



**REQUEST FOR PROPOSALS**

*for*

**PROVISION OF WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) TITLE I  
CAREER SERVICES—ADULT, DISLOCATED WORKER, AND YOUTH  
AND  
WORK FIRST NEW JERSEY (WFNJ) AND SUPPLEMENTAL NUTRITION ASSISTANT  
PROGRAM / EMPLOYMENT AND TRAINING (SNAP E&T) CASE MANAGEMENT  
SERVICES**

**RFP-22-018**

---

**2022**

**PASSAIC COUNTY BOARD OF COUNTY COMMISSIONERS**

Bruce James, Director  
Cassandra “Sandi” Lazzara, Deputy Director  
John Bartlett  
Theodore “TJ” Best  
Terry Duffy  
Nicolino Gallo  
Pat Lepore

**Sherry Arvanitakis, QPA**  
Purchasing Agent  
County of Passaic  
Passaic County Procurement Center  
495 River Street  
Paterson, New Jersey 07524  
Phone: (973) 247-3300  
Fax: (973) 742-8295

**Table of Contents**

Bid Document Checklist .....	1
I. Introduction.....	2
II. Scope of Work .....	5
III. Deliverables and Requirements for Provision of Workforce Innovation and Opportunity Act (Wioa) Title I Career Services—Adult, Dislocated Worker, and Youth and Work First New Jersey (WFNJ) And Supplemental Nutrition Assistant Program / Employment And Training (SNAP E&T) Case Management Services .....	11
IV. Award of Contract via Competitive Contracting .....	38
V. Subcontracting .....	39
VI. Definitions .....	39
VII. County Set-Aside Program .....	40
VIII. Procedures for Submitting a Bid.....	40
IX. New Jersey Business Registration Certificate .....	41
X. Prompt Payment.....	41
XI. Discrimination in Employment.....	41
XII. Equal Opportunity for Individuals with Disabilities.....	43
XIII. Insurance Requirements of the Respondent.....	44
XIV. State and Federal Taxes .....	44
XV. Anti-Kickback Act.....	44
XVI. Document Retention .....	45
XVII. Award and Execution of Contract.....	45
XVIII. Dispute Resolution.....	45
XIX. Liquidated Damages .....	45
XX. Termination for Cause .....	45
XXI. Requests for Information .....	45
ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA .....	47
STATEMENT OF CORPORATE OWNERSHIP .....	48
BID PROPOSAL .....	50
STANDARD QUESTIONNAIRE.....	51
DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN .....	52
NON-COLLUSION AFFIDAVIT .....	53
MBE/WBE PROGRAM CERTIFICATION FORM.....	54
FORM W-9, DEPARTMENT OF THE TREASURER INTERNAL REVENUE SERVICE.....	55
SAMPLE NEW JERSEY BUSINESS REGISTRATION CERTIFICATE .....	56

**Bid Document Checklist**

The following documents must be included with the Respondent’s Bid:

<b>Document Description</b>	<b>Authority</b>
Acknowledgment of Receipt of Addenda	N.J.S.A. 40A:11-23.2 (e)
Statement of Corporate Ownership	N.J.S.A. 52:25-24.2
Bid Proposal	N.J.S.A. 40A: 11-4
Standard Questionnaire	N.J.S.A. 40A:11-26

The following documents must be submitted to the County prior to the contract being executed:

<b>Document Description</b>	<b>Authority</b>
Disclosure of Investment Activities in Iran	P.L. 2012, c. 25
Non-Collusion Affidavit	N.J.S.A 52:34-15
MBE/WBE Program Certification Form (if applicable)	Resolution No. R20210933
Form W-9, Department of the Treasurer Internal Revenue Service	Internal
Business Registration Certificate	N.J.S.A. 52:32-44

**Name of Bidder** (Please Print): \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

**Name** (Please Print): \_\_\_\_\_

**Title** (Please Print): \_\_\_\_\_ **Date:** \_\_\_\_\_

*\*All documents required for the bid submission and prior to the execution of Agreement to the winning bidder are appended hereto and labeled accordingly. If any of the documents stated herein are missing, please contact the Passaic County Purchasing Agent immediately.*

**NOTE: BID DOCUMENT RETURN ENVELOPES MUST CLEARLY IDENTIFY THE BID NAME, BID NUMBER, AND BID OPENING DATE ON THE EXTERIOR OF THE COMMON CARRIER OR COMPANY MAILING ENVELOPE.**

## **I. Introduction**

The Passaic County Workforce Development Board (PCWDB), in partnership with the Passaic County Chief Local Elected Official (CLEO), announces this Request for Proposals (RFP), for Workforce Innovation and Opportunity Act (WIOA) Title I Adult and Dislocated Worker funding, Temporary Assistance to Needy Families (TANF) [ hereafter known as Work First New Jersey (WFNJ)] funding and Supplemental Nutrition Assistance Program / Employment and Training (SNAP E&T) funding to entities interested in providing workforce development services to Passaic County job seekers and employers. Specifically, the contractor (s) selected will be responsible for providing: 1) career services to WIOA-eligible Adults and Dislocated Workers and 2) case management services to WFNJ and SNAP E&T recipients.

### **A. Background and Purpose**

#### **The Workforce Innovation and Opportunity Act of 2014 (WIOA)**

The Workforce Innovation and Opportunity Act of 2014, signed on July 22, 2014, and implemented on July 1, 2015, was the first major overhaul of the workforce development system since the Workforce Investment Act of 1998 (WIA) replaced the Job Training Partnership Act (JTPA) on July 1, 2000.

The purposes of WIOA are the following:

- (1) To increase, for individuals in the United States, particularly those individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.
- (2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.
- (3) To improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers needed to succeed in a global economy.
- (4) To promote improvement in the structure and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.
- (5) To increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and States, and the global competitiveness of the United States.
- (6) To provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

Please visit for a more thorough overview of WIOA.

The primary goal of the programs offered through this RFP is to provide individuals with unique opportunities to build on their strengths and achieve their personal and employment goals. Successful

contractor(s) will provide coaching and career readiness and training activities that lead to high-quality, satisfying jobs through a personalized, goal-oriented approach. Contractors will integrate workforce services, as described in the WIOA regulations, with WFNJ and SNAP E&T programming. This integrated model co-locates WIOA, WFNJ, and other partner programs in the one stop career centers.

Contractors will also be responsible for overseeing the services of federally mandated partner agencies based in the Passaic County One-Stop Career Centers [hereafter referred to as Center (s) or One-Stop Career Centers] including the County Welfare Agency (CWAs), the Division of Vocational Rehabilitation (DVR), literacy providers, veterans' providers, and others. It is expected that the Centers will deliver comprehensive services that contribute to providing Passaic County employers with competitive and quality candidates, satisfying the needs of the county in providing a quality source of workforce talent. Services provided to employers will include thorough assessment of needs and delivery of customized supports, while providing excellent customer service.

As directed by PCWDB, the Center Contractors will work to: (1) deliver services with a person-centered approach; (2) enhance the services to the job-seeking and employer customers; and (3) collaborate with additional partner agencies and allied systems.

## **B. Eligible Applicants**

An entity (public, private, or nonprofit), or consortium of entities (including a consortium of entities that, at a minimum, includes three (3) or more of the One-Stop Partners described in WIOA 107 subsection (b)(1), with demonstrated effectiveness, located in the local area, which may include:

- i. Education institutions\*, such as institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education.
- ii. Employment service state agencies established under the Wagner-Peyser Act, as amended by title III of WIOA.
- iii. Community-based organizations, nonprofit entities, or intermediary.
- iv. Private-for-profit entities.
- v. Government agencies or government units, such as local or county governments, school districts, state agencies, and federal WIOA partners.
- vi. Other interested organizations that are capable of carrying out the duties of the Center Contractor, such as a local chamber of commerce, other business organization, or a labor organization.

Applicants must have a principal place of business in New Jersey.

The applicant must demonstrate the administrative and fiscal capacity to successfully provide the services identified in this RFP.

Organizations are encouraged to apply for both WOA Title I Career Services Contractor, and One Stop Operator Contractor. If selected for both contracts, the entity will be awarded one contract, determined by the outcome of evaluation and scoring, and the needs of the workforce system.

\*Elementary schools and secondary schools shall not be eligible for designation or certification as One-Stop Operators, except that nontraditional public secondary schools and area career and technical education schools

may be eligible for such designation or certification.

### **C. Duration of Contract and Contract Termination**

Contracts awarded will be issued for one (1) year with three one-year renewal options that must be renewed yearly. The award period will be from July 1, 2022 through June 30, 2026. The first contract period is July 1, 2022 to June 30, 2023. Renewal options are at the discretion of PCWDB based on performance, changes in legislation, changes on the program design, and/or continued funding.

### **D. Budget and Payment Structure**

The services highlighted in this RFP are supported by the New Jersey Department of Labor (NJDOL), with funds from the United States Department of Labor (USDOL) and the United States Department of Health and Human Services (HHS). Funding for these services is contingent upon the availability of state and federal funds. The proposed budget should not exceed a total amount of \$4,300,000.00.

The proposed budget includes estimates of \$1,100,000.00 in program funding for Adults and Dislocated Workers from WIOA, \$2,100,000.00 for WFNJ, and \$1,100,000.00 for SNAP E&T. Final budget and configuration will be negotiated after contract award notification.

The payment structure for all awarded funds will be cost reimbursement. Contractors must seek approval from PCWDB for costs associated with this contract. Contractor must track and document all costs necessary to operate their program and submit these to the PCWDB. Contractors will be expected to identify and provide monthly documentation as required.

### **E. Conflict of Interest/Firewalls**

The applicant must disclose any known or unknown conflicts of interest as related to this RFP. As per 20 CFR 679.430, local organizations that perform more than one of the following functions, local fiscal agent, Local WDB staff, one-stop operator, or direct provider of services, must develop a written agreement with the Local WDB and CLEO to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations and the State's conflict of interest policy.

### **F. Grievance Procedures**

Any organization that submitted a proposal and feels that the proposal may not have received adequate consideration, or a fair evaluation may request a debriefing by calling the Workforce Development Board of Passaic County, attention Duwan Bogert, at (973) 569-5082 to arrange a debriefing about the proposal. After the debriefing, should the organization continue to feel as though its proposal was not given adequate consideration or a fair evaluation, the organization may decide to protest the procedures for selection. Should an organization choose to file a protest, certain procedures must be followed.

**Failure to adhere to the procedures may result in a summary rejection of the protest.**

Any actual or prospective vendor that is aggrieved in connection with the solicitation or award of a contract may protest to the Passaic County Workforce Development Board. The protest shall be submitted in writing after such aggrieved person or organization knows or should have known the facts related to the aggrieved proposal.

Upon receipt of such a protest, the Workforce Development Board of Passaic County shall issue a written determination within ten (10) working days following receipt of the protest. The determination shall state the reason for the action taken and inform the protesting organization that a request for further administrative appeal of an adverse decision must be submitted in writing to the Workforce Development Board of Passaic County within seven (7) working days after receipt of the determination. The administrative appeal will be reviewed, and a final written determination will be issued within ten (10) working days.

## **II. Scope of Work**

The Scope of Work comprises three sections:

**A. General Requirements**

**B. Delivery of WIOA Title I Career Services (Adult, Dislocated Worker, Youth)**

**C. Delivery of WFNJ/SNAP E&T Case Management Services**

### **A. Section I: General Requirements**

To be considered for selection, all applicants must agree to:

- Partner closely with PCWDB, Center co-located and required partners, and other selected contractors to implement all elements of service, and participate in the continuous improvement of the service delivery design
- Agree to adjust service delivery and other program components based on feedback from PCWDB
- Deliver services with a person-centered, customized approach, ensuring quality services incorporating evidence-based or informed approaches
- Provide meaningful functional leadership to all staff assigned to the Center, program, and support functions for which they are responsible (including staff that are not directly employed by the contractor)
- Not subcontract any portion of the contract awarded

### ***Facility and Technology Requirements***

The selected agency must agree to co-locate with the Passaic County One-Stop Career Center. The PCWDB will assume all costs associated with the installation of all communications (landline phones), technology (including desktop and laptop computers), and data systems at the contractor sites. Contractors will be responsible for mobile phone purchases, as needed. Contractors will be required to have the capability to meet the technology requirements of any system upgrades required by PCWDB. Contractors will be notified by PCWDB if/when these changes occur. In addition, the contractor will be

expected to utilize as directed, any other data collection systems that PCWDB requires and will receive notice and training on such systems.

