

of the award, or any protest that fails to provide specific reasons for and arguments supporting the protest.

(f) Challenges by a design-builder of a design-build performance evaluation by a contracting unit may request an informal hearing before the contracting unit by submitting to the contracting unit a written protest setting forth the specific grounds for such protest, within 15 calendar days after the date of receipt of written notification of the performance evaluation. The protest must contain all factual and legal arguments, materials, or other documents that support the protestor’s position, and must indicate whether the protestor requests an informal hearing. The contracting unit may deny any protest that is filed more than 15 calendar days after the design-builder’s receipt of written notification of the performance evaluation, or any protest that fails to provide specific reasons for and arguments supporting the protest.

(g) Hearing procedures shall be as follows:

1. The contracting unit, in its sole discretion, shall determine whether to grant an informal hearing regarding any protest. Informal hearings are for fact-finding purposes for the benefit of the contracting unit and the contracting unit shall have the sole discretion as to whether to hold an informal hearing. Alternatively, the contracting unit may determine that sufficient information already exists in the record so that a decision may be made without a hearing, and the contracting unit may waive the hearing and issue a final determination accordingly. In the event that the contracting unit determines that a hearing is not necessary, a written decision will be issued by the contracting unit within five business days of receipt of all documents related to the protest.

2. Informal hearings will be held, where feasible, within 14 business days of the receipt of the request. Hearings will be heard, where practicable, by either the governing body or a hearing officer designated by the governing body. The governing body or the hearing officer shall issue a final written decision within 30 calendar days of the conclusion of the hearing unless, due to the circumstances of the hearing, a greater time is required. For all protests of the RFQ or RFP processes and documents, the written decision will be issued prior to the opening of statements of qualification or proposals, respectively. If a decision based upon a protest results in a modification of the aforesaid process or documents, such decision shall be conveyed to all potential bidders by addendum.

3. In an informal hearing, the contracting unit may, in instances where public exigency exists or where there is potential for substantial savings to the contracting unit, modify, or amend the time frames or any other requirements provided in this chapter. In these instances, the contracting unit shall document, for the record, the rationale for such amendment and give adequate notice to the parties.

(a)

**NEW JERSEY HIGHER EDUCATION
EDUCATIONAL OPPORTUNITY FUND
Notice of Administrative Changes
Administrative Policies and Procedures
Undergraduate EOF Financial Eligibility
Financial Eligibility for Initial Article III Student
Grants**

N.J.A.C. 9A:11-2.3

Effective Date: May 9, 2024.

Take notice that, in accordance with N.J.A.C. 9A:11-2.3(a), the Educational Opportunity Fund (EOF) Board of Directors announces an updated EOF Income Eligibility Scale. The EOF Income Eligibility Scale is based on 200 percent of the annual Federal Poverty Guidelines (that is, doubled), as published annually in the Federal Register.

Full text of the changed rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

**SUBCHAPTER 2. UNDERGRADUATE EOF ACADEMIC AND
FINANCIAL ELIGIBILITY**

9A:11-2.3 Financial eligibility for initial Article III student grants

(a) The EOF Income Eligibility Scale is based on 200 percent of the annual Federal poverty guideline (that is, doubled), as published annually in the Federal Register. This benchmark was established to reflect an eligible target population consistent with the intent of the original legislation. The EOF Executive Director shall inform institutions of annual adjustments to the EOF Income Eligibility Scale each summer, and the gross income limits set forth in this subsection shall be updated through a notice of administrative change published in the New Jersey Register.

1. Except as provided at (d), (e), (g), (h), and (i) below, dependent and independent students are financially eligible for an initial Article III student grant if their gross household income does not exceed the applicable amounts set forth in the EOF Income Eligibility Scale, as follows:

Academic Year [2024-2025] 2025-2026	Applicants with a Household size of	Gross Income Not to Exceed
	1	\$ [29,160] 30,120
	2	[39,440] 40,880
	3	[49,720] 51,640
	4	[60,000] 62,400
	5	[70,280] 73,160
	6	[80,560] 83,920
	7	[90,840] 94,680
	8	[101,120] 105,440

2. For each additional member of the household, an allowance of [\$10,280] **\$10,760** shall be added to this amount in order to determine EOF eligibility for the [2024-2025] **2025-2026** academic year.

- 3. (No change.)
- (b)-(k) (No change.)

