



REQUEST FOR PROPOSALS

for

Prevention and Family Shelter Grants Administered by the Passaic County Department of Human Services

RFP-26-038

Contract Period: Commence Upon Award of Contract through June 30, 2027 with Three (3) One-Year Options Contingent on the Availability of Funds and Performance

2026

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SET-ASIDE AND JOINT VENTURE PROGRAM FOR THE COUNTY OF PASSAIC

Bid Document Checklist
Required with Bid Response

**Initial each required entry and if
required, submit the item**

**A. FAILURE TO SUBMIT ANY OF THESE ITEMS AT THE TIME OF BID
OPENING IS MANDATORY CAUSE FOR REJECTION OF BID**

- ☒ Acknowledgment of Receipt of Addenda, N.J.S.A. 40A:11-23.2 (e) _____
- ☒ Statement of 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 _____
- ☒ Completed Application Package (Internal) _____
- ☒ Fully Completed Annex B or Annex B-2 (Internal) _____
- ☒ Table of Organization (Internal) _____
- ☒ Job descriptions for new or vacant positions or
resumes for existing staff (Internal) _____

**B. MANDATORY ITEM(S), REQUIRED TO BE SUBMITTED TO THE
COUNTY PRIOR TO THE CONTRACT BEING EXECUTED**

- ☒ Disclosure of Investment Activities in Iran, N.J.S.A. 52:32-57
P.L. 2012, c. 25 _____
- ☒ Certification of Non-Involvement in Prohibited Activities in Russia
or Belarus, N.J.S.A. 52:32-60.1, et seq. P.L. 2022, c.3 _____
- ☒ Non-Collusion Affidavit, N.J.S.A 52:34-15 _____
- ☒ MBE/WBE Program Certification Form (if applicable),
Resolution No. R20210933 _____
- ☒ 2024 Form W-9, Department of the Treasurer Internal Revenue
Service (Internal) _____
- ☒ Business Registration Certificate, N.J.S.A. 52:32-44 _____
- ☒ Board of Directors List (Internal) _____
- ☒ Supporting documents such as all Memoranda of Understanding
with other corporations, agencies, or programs referenced in
your proposal. (Internal) _____

**MUST PROVIDE THE BIDDERS NAME, SIGNATURE AND DATE ON THE CONTINUATION
PAGE.**

Name of Bidder (i.e. Company Name) (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 NAME AND ADDRESS OF THE BIDDER, BID NAME, BID NUMBER, AND BID OPENING DATE ON THE EXTERIOR OF THE COMMON CARRIER OR COMPANY MAILING ENVELOPE.

I. Introduction

The County of Passaic is a regional government comprised of sixteen municipalities in northern New Jersey. The County is seeking qualified applicants to address the needs of income-eligible individuals and families, as well as those experiencing homelessness or at risk of homelessness, in accordance with the scope of work specified in this request for services.

The County invites qualified applicants who share our commitment to ending homelessness and have substantive experience and expertise in making community connections necessary to engage with and address the needs of individuals and families within the identified target populations.

The County of Passaic is anticipating funding from the New Jersey Department of Human Services, Division of Family Development, to carry out the projects listed in this RFP. The Passaic County Department of Human Services is seeking applications to provide the projects described in the Detailed Scope of Work for services that will benefit persons in Passaic County who are income eligible, and/or homeless, or at risk of becoming homeless. Various projects are specified below, including funding availability, target population, and specific services to be provided. Initial awards to successful applicants will begin upon award and terminate on June 30, 2027. Proposals will be reviewed, and funds awarded under the competitive contracting methodology required by the Local Public Contracts Law (P.L. 1999, C. 440). All awards will be subject to actual appropriation and availability of funds and the amounts listed as available for each project are subject to change accordingly. Subject to continued funding from the state and county, and findings from performance and needs review by the County Human Services Department, and Board of County Commissioners, successful projects funded under this offering may be eligible for up to three (3) one-year renewals, as follows, July 1, 2027 to June 30, 2028; July 1, 2028 to June 30, 2029; and July 1, 2029 to June 30, 2030.

Please note that the amounts listed in this RFP for the INITIAL award period are estimated allocations for 9 months. The estimated amount available for EACH OPTION YEAR will be for a full 12 month period. Estimated 9 month and 12 month award amounts are listed in the Detailed Scope of Work Section of this RFP.