### ***Implementation of Services within the Center***

Services will be delivered to meet the commitments that the PCWDB makes to all customers who enter the Center: Each customer should expect and receive: (1) personalized and customized services that include opportunities to identify their skills, interests, abilities, and goals; (2) the opportunity to build on their skills leveraging Center and partner services; (3) one-on-one coaching and assistance in pursuing their goals; and (4) access to high quality job leads. Customers should have easy access to a robust series of services that are responsive to their needs and make them more competitive in the labor market. Access to the same quality of services should be available at the Center (s).

Center contractors will be expected to implement the service delivery protocols and procedures as defined by PCWDB. This will include, but not be limited to, general employment and labor exchange support, WIOA services, and WFNJ services, including through in-person and virtual formats. Each Center contractor will be provided with standard operating procedures and guidelines for the implementation of services and must adhere to these guidelines.

### ***Functional Leadership of All Center Staff***

Located and working within the One-Stop Career Center (s) will be staff that are funded through multiple sources and may report to various employers of record. Each Center contractor will employ a Site Administrator who will be responsible for the day-to-day operations of the Center, providing direct and/or functional leadership and management of all Center staff, the implementation of the standard operating procedures provided by PCWDB, and achieving customer success and employer satisfaction.

### ***Initial and Ongoing Training and Support to All Staff***

In collaboration with PCWDB, each Center contractor will provide standardized onboarding training for newly hired staff and ongoing training and support. Center contractors must require staff to participate in PCWDB-funded professional development opportunities and are expected to develop a customized professional development plan for their staff, which must be approved by PCWDB.

## **B. Section II: Delivery of WIOA Title I Services (Adult, Dislocated Worker, and Youth)**

WIOA is designed to help job seekers access employment, education, training, and support services needed to succeed in obtaining employment and to match employers with the skilled workers they need to compete in the workforce. Contractors interested in submitting a proposal in response to this RFP must be familiar with the goals and requirements of WIOA and all its implementing guidelines; the selected applicants must follow and comply with all rules and regulations therein.

The selected contractors will deliver and coordinate high quality services for Adults, Dislocated Workers, and Youth as defined by WIOA, that create opportunities for economic and career success, and connect job-seekers with employer-driven placement, education, and training options. The selected contractor will facilitate services with other One-Stop partners. Every Center customer will have access to a set of employment-related career and training opportunities based on their individual skills, interests, and needs.



Center contractors will provide basic, individualized, and follow-up career services, including the provision of supportive services and work-based learning opportunities. It is important to note that basic and individualized career services do not have to follow a sequence; rather, they are defined to allow a customized approach to services that meets the needs of individuals

**Basic Career Services** consist of:

1. Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
2. Outreach, intake, and orientation to the information and other services available through the One-Stop delivery system;
3. Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive service needs;
4. Labor exchange services including:
  - a. Job search and placement assistance;
  - b. Provision of information on in-demand industry sectors and occupations;
  - c. Provision of information on nontraditional employment;
  - d. Provision of referrals to and coordination of activities with other programs and services;
5. Provision of employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas;
6. Provision of program performance information and program cost information on eligible providers of education, training, and workforce services;
7. Provision of information about how the local area is performing on local performance accountability measures;
8. Provision of information relating to the availability of supportive services or assistance, and appropriate referrals to those services and assistance;
9. Provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation; and
10. Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.

**Individualized Career Services** must be made available if determined to be appropriate in order for an individual to obtain or retain employment. Individualized Career services include:

1. Comprehensive and specialized assessments of skill levels and service needs of adults and dislocated workers, which may include:
  - a. Diagnostic testing and use of other assessment tools; and
  - b. In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
2. Development of an individual employment plan;
3. Group or individual counseling and career planning;
4. Short-term prevocational services to prepare individuals for unsubsidized employment or training;
5. Internships and work experience;
6. Workforce preparation activities;
7. Financial Literacy services;
8. Out-of-area job search assistance and relocation assistance; and
9. English language acquisition and integrated education and training programs.

**Follow-up services** must be provided, as appropriate, including: Counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

**Training services** provided through the one-stop delivery system can be critical to the employment success of many adults, dislocated workers, and youth. Under the guidance of PCWDB, the Center contractors will be responsible for the implementation of effective referral processes of customers to appropriate training services, based on customer skills and interests as well as local employer needs. Training services can be offered through Individual Training Accounts (ITAs), Occupational Skills Training (OST), On-the-Job Training (OJT), Customized Job Training (CJT), Transitional Jobs, Pre-Apprenticeship, and Registered Apprenticeship (RA). Center staff will be expected to assess and refer customers to appropriate training services that have been approved by the PCWDB. Staff will also be expected to support customers during the training process, providing support and helping to address potential barriers to success.

**Business Services** provided through the one-stop delivery system:

1. Certain career services must be made available to local employers.
  - a. Local areas must establish and develop relationships and networks with large and small employers; and
  - b. Local areas also must develop, convene, or implement industry or sector partnerships.
2. Customized business services may be provided to employers, employer associations, or other such organizations. These services are tailored for specific employers and may include:
  - a. Customized screening and referral of qualified participants in training services;
  - b. Customized services on employment-related issues;
  - c. Customized recruitment events, including targeted job fairs; and
  - d. Customized labor market information.
3. Other business services and strategies may include:
  - a. Developing and customizing training agreements and plans to meet the needs of individuals being served through WIOA and the needs of employers, including specifically through On-the-Job Training (OJT) opportunities
  - b. Assistance or referral for assistance in the development of a registered apprentice program;
  - c. Developing and delivering services in career pathways and skills upgrading;
  - d. Coordination with rapid response activities and strategies for aversion of layoffs;
  - e. The marketing of business services to appropriate area employers; and
  - f. Assisting employers with accessing tax credits.

### **WIOA Program Outcomes and Success Indicators**

In accordance with WIOA, PCWDB maintains negotiated goals with the New Jersey Department of Labor and Workforce Development for each of the WIOA performance accountability indicators. These indicators are intended to assist with assessment of the Passaic County local area's success in achieving better outcomes for WIOA adults and dislocated workers. Performance of Center contractors will be measured based on locally-established, system-wide metrics, and the work of the Center contractors will contribute to the overall progress toward achieving these negotiated levels. The current negotiated levels for the Passaic County local area have been provided in the following chart for reference.

<b>Negotiated Level - PY 2021</b>	
<b>WIOA Performance Indicators</b>	<b>Negotiated Levels</b>
Adult Employment Rate 2 <sup>nd</sup> Qtr. After Exit	66.30%
Adult Employment Rate 4 <sup>th</sup> Qtr. After Exit	64.70%
Adult Credential Attainment Rate	60.50%
Adult Measurable Skills Gain	41.00%
Adult Credential Attainment Rate	60.50%
Adult Median Earnings 2 <sup>nd</sup> Qtr. After Exit	\$6,161.00
Dislocated Worker Employment Rate 2 <sup>nd</sup> Qtr. After Exit	70.60%
Dislocated Worker Employment Rate 4 <sup>th</sup> Qtr. After Exit	60.60%
Dislocated Worker Credential Attainment Rate	68.10
Dislocated Worker Measurable Skills Gain	41.00
Dislocated Worker Median Earnings 2 <sup>nd</sup> Qtr. After Exit	\$7,137.00
Youth Employment Rate 2 <sup>nd</sup> QTR After Exit	64.00%
Youth Employment Rate 4 <sup>th</sup> QTR After Exit	49.80%
Youth Credential Attainment Rate	51.00%
Measurable Skills Gain	42.70%

**C. Section II: Delivery of WFNJ/SNAP E&T Case Management Services**

The **WFNJ and SNAP E&T** programs are designed to provide services to program recipients that prepare them for employment and connect them with opportunities to help reach their goals. Customers of the programs are referred exclusively by staff of the local County Welfare Agency (CWA). WFNJ and SNAP E&T recipients whose benefits are contingent on their participation, as determined by CWA caseworkers, will be referred to specific One-Stop Centers by CWA staff.

Please refer to the [WFNJ Manual](#) and the [SNAP E&T Toolkit](#) for a more thorough overview of WFNJ and SNAP E&T programs. Contractors interested in responding to this RFP must be familiar with the goals and requirements of these programs and all implementing guidelines; the selected contractor (s) must follow and comply with all rules and regulations therein. The Center contractor is expected to provide customized services to all customers based on their individual circumstances, background, strengths, and goals. The federal government requires New Jersey to have all employable WFNJ/SNAP E&T recipients in countable work activity for a required amount of hours dependent on family composition.

***Core Activities***

Core activities are defined as the activities that are countable toward the achievement of the federal work participation rate. They emphasize various forms of work and restrict the length of time customers can be enrolled in activities associated with job search, education (including adult education) and skills training under certain circumstances.

*Core activities include: unsubsidized and subsidized employment, vocational education, on-the-job training, community work experience, and job search activities. More information about these activities can be found in the WFNJ Manual and the SNAP E&T Toolkit .*

### ***Service Delivery***

Each Center contractor will be responsible for ensuring that the following services are provided to customers referred from the CWA, either directly through the Center or through referral to the appropriate provider:

- Goal setting and career coaching: Center staff will work with customers to establish education, training, and employment goals and select a career path.
- Job search and interview skills assistance: Center staff will assist customers with utilizing HCOSCC resources to search for jobs and prepare for interviews.
- Resume creation and improvement: Center staff will teach customers how to create strong resumes that highlight skills and experiences. Center staff will not create resumes for customers.
- Job placement and retention: Center staff will work collaboratively to prepare customers for employment opportunities that match their skills and interests and provide support to keep them engaged and successful once matched with a job.
- One-on-one case management: Center staff will help customers to identify challenges that are getting in the way of their success and develop plans to overcome them.
- Professional development: Center staff will offer a variety of workshops, specified by PCWDB, that will assist customers in reaching their professional development goals.
- Education and training opportunities: Center staff will assist customers with identifying education programs and trainings in their chosen career path and facilitate preparation for and referrals to these programs; additionally, staff will be expected to support customers throughout the duration of the training and assist with connection to employment at the completion of training.
- Retention support: Center staff will provide support to customers once employed and for six months following start of employment to provide ongoing coaching, encourage job retention, assist with challenges that arise, and provide resources to ensure success.
- Outreach and engagement: Engage with individuals referred to the Center to encourage participation and enrollment into services.

### **WFNJ/SNAP E&T Program Metrics, Measures, and Success Indicators**

The New Jersey Department of Human Services (DHS), performance standards will be used to assess the effectiveness of the service provider. Performance standards for WFNJ/SNAP E&T include successful attainment of job placement, job retention and credentialing. All performance standards are calculated from reports generated by AOSOS and are verified for accuracy by DHS. Successful meeting of each standard results in performance payments to the Passaic County workforce system, these funds are, in turn, re-invested into WFNJ programming. Contractors are required to submit supporting documentation to DHS for earned metrics. The Contractor must be prepared to support PCWDB with these requests when appropriate. In addition, Contractors are required to submit two performance reports listed below:

- 1. Mid-Year Performance Report:** This report is designed to ensure Center contractors are on track to meet performance goals and levels of service. The Mid-Year Performance Report is due by April 30th of each program year:
  - a. Contracted level of service
  - b. Number of referrals to date
  - c. Number of enrollments to date
  - d. Number of customers who have meet program goals
  - e. Latest Cumulative Monthly Status Reports to include goal attained
  - f. Outline of program challenges
  - g. Outline of program successes
  - h. Outline of technical assistance needed from PCWDB
  - i. Action plan for future improvement
  
- 2. Year End Performance and Closeout Report:** At the end of each contract year contractors will be required to submit a Year-End Performance Report. This report will outline the contractors' performance on all contractual goals and benchmarks. The Year-End Performance Report is due by August 31<sup>st</sup> of each program year:
  - a. Contracted level of service
  - b. Number of WFNJ customer referrals
  - c. Number of actual customer enrollments from these referrals
  - d. Number of customers who completed the program
  - e. Number of customer placements into employment, On-the-Job Training, or increase in CASAS scores as applicable to contract
  - f. Latest Cumulative Monthly Status Reports to include goal attained
  - g. Outline of program successes
  - h. Outline of program challenges
  - i. Action plan for future improvement
  - j. Equipment Report
  - k. Final Invoice for Payment

### **III. Deliverables and Requirements for Provision Of Workforce Innovation And Opportunity Act (WIOA) Title I Career Services—Adult, Dislocated Worker, And Youth And Work First New Jersey (WFNJ) And Supplemental Nutrition Assistant Program / Employment And Training (SNAP E&T) Case Management Services**

#### **A. PROPOSAL CONTENT AND CHECKLIST**

All applicants will be evaluated on the basis of quality, comprehensiveness, completeness, accuracy, and appropriateness of response to the RFP. The standard evaluation criteria (page 15) will be used to review and select applications for funding.