HUMAN SERVICES

(b)

**DIVISION OF FAMILY DEVELOPMENT
New Jersey Supplemental Nutrition Assistance
Program (NJ SNAP)**

Adopted Amendment: N.J.A.C. 10:87-2.2

Proposed: February 5, 2024, at 56 N.J.R. 177(a).

Adopted: May 20, 2024, by Sarah Adelman, Commissioner, Department of Human Services.

Filed: May 20, 2024, as R.2024 d.059, **without change**.

Authority: N.J.S.A. 30:1-12.

Effective Date: June 17, 2024.

Expiration Date: November 16, 2029.

Summary of Public Comment and Agency Response:

The official comment period ended April 5, 2024. **The Division of Family Development received no comments.**

Federal Standards Statement

The adopted amendment includes standards that do not exceed those at 7 CFR 272 and 273.

Full text of the adoption follows:

SUBCHAPTER 2. THE APPLICATION PROCESS

10:87-2.2 Household defined

(a)-(b) (No change.)

(c) In no event shall nonhousehold member status or separate household status be granted to:

1.-2. (No change.)

3. A spouse of a member of the household. For the purposes of this Program, the term "spouse" shall include persons who are legally married pursuant to New Jersey law, as well as individuals in a domestic partnership, pursuant to N.J.S.A. 26:8A-1 et seq., and civil union partners, pursuant to N.J.S.A. 37:1-28 et seq.; or

4. (No change.)

(d) (No change.)

(a)

DIVISION OF FAMILY DEVELOPMENT

Notice of Administrative Change

Work First New Jersey/General Assistance Rate in Residential Health Care Facilities

N.J.A.C. 10:90-3.17

Effective Date: January 1, 2024.

Take notice that, in accordance with N.J.A.C. 10:90-3.17(a)1, the Department of Human Services announces that the rate to be paid for Work First New Jersey/General Assistance individuals in residential health care facilities has been increased to \$1,153.05 monthly. This change became effective January 1, 2024, and is the same in both the amount and effective date as the change in the rate for the same services paid to recipients pursuant to the Federal program of Supplemental Security Income.

Full text of the changed rule follows (addition indicated in boldface thus; deletion indicated in brackets [thus]):

SUBCHAPTER 3. FINANCIAL ELIGIBILITY—INCOME, RESOURCES, BENEFITS

10:90-3.17 WFNJ/GA special payment provisions for other living arrangements

(a) When an individual is purchasing a room and board living arrangement, the following shall apply:

1. When an individual who is in need of extensive personal services on a regular and continuous basis is purchasing a room and board living arrangement in a residential health care facility (licensed by the New Jersey Department of Community Affairs for purposes other than the care or treatment of drug or alcohol abuse), the monthly assistance payment (\$[1,051.05] **1,153.05**), including a personal allowance, shall not exceed the rate approved by the New Jersey Department of the Treasury, less any countable income. When a rate increase is approved, a notice of administrative change to that effect will be published in the New Jersey Register. Information about the current rate may also be obtained by contacting the DFD. However, the cost of purchasing such living arrangement shall not exceed the minimum amount that the establishment customarily charges to or for other guests not dependent on public assistance, for the same accommodations and/or services.

2.-3. (No change.)

(b)

DIVISION OF DISABILITY SERVICES

Notice of Administrative Change

Consumer Cost Share Obligation Table

N.J.A.C. 10:140-4.3

Effective Date: May 21, 2024.

Take notice that, in accordance with N.J.A.C. 10:140-4.3(j), the Department of Human Services (Department) announces an updated Consumer Cost Share Obligation Table for 2024. The table is required to be established pursuant to P.L. 1987, c. 350 (N.J.S.A. 30:4G-19). The law also requires that the table be updated annually.

Full text of the changed rule follows:

SUBCHAPTER 4. INDIVIDUAL BUDGETS AND FEES

10:140-4.3 Consumer cost share obligation fees and requirements

(a)-(i) (No change.)

(j) The table below shall be updated annually in accordance with the change in the Federal Poverty Level (FPL) as published by the U.S. Department of Labor. The amounts of the cost share obligations will be revised annually by a notice of administrative change published in the New Jersey Register; however, any change in the "income increment" or in the applicable percentage of the cost share obligation as listed in the table below shall be promulgated through rulemaking pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.