and has the institutional, managerial and financial capacity (including funds sufficient to pay the non-Federal/State share of project costs, as appropriate) to ensure proper planning, management and completion of the project described in this application.
- Will give the New Jersey Department of Human Services, or its authorized representatives, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with Generally Accepted Accounting Principles (GAAP). Will give proper notice to the independent auditor that DHS will rely upon the fiscal year end audit report to demonstrate compliance with the terms of the contract.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. This means that the applicant did not have any involvement in the preparation of the 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.



- 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 on file signed certifications 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  
 Equivalent

\_\_\_\_\_  
 Signature: Chief Executive Officer or

\_\_\_\_\_  
 Date

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

6/97

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.

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Name and Title of Authorized Representative

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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.