



STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
DIVISION OF DEVELOPMENTAL DISABILITIES

REQUEST FOR PROPOSAL

**Emergency Capacity Services Homes for
Individuals with Intellectual and/or Developmental Disabilities**

August 30, 2023

Jonathan Seifried, Assistant Commissioner
Division of Developmental Disabilities

TABLE OF CONTENTS

I.	Purpose and Intent.....	3
II.	Background and Population to be Served	5
III.	Who Can Apply?.....	6
IV.	Contract Scope of Work.....	7
V.	General Contracting Information	77
VI.	Required Proposal Content.....	8
VII.	Submission of Proposal Requirements.....	13
VIII.	Review of Proposals.....	15
IX.	Appeal of Award Decisions	16
X.	Post Award Required Documentation.....	16
XI.	Attachments.....	17
	Attachment A – Proposal Cover Sheet.....	18
	Attachment B – Addendum to RFP for Social Service and Training Contracts	19
	Attachment C – Statement of Assurances	21
	Attachment D – Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions	23
	Attachment E – Budget Proposal Form	25
	Attachment F – Commitment to Defend and Indemnify Form	28

I. Purpose and Intent

The New Jersey Department of Human Services (DHS), Division of Developmental Disabilities (DDD) is utilizing a Request for Proposal (RFP) process to identify providers to operate Emergency Capacity Services (ECS) program(s) throughout the state. ECS programs support individuals with intellectual and developmental disabilities (IDD), including those with acute behavioral needs, who are in need of immediate residential/day support. This RFP is released to re-procure the existing eight (8) four (4) person ECS programs to two or more qualified providers and support the development of enhanced behavioral services for each program.

Proposals for one (1) to four (4) ECS programs may be submitted by a single qualified bidder. No more than four ECS programs may be awarded to a single qualified bidder. Funding reimbursement will be through a contract model as opposed to fee-for-service billing.

The primary purpose of the ECS programs is to provide community residential/day supports for individuals with IDD who are in need of immediate residential/day services due to homelessness or other emergent circumstance. Providers must be able to accept admissions 24/7 and adhere to a no reject policy. Individuals are referred to ECS programs by DDD and are intended to be short term (i.e., 60 days maximum) to ensure the health and safety of the individual while a plan for a permanent residential/day supports is developed.

In the event a referred individual has a placement disposition issue the ECS provider, with approval from the individual/guardian, will be required to work with the individual's Planning Team and develop a permanent residential placement within an alternate setting operated by the provider within 60 days of admission to the ECS program.

Providers who are not committed to offering a permanent placement option or a no-reject policy on referred individuals need not apply.

Each ECS program shall support four (4) individuals and must be able to serve men, women, transgender and gender non-conforming individuals. Bedrooms shall be single occupancy and available for admissions seven days per week, 365 days a year with 24-hour coverage provided.

Individuals referred to this program will require varying levels of support. The ECS provider must be prepared to provide a high level of staffing on each shift based on the needs of the individuals served. Providers must have the ability to facilitate a same day admission as directed by DDD.

Each program shall have support from a Board Certified Behavior Analyst to develop behavioral support strategies to address problematic behaviors. Some examples of behavioral challenges at these programs include: aggression, self-injury, property destruction, elopement, problematic sexual behaviors/offender history, and/or fire-setting. Providers applying for this RFP will need to possess the ability to serve these populations and develop a Specialized Services/Offender Model prior to opening. Individuals referred to this program will not require on-site nursing, but will benefit from nursing oversight within the agency.

Providers who operate existing ECS programs must submit a proposal conforming with this RFP in order to have the opportunity to be considered for continued operation of their current assigned ECS program.

The properties where current ECS programs operate are not included in this RFP. As such, bidders must include a plan to secure housing.

The ECS homes shall be developed in accordance with DDD standards and policies. Additionally, a behavior support policy that comports to the requirements of [Division Circular #34: Behavior Modification Programming](#) and [Division Circular #19: Defensive Techniques and Personal Control in Emergencies](#) must be developed before program opening to allow for the use of personal control techniques and other emergency measures as appropriate and approved by the individual's Planning Team.

Services provided through this RFP shall be funded via contract with DDD and not through fee-for-service. The total annual contract award for program operations shall not exceed \$900,000.

All new programs must be licensed, open, and operational between January 1st and June 30th, 2024.

Contingent on DDD approval, up to \$90,000 one-time capital funding (based on actual costs) will be allocated for each of the sites for acquisition, construction or site renovations. Capital funding for the installation of sprinkler and fire alarm may also be requested in addition to the \$90,000. Sites that receive capital funding must be in compliance with capital funding requirements, including the ability to enter into a capital funding agreement and lien.

Additional one-time funding shall be available for the following items (also based on actual costs) and shall include:

- Two vehicles:
 - Up to \$70,000 for an accessible vehicle
 - Up to \$45,000 for a secondary vehicle
- \$3,000 per bed for furnishings.