To ensure consistency and fairness of evaluation, PCWDB requires that each applicant seeking funding under this grant program submit an application that includes, at a minimum, the components listed below. It is important to note that failure to include the required documentation may result in the application being removed from consideration for funding. A description of each component is listed after the checklist. Items that are bolded below will be mandatory to be included with the proposal submission. Failure to submit a bolded item will deem the proposal non-responsive. All other items will also be required but failure to include them will not deem the proposal non-responsive. However, they must be submitted in order for a contract to be awarded.

<i>Required</i>	<i>Proposal Contents</i>
√	<b>Proposal Cover Page (Attachment A)</b>
√	<b>Executive Summary</b>
√	<b>Proposal Narrative</b>
√	New Jersey Business Registration Certificate
√	Non- Collusion Affidavit
√	<b>Statement of Ownership Disclosure</b>
√	Vendors Acknowledgement
√	Statement of Non-Retention of Lobbyist
√	First Source Agreement
√	W-9
√	Compliance with Ordinances 363-6-2014 and 289-5-2019
√	Disclosure of Investments in Iran
√	<b>Acknowledgement of Receipt of Addendum (only required if an addendum is issued)</b>
√	Proof of Insurance
√	Federal Debarment Form
√	<b>Byrd Anti-Lobbying Certification</b>
√	<b>Attachment B (Budget Line Item with Budget Narrative)</b>
√	<b>Attachment C (Cost Categories and Definitions)</b>
√	<b>Attachment D (Assurances and Certifications)</b>

√	<b>Attachment E (New Jersey Assurances and Certification)</b>
√	<b>Submit one copy of your audit report (separate from the proposal, should not be bound or stabled to the proposal)</b>
√	<b>Submit one copy of your workforce program monitoring reports for the most recent two years (separate from the proposal, should not be bound or stabled to the proposal)</b>

**Proposal Contents**

1. **Proposal Cover Page (Attachment A)**  
The attached proposal cover page must be completed and used as the cover page for the proposal.
  
2. **Executive Summary**  
Give the agency’s mission statement and a brief history, including an overview of services currently provided by the agency. Be sure to include any one-stop/federal program management your agency has operated. Please outline all workforce programs operated during the last two years. Provide brief program descriptions, funding sources and performance information. If the organization has not provided past Workforce Innovation and Opportunity Act (WIOA) programs, please outline programs that provided similar services in which your organization has been involved over the last two years.
  
3. **Proposal Narrative**  
Applicants must submit a proposal narrative which details the implementation strategy of all expectations, components, activities, and deliverables set in the Scope of Work section of this RFP. Strong proposals narratives will demonstrate a full understanding of the requirements described throughout this RFP and establish the capacity, expertise and program design needed to meet the required standards and goals.  
  
The proposal narrative section of the application is limited to no more than **25** pages. The proposal narrative should be presented on single-sided, single spaced pages, using a 1-inch (1”) margin and no smaller than a 12pt font. Proposals that exceed the page limit will not be read or scored.
  
4. **Budget Line Item and Budget Narrative (Attachment B)**  
The attached Budget Line Item form is to be completed and included alongside a one-page budget narrative. Budgets must adhere to the
  
5. **Cost Categories and Definitions (Attachment C)**, which indicates what may be included in the Administrative and Program cost categories and the definitions of the budget line items.
  
6. **Assurances and Certifications (Attachment D)**  
Must be signed and submitted.
  
7. **New Jersey Assurances, Certifications and Requirements (Attachment E)**  
Must be signed and submitted.

**NOTE:** If the applicant is currently or has previously operated WIA/WIOA-funded programs, one copy of their monitoring report for the past two program years with resolution letters and their most recent Audit Report should be submitted separate from the proposal package.

## **B. REFERENCES & ATTACHMENTS**

The below references are offered to provide federal and state legislative, regulatory, policy and guidance regarding the Workforce Innovation and Opportunity Act (WIOA) and related One-Stop operations context that is not intended to be exhaustive.

**WIOA Overview:**

<http://www.doleta.gov/WIOA/Overview.cfm>

**Workforce Innovation and Opportunity Act (WIOA):**

<http://www.doleta.gov/WIOA/docs/BILLS-113hr803enr.pdf>

**WIOA Final Rules and Resources:**

[https://doleta.gov/wioa/Final\\_Rules\\_Resources.cfm](https://doleta.gov/wioa/Final_Rules_Resources.cfm)

**WIOA Fact Sheet: One-Stop Career Centers:**

[http://www.doleta.gov/WIOA/Docs/WIOA\\_OneStop\\_FactSheet.pdf](http://www.doleta.gov/WIOA/Docs/WIOA_OneStop_FactSheet.pdf)

**WFNJ Handbook:**

[https://www.state.nj.us/humanservices/dfd/programs/workfirstnj/wfnj\\_handbook1219.pdf](https://www.state.nj.us/humanservices/dfd/programs/workfirstnj/wfnj_handbook1219.pdf)

**SNAP E&T Program Toolkit:**

<https://fns-prod.azureedge.us/sites/default/files/resource-files/SNAPemployment-training-toolkit-june-2021.pdf>

**Test Benchmarks for NRS Educational Functioning Levels:**

<https://nrswb.org/resources/test-benchmarks-nrs-educational-functioning-levels-efl-updated-august-2019>



**ATTACHMENT A**

**PROPOSAL COVER SHEET**

Organization	
Contact Person	
Address	
Mailing Address (if different)	
Type of Organization	(i.e., Public, Private, for-profit, not-for profit)
Type of Legal Entity	(i.e., Corporation, Sole Proprietorship, Partnership, Other (Describe)):
Federal ID#	
Type of Project	<b>WIOA and WFNJ Career Services</b>
Dollar Amount Proposed	

**Signature:**

My signature below certifies that the proposal as submitted complies with all requirements specified in this RFP.

My signature also certifies that by submitting a proposal in response to this RFP, the Bidder represents that in the preparation and submission of this proposal, the Bidder did not, either directly or indirectly, enter into any combination or arrangement with any person or business entity, or enter into any agreement, participate in any collusion, or otherwise take any action in the restraining of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1).

I hereby certify that I am authorized to sign as a legal representative for the business entity submitting this proposal.

Signature	
Name of Person Signing	
Title	
Telephone	
FAX	

E-Mail Address	
Date	

**ATTACHMENT B – BUDGET LINE ITEM**

***LINE ITEM BUDGET***

Line Item	Administrative Amount	Program Amount	Total
Staff Salary			
Staff Fringe Benefits			
Travel – In state			
Travel – Out-of-state			
Staff Development			
Outreach			
Equipment			
Dues/Subscriptions			
Computer Software			
Office Supplies, Printing and Copying			
Postage/Courier Service			
Rent			
Educational Materials			
Indirect			
<b>TOTAL</b>			

**Administrative Costs**

The personnel and operating costs, direct and indirect, associated with overall management and administration of the Passaic County One-Stop Career Center System, which are not directly related to the provision of services to participants or otherwise allocable to the cost category of Program. The Board seeks to identify a provider who can coordinate One-Stop operations with minimal administrative costs to the budget. The provider must maintain records of all program related expenditures by cost categorization in State AOSOS, E-Time, and LOOPS databases.

**Program Costs**

All costs incurred for the provision of contract functions and activities are classified as program costs.

\*\*\*\*\*

*Note: Reimbursement of Administrative costs is limited to no more than five percent (10%) of the total proposal budget.*

*Note: Include Budget Narrative that provides the detail of each line item.*

*ATTACHMENT C*

**RESPONSE TO RFP**

1. Executive Summary (maximum 2 pages) that includes:
  - a. Overview of the organization’s qualifications and alignment with the services sought by this RFP.
  - b. Organization’s philosophy and approach to workforce development programs and services.
  - c. Synopsis of the proposed program approach.
  
2. Organization Overview (maximum 3 pages) that includes:
  - a. A basic organizational description, including but not limited to year established, legal status, governance structure, mission, principal programs and services, executive leadership, annual budget and number of full-time staff.
  - b. Past experience in managing quality workforce development programs similar in size and scope to that required by this RFP, including but not limited to individuals served, services and activities delivered, contract values and related performance outcomes. Provide, as attachments to the proposal, three (3) reference letters (along with contact information) from funders (other than PCWDB) that can directly attest to the work you describe and verify your ability to serve customers, achieve deliverables and meet performance goals similar to those required by this RFP. Please ensure the accuracy of contact information. PCWDB will not contact applicants for updated reference information.
  - c. Administrative and fiscal capacity, including but not limited to your organization’s proven ability to provide fiscal support and oversight, utilize information systems, manage resources and personnel, and produce timely and accurate program reports.
  
3. Program Narrative:

Describe each of the following for your proposed program approach: (maximum 15 pages)

  - a. Career Services:

Describe your proposed model for effectively delivering career services to job seekers, including how you will accomplish each of the following. (Highly rated responses will clearly demonstrate how the proposed program components connect job seekers with quality, sustainable careers.

    - i. Outreach to and enroll job seekers into Adult, Dislocated Workers, and Youth, as well as the WFNJ/SNAP E&T Program.
    - ii. Ensure access to a variety of unique populations
    - iii. Assess customers and create individualized plans and goals
    - iv. Ensure an optimal level and frequency of meaningful engagement with job seekers.

- v. Provide quality career counseling and coaching and current labor market information.
- vi. Connect job seekers to employer-driven career pathways
- vii. Assess and provide supports that help to address barriers to employment
- viii. Provide timely, quality follow-up services that encourage job retention and advancement.
- ix. Blend of virtual and in-person services to maximize access

b. Training Services:

Describe your plan for effectively connecting job seekers to available training, including how you will accomplish each of the following:

- i. Ensure adequate job seeker preparation for formal assessments
- ii. Facilitate job seeker applications for skills training and literacy programs.
- iii. Support training participants through regular engagement and providing supportive services as necessary.
- iv. Document participation in training programs, including completion of such programs and obtainment of related credentials and skills gains.
- v. Integrate work-based learning opportunities that connect learning and work through employer-based experiences
- vi. Coordinate with PCWDB to assist job seekers in finding quality, sustainable jobs related to their area of training.
- vii. Any other components vital to the success of your proposed approach to service delivery.
- viii. Blend of virtual and in-person services to maximize access

c. Communication with Partners:

Your ability to develop and maintain effective and positive working relationships with partners both within and outside of the workforce system is critical. Describe how you will establish and maintain productive connections with PCWDB, the other Center contractors, One-Stop Operator mandated partners, etc.

d. Quality of Service Delivery:

Describe how you will ensure quality services, incorporating evidence-based or informed approaches such as trauma-informed care, motivational interviewing and program components that meet the needs of parents and children. In addition to evidence informed practices, discuss what types of customer feedback, staff evaluation/supervision and other quality assurance practices you will implement.

e. Partnership and Referrals:

Describe how you will collaborate, coordinate, and establish strong referral relationships with the stakeholders and initiatives that comprise the larger workforce development and social service systems in Passaic County, including other WFNJ/SNAP E&T service providers and the One Stop Career Center system. Include specific examples of partnerships with agencies you have worked with that provide services and supports beneficial to customers, including your process for identifying such partners, integrating them into your program model and connecting them to your case management efforts. Highly rated responses will include letters of support from partnering organizations, which can be attached to your proposal.

f. Business Engagement: Describe how you will engage with local businesses to develop long-term relationships that will benefit both businesses and job seekers, including specifically the capacity to develop and customize work-based learning opportunities. Include how you will assess the needs of businesses and ensure that the workforce system is able to meet those needs, as well as how you will maintain productive relationships with local businesses even when they do not have immediate hiring needs. Describe any communication strategies you will use, including with Contractor staff, job seekers, and the workforce system, to ensure that the broadest pool possible of qualified job seekers connect with open positions.

g. Site Administration and Operations:

If your proposal is successful, you will be responsible for site administration, operations and service delivery at the One Stop Career Center. Describe how you will accomplish the items below:

- i. Foster a culture of collegiality, trust, and respect among Center staff, clients, partners, PCWDB, and other stakeholders.
- ii. Be adaptable and successfully manage change and continuous improvement. This includes periodically evaluating internal processes and procedures to ensure that they remain relevant and efficient.
- iii. Shift from a compliance mindset and toward one in which staff strive to provide the highest level of customer service possible to all job seekers, meet customers where they are, and approach challenges proactively with a problem-solving mindset.
- iv. Establish and maintain a safe, secure, and professional environment where both customers and staff are treated with respect.