All awards will be subject to actual appropriation and availability of funds and the amounts listed as available for each project are subject to increase or decrease in accordance with available funding. If additional funding becomes available from the New Jersey Department of Human Services, Division of Family Development, or any other funding source for the purpose of carrying out the services listed in this RFP, additional funding may be allocated to increase the level of services provided.

Subject to continued funding from the state and county, and findings from performance and needs review by the County Human Services Department, and Board of County Commissioners, a successful project funded under this offering may be eligible for up to three (3) one-year renewals, as follows, July 1, 2027 to June 30, 2028; July 1, 2028 to June 30, 2029; and July 1, 2029 to June 30, 2030.

The Passaic County Department of Human Services reserves the right to reject any or all proposals, to accept or reject any item in the proposal, or to approve the purchase of any level of service deemed in the best interest of Passaic County. The Passaic County Board of County Commissioners reserves the right to cancel in part, or in its entirety, this Request for Proposals if it deems that it is in its best interest to do so. Should the proposal result in a contract award, PCDHS reserves the right to revise outcomes and performance criteria, contracted budget, and objectives for each achievement.

After the bid opening, applicants are encouraged to check the status of their application at <https://www.passaicbids.com/>. If there are questions about the status of an application, applicants are encouraged to email questions to bids@passaiccountynj.org.

SSH Program - Purpose

The Social Services for the Homeless (SSH) program provides funding to Counties for services to assist homeless and at-risk families and individuals who are ineligible for Work First New Jersey (TANF, SSI or GA) Emergency Assistance. These funds are to be allocated in a manner to ensure that emergency services are available to families and individuals throughout the entire contract year.

SSH funds may be used to assist individuals and families who are experiencing short-term, non-recurring emergencies. Homelessness prevention measures may include assistance with past due rent or past due mortgage payments, past due utility charge payments, payment of security deposits for apartments, or various other forms of eligible assistance that will resolve the emergency or enable the family to remain in their home. The core services are shelter, prevention, case management and transportation.

ELIGIBLE APPLICANTS:

Any applicant capable of meeting the requirements set forth in this Request for Proposals and providing services to Passaic County residents in a community-based setting is eligible to apply. Applicants will be required to demonstrate that they have the expertise, experience, and resources needed to operate the proposed project, as well as the ability to collaborate with other organizations and professionals serving the target population in Passaic County.

Prior successful performance history with the proposed services will be a consideration in granting awards. Any applicant that was previously funded under a grant with the Passaic County Department of Human Services is required to submit program outcomes with their proposals, even if the current application is for a different service or program than was previously funded.

GENERAL FISCAL STANDARDS:

If awarded a contract under this Request for Proposals, successful applicants will be required to submit a certified audit in accordance [2 CFR Part 200 Subpart F](#).

GENERAL PROGRAM STANDARDS AND CONTRACTUAL OBLIGATIONS:

Successful applicants will be required to register their programs with the County's Virtual Resource Hub at <https://help.impactpassaic.com/>.

Successful applicants will be required to post complaint and grievance procedures of the Passaic County Department of Human Services, including the Department's action line; pcdal@passaiccountynj.org, in program common areas, waiting areas, and/or on your program website.

Successful applicants shall ensure full criminal background checks are conducted on all employees, staff, volunteers, consultants, interns, and any others scheduled to routinely interact with clients, at the time of hire and/or engagement. Programs serving individuals under the age of 18 shall conduct criminal background checks supported by fingerprints, for all employees.

Reporting Requirements:

Successful applicants are required to submit monthly program and fiscal reports on the forms provided by the department. At a minimum, the following reports are required:

- Fiscal Reports with detailed proof of expenses (i.e. Payroll)
- Program (Level of Service) Reports
- HMIS

All providers of SSH/State and SSH/TANF Shelter, Prevention and Case Management services (except for Domestic Violence Shelters) must utilize the New Jersey “AWARDS” Homeless Management Information System (HMIS) in order to become a State approved SSH vendor. Domestic Violence Shelters will report on the appropriate provided LOS forms.

All Fiscal and level of service reporting is required monthly. Actual expenditures **must** be reported using the Annex B form (for Prevention services) or the Annex B-2 form (for all other services) by the 5th day of the following month. The Final ROE is due 5 days after the contract period ends.