Because the individuals referred to this program will require varying levels of support, the ECS provider must be prepared to provide a high level of staffing on each shift based on the needs of the individuals served. This means residential and relevant ancillary services are to be available 24 hours a day, 365 days a year, to men, women, and gender non-conforming individuals 18 years of age and older. Ancillary supports include, but are not limited to: behavioral supports; recreational activities; and transportation to and from any required community services (including day services as applicable) or transitional activities. Daytime activities shall be provided if alternate day services are not available upon admission. The ECS provider will provide transportation to day services, routine and specialty medical care, mental health, and other services as needed.

These programs shall be developed in accordance with DDD policy and must be ADA accessible. Current ECS programs that are not accessible may utilize capital funding available through this RFP to achieve this outcome.

The following summarizes the **anticipated** RFP schedule:

August 30, 2023	Notice of Funding Availability
September 13, 2023	Close of Question & Answer Period
October 18, 2023	Submission Deadline
November 1, 2023	Preliminary Notification of Award
November 15, 2023	Appeal Deadline
November 22, 2023	Notification of Final Award
June 30, 2024	Deadline for Program Opening, All Locations

II. Background and Population to be Served

DDD has been funding services for state residents with intellectual and developmental disabilities since 1959. DDD was created in response to the need for better and more effective services for state residents with developmental disabilities. Advocates for those services included many parents and other family members who wanted community-based alternatives to the institutional care that had been their only option for many decades.

Currently, DDD is responsible for overseeing a statewide system of services and supports for about 25,500 eligible adults age 21 and over with developmental disabilities. Most DDD-eligible individuals live in the community, either with family or in a community residence such as a group home, supervised apartment, or in a Community Care Residence. Approximately 1,050 individuals are served in one of five (5) developmental centers administered by DDD.

DDD assures the opportunity for individuals with intellectual and developmental disabilities to receive quality services and supports, participate meaningfully in their communities, and exercise their right to make choices.

This mission and DDD goals are founded within these Core Principles:

- Ensure Health and Safety while Respecting the Rights of Individuals;
- Promote and Expand Community-Based Supports and Services to Avoid Institutional, Segregated, and Out-of-State Services;
- Promote Individual Choice, Natural Relationships, and Equity in the Provision of Supports and Services;
- Ensure Access to Needed Services from Other State and Local Agencies;
- Support Provider Agencies in Achieving Core Principles;
- Ensure that Services are High in Quality and Culturally Competent;
- Ensure Financial Accountability and Compliance with all Laws and Ethical Codes;
- Ensure Clear, Consistent Communication and Responsiveness to Stakeholders; and

- Promote Collaboration and Partnerships with Individuals, Families, Providers, and All Other Stakeholders.

III. Who Can Apply?

To be eligible for consideration for this RFP, the applicant must satisfy the following requirements:

- The applicant must be a non-profit, for-profit or governmental entity;
- Must meet eligibility requirements to become a DDD/Medicaid approved provider as outlined in the [Community Care Program Manual](#) and [N.J.A.C 10:44A, Standards for Community Residences for Individuals with Developmental Disabilities](#);
- The applicant must demonstrate a proven history of serving individuals with intellectual and/or developmental disabilities who experience severe challenging behaviors;
- For an applicant that is a DDD provider when this RFP is issued, that applicant must have all outstanding Plans of Correction (POC) submitted to DDD for approval prior to submission;
- The bidder must be in good standing with OPIA, including having not had a moratorium on admissions, 10% or more provisional licenses, or triggered three or more risk management categories (per the [DHS Risk Management System](#)) at any time within the three years preceding the time of application;
- The applicant must be fiscally viable based upon an assessment of the applicant's audited financial statements. If an applicant is determined, in DDD's sole discretion, to be insolvent or to present insolvency within the twelve (12) months after bid submission, DDD will deem the proposal ineligible for contract award;
- The applicant must not appear on the State of New Jersey Consolidated Debarment Report at <http://www.state.nj.us/treasury/revenue/debarment/debarsearch.shtml> or be suspended or debarred by any other State or Federal entity from receiving funds;
- The applicant shall not employ a member of the Board of Directors in a consultant capacity;
- Pursuant to DHS Contract Policy and Information Manual Policy Circular 8.05, the bidder shall not have a conflict, or the appearance of a conflict, between the private interests and the official responsibilities of a person in a position of trust. Persons in a position of trust include Provider Agency staff members, officers and Governing Board Members. A bidder must have written Conflict of Interest policies and procedures that satisfy the requirements of P8.05, thereby ensuring that paid Board members do not participate in transactions except as expressly provided in the P8.05 Circular; and
- Pursuant to N.J.S.A. 52:32-44, a for-profit applicant and each proposed subcontractor must have a valid Business Registration Certificate on file with the Division of Revenue, (i.e., this statutory requirement does not apply to non-profit organizations, private colleges and universities, or state and municipal agencies) and must remain in compliance with the requirements set forth in the [Community Care Program Manual, Section 12.4](#).

IV. Contract Scope of Work

The successful bidder will be required to accept emergency admissions for residential/day services that are referred by DDD. If alternate residential services are not secured within 60 days of admission, the bidder is required, with the consent of the individual/guardian and their respective Planning Team, to provide a permanent residential placement for the individual(s) served.