- v. Provide effective functional leadership to all Center staff by clearly establishing decision-making processes, supervisory structures, feedback mechanisms, and communication protocols.
- vi. Foster an environment of staff excellence in which staff at all levels are appropriately trained for all functions of their jobs as well as trained in the soft skills that support job functions. Staff should be held accountable for showing improvement in identified areas of growth during a period of performance, and Center leadership must provide appropriate training to staff at all levels to ensure ample opportunities for staff to develop professionally. Staff modeling exemplary behaviors and skills should be provided with opportunities for increased responsibility (accompanied by appropriate increases in compensation). Conversely, discuss how leadership will manage staff who fail to exhibit professional growth or meet the requirements of their position.
- vii. Develop compensation plans that appropriately reflect the education, skills, and experience staff bring to their positions and provide opportunity for wage growth over time or as additional skills are mastered.

## ATTACHMENT C – BUDGET LINE ITEM DEFINITIONS

### **Cost Category Definitions**

*The following is provided as examples of both administrative and program costs for WIOA (See WIOA Sec. 3*

*20 CFR 683.215. What Workforce Innovation and Opportunity Act title I functions and activities constitute the costs of administration subject to the administrative cost limitation). This is not all inclusive.*

### **Administrative Costs**

- Overall general administrative functions and coordination of administrative functions
- Accounting, budgeting, financial and cash management
- Procurement and purchasing
- Property management
- Personnel management
- Payroll
- Coordinating audit resolutions, reviews, investigations, and incident reports
- Audit
- Legal services pertinent to management and operations of the GCOSCC System
- Developing systems and procedures
- Oversight and monitoring of administrative functions
- Goods and services required for administrative functions including rental, utilities, supplies, space, etc.
- Travel for official business to carry out administrative activities or overall management

### **Program Costs**

- Cost of staff who provide or create program services directly to customers and, where applicable, the first line supervisors and/or team leaders responsible for those staff
- Tracking or monitoring of customers or performance information
- Employment statistics information, including job listings, job skills and demand occupation information
- Outreach to and recruitment of applicants for services
- Dissemination of program information to prospective employers
- Follow-up services with eligible customers placed in unsubsidized employment
- Assessment of skill levels and service needs
- Counseling that involves occupation, educational and career guidance to eligible customers while in training
- Case management services such as assessment, counseling and job search assistance

### **Budget Line Item Definitions**

1. Staff Salary – Wages associated with the individual job positions needed to perform the proposed service. Positions are to be defined within specifics of the job and how each function relates to this proposal.



2. Fringe Benefits – The approximate percentage of position salary that it will cost to provide established company benefits such as health, life, dental insurance, etc. Benefits should be based upon the organization’s written personnel policy for all employees.
3. In-State Travel – The cost of attending applicable in-state meetings/conferences that relate to the service being proposed and that benefit the attendee in his/her job performance. Also includes local travel to provide services to customers. Please specify if possible. All travel costs are including but not limited to mileage rate, per diem rates, and subsistence.
4. Out-of-State Travel – Expenses incurred for appropriate staff attending meetings/conferences that relate to the service being proposed and that can benefit the attendee in his/her job performance. Please specify if possible. All travel costs are per New Jersey including but not limited to mileage rate, per diem rates, and subsistence.
5. Staff Development – Costs to advance the knowledge of Program (i.e. Direct Services) staff as it relates to the proposed program. Please specify.
6. Outreach – costs include promotional materials, recruitment materials, website and social media information/communication released through various media formats, events and outlets.
7. Equipment – (i.e. computers, lap tops, projectors, copiers, fax machines and printers)
8. Dues/Subscriptions – Cost of joining appropriate organizations and subscribing to periodicals/newspapers that would benefit the service for which the Board is seeking proposals.
9. Computer software – Specify the type(s) of computer software needed. This should NOT include the costs of computer hardware or case management software as the Board provides these.
10. Office Supplies, Printing and Copying – Costs of items used in the course of performing day to day business activities such as ink pens, paper clips, etc. Also includes expenses for printing program materials and the copying of documents/materials as needed.
11. Postage/Courier Service – Expenses for using USPS, Fed Ex, UPS, Courier Services, etc.
12. Rent – The actual cost for space to house personnel and programs necessary to carry out the services proposed.
13. Educational Materials – Cost of purchasing materials to be used in performing the services being proposed. Include the cost for assessment tools/fees, as well as HSE attainment fees and instructional materials.

**Attachment D**

**Assurances and Certifications**

**Section 188 (3) WIOA Title I funds may not be spent on the employment or training of participants in sectarian activities.**

**Further, the undersigned applicant certifies that it shall comply with the provisions outlined by the U.S. Department of Health and Human Services (45 CFR 80 and 84).**

By signing, the applicant certifies that it will comply with all other regulations implementing the laws cited above. This assurance applies to the applicant's operation of the WIOA Title I - financially assisted program or activity, and to all agreements, the applicant makes to carry out the WIOA Title I-financially assisted program or activity. The applicant understands that the United States, New Jersey Department of Labor and Workforce Development, and the Passaic County Workforce Development Board have the right to seek judicial enforcement of this assurance. NOTE: WIOA Section 188 and WIA Section 188 are identical.

**Reporting Requirements:** The undersigned applicant certifies that it shall comply with the provisions of Sec. 122 of the Workforce Innovation and Opportunity Act of 2014 and the reporting and procedural requirements issued by the Education and Workforce Development Cabinet. Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective recipient shall attach an explanation to this certification.

The undersigned Authorized Representative of the applicant herein certifies that the statements above pertaining to Debarment, Suspension and Other Responsibility Matters; Nondiscrimination; Conflict of Interest; Education Standards and Procedures; Documentation of Financial Stability and Reporting Requirements are true and correct as of the date of submission. This does not preclude the Board from requiring additional assurances as part of the local application requirements. Further, the Authorized Representative acknowledges that if the information given to the Board by the applicant causes harm to a third party, then applicant will be held liable for any Board action resulting from reliance on that information. The applicant must notify the Board in writing if the authorized signatory changes.

Certified by:

---

Signature of Authorized Official Title Date

Title

Date

---

Typed/Printed Name of Signatory

---

Name of Organization

## Standard Assurances and Certifications

### ASSURANCES AND CERTIFICATIONS WIOA LOCAL AREA CONTRACT

The grantor will not award a grant where the grantee has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under this agreement, the grantee hereby certifies and assures that it will fully comply with the following:

- 1) Assurances Non-Construction Programs (SF 424 B)
- 2) Debarment and Suspension Certification (29 CFR Part 98)
- 3) Certification Regarding Lobbying (29 CFR Part 93)
- 4) Drug Free Workplace Certification (29 CFR Part 98)
- 5) Nondiscrimination and Equal Opportunity Assurance (29 CFR Part 38)
- 6) Uniform Administrative Requirements, Cost Principles, and Audit Requirement for Federal Awards (2 CFR Part 200)

By signing the agreement the grantee is providing the above assurances and certifications as detailed below:

#### 1) ASSURANCES NON-CONSTRUCTION PROGRAMS

**NOTE:** Certain assurances may not be applicable to your project or program. If you have questions, please contact the grantor agency.

As the duly authorized representative of the applicant, I certify that the applicant:

- A) Has the legal authority to apply for federal assistance and the institutional managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
- B) Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the state, through any authorized representative, 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 or agency directives.
- C) 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.
- D) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- E) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of Office of Personnel Management's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
- F) Will comply with all federal statutes relating to nondiscrimination. These include, but are not limited to: (a) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d et seq. (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education

- Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101- 6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972, 21 U.S.C. 1101 et seq. (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, 21 U.S.C. 801 et seq. (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) sections 523 and 527 of the Public Health Service Act (42 U.S.C. 290 dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
- G) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq. (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.
- H) Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with federal funds.
- I) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874) and the Contract Work Hours and Safety Standards Act (40.U.S.C. 327-333), regarding labor standards for federally assisted construction subagreements.
- J) Will comply, if applicable, with Flood Insurance Purchase Requirements of section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4001 et seq. (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
- K) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq. (P. L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et. seq.); (f) conformity of federal actions to state (Clear Air) implementation plans under section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974 as amended, 42 U.S.C. 300f et seq. (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531 et seq. (P.L. 93-205).
- L) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

- M) Will assist the awarding agency in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties) and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.).
- N) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development and related activities supported by this award of assistance.
- O) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544), as amended, (7 U.S.C. 2131 et seq.) pertaining to the care, handling and treatment of warm blooded animals held for research, teaching or other activities supported by this award of assistance.
- P) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- Q) Will cause to be performed the required financial and compliance audits in accordance with the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (78 FR 78589).
- R) Will comply with all applicable requirements of all other federal laws, executive orders, regulations and policies governing this program.
- S) Will comply with the Federal Funding Accountability and Transparency Act requiring recipients and subrecipients of federal financial assistance to obtain a Data Universal Numbering System (DUNS) number and will report the DUNS number to the grantor as a condition of receiving a federal grant or award. Furthermore the grantee must be registered in the federal System for Award Management (SAM) and continue to maintain an active SAM registration with current information at all times during which the term of this grant or award is in effect. Furthermore no contract, award, subgrant will be made by the grantee to another party if said party is listed in the Excluded Parties List System in the federal SAM.

**2) CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

As required by EO 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, sections 85.105 and 85.110.

The prospective primary participant certifies to the best of its knowledge and belief that it and its principals:

- A) Are not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any federal department or agency or the state of New Jersey.
- B) Have not within a three year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.

- C) Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated in paragraph B of this certification; and have not within a three year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.
- D) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal (or plan).
- E) Are not listed in the Excluded Parties List System in the federal SAM.

**3) CERTIFICATION REGARDING LOBBYING**

As required by 31 U.S.C. 1352 and implemented at 34 CFR Part 82, for the persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, sections 82.105 and 82.110 that applicant certifies that:

The undersigned (i.e., grantee signatory) certifies, to the best of his or her knowledge and belief that:

- A) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement and the extension, continuation, renewal, amendment or modification of any federal contract, grant loan or cooperative agreement.
- B) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress or an employee of a member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, Disclosure Form to Report Lobbying, in accordance with its instructions.
- C) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by 31 U.S.C 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**4) CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS**

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees as defined at 34 CFR Part 85, sections 85.605 and 85.610.

The grantee certifies that it will or will continue to provide a drug-free workplace by:

- A) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B) Establishing an ongoing drug-free awareness program to inform employees about:

- 1) The dangers of drug abuse in the workplace;
  - 2) The grantee's policy of maintaining a drug-free workplace;
  - 3) Any available drug counseling, rehabilitation and employee assistance programs; and
  - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph A.
- D) Notifying the employee in the statement required by paragraph A that as a condition of employment under the grant, the employee will:
- 1) Abide by the terms of the statement; and
  - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- E) Notifying the agency in writing, within 10 calendar days after receiving notice under subparagraph (D)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- F) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
- 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health, law enforcement or other appropriate agency.
- G) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs A, B, C, D, E and F.

**5) NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE**

As a condition to the award of financial assistance from LWD, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- A) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin.
- B) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities.
- C) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age.