SSH Program Requirements and Conditions

A. Purpose:

SSH is a safety-net program that provides short-term, non-recurring housing assistance to New Jersey individuals and families who are homeless or at risk of imminent homelessness. Needy families can receive up to four months of assistance within a rolling 12- month period in cases where short-term help will resolve the housing crisis. SSH is designed for individuals and families who have exhausted housing assistance through Work First New Jersey/Emergency Assistance (WFNJ/EA), or who are not eligible for WFNJ/EA through no fault of their own.

B. Four-month limit:

SSH benefits cannot be granted for more than four months during any 12- month period. Prior to granting SSH, the SSH Provider must check the New Jersey “AWARDS” Homeless Management Information System (HMIS) to see if anyone in the applicant household has received SSH benefits anywhere in the state during the previous 12 months. The SSH provider must not provide more than four months total of SSH assistance in a 12-month period even if the household seeks several different types of SSH assistance during that 12-month period. For example, if a household is approved for two months of SSH emergency shelter payments, and then several months later again applies for SSH, this time for help with back rent, the household cannot be granted more than two months of back rent.

Conversely, SSH providers must not adopt policies that restrict assistance to less than the four-month limit, cap the monthly amount of rent permitted, or otherwise impose narrower general restrictions than those set forth in this RFP. As long as SSH funding is available, the successful applicant must provide SSH homelessness prevention assistance to all applicants who request such assistance and who are eligible for SSH. The provider may not deny or limit SSH homelessness prevention assistance to eligible applicants in order to reserve funding for future use.

C. Types of Assistance Available:

The successful applicant may provide up to four months of the following types of assistance with SSH funds:

1. Homelessness Prevention Payments: Homelessness prevention payments help individuals/families to remain in their homes. These can include payment of security deposits, rent/mortgage and/or utilities.

- Payment of utilities shall be counted as one SSH month for every two months of utilities fully or partially paid.
2. **Shelter Payments:** Temporary shelter expenses help individuals/families who are actually homeless. Such emergency shelter, hotel and motel payments must be clearly earmarked and used for actual shelter expenses. If an individual/family is placed in an emergency shelter/hotel/motel, The successful applicant must immediately work with the individual/family to find permanent affordable housing, so that time in the emergency shelter/hotel/motel is limited and the individual/family is moved into permanent housing within the four-month SSH period.

Individuals/families can only be housed in emergency shelters that have an established per diem rate with the Division of Family Development (DFD), and payments cannot exceed the DFD-approved per diem rates. Individuals should only be placed in motels/hotels that have an agreement with the county to accept DFD rates set in regulation. SSH vendors must coordinate with their local County Social Service Agency (CSSA) to get the state-approved per diem rates each year.

D. **Eligibility Criteria:**

If all of the following criteria are met, an applicant is eligible for SSH, where funds are available:

1. Household members are current New Jersey residents (that is, they are in New Jersey with the intent to remain here)
Applicants may apply for, and be granted, SSH either in the county where they become homeless or in the county where they intend to relocate into affordable housing. The successful applicant must not deny SSH to county residents who intend to move out of the county into affordable housing elsewhere in New Jersey.
2. The household is facing documented imminent or actual homelessness;
3. The household's imminent or actual homelessness is due to circumstances beyond their control;
4. The household lacks the income or resources to resolve the imminent or actual homelessness;
5. The provider is satisfied, prior to granting assistance, that short-term help (four months or fewer) from SSH will resolve the housing emergency and/or enable the family to remain in their home; in other words, the family has the ability to pay their housing costs on their own after SSH benefits stop;
6. If there is an SSI/TANF/GA eligible household member, EA has been applied for and exhausted; and
7. No household member is serving a WFNJ program sanction or six-month EA penalty.

If all of the above criteria are met, and where funds are available, the household is eligible for SSH. No additional eligibility criteria may be imposed.

SSH-TANF Funding Requirements:

Once an applicant is determined to be eligible for SSH, the provider must determine the appropriate funding stream. All SSH applicants must be screened for SSH/TANF eligibility first. SSH-State funds can be used only if the applicant is not eligible for SSH/TANF funds.

The provider must use the SSH/TANF funding stream if:

- A member of the applicant household is a U.S. citizen or an eligible non-citizen under WFNJ rules (see Attachment B); and
- The household income is less than 250% of the federal poverty level (see <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>); and
- There are dependent children under age 18 (or age 18 if the child is enrolled full