Individuals referred to this program will require varying levels of support. The ECS provider must be prepared to provide staffing on each shift based on the needs of the individuals served. Which means; residential and relevant ancillary services 24 hours a day, 365 days a year, to men, women, and gender non-conforming individuals 18 years of age and older is a requirement. Ancillary supports include, but are not limited to: behavioral supports; recreational activities; and transportation to and from any required community services or transitional activities. Daytime activities shall be provided by the ECS provider if alternate day services are not available upon admission. The ECS provider will provide transportation to day services, access to routine and specialty medical care, mental health, and other services as needed.

V. General Contracting Information

Interested providers must currently meet, or be able to meet, the terms and conditions of the DHS contracting policies and procedures as set forth in the Standard Language Document, the Contract Reimbursement Manual (CRM), and the Contract Policy and Information Manual. These documents are available on the DHS website at: <https://www.state.nj.us/humanservices/olra/contracting/policy/>.

Interested providers are required to comply with the Affirmative Action Requirements of Public Law 1975, c. 124 (N.J.A.C. 17:27) and the requirements of the Americans with Disabilities Act of 1991 (P.L. 101-336).

Bidders must adhere to all applicable State and Federal cost principles. Budgets should be reasonable and reflect the scope of responsibilities in order to accomplish the goals of this project.

All interested providers will be notified in writing of DHS's intent to award a contract. All Proposals are considered public information and will be made available after announcement of the contract award and prior to final award, as well as through the State Open Public Records Act process at the conclusion of the RFP process.

All interested providers must comply with all rules and regulations for any DDD program element of service proposed by the applicant. Additionally, please take note of the DDD Organizational Rules, N.J.A.C. 10:40, which apply to all contracted developmental disabilities services. These regulations can be accessed at <http://www.state.nj.us/humanservices/providers/rulefees/regs/>.

Contracts awarded as a result of this RFP may be renewable based on continuing appropriations and achievement of contractual commitments. Site visits conducted by State representatives and review of progress reports submitted by successful bidders will be the primary basis for the State's compliance reviews after program opening.

Funds may only be used to support services that are specific to this award; hence, this funding may not be used to supplant or duplicate existing funding streams.

Capital funding is available to offset costs incurred directly by providers in developing group homes licensed under [N.J.A.C 10:44A](#), as well as for accelerated principal payment related to the financing of such costs.

Funding will be secured by DDD's standard capital agreement and promissory note, as well as a mortgage reflective of DDD's position in the financing structure.

Only new sites shall be considered. A new site is defined as:

- A home or buildable lot that has not yet been purchased by a provider or by a housing entity/developer affiliated with a provider; or
- A home that is not licensed by DHS but is already owned and requires capital investment to meet licensing standards.

Individuals moving into these homes must be eligible for DDD services and referred by DDD.

Funding will not be released to a community-based provider unless the provider has secured 100% of the financing required to fund the project cost.

No funding match is required, however, bidders are required to identify all other sources of funding for the project, both in-kind and monetary, that will be used to fund the entire project cost. Bidders may not fund any costs incurred for the planning or preparing of a proposal in response to this RFP from current DHS/DDD contracts.

VI. Required Proposal Content

All Proposal submissions will be evaluated based on the elements indicated below. The proposal must not exceed 20 pages (not inclusive of appendices and required attachments.) All Proposals must include responses that clearly correspond to each category as delineated below.

Funding Proposal Cover Sheet: (See Attachment A)

Bidder's Organization, History, and Experience: (5 points)

Provide a brief and concise summary of the bidder's background and experience in implementing this or related types of services and explain how the bidder is qualified to fulfill the obligations of the RFP. The written narrative should include:

1. Describe the agency's history, mission, purpose, current licenses and modalities, and record of accomplishments. Explain the bidder's work with the target population, the number of years' experience working with the target population; and experience implementing a program similar to those described in the project scope.
2. Describe why the bidder is most appropriate and best qualified to implement this program.
3. Explain the bidders administrative and organizational capacity to carry out the program.
4. Summarize the steps in place to enhance staff retention, including items such as adequate support and supervision, training, incentives and competitive salary offerings.
5. Describe the bidder's current status of DDD/Medicaid approval for individual supports, behavioral supports, and any other relevant service. All bidders must plan to support individuals of all tier levels including those with medical or behavioral acuity. As such, providers must ensure that staff meet or exceed the qualifications and training requirements contained in the Community Care Program Manual for relevant services. Proposals must state that the applicant meets these requirements.
6. Confirmation of the provider's attainment of DDD-approved policy and procedure manual in compliance with all DDD Circulars, including DC#19 (Defensive Techniques and Personal Control Techniques) and DC#34 (Behavior Modification Programming), or a realistic timeframe for which this will be completed. This document must be approved before operation of the program begins. Timeframes must be in line with those outlined in this RFP.
7. Include a description of the provider's ability to provide culturally competent services, assurance of a non-discrimination policy, and no reject policy.
8. Discuss experience in conducting trauma-informed assessments, providing trauma-informed care, and creating plans that respond to the individual's life story and experiences.
9. Describe the bidder's current status and history relative to debarment by any State, Federal, or local government agency. If there is debarment activity, it must be explained with supporting documentation as an appendix to the bidder's proposal.
10. Provide a description of all active litigation in which the bidder is involved, including pending litigation of which the bidder has received notice. Failure to disclose active or pending litigation may result in the agency being ineligible for contract award at DDD's sole discretion.
11. Non-profit providers must submit a Board of Directors signed resolution, on Board letterhead, listing all members indicating full support and commitment.
12. Each proposal must identify key administrative personnel by name, title and how their job function relates to oversight and management of the ECS program operations.
13. For profit providers shall submit a letter indicating full support and commitment from the President or Chief Executive Officer on agency letterhead.
14. Describe the bidder's current status and compliance in regard to programmatic performance, level of service, and compliance with all applicable licensing standards and requirements.