- D) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
- E) The Americans with Disabilities Act (P.L. 101-336) which prohibits discrimination based on disabilities in the areas of employment, public services, transportation, public accommodations and telecommunications. It requires all affected entities to provide *reasonable accommodation* to persons with disabilities.
- F) Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity.
- G) The grant applicant also assures that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

**6) UNIFORM ADMINISTRATIVE REQUIREMENTS, COST PRINCIPLES AND AUDIT REQUIREMENTS FOR FEDERAL AWARDS (2 CFR PART 200)**

As a condition to the award of Federal financial assistance, the recipient or subrecipient assures that it will fully abide by all regulations of 2 CFR Chapter I, Chapter II, Part 200



## Attachment E

### **New Jersey Assurances, Certifications and Requirements**

#### **1) NEW JERSEY PREVAILING WAGE ACT (Not Applicable )**

a. Pursuant to NJSA 34:11-56.25 et seq., contractors on projects for public work shall adhere to all requirements of the New Jersey Prevailing Wage Act. The contractor shall be required to submit a certified payroll record to the owner within ten (10) days of the payment of the wages. The contractor is also responsible for obtaining and submitting all subcontractors' certified payroll records within the aforementioned time period. The contractor shall submit said certified payrolls in the form set forth in NJAC 12:60-6.1(c). It is the contractor's responsibility to obtain any additional copies of the certified payroll form to be submitted by contacting the New Jersey Department of Labor and Workforce Development, Division of Workplace Standards. Additional information is available at [http://lwd.dol.state.nj.us/labor/wagehour/wagerate/pwr\\_construction.html](http://lwd.dol.state.nj.us/labor/wagehour/wagerate/pwr_construction.html).

#### **2) THE PUBLIC WORKS CONTRACTORS REGISTRATION ACT (Not Applicable)**

a. NJSA 34:11-56.48 et seq. requires that a general or prime contractor and any listed subcontractors named in the contractor's bid proposal shall possess a certificate at the time the bid proposal is submitted. After bid Proposals are received and prior to award of contract, the successful contractor shall submit a copy of the contractor's certification along with those of all listed subcontractors. All non-listed subcontractors and lower tier sub-subcontractors shall be registered prior to starting work on the project. It is the general contractor's responsibility that all non-listed subcontractors at any tier have their certificate prior to starting work on the job.

b. Under the law a "contractor" is "a person, partnership, association, joint stock company, trust, corporation or other legal business entity or successor thereof who enters into a contract" which is subject to the provisions of the New Jersey Prevailing Wage Act (NJSA 34:11-56.25 et seq.). It applies to contractors based in New Jersey or in another state.

c. The law defines "public works projects" as contract for "public work" as defined in the Prevailing Wage statute (NJSA 34:11-56.25(5)). The term means:

i. "Construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of a public body, except work performed under a rehabilitation program.

ii. "Public Work" shall also mean construction, reconstruction, demolition, alteration, or repair work, done on any property or premises, whether or not the work is paid for from public funds..."

iii. "Maintenance work" means the repair of existing facilities when the size, type or extent of such facilities is not thereby changed or increased. While "maintenance" includes painting and decorating and is covered under the law, it does not include work such as routine landscape maintenance or janitorial services.

d. To register, a contractor must provide the State Department of labor with a full and accurately completed application form. The form is available online at [www.state.nj.us/labor/lssc/lspubcon.html](http://www.state.nj.us/labor/lssc/lspubcon.html). NJSA 34:11-56.55 specifically prohibits accepting applications for registration as a substitute for a certificate or registration.

#### **3) NON-COLLUSION AFFIDAVIT**

a. The Non-Collusion Affidavit, which is part of these specifications, shall be properly executed and submitted intact with the proposal.

#### 4) NON-DISCRIMINATION

a. There shall be no discrimination against any employee engaged in the work required to produce the commodities covered by any contract resulting from this bid, or against any applicant to such employment because of race, religion, sex, national origin, creed, color, ancestry, age, marital status, affectional or sexual orientation, familial status, liability for service in the Armed Forces of the United States, or nationality. This provision shall include, but not be limited to the following: employment upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. The contractor shall insert a similar provision in all subcontracts for services to be covered by any contract resulting from this bid.

#### 5) MANDATORY EEO/AFFIRMATIVE ACTION EVIDENCE

a. No firm may be issued a contract unless they comply with the EEO/AFFIRMATIVE ACTION REGULATIONS of PL 1975, c.127, as amended from time to time, and the AMERICANS WITH DISABILITIES ACT.

b. Procurement, Professional and Service Contracts

c. ALL successful vendors must submit prior to an award of the contract one of the following:

d. A photocopy of their Federal Letter of Affirmative Action Plan Approval, or

e. A photocopy of their State Certificate of Employee Information Report, or

f. A photocopy of completed Affirmative Action Employee Information Report; AA302 – Available online at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance)

g. Construction Contracts

h. All successful contractors must submit prior to signing of the contracts an Initial Project Manning Report (AA201-avaialbe online at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance) for any contract award that meets or exceeds the bidding threshold.

#### 6) NEW JERSEY RIGHT TO KNOW (NJRTK)

a. All direct use containers shall bear a label indicating the chemical name(s) and Chemical Abstracts Service number(s) of all hazardous substances in the container, and all other substances which are among the five most predominant substances in the container, or their trade secret registry number(s). (NJAC 8:59-5) or adhere to the requirements of The Globally Harmonized System of Classification and Labeling of Chemicals (GHS) and the US Occupational Safety and Health Administration (OSHA) Hazard Communication Standard (HCS) as outlined in the Federal Register / Vol. 77, No. 58 / Monday, March 26, 2012 / Rules and Regulations as adopted in final rule by DEPARTMENT OF LABOR, Occupational Safety and Health Administration, 29 CFR Parts 1910, 1915, and 1926, {Docket No. OSHA-H022K-2006-0062, (formerly Docket No. H022K)}, RIN 1218-AC20, Hazard Communication.

#### 7) STATEMENT OF CORPORATE OWNERSHIP

a. In accordance with N.J.S.A. 52:25-24.2, no corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, Subchapter S corporation or sole proprietorship, shall be awarded a contract, unless prior to the receipt of the bid or accompanying the bid of the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, subchapter S corporation or sole proprietorship, there is submitted to the County a statement setting forth the names and addresses of all stockholders who own 10% or more of the stock, of any class or of all individual partners who own a 10% or greater interest in the corporation, partnership, limited partnership, limited liability corporation, limited liability partnership, Subchapter S corporation or sole proprietorship. If one or more such stockholder or partner is itself a corporation or partnership, the stockholders holding 10% or more of that corporation's stock, or the individual

partners owning 10% or greater interest in that partnership, as the case may be, shall also be listed. The disclosure shall be continued until names and addresses of every non-corporate stockholder and individual partner, exceeding the 10% ownership criteria established in this act has been listed. This form shall be signed and submitted with the bid/proposal whether or not a stockholder or partner owns less than 10% of the business submitting the bid. **Failure to comply requires mandatory rejection of the bid/proposal.**

#### **8) ACQUISITION, MERGE, SALE AND/OR TRANSFER OF BUSINESS, ETC**

a. It is understood by all parties that if, during the life of the contract, the contractor disposes of his/her business concern by acquisition, merger, sale and/or transfer or by any means convey his/her interest(s) to another party, all obligations are transferred to that new party. In this event, the new owner(s) will be required to submit, when required, a performance bond in the amount of the open balance of the contract.

#### **9) INSURANCE AND INDEMNIFICATION**

a. If it becomes necessary for the contractor, either as principal or by agent or employee, to enter upon the premises or property of the owner in order to construct, erect, inspect, make delivery or remove property hereunder, the contractor hereby covenants and agrees to take use, provide and make all proper, necessary and sufficient precautions, safeguards, and protection against the occurrence of happenings of any accident, injuries, damages, or hurt to person or property during the course of the work herein covered and be his/her sole responsibility.

b. The contractor further covenants and agrees to indemnify and save harmless the owner from the payment of all sums of money or any other consideration(s) by reason of any, or all, such accidents, injuries, damages, or hurt that may happen or occur upon or about such work and all fines, penalties and loss occurred for or by reason of the violation of any owner regulation, ordinance or the laws of the State, or the United States while said work is in progress.

c. The contractor shall maintain sufficient insurance to protect against all claims under Workers Compensation, General Liability and Automobile and shall be subject to approval for adequacy of protection and certificates of such insurance shall be provided with the owner named as additional insured.

##### **d. INSURANCE REQUIREMENTS**

i. Workers Compensation and Employer's Liability Insurance

1. Worker's Compensations Insurance in the statutory limits including Employer's Liability in an amount no less than \$500,000.00

ii. General Liability Insurance

1. General liability insurance in an amount not less than \$1,000,000.00 combined single limit including broad form comprehensive general liability endorsement, and shall include provisions for thirty (30) days written notice of cancellation and/or modification of coverage. The County of Bergen shall be included as an additional insured.

iii. Automobile Liability Insurance

1. Comprehensive General Automobile Liability insurance in an amount no less than \$1,000,000.00 in an amount no less than \$1,000,000.00 combined single limit covering owned, hired, and non-owned autos, and shall include provisions for thirty (30) days written notice to the County of cancellation and/or modifications of such policies, except for non-payment which would be ten (10) days, and the contractor/vendor shall provide the Office of County Counsel with certificates of insurance evidencing such policies and provisions.

##### **e. CERTIFICATES OF THE REQUIRED INSURANCE**

i. Certificates as listed above shall be submitted along with the contract as evidence covering Comprehensive General Liability, Comprehensive Automobile Liability, and where applicable, necessary Worker's Compensation and Employer's Liability Insurance. Such coverage shall be with acceptable insurance companies operating on an admitted basis in the State of New Jersey and shall name the OWNER as an additional insured.

ii. Self-insured contractors shall submit an affidavit attesting to their self-insured coverage and shall name the OWNER as an additional insured.

f. Indemnification

i. Successful respondent shall indemnify and hold harmless the OWNER from all claims, suits or actions and damages or costs of every name and description to which the OWNER may be subjected or put by reason of injury to the person or property of another, or the property of the OWNER, resulting from negligent acts or omissions on the part of the bidder, the bidder's agents, servants or subcontractors in the delivery of goods and services, or in the performance of the work under the contract.

**10) AMENDMENTS TO NJSA 2C:21-33 et. Seq. "TRUTH IN CONTRACTING"**

a. New provisions of law govern false claims and representation. It is a serious crime for the vendor to knowingly submit a false claim and/or knowingly make material misrepresentation. There are enhanced penalties for areas of false claims, bid rigging and bribery, gratuities and gifts; and conflict of interest. Please consult the statute for further information.

**11) NJ BUSINESS REGISTRATION PROGRAM**

a. Certificate required pursuant to C57, PL2004. Certificate required pursuant to C57, PL2004; failure to be registered by time of contract award may be cause for rejection. Entities or individuals that need to file for a certificate may do so on-line through the NJ Division of Local Government Services at the following link: <http://www.state.nj.us/treasury/revenue/busregcert.shtml>

**12) "PAY TO PLAY" NOTICE OF DISCLOSURE REQUIREMENT – PL 2005, Chapter 271, Section 3 Reporting (NJSA 19:44A – 20.27)**

a. Any business entity that has received \$50,000 or more in contracts from government entities in a calendar year is required to file an annual disclosure report with ELEC. The instructions and form are available on the ELEC website.

b. Annual Disclosures require submission by March 30<sup>th</sup> of each year covering contracts and contributions for the prior calendar year.

c. At minimum, a list of all business entities that file an annual disclosure report will be listed on ELEC's website at [www.elec.state.nj.us](http://www.elec.state.nj.us).

d. If you have any questions please contact ELEC at: 1-888-313-ELEC(3532) or 609-292-8700

**13) County of Passaic Disclosure for Political Contribution Disclosure Forms**

a. IE "Sunshine Form"

b. This forms needs to be completed in its entirety regardless of the contract's total dollar value.

c. No vendor is exempt from filling out this form.

d. Failure to complete this form may delay award of the contract or could eliminate your bid or proposal from being considered

e. THE SUNSHINE FORM MUST BE COMPLETED IN THEIR ENTIRETY IN SECTION A, SIGNED AND DATED IN SECTION A, SIGNED AND DATED IN SECTION D (IF APPLICABLE) AND ON THE SECOND PAGE (IF APPLICABLE).

**14) WDB's Establishing & Maintaining Confidentiality Directive**

Contractor shall adhere to WDB's Establishing & Maintaining Confidentiality Directive and require all staff to sign WDB's Individual Non-Disclosure & Confidentiality Certification Form upon initial hire.

**15) DISCLOSURE STATEMENT**

The attention of prospective bidders is drawn to the provisions of the Local Government Ethics Law (N.J.S.A. 40A:9-22-1, et seq.) which prohibits a County Officer or employee or member of his/her immediate family from having an interest in a business organization or engaging in any business transaction, or professional activity which is in substantial conflict with the proper discharge of his duties in the public interest.

In furtherance thereof, every bidder must disclose below, being a Passaic County officer or employee or whether an immediate family member is a Passaic officer or employee. If the bidder is a business organization, then disclosure shall be made with respect to anyone having an interest in the business and their immediate family members.

Please answer the following:

Is the bidder, or a member of the bidder's immediate family, or anyone having an interest in the bidder's business organization including their immediate family members, an officer or employee of Passaic County?

NO \_\_\_\_\_ YES \_\_\_\_\_

S\ \_\_\_\_\_

\* President, Vice President or Signature of  
Authorized Representative

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title

**16) MANDATORY EQUAL EMPLOYMENT OPPORTUNITY LANGUAGE**

N.J.S.A. 10:5-31 et seq. (P.L. 1975, C. 127)

N.J.A.C. 17:27

GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS

During the performance of this contract, the contractor agrees as follows:

The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will ensure that equal employment opportunity is afforded to such applicants in recruitment and

employment, and that employees are treated during employment, without regard to their age, race creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such equal employment opportunity shall include but not be limited to the following: employment, upgrading, demotion, or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this nondiscrimination clause.

The contractor or subcontractor, where applicable, will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

The contractor or subcontractor will send to each labor union, with which it has a collective bargaining agreement, a notice, to be provided by the agency contracting officer, advising the labor union of the contractor's commitments under this chapter and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to N.J.S.A. 10:5-31 et seq., as amended and supplemented from time to time and the Americans with Disabilities Act.

The contractor or subcontractor agrees to make good faith efforts to meet targeted county employment goals established in accordance with N.J.A.C. 17:27-5.2.

The contractor or subcontractor agrees to inform in writing its appropriate recruitment agencies including, but not limited to, employment agencies, placement bureaus, colleges, universities, and labor unions, that it does not discriminate on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.

The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job-related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.

In conforming with the targeted employment goals, the contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.

The contractor shall submit to the public agency, after notification of award but prior to execution of a goods and services contract, one of the following three documents:

Letter of Federal Affirmative Action Plan Approval

Certificate of Employee Information Report

Employee Information Report Form AA302 (electronically provided by the Division and distributed to the public agency through the Division's website at [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance))

The contractor and its subcontractors shall furnish such reports or other documents to the Division of Public Contracts Equal Employment Opportunity Compliance as may be requested by the office from time to time in order to carry out the purposes of these regulations, and public agencies shall furnish such information as may be requested by the Division of Public Contracts and Equal Opportunity Employment Compliance for conducting a compliance investigation pursuant to **Subchapter 10 of the Administrative Code at N.J.A.C. 17:27.**

## **17) EEO/AFFIRMATIVE ACTION COMPLIANCE NOTICE**

N.J.S.A. 10:5-31 and N.J.A.C. 17:27

### **GOODS, PROFESSIONAL SERVICE AND GENERAL SERVICE CONTRACTS**

All successful bidders are required to submit evidence of appropriate affirmative action compliance to the County and Division of Public Contracts Equal Employment Opportunity Compliance. During a review, Division representatives will review the County files to determine whether the affirmative action evidence has been submitted by the vendor/contractor. Specifically, each vendor/contractor shall submit to the County, prior to the execution of the contract, one of the following documents:

**Goods and General Service Vendors**

1. Letter of Federal Approval indicating that the vendor is under an existing federally approved or sanctioned affirmative action program. A copy of the approval letter is to be provided by the vendor to the County and the Division. This approval letter is valid for one year from the date of issuance.

2. A certificate of Employee Information Report (hereafter “Certificate”) issued in accordance with N.J.A.C. 17:27-1.1 et seq. The vendor must provide a copy of the Certificate to the County as evidence of its compliance with the regulations. The Certificate represents the review and approval of the vendor’s Employee Information Report, Form AA-302 by the Division. The period of validity of the Certificate is indicated on its face. Certificates must be renewed prior to their expiration date in order to remain valid.

3. The successful vendor shall complete an Initial Employee Report, Form AA-302 and submit it to the Division with \$150.00 Fee and forward a copy of the Form to the County. Upon submission and review by the Division, this report shall constitute evidence of compliance with the regulations. Prior to execution of the contract, the EEO/AA evidence must be submitted.

The successful vendor may obtain the Affirmative Action Employee Information Report (AA302) on the Division website: [www.state.nj.us/treasury/contract\\_compliance](http://www.state.nj.us/treasury/contract_compliance).

The successful vendor(s) must submit the AA302 Report to the Division of Public Contracts Equal Employment Opportunity Compliance with a copy to the Public Agency.

The undersigned vendor certifies that he/she is aware of the commitment to comply with the requirements of N.J.S.A. 10:5031 and N.J.A.C. 17:27 and agrees to furnish the required forms of evidence.

The undersigned vendor further understands that his/her bid shall be rejected as non-responsive if said contractor fails to comply with the requirements of N.J.S.A. 10:5-31 and N.J.A.C. 17:27.

**18) BUSINESS REGISTRATION CERTIFICATE (BRC) COMPLIANCE**

Name of Form:	<b>BUSINESS REGISTRATION CERTIFICATE</b>
Statutory Reference:	N.J.S.A. 52:32-44 (P.L. 2004, c.57)
To Obtain Proof of Registration or to Register for a NJ BRC	<a href="http://www.nj.gov/treasury/revenue/proofreg.shtml">http://www.nj.gov/treasury/revenue/proofreg.shtml</a>
Description:	Contractor must provide State Division of Revenue issued Business Registration Certificate with the proposal submission.

N.J.S.A. 52:32-44 imposes the following requirements on contractors and all subcontractors that **knowingly** provide goods or perform services for a contractor fulfilling this contract:

- 1) The contractor shall provide written notice to its subcontractors and suppliers to submit proof of business registration to the contractor;
- 2) Subcontractors through all tiers of a project must provide written notice to their subcontractors and suppliers to submit proof of business registration and subcontractors shall collect such proofs of business registration and maintain them on file;

- 3) Prior to receipt of final payment from a contracting agency, a contractor must submit to the contacting agency an accurate list of all subcontractors and suppliers\* or attest that none was used; and,
- 4) During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the Sales and Use Tax Act, (N.J.S.A. 54:32B-1 et seq.) on all sales of tangible personal property delivered into this State.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of \$25 for each day of violation, not to exceed \$50,000 for each business registration not properly provided or maintained under a contract with a contracting agency.

Detailed information on this requirement is available by calling (609) 292-9292 or can be found in Division of Local Government Services Finance Notices 2004-17 (8/6/04), 2004-24 (11/1/04), 2005-12 (4/27/05 and on the Division web site at [www.nj.gov/dca/lgs/lpcl](http://www.nj.gov/dca/lgs/lpcl). These resources and a Frequently Asked Questions resource should be consulted when questions arise.

Certified by:

---

Signature of Authorized Official	Title	Date
----------------------------------	-------	------

---

Typed/Printed Name of Signatory

---

Name of Organization

#### **IV. Award of Contract via Competitive Contracting**

The successful Respondent will be awarded using the competitive contracting process as set forth in N.J.S.A. 40A:11-4.1, *et seq.* Pursuant to N.J.S.A. 40A:11-4.4(b), the methodology for the awarding of a competitive contracts will be based upon the evaluation and ranking under the following categories: (1) technical; (2) management; and (3) cost. The proposals will be evaluated pursuant to N.J.S.A. 40A:11-4.5(d) by the Purchasing Agent, County Counsel, or Administrator, and shall prepare a report evaluating and recommending the award of contract to a Respondent.

Pursuant to N.J.S.A. 40A:11-4.5(e), the Board shall award the contract or reject all bids no more than sixty (60) days after the receipt of bids, except that the bids of any bidders who consent thereto may, at the request of the County, be held for consideration for such longer period as may be agreed.



## V. Subcontracting

Under no circumstances shall a Respondent sub-contract any part of the contract with the County of Passaic without prior written permission.

## VI. Definitions

As used herein the following words have the following definitions, unless the context indicates otherwise:

- a. “Affiliate” means any entity that: (1) directly, indirectly, or constructively controls another entity; (2) is directly, indirectly, or constructively controlled by another entity; or (3) is subject to the control of a common entity if it owns, directly or individually, more than fifty percent (50%) in the entity.
- b. “Agreement” means the final contract awarded to the lowest responsible bidder as approved by the Passaic County Board of County Commissioners.
- c. “Bid” means the submission by the respondent for the work as outlined herein for the Provision Of Workforce Innovation And Opportunity Act (Wioa) Title I Career Services—Adult, Dislocated Worker, And Youth And Work First New Jersey (Wfnj) And Supplemental Nutrition Assistant Program / Employment And Training (Snap E&T) Case Management Services
- d. “Bidder” means the respondent contractor submitting a proposal for the construction project as set forth herein.
- e. “Bid Documents” means any of the proposals, plans, and specifications as set forth herein for the completion of the Provision Of Workforce Innovation And Opportunity Act (Wioa) Title I Career Services—Adult, Dislocated Worker, And Youth And Work First New Jersey (Wfnj) And Supplemental Nutrition Assistant Program / Employment And Training (Snap E&T) Case Management Services
- f. “Bid Opening” shall mean the time as designated herein when bids are due and shall be unsealed as set forth herein and in accordance with applicable law.
- g. “Board” means the Passaic County Board of County Commissioners.
- h. “Contract” means any agreement, including but not limited to a purchase order or a formal agreement, which is a legally binding relationship enforceable by law, between a respondent who agrees to perform the work as outlined herein, as defined by and subject to the terms of the bid documents, plans, and specifications set forth herein.
- i. “Contracting Unit” shall mean the County of Passaic.
- j. “County” means the County of Passaic.
- k. “Department” means Management and Department of Human Services.
- l. “Project” means the Provision Of Workforce Innovation And Opportunity Act (WIOA) Title I Career Services—Adult, Dislocated Worker, And Youth And Work First New Jersey (WFNJ) And Supplemental Nutrition Assistant Program / Employment And Training (SNAP E&T) Case Management Services
- m. “Purchase Order” means a document issued by the contracting agent authorizing a purchase transaction with a vendor to provide or perform goods or services to the contracting unit, which, when fulfilled in accordance with the terms and conditions of a request of a contracting agent and other provisions and procedures that may be established by the contracting unit, will result in payment by the contracting unit.
- n. “Purchasing Agent” means the Passaic County Purchasing Agent.
- o. “Respondent” means the bidder submitting a proposal for the RFP project as set forth herein.

- p. “Subcontractor” means any business organization that knowingly provides goods or services directly to a contractor or subcontractor in fulfillment of the Project issued by the County, where the value of goods exceeds the bid threshold as set by applicable law.

## **VII. County Set-Aside Program**

On October 26, 2021, the Board of County Commissioners of the County of Passaic passed Resolution No. R20210933 establishing the Minority Business Enterprise and Women Business Enterprise Set-Aside and Joint Venture procurement program in the County. The Set Aside Program was established to promote economic inclusion, and to ensure that the County’s procurement practices promote equal opportunities to compete for all willing and able businesses, the County has established goals to ensure that funds spent by the County promote local minority business entities and women business entities.

For calendar year 2022, the Set Aside Program’s goals for professional services are as follows: (1) ten percent (10%) of total average “spend” on contracts for professional services awarded to WBEs and with a goal to twenty percent (20%) by 2024 by way of set-asides; and (2) ten percent (10%) of total average “spend” on contracts for professional services awarded to MBEs and with a goal to twenty percent (20%) by 2024 by way of set-asides. If your business is a qualified WBE and/or MBE, please complete the MBE/WBE Program Certification Form enclosed herewith. If a bidder is not a certified minority business enterprise or women business enterprise, please check the box at the top of the form marked ‘not applicable’.

## **VIII. Procedures for Submitting a Bid**

Respondent shall submit a bid for the Project either in person prior to the hour designated herein via regular mail, overnight delivery, or hand delivery to the following address:

**County of Passaic – Division of Purchasing**  
Passaic County Procurement Center  
495 River Street, 2<sup>nd</sup> Floor  
Paterson, New Jersey 07524

Bids delivered by regular mail, overnight delivery, or hand delivered prior to the date and time as set forth herein shall be inserted in a sealed envelope. The name and address of the bidder is to be written on the outside of the envelope.

Any bidder who has mailed, overnight delivered, or hand delivered a bid to the County of Passaic Division of Purchasing may attend the virtual bid opening. However, the County is not responsible for any bid that is not received at the time of the bid opening.