15. Written assurance of the provider's commitment to work cooperatively with DDD is mandatory in order to establish operations within a compressed timeframe.
16. Description of the history of compliance with previous service expansions, licensing history, OPIA Risk Management System, fiscal health of the bidder, vacancy assessment, compliance with DDD Housing Unit's capital documentation requirements; and other factors critical to DDD business needs.
17. Describe the provider's ability and experience with facilitating same day emergency admissions.

Project Description: (40 points)

In this section, the bidder is to provide an overview of how the services detailed in the scope of work will be implemented and the timeframes involved, specifically addressing:

1. A detailed timeline of plans to assess and support individuals upon admission to services.
2. Discuss plan to address preferred discharge timeframe of 60 days of admission to the program, as applicable based on individual circumstance.
3. Upon referral, it is expected that the ECS provider shall be willing and able to facilitate a same day admission upon receipt and review of an individual's referral from DDD with a zero reject policy. This can include transporting the individual to the program for admission if directed by DDD. Due to the emergent nature of this program, all referral information may not be available. It is expected that the ECS provider will follow up with all associated providers to obtain any additional information and evaluations that may be needed. The bidder should describe how the referral information will be reviewed, shared with appropriate staff, and how additional information and evaluations will be obtained post admission.
4. The bidder should describe the admissions process for the program and a plan for how the ECS provider will obtain documentation not available at time of admission.
5. Provide a sample Safety Plan that will be utilized to communicate health and safety needs upon admission to the program.
6. Describe the treatment needs and service profiles that your agency is qualified and prepared to support in this program.
7. Describe discharge and transition planning. This should include how the bidder will offer a permanent placement within 60 days of admission that will address the individual's needs and preferences, in a program that will meet home and community-based standards.

Outcome(s) and Evaluations(s): (15 points)

In this section, the bidder must provide information related to the projected outcomes associated with the proposal as well as the evaluation methods that will be used to measure success and continuous quality improvement. The following elements should be included in the description:

1. Describe methods of data collection and evaluation.

2. Describe how this program will be continuously evaluated for success and what ongoing internal evaluation methods will be implemented.
3. Describe how the agency will continue to use and engage emerging best practices in the field.
4. Demonstrate how the provider will evaluate administrative structures and quality assurance services on an ongoing basis and revise as needed to ensure effective service delivery.
5. Describe all assessment tools and evaluations to be used.
6. Details of any outside entity planned for use to conduct evaluations, including but not limited to the entity's name, contact information, brief description of credentials and experience conducting program evaluation.
7. The expectation is for the program to open on or before June 1, 2024. A development timeline that describes how this deliverable will be met shall be included in the submission. Alternate timelines shall be considered but may negatively impact scoring.

Staffing: (15 points)

1. All proposals must include a detailed staff schedule that addresses the applicant's ability to adequately meet the needs of individuals seven (7) days a week, twenty-four (24) hours a day including a plan for call-outs, and the ability to provide 1:1 services when needed.
2. Provide the details of the Full Time Equivalent and Part Time Equivalent staffing required to satisfy the scope of work.
3. Provide copies of job descriptions or resumes as an appendix – limited to two (2) pages each – for all proposed staff.
4. Describe hiring policies, including drug testing, background and credential checks, as well as handling of prior criminal convictions.
5. Describe your agency's approach to staff training, including the provision of training on Trauma Informed Care (required), Crisis De-Escalation (required), and other specialized trainings.
6. Submit a list of the bidder's board members and current term, including each member's professional licensure and organization affiliation(s).

Facilities/Equipment: (5 points)

The bidder should detail the facilities where business operations are performed, and where ECS services will be delivered:

1. Describe plans for site acquisition and financing.
2. Describe the proposed location of the home.
3. Describe the bidder's ability and plans to make appropriate accessibility modifications for individuals with disabilities.
4. Each new home must be developed in accordance with DDD Housing policy, must be fully accessible, and able to accommodate four (4) individuals. Describe ability to meet this requirement.

5. Sprinkler and fire alarm installation are required, please describe your ability to meet this requirement.
6. Describe any assistive technology that will be incorporated into the home.
7. Describe plans to obtain furnishings and a vehicle within the required timeline.
8. Describe whether there will be cameras or video equipment used in the homes. If these are used, please attach a copy of the Office of Licensing (OOL) approved agency policy governing the use of this equipment.