Bidders must submit all required documentation as stated herein, including all of the items listed on the Bid Document Checklist. Please take note of the following:

1. A respondent’s bid proposal shall not be considered responsive if submitted with any qualifying conditions or provisions.
2. The Statement of Corporate Ownership enclosed hereto and required under N.J.S.A. 52:25-24.2 must set forth the names and addresses of all stockholders in the corporation who own ten percent

(10%) or more of its stock of any class, or any individual partners in a partnership who own a ten percent (10%) or greater interest therein.

3. The Non-Collusion Affidavit required under N.J.S.A. 52:34-15 must be signed and notarized.
4. If any discrepancies or omissions appear in the Bid Documents, the bidder shall notify the Purchasing Agent in writing of any such discrepancy or omission.

#### **IX. New Jersey Business Registration Certificate**

Prior to the award of contract to the lowest responsible bidder, the Contractor shall provide a Business Registration Certificate (hereafter “BRC”) pursuant to N.J.S.A. 52:32-44. A Business Registration Certificate is required for all contractors and any subcontractors performing work on the Project. Under N.J.S.A. 52:32-44, the following requirements are imposed on contractors or subcontractors that knowingly provide goods or perform services for a contractor fulfilling the services required herein:

1. The contractor shall obtain and provide the owner the BRC of subcontractors knowingly used on this Project.
2. The contractor shall maintain and submit to the County a list of subcontractors and their addresses that may be updated from time to time during the course of the contract performance. A complete and accurate list shall be submitted before final payment is made for goods and services rendered under the contract.
3. During the term of this contract, the contractor and its affiliates shall collect and remit, and shall notify all subcontractors and their affiliates that they must collect and remit to the Director, New Jersey Division of Taxation, the use tax due pursuant to the N.J.S.A. 54:32B-1 et seq. on all taxable sales of tangible personal property delivered into the State.

Failure to submit the BRC with the bid is not a cause for rejection. However, the County prefers the BRC be submitted with the bid response. If it is not provided prior to execution of a contract the bidder’s bid guarantee shall be forfeited and the contract shall be awarded to the next lowest responsible bidder.

A contractor, subcontractor or supplier who fails to provide proof of business registration or provides false business registration information shall be liable to a penalty of twenty-five dollars (\$25.00) for each day of violation, not to exceed fifty thousand dollars (\$50,000), for each BRC not properly provided or maintained under a contract with the County.

A BRC is obtained from the New Jersey Division of Revenue and Enterprise Services. Information on obtaining a BRC is available by visiting [www.nj.gov/treasury/revenue/busregcert.shtml](http://www.nj.gov/treasury/revenue/busregcert.shtml) or by phone at (609) 292-2929.

#### **X. Prompt Payment.**

All payments for work performed will be made by the County in compliance with N.J.S.A. 2A:30-1, et seq.

#### **XI. Discrimination in Employment**

The terms and conditions as set forth in the New Jersey Civil Rights Act, N.J.S.A. 10:1, *et seq.* are hereby made part of every contract entered into by the County of Passaic. Pursuant to N.J.S.A. 10:1, *et seq.*, the bidder agrees to the following conditions:

1. In the hiring of persons for the performance of work under this contract or any subcontract hereunder, or for the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under this contract, no contractor, nor any person acting on behalf of such contractor or subcontractor, shall, by reason of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex, discriminate against any person who is qualified and available to perform the work to which the employment relates;
2. No contractor, subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee engaged in the performance of work under this contract or any subcontract hereunder, or engaged in the procurement, manufacture, assembling or furnishing of any such materials, equipment, supplies or services to be acquired under such contract, on account of race, creed, color, national origin, ancestry, marital status, gender identity or expression, affectional or sexual orientation or sex;
3. There may be deducted from the amount payable to the contractor by the contracting public agency, under this contract, a penalty of fifty dollars (\$50.00) for each person for each calendar day during which such person is discriminated against or intimidated in violation of the provisions of the contract; and
4. This contract may be canceled or terminated by the contracting public agency, and all money due or to become due hereunder may be forfeited, for any violation of this section of the contract occurring after notice to the contractor from the contracting public agency of any prior violation of this section of the contract.

Pursuant to N.J.S.A. 10:5-32, no contract be awarded by the County, nor shall any moneys be paid thereunder to any contractor, subcontractor or business firm which has not agreed and guaranteed to afford equal opportunity in performance of the contract and, except with respect to affectional or sexual orientation, and gender identity or expression, in accordance with an affirmative action program approved by the New Jersey State Treasurer.

Bidders are required to comply with the requirements of P.L.1975, c.127. The terms and conditions as set forth in N.J.S.A. 10:5-33 are hereby made a part of every contract entered into by the County of Passaic, specifically, that, during the performance of the contract, the contractor agrees as follows:

1. The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Except with respect to affectional or sexual orientation and gender identity or expression, the contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment, without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training,

including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause;

2. The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex; and
3. The contractor or subcontractor where applicable, will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

Pursuant to N.J.S.A. 10:5-34, each prospective bidder is required to submit an Affirmative Action Plan to the New Jersey State Treasurer, as set forth in the law:

*Each prospective bidder on a public works contract or contracts and each subcontract bidder to a prime contract bidder shall formulate and submit to the State Treasurer his or its affirmative action program of equal opportunity whereby he or it guarantees minorities employment in all employment categories; the submission shall be accompanied by a fee in an amount to be fixed by the State Treasurer. For the purposes of this section, equal employment opportunity but not affirmative action is required with respect to persons identified solely by their affectional or sexual orientation and gender identity or expression. The State Treasurer shall notify the bidder of approval or disapproval of his or its program within 60 days of its submission; failure of the State Treasurer to so act within 60 days shall constitute approval of the program. Any existing federally approved or sanctioned affirmative action program shall be approved by the State Treasurer.*

*No subcontract bidder who has less than five employees need comply with the provisions of this section.*

## **XII. Equal Opportunity for Individuals with Disabilities**

All bidders expressly agree to comply with the provisions of the American with Disabilities Act of 1990, 1990 Enacted S. 933, 101 Enacted S. 933, 104 Stat. 327, 101 P.L. 336, 1990 Enacted S. 933, 101 Enacted S. 933, and any amendments thereto, that established a clear and comprehensive prohibition of discrimination on the basis of disability. The rules and regulations promulgated under the American with Disabilities Act of 1990, and any amendments thereto, are hereby made a part of every contract entered into by the County of Passaic with the lowest responsible bidder.

In the event that the contractor, its agents, servants, employees, or subcontractors violate or are alleged to have violated the Americans with Disabilities Act of 1990, and any amendments thereto, during the performance of the contract, the contractor shall indemnify, protect, and save the County, its agents, servants, and employees from and against any and all suits, claims, losses, demands, or damages, or whatever kind of nature arising out of claimed to arise out of an alleged violation.

### **XIII. Insurance Requirements of the Respondent**

The Respondent shall maintain insurance as set forth herein for the duration of the Project, including, but not limited to the following:

New Jersey Workers' Compensation pursuant to N.J.S.A. 34:15-1, *et seq.*;  
Generable Liability Insurance;  
Property Damage Liability Insurance; and  
Business Automobile Liability Insurance

The Respondent shall maintain a guarantee of such insurance in the following amounts:

Workers' Compensation	\$100,000 to \$300,000
General Liability Insurance	\$1,000,000
Property Damage Liability Insurance	\$500,000
Business Automobile Liability Insurance	\$250,000

The contractor is given the option to obtain a combined single limit insurance policy in the amount of one million dollars (\$1,000,000.00).

The County of Passaic shall be named as an additional insured on the insurance policies required herein. The contractor shall require a certificate of insurance upon execution of the contract. The certificates of insurance shall expressly state that the insurers will notify the County of termination of coverage no less than thirty (30) days prior to termination. In the event that any of the insurance policies herein lapse, the contractor shall notify the County of a lapse in coverage immediately.

In the event the contractor shall cause his insurance coverage to lapse, the contractor shall immediately notify the County of same. In addition, the insurance policy additional named insured provision naming the County as an additional insured on same shall contain language regarding the insurer to provide timely notification to the County about lapse in coverage.

The contractor shall also agree to indemnify and hold harmless the County for all claims, cost and judgments arising out of the allegations of negligence, errors, omissions, or allegations otherwise sounding in tort while performing within the scope of this agreement, to include but not limited to the actions of any subcontractors or suppliers.

The insurance requirements set forth herein may be supplanted and increased by the County pursuant to values as set forth in the supplementary specifications for the Project.

### **XIV. State and Federal Taxes**

Pursuant to N.J.S.A. 54:32B-9 and applicable federal law, the County of Passaic are exempt from sales and use tax and the federal excise tax for the purchase of fuel.

### **XV. Anti-Kickback Act**

The bidder must comply with 18 U.S.C. 874, the Anti-Kickback Act, and any other applicable regulations promulgated by the United States Department of Labor applicable to public works projects in the United States. The contractor shall include applicable provisions in any agreements with subcontractors retained for the Project to ensure compliance.

## **XVI. Document Retention**

Pursuant to N.J.A.C. 17:44-2.2, the successful bidder shall maintain all documentation related to products, transactions, or other services under this contract for a period of five (5) years from the date of final payment. Such records shall be made available to the New Jersey Office of the State Comptroller upon request.

## **XVII. Award and Execution of Contract**

Pursuant to N.J.S.A. 40A:11-24(b), the contract awarded to the selected Respondent shall be signed by all parties no later than twenty-one (21) days after the award of the contract, Sundays and holidays excepted, after the making of an award. The contractor, upon written request to the County, is entitled to receive, within seven (7) days of the request, an authorization to proceed pursuant to the terms of the contract on the date set forth in the contract for work to commence, or, if no date is set forth in the contract, upon receipt of authorization.

## **XVIII. Dispute Resolution**

Prior to submitting a cause of action to a court for relief, by submitting a proposal bidders are expressly agreeing to first submit to non-binding arbitration for resolve disputes that arise, as governed by N.J.S.A. 40A:11-50 and N.J.S.A. 2A:6-23B, *et seq.* The costs of arbitration shall be fully borne by the Respondent. The process as set forth in N.J.S.A. 2A:6-23A-1, *et seq.* are hereby made a part of every contract entered into by the County of Passaic.

## **XIX. Liquidated Damages**

In accordance with N.J.S.A. 40A:11-19, liquidated damages are hereby made a part of every contract entered into by the County of Passaic and the winning bidder. If the winning bidder fails to deliver any of the services as outlined herein, the County is entitled to one hundred and fifty dollars (\$150.00) per day as liquidated damages, and not as a penalty.

## **XX. Termination for Cause**

In the event that the contractor shall fail to comply with any of the conditions herein provided and as covered by the contract, the Purchasing Agent shall notify the contractor of such failure or default and demand that the same be remedied within five (5) days. In the event of the failure of the contractor to remedy the same within said period, the Purchasing Agent shall take steps to terminate the contract, and the performance bond shall be forfeited.

## **XXI. Requests for Information**

All requests for information made by a bidder prior to the designated bid opening shall be made in writing to the following designated official:

**Aniyyah Maney**  
County of Passaic  
Purchasing Division  
Phone: (973) 247-3300  
Email: bids@passaiccountynj.org

Requests for information by a bidder shall be shared with every contractor who has picked up the Bid Documents with corresponding answers.



**ACKNOWLEDGEMENT OF RECEIPT OF ADDENDA**

The undersigned Bidder hereby acknowledges receipt of the following addenda. If no addenda were issued, check the “No addenda were received” box.

Addenda Number	Date
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

**No addenda were received**

**Name of Bidder** *(Please Print)*: \_\_\_\_\_

**Signature of Authorized Representative**: \_\_\_\_\_

**Name** *(Please Print)*: \_\_\_\_\_

**Title** *(Please Print)*: \_\_\_\_\_ **Date**: \_\_\_\_\_

\*Signature is required only if an addendum was issued.

Check here if willing to provide the goods or services herein bid upon to Registered Members in System #38-PCCP 07-1 who have submitted estimates without substitution or deviation from specifications, size, features, quality, price or availability as herein set forth. It is understood that order will be placed directly by the registered members identified herein by separate contract, subject to the overall terms of the contract to be awarded by the County of Passaic, that no additional service or delivery charges will be allowed, except as permitted by these specifications.

**STATEMENT OF CORPORATE OWNERSHIP**  
**SIGNATURE REQUIRED ON PAGE 2**

*Check the applicable statement:*

I certify that the list below contains the names and addresses of all stockholders holding ten percent (10%) or more of the issued and outstanding stock of the undersigned.

I certify that no one (1) stockholder owns ten percent (10%) or more of the issued and outstanding stock of the undersigned.

**Legal Name of Bidder:** \_\_\_\_\_

*Check the applicable business entity in the space provided below:*

<b>Business Entity</b>	<b>Check the applicable business entity</b>
Partnership	
Corporation	
Sole Proprietorship	
Limited Partnership	
Limited Liability Partnership	
S Subchapter	
S Corporation	
Limited Liability Company	
Other:	

If the Bidder is either a Corporation, S Corporation, or Limited Liability Company, provide the date incorporated and the place of incorporation, if not, skip to next item:

**Dated Incorporated:** \_\_\_\_\_ **Place of Incorporation:** \_\_\_\_\_

**Business Address** (Please Print): \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

In accordance with N.J.S.A. 52:25-24.2, list below the names and addresses of all stockholders, partners, or individuals who own ten percent (10%) or more of stock of any class, or who own ten percent (10%) or greater interest therein. The disclosure shall be continued until the names and addresses of every noncorporate stockholder, and individual partner, and member, exceeding the ten percent (10%) ownerships criteria has been listed.

**Name** (Please Print): \_\_\_\_\_

**Address** (Please Print): \_\_\_\_\_

**Name** (Please Print): \_\_\_\_\_

**Address** (Please Print): \_\_\_\_\_

**STATEMENT OF CORPORATE OWNERSHIP** *(continued)*

**Name** *(Please Print)*: \_\_\_\_\_

**Address** *(Please Print)*: \_\_\_\_\_

*\*Continue on additional sheet if necessary*

**Publicly traded parent company disclosure.** Submit the URL providing the last annual Security and Exchange Commission, or foreign equivalent filing:

\_\_\_\_\_

**Name of Bidder** *(Please Print)*: \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

**Name** *(Please Print)*: \_\_\_\_\_

**Title** *(Please Print)*: \_\_\_\_\_ **Date:** \_\_\_\_\_

**BID PROPOSAL**

**Name of Bidder** (Please Print): \_\_\_\_\_

*submits the following proposal for the*

**PROVISION OF WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) TITLE I CAREER SERVICES—ADULT, DISLOCATED WORKER, AND YOUTH AND WORK FIRST NEW JERSEY (WFNJ) AND SUPPLEMENTAL NUTRITION ASSISTANT PROGRAM / EMPLOYMENT AND TRAINING (SNAP E&T) CASE MANAGEMENT SERVICES**

**Project RFP-22-018**

**DELIVERY:**

All articles shall be delivered to all Departments and Institutions specified with all charges prepaid, (F.O.B. Destination) in such quantities as ordered by the County of Passaic, which may be greater or lesser in amount than herein specified and in case no specific time for delivery is included by the County of Passaic when the order is given, then such goods must be delivered immediately.

No additional charges will be allowed for any transportation cost resulting from partial shipments made at the vendor's convenience.

Merchants who substitute commodities or deliver commodities not according to specifications, or who do not deliver at time specified in the proposal will be classified, as undesirable and their proposals will be refused in future bidding.

**To the Passaic County Board of County Commissioners:**

The undersigned hereby declares that he/she has carefully examined the Bid Documents and that he will contract to carry out and complete said Project at the following prices:

a. **Base Agreement.**

<b>CONTRACT YEAR</b>	<b>START DATE</b>	<b>END DATE</b>	<b>COST</b>
Year One	<b>July 1, 2022</b>	<b>June 30, 2023</b>	\$
<b>TOTAL</b>	<b>July 1, 2022</b>	<b>June 30, 2023</b>	\$

b. **County Options to Extend Agreement.**

<b>OPTION YEAR</b>	<b>START DATE</b>	<b>END DATE</b>	<b>COST</b>
Option One	<b>July 1, 2023</b>	<b>June 30, 2024</b>	\$
Option Two	<b>July 1, 2024</b>	<b>June 30, 2025</b>	\$
Option Three	<b>July 1, 2025</b>	<b>June 30, 2026</b>	\$

**Name of Bidder** (Please Print): \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

**Name** (Please Print): \_\_\_\_\_

**Title** (Please Print): \_\_\_\_\_ **Date:** \_\_\_\_\_

**STANDARD QUESTIONNAIRE**

**Name of Bidder:** \_\_\_\_\_

**Address of Bidder:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_

1. How many years have you been in business as a contractor as your present business name given above?

\_\_\_\_\_ Year(s)

2. How many years have you been the Principal Officer of a general contracting firm under a different name?

\_\_\_\_\_ Year(s)

3. List three (3) projects similar in nature previously completed by your organization:

<b>Name of Owner</b>	
<b>Project Manager</b>	
<b>Project Manager Phone #</b>	
<b>Project Type</b>	
<b>Project Location</b>	
<b>Amount of Contract</b>	\$
<b>Date of Completion</b>	

<b>Name of Owner</b>	
<b>Project Manager</b>	
<b>Project Manager Phone #</b>	
<b>Project Type</b>	
<b>Project Location</b>	
<b>Amount of Contract</b>	\$
<b>Date of Completion</b>	

<b>Name of Owner</b>	
<b>Project Manager</b>	
<b>Project Manager Phone #</b>	
<b>Project Type</b>	
<b>Project Location</b>	
<b>Amount of Contract</b>	\$
<b>Date of Completion</b>	

**DISCLOSURE OF INVESTMENT ACTIVITIES IN IRAN**

**Part 1: Certification**

Pursuant to Public Law 2012, c. 25, any person or entity that submits a bid or proposal or otherwise proposes to enter into or renew a contract must complete the certification below to attest, under penalty of perjury, that the person or entity, or one of the person or entity's parents, subsidiaries, or affiliates, is not identified on a list created and maintained by the New Jersey Treasury's Chapter 25 list as a person or entity engaging in investment activities in Iran.

The Chapter 25 list is found on the State of New Jersey Division of Purchase and Property website at <http://www.state.nj.us/treasury/purchase/pdf/Chapter25List.pdf>. Bidders must review the list prior to completing the certification below. Failure to complete the certification will render a bidder's proposal non-responsive.

**PLEASE CHECK THE APPROPRIATE BOX:**

I certify, pursuant to Public Law 2012, c. 25, that neither the bidder listed herein nor any of the bidder's parents, subsidiaries, or affiliates is listed on the New Jersey Department of Treasury's list of entities determined to be engaged in prohibited activities in Iran pursuant to P.L. 2012, c. 25. I further certify that I am the person listed above, or I am an officer or representative of the entity listed above and am authorized to make this certification on its behalf. **I will skip Part 2 and sign and complete the Certification below.**

**OR**

I am unable to certify as above because the bidder and/or one of more of its parents, subsidiaries, or affiliates is listed on the New Jersey Department of Treasury's Chapter 25 list. I will provide a detailed, accurate, and precise description of the activities in Part 2 below and sign and complete the Certification below. Failure to provide such will result in the proposal being rendered as non-responsive and appropriate penalties, fines, and/or sanctions will be assessed as provided by law.

**Part 2: Please provide further information related to investment activities in Iran.**

**Name** \_\_\_\_\_ **Relationship to Bidder/Offeror** \_\_\_\_\_

**Description of Activities** \_\_\_\_\_

**Duration of Engagement** \_\_\_\_\_ **Anticipated Cessation Date** \_\_\_\_\_

**Bidder/Offeror Contact Name** \_\_\_\_\_ **Contact Phone Number** \_\_\_\_\_

**Certification:** I, being duly sworn upon my oath, hereby represent and state that the foregoing information and any attachments thereto to the best of my knowledge are true and complete. I attest that I am authorized to execute this certification on behalf of the above referenced person or entity. I acknowledge that Passaic County is relying on the information contained herein and hereby acknowledge that I am under a continuing obligation from the date of this certification through the completion of any contracts with the County to notify the County in writing of any changes to the answers of information contained herein. I acknowledge that I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification, and if I do so, I recognize that I am subject to criminal prosecution under the law and that it will also constitute a material breach of my agreement(s) with Passaic County, New Jersey and that the County at its option may declare any contract(s) resulting from this certification void and unenforceable.

**Name of Bidder** (Please Print): \_\_\_\_\_

**Signature of Authorized Representative:** \_\_\_\_\_

**Name** (Please Print): \_\_\_\_\_

**Title** (Please Print): \_\_\_\_\_ **Date:** \_\_\_\_\_

**NON-COLLUSION AFFIDAVIT**

State of New Jersey  
County of Passaic

ss:

I, \_\_\_\_\_ residing in \_\_\_\_\_ in the County of \_\_\_\_\_ and State of \_\_\_\_\_ of full age, being duly sworn according to law on my oath depose and say that:

I am \_\_\_\_\_ of the firm of \_\_\_\_\_, the bidder making this proposal for the bid entitled **Provision Of Workforce Innovation And Opportunity Act (WIOA) Title I Career Services—Adult, Dislocated Worker, And Youth And Work First New Jersey (WFNJ) And Supplemental Nutrition Assistant Program / Employment And Training (SNAP E&T) Case Management Services**, and that I executed the said proposal with full authority to do so, that said bidder has not, directly or indirectly, entered into an agreement, participated in any collusion, or otherwise taken any action in restraint of free, competitive bidding in connection with the above named contract, and that all statements contained in said bid proposal and in this affidavit are true and correct, and made with full knowledge that the County of Passaic relied upon the truth of the statements contained in said bid proposal and in this affidavit in awarding the Contract for the said bid proposal.

**Name of Bidder** (Please Print): \_\_\_\_\_

**Signature of Authorized Representative**: \_\_\_\_\_

**Name** (Please Print): \_\_\_\_\_

**Title** (Please Print): \_\_\_\_\_ **Date**: \_\_\_\_\_

**Subscribed and sworn to before me on this**  
**\_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.**

\_\_\_\_\_  
**Signature of Notary Public**

PLEASE CHECK HERE IF NOT APPLICABLE

PLEASE CHECK HERE IF NOT APPLICABLE

**MBE/WBE PROGRAM CERTIFICATION FORM**

In compliance with Resolution No. R20210933, dated October 26, 2021, “Resolution Establishing a Minority Business Enterprise and Women Business Enterprise Set-Aside and Joint Venture Program for the County of Passaic”, and in compliance with the laws of the State of New Jersey, N.J.S.A. 40A:11-41 et seq., I, the undersigned, do hereby certify the following:

1. That all document(s) submitted by myself or my business, including the MBE/WBE/MWBE Certificate affixed hereto, if applicable, are valid and accurate. I understand that the County may reject my bid for failure to provide the MBE/WBE/MWBE Certificate prior to award of contract.
2. That I understand my qualifications for the program may be subject to audit.
3. That I understand the terms of this program as explained in Resolution No. R20210933 attached hereto as **Appendix A**.
4. That, pursuant to N.J.S.A. 40A:11-47, if the County determines that a business has been classified as an MBE/WBE/MWBE based on false information knowingly supplied by the business and has been awarded a contract to which it would not otherwise have been entitled under this program, the County may, after a hearing assess a fine, penalty, or render the business ineligible to further transact any business with the County for a predetermined time.

**Name of Bidder** *(Please Print)*: \_\_\_\_\_

**Signature of Authorized Representative**: \_\_\_\_\_

**Name** *(Please Print)*: \_\_\_\_\_

**Title** *(Please Print)*: \_\_\_\_\_ **Date**: \_\_\_\_\_





**SAMPLE NEW JERSEY BUSINESS REGISTRATION CERTIFICATE**

<b>STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE</b>		DEPARTMENT OF TREASURY/ DIVISION OF REVENUE PO BOX 252 TRENTON, N J 08646-0252
TAXPAYER NAME:	TRADE NAME:	
TAXPAYER IDENTIFICATION#:	SEQUENCE NUMBER:	
ADDRESS:	ISSUANCE DATE:	
EFFECTIVE DATE:	<i>John S. Tully</i> Acting Director	
FORM-BRC(08-01)	<small>This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.</small>	

<b>STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE</b>	
Taxpayer Name:	TAX REG TEST ACCOUNT
Trade Name:	
Address:	847 ROEBLING AVE TRENTON, NJ 08611
Certificate Number:	1093907
Date of Issuance:	October 14, 2004
For Office Use Only:	
	20041014112823533