Budget: (20 points)

Contract award recommendations will be based on such factors as the proposal score, quality and appropriateness, applicant history and experience, as well as budget reasonableness. Providers are advised that the contract award may be conditional upon final contract and budget negotiation. DDD will consider the cost efficiency of the proposed budget as it relates to the scope of work. Therefore, bidders must clearly indicate how this funding will be used to meet the program goals and/or requirements. In addition to the budget forms, bidders are asked to provide budget notes.

1. The budget should be reasonable and reflect the scope of responsibilities required to accomplish the goals of the program. All costs associated must be delineated and budget notes must clearly articulate the details of all proposed budget items including a description of miscellaneous and other costs.
 - a. Failure to provide adequate information could result in lower ranking of the proposal. Budget notes, to the extent possible, should be displayed on the Excel template itself.
2. Each proposal must express written assurance that if the agency receives an award pursuant to this RFP, it will pursue all available sources of revenue and support upon award.
3. The name and address of each organization providing support and/or money to help fund the program for which the proposal is being submitted.
4. The timeline for completion of the project.

Appendices

The following items must be included as appendices with the bidder's proposal, limiting appendices to a total of 40 pages. Proposals that do not include all items will not be considered.

1. Attachment A;
2. Bidder mission statement;
3. Organizational chart;
4. Job descriptions of key personnel;
5. Resumes of proposed personnel if currently on staff, limited to two (2) pages each;
6. Letter of support from affiliate/partner hospital or medical facility.
7. A description of all pending and in-process audits identifying the requestor, the firm's name and telephone number, and the type and scope of the audit;

8. List the board of directors, officers, and terms;
9. Copy of documentation of the bidder's charitable registration status;
10. Original and/or copies of letters of commitment/support;
11. Department of Human Services Statement of Assurances (Attachment C);
12. Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions (Attachment D);
13. Disclosure of Investment in Iran (www.nj.gov/treasury/purchase/forms.shtml);
14. Statement of Bidder/Vendor Ownership Disclosure (www.nj.gov/treasury/purchase/forms.shtml); and
15. Department of Human Services Commitment to Defend and Indemnify Form (Attachment F).

The documents listed below are also required with the proposal, **unless the bidder has a current contract with DDD and these documents are current and on file with the Division.**

1. Most recent single audit report (A133) or certified statements (submit only two (2) copies); and
2. Any other audits performed in the last two (2) years (submit only two [2] copies).

VII. Submission of Proposal Requirements

A. Format and Submission Requirements

DDD assumes no responsibility and bears no liability for costs incurred by the bidder in the preparation and submittal of a proposal in response to this RFP. The narrative portion of the proposal should not exceed 20 pages, be single-spaced with one (1") inch margins, and no smaller than twelve (12) point Arial, Courier or Times New Roman font. For example, if the bidder's narrative starts on page 3 and ends on page 23 it is 21 pages, not 20 pages. DDD will not consider any information submitted beyond the page limit for RFP evaluation purposes.

The budget notes and appendix items do not count towards the narrative page limit. Proposals must be submitted no later than 4:00 p.m. on the submission deadline date noted in this RFP. All bidders are required to submit one (1) original and five (5) copies of the proposal narrative, budget and appendices (six [6] total proposal packages) to the following address:

For U.S. Postal Service delivery:

Amy Scartocci, Housing Director
 Department of Human Services
 Division of Developmental Disabilities
 PO Box 726
 Trenton, NJ 08625-0726

OR

For private delivery vendor such as UPS or FedEx:

Amy Scartocci, Housing Director
Department of Human Services
Division of Developmental Disabilities
222 South Warren Street
Trenton, NJ 08625

The bidder may mail or hand-deliver its proposal, however, DDD is not responsible for items mailed but not received by the due date. Note that U.S. Postal Service two-day priority mail delivery to the post office box listed above may result in the bidder's proposal not arriving timely and, therefore, being deemed ineligible for RFP evaluation. The bidder will not be notified that its proposal has been received. The State will not accept facsimile transmission of proposals.

B. Confidentiality/Commitment to Defend and Indemnify

Pursuant to the New Jersey Open Public Records Act (OPRA), N.J.S.A. 47:1A-1 et seq., or the common law right to know, proposals can be released to the public in accordance with N.J.A.C. 17:12-1.2(b) and (c).

Bidder should submit a completed and signed Commitment to Defend and Indemnify Form (Attachment F) with the proposal. In the event that Bidder does not submit the Commitment to Defend and Indemnify Form with the proposal, DHS reserves the right to request that the Bidder submit the form after proposal submission.

After the opening of the proposals, all information submitted by a Bidder in response to a Bid Solicitation is considered public information notwithstanding any disclaimers to the contrary submitted by a Bidder. Proprietary, financial, security and confidential information may be exempt from public disclosure by OPRA and/or the common law when the Bidder has a good faith, legal/factual basis for such assertion.

As part of its proposal, a Bidder may request that portions of the proposal be exempt from public disclosure under OPRA and/or the common law. Bidder must provide a detailed statement clearly identifying those sections of the proposal that it claims are exempt from production, and the legal and factual basis that supports said exemption(s) as a matter of law. DHS will not honor any attempts by a Bidder to designate its price sheet, price list/catalog, and/or the entire proposal as proprietary and/or confidential, and/or to claim copyright protection for its entire proposal. If DHS does not agree with a Bidder's designation of proprietary and/or confidential information, DHS will use commercially reasonable efforts to advise the Bidder. Copyright law does not prohibit access to a record which is otherwise available under OPRA.

DHS reserves the right to make the determination as to what to disclose in response to an OPRA request. Any information that DHS determines to be exempt from disclosure under OPRA will be redacted.

In the event of any challenge to the Bidder's assertion of confidentiality that is contrary to the DHS' determination of confidentiality, the Bidder shall be solely responsible for defending its

designation, but in doing so, all costs and expenses associated therewith shall be the responsibility of the Bidder. DHS assumes no such responsibility or liability.

In order not to delay consideration of the proposal or DHS' response to a request for documents, DHS requires that Bidder respond to any request regarding confidentiality markings within the timeframe designated in DHS' correspondence regarding confidentiality. If no response is received by the designated date and time, DHS will be permitted to release a copy of the proposal with DHS making the determination regarding what may be proprietary or confidential.

VIII. Review of Proposals

Technical assistance regarding this RFP will be provided via the DHS web site. Potential applicants are encouraged to submit questions to DDD at DDD.RFP@dhs.nj.gov no later than 4:00 P.M. on "Close of Question & Answer period" date listed above. Responses to submitted questions will be posted on the DHS website location <https://www.nj.gov/humanservices/providers/grants/rfprfi/index.html>.

There will be a review process for all timely submitted proposals. DDD will convene a review committee of public employees to conduct a review of each proposal accepted for review.

The bidder must obtain a minimum score of 70 points out of 100 points for the proposal narrative and budget sections in order to be considered eligible for funding.

DDD will award up to 20 points for fiscal viability, using a standardized scoring rubric based on the audit, which will be added to the average score given to the proposal from the review committee. Thus, the maximum points any proposal can receive is 120 points which includes the combined score from the proposal narrative and budget as well as fiscal viability.

In addition, if a bidder is determined, in DDD's sole discretion, to be insolvent or to present insolvency within the twelve (12) months after bid submission, DDD will deem the proposal ineligible for contract award.

In addition to the overall score through the review process, contract award recommendations will be based on such factors as the proposal scope, quality and appropriateness, bidder history and experience, as well as budget reasonableness. The review committee will look for evidence of cultural competence in each section of the narrative. The review committee may choose to visit a bidder's existing program(s), invite a bidder for interview, and/or review any programmatic or fiscal documents in the possession of DDD. The bidder is advised that the contract award may be conditional upon final contract and budget negotiation.

DDD reserves the right to reject any and all proposals when circumstances indicate that it is in its best interest to do so. DDD's best interests in this context include, but are not limited to: loss of funding; inability of the bidder(s) to provide adequate services; an indication of misrepresentation of information and/or non-compliance with State and federal laws and regulations, existing DHS contracts, and procedures set forth in DHS Policy Circular P1.04 <https://nj.gov/humanservices/olra/assets/documents/CPIManual.pdf>

DDD will notify all bidders of contract awards, contingent upon the satisfactory final negotiation of a contract, by the final allocation date above.

IX. Appeal of Award Decisions

An appeal of any award decision may be made only by a respondent to this RFP. All appeals must be made in writing and be received by DDD at the address below no later than 4:00 p.m. on the appeal date noted within this RFP. The written appeal must clearly set forth the basis for the appeal.

Appeal correspondence should be addressed to:

Jonathan Seifried, Assistant Commissioner
Department of Human Services
Division of Developmental Disabilities
PO Box 726, Trenton, NJ 08625-0726

Or via email: DDD-CO.LAPO@dhs.nj.gov

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

DDD will review all appeals and render a final decision by November 22, 2023. Contract award(s) will not be considered final until all timely filed appeals have been reviewed and final decisions rendered.

An appeal based on the determination may be filed in writing to the DDD Assistant Commissioner within fourteen calendar days following receipt of the notification. An appeal of the selection process shall be heard only if it is alleged that DDD has violated a statutory or regulatory provision in the awarding of the contract. An appeal will not be heard based upon a challenge to the evaluation of a proposal.

X. Post Award Required Documentation

Upon final contract award announcement, the successful bidder(s) must be prepared to submit (if not already on file), one (1) original signed document for those requiring a signature or copy of the following documentation (unless noted otherwise) in order to process the contract in a timely manner, as well as any other contract documents required by DHS/DDD.

1. Most recent IRS Form 990/IRS Form 1120, and Pension Form 5500 (if applicable) (submit two [2] copies);
2. Copy of the Annual Report-Charitable Organization (for information visit: <https://www.state.nj.us/treasury/revenue/>);
3. A list of all current contracts and grants as well as those for which the bidder has applied for from any Federal, state, local government or private agency during the contract term proposed herein, including awarding agency name, amount, period of performance, and purpose of the contract/grant, as well as a contact name for each award and the phone number;

4. Proof of insurance naming the State of New Jersey, Department of Human Services, Division of Developmental Disabilities, PO Box 726, Trenton, NJ 08625-0726-as an additional insured;
5. Board Resolution identifying the authorized staff and signatories for contract actions on behalf of the bidder;
6. Current Agency By-laws;
7. Current Personnel Manual or Employee Handbook;
8. Copy of Lease or Mortgage;
9. Certificate of Incorporation;
10. Co-occurring policies and procedures;
11. Policies regarding the use of medications, if applicable;
12. Policies regarding Recovery Support, specifically peer support services;
13. Conflict of Interest Policy;
14. Affirmative Action Policy;
15. Affirmative Action Certificate of Employee Information Report, newly completed AA 302 form, or a copy of Federal Letter of Approval verifying operation under a federally approved or sanctioned Affirmative Action program. (AA Certificate must be submitted within 60 days of submitting completed AA302 form to Office of Contract Compliance);
16. A copy of all applicable licenses;
17. Local Certificates of Occupancy;
18. Master lease agreements, evidence of all State (non-DDD), federal and local housing subsidies and resources.
19. Current State of New Jersey Business Registration;
20. Procurement Policy;
21. Current equipment inventory of items purchased with DHS funds (Note: the inventory shall include: a description of the item [make, model], a State identifying number or code, original date of purchase, purchase price, date of receipt, location at the Provider Agency, person(s) assigned to the equipment, etc.);
22. All subcontracts or consultant agreements, related to the DHS contract, signed and dated by both parties;
23. Business Associate Agreement (BAA) for Health Insurance Portability Accountability Act of 1996 compliance, if applicable, signed and dated;
24. Updated single audit report (A133) or certified statements, if differs from one submitted with proposal;
25. Business Registration (online inquiry to obtain copy at https://www1.state.nj.us/TYTR_BRC/jsp/BRCLoginJsp.jsp; for an entity doing business with the State for the first time, it may register at <https://www.nj.gov/treasury/revenue>);
26. Source Disclosure (EO129) (www.nj.gov/treasury/purchase/forms.shtml); and
27. Chapter 51 Pay-to-Play Certification (www.nj.gov/treasury/purchase/forms.shtml).

XI. Attachments

Attachment A – Proposal Cover Sheet

Date Received

STATE OF NEW JERSEY
DEPARTMENT OF HUMAN SERVICES
Division of Developmental Disabilities
Proposal Cover Sheet

Name of RFP _____

Incorporated Name of Bidder: _____

Type: Public _____ Profit _____ Non-Profit _____ Hospital-Based _____

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

Address of Bidder: _____

Contact Person Name and Title: _____

Phone No.: _____ Email Address: _____

Total dollar amount requested: _____ Fiscal Year End: _____

Funding Period: From _____ to _____

Total number of unduplicated consumers to be served: _____

County in which services are to be provided: _____

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

Authorization: Chief Executive Officer (printed name): _____

Signature: _____ Date: _____

Attachment B – Addendum to RFP for Social Service and Training Contracts

STATE OF NEW JERSEY DEPARTMENT OF HUMAN SERVICES

ADDENDUM TO REQUEST FOR PROPOSAL FOR SOCIAL SERVICE AND TRAINING CONTRACTS

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

As used in this document, "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 – Statement of Assurances

Department of Human Services Statement of Assurances

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

- Has legal authority to apply for the funds made available under the requirements of the RFP, and has the institutional, managerial and financial capacity (including funds sufficient to pay the non-Federal/State share of project costs, as appropriate) to ensure proper planning, management and completion of the project described in this application.
- Will give the New Jersey Department of Human Services, or its authorized representatives, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with Generally Accepted Accounting Principles (GAAP). Will give proper notice to the independent auditor that DHS will rely upon the fiscal year end audit report to demonstrate compliance with the terms of the contract.
- Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain. This means that the applicant did not have any involvement in the preparation of the RFP, including development of specifications, requirements, statement of works, or the evaluation of the RFP applications/bids.
- Will comply with all federal and State statutes and regulations relating to non-discrimination. These include but are not limited to: 1) Title VI of the Civil Rights Act of 1964 (P.L. 88-352;34 CFR Part 100) which prohibits discrimination based on race, color or national origin; 2) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794; 34 CFR Part 104), which prohibits discrimination based on handicaps and the Americans with Disabilities Act (ADA), 42 U.S.C. 12101 et seq.; 3) Age Discrimination Act of 1975, as amended (42 U.S.C. 6101 et. seq.; 45 CFR part 90), which prohibits discrimination on the basis of age; 4) P.L. 2975, Chapter 127, of the State of New Jersey (N.J.S.A. 10:5-31 et. seq.) and associated executive orders pertaining to affirmative action and non-discrimination on public contracts; 5) federal Equal Employment Opportunities Act; and 6) Affirmative Action Requirements of PL 1975 c. 127 (NJAC 17:27).
- Will comply with all applicable federal and State laws and regulations.

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

Date

Typed Name and Title

6/97

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

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

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

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by 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 debarments

Attachment E

BUDGET PROPOSAL FORM

LOS of Program

PROGRAM TYPE	ECS Group Home
BUDGET SUMMARY	
ECS Group Home	
A. Personnel	
B. Consultants & Professional Fees	
C. Materials & Supplies	
D. Facility Costs	
E. Specific Assistance to Clients	
F. Other	
<i>SUBTOTAL</i>	-
G. General & Admin. Allocation	-
H. Total Operating Costs	
I. Equipment (Schedule 6)	
<i>J. TOTAL COST</i>	-
K. (Less) Revenue (Schedule 2)	
L. Net Cost	-
M. Profit	
<i>N. REIMBURSABLE CEILING</i>	-
<i>O. Units of Service</i>	
<i>P. Unit Cost</i>	#DIV/0!

BUDGET DETAIL - PERSONNEL				ECS Group Home
<u>A. Personnel (Annex A/PD)</u>	Position #	Rate/Hour	Hours/Week	
<i>TOTAL STAFFING COSTS</i>				<i>0</i>
<i>TOTAL STAFFING HOURS (not including sub hours)</i>				<i>0</i>
Nursing/Behaviorist/Clinical				
Nursing/Behaviorist/Clinical				
Nursing/Behaviorist/Clinical				
Nursing/Behaviorist/Clinical				
Nursing/Behaviorist/Clinical				
Nursing/Behaviorist/Clinical				-
<i>TOTAL SALARY & WAGES</i>				-
Federal - FICA, SS, Medicare, Unemployment Ins.		7.00%		-
State - SDI/SUI, Unemployment Ins.		3.00%		-

Worker's Compensation	5.00%	-
Health Ins.	12.00%	-
Pension/Life Ins.	2.00%	-
TOTAL FRINGE BENEFITS	29.00%	-

TOTAL PERSONNEL SERVICES	-
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BUDGET DETAIL - NON-PERSONNEL	ECS Group Home
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<u>B. Consultants & Professional Fees</u>	
Accounting/Audit/Payroll	
Nursing and/or Behaviorist	
IT/MIS Support	
TOTAL CONSULTANTS & PROFESSIONAL FEES	-

<u>C. Materials & Supplies</u>	
Program Supplies	
Office Supplies	
Food - Client	
Food - Staff	
TOTAL MATERIALS & SUPPLIES	-

<u>D. Facility Costs</u>	
Rent/Mortgage Interest	
Depreciation/Use Allowance	
Maintenance/Repair	
Utilities	
Communication	
Insurance	
Taxes/In Lieu of Taxes	
TOTAL FACILITY COSTS	-

<u>E. Specific Assistance to Clients</u>	
Clothing/Personal Items	
Leisure	
TOTAL SPECIFIC ASSISTANCE TO CLIENTS	-

<u>F. Other</u>	
Travel/Transportation	
Meetings/Conferences/Training	
Staff Physical/Background Checks	
Professional Insurances	
TOTAL OTHER	-

ONE-TIME START UP	<i>Vehicle Cost</i>	<i>Furniture</i>	ECS Group Home
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- A. Personnel
- B. Consultants & Professional Fees
- C. Materials & Supplies (Furniture)

D. Facility Costs			
E. Specific Assistance to Clients			
F. Other (15% Start-Up)			-
<i>SUBTOTAL</i>			-
G. General & Admin. Allocation			
H. Total Operating Costs			-
I. Equipment (Vehicle)		<i>3 bids</i>	
<i>J. TOTAL COST</i>			-
K. (Less) Revenue (Schedule 2)			
L. Net Cost			-
M. Profit			
<i>N. REIMBURSABLE CEILING</i>			-

STAFF SCHEDULES

LOS 4

ECS Group Home

Day	Shift (8 hrs)	# of staff	hours/day	days/week	hours/week
M-F	Day				0
M-F	Evening				0
M-F	Overnight				0
S&S	Day				0
S&S	Evening				0
S&S	Overnight				0
Total Hours/Week					0

Attachment F – Commitment to Defend and Indemnify Form

Department of Human Services Commitment to Defend and Indemnify Form

I, _____, on behalf of _____ (“Company”) agree that the Company will defend, and cooperate in the defense of, any action against the State of New Jersey (“State”) or the New Jersey Department of Human Services (“DHS”) arising from, or related to, the non-disclosure, due to the Company’s request, of documents submitted to the State of New Jersey and DHS, and relating to the Request for Proposals for Emergency Capacity Services Homes for Individuals with Intellectual and/or Developmental Disabilities (“RFP”), which may become the subject of a request for government records under the New Jersey Open Public Records Act, N.J.S.A. 47:1A-1 et seq. (“OPRA”). The Company agrees to indemnify and hold harmless the State and DHS against any judgments, costs, or attorney’s fees assessed against the State of New Jersey or DHS in connection with any action arising from, or related to, the non-disclosure, due to the Company’s request, of documents submitted to the State and DHS, and relating to the RFP, which may become the subject of a request for government records under OPRA.

The Company makes the foregoing agreement with the understanding that the State and DHS may immediately disclose any documents withheld without further notice if the Company ceases to cooperate in the defense of any action against the State arising from or related to the above-described non-disclosure due to the Company’s request.

I further certify that I am legally authorized to make this commitment and thus commit the Company to said defense.

(Signature)

(Print Name)

Title

Entity Represented

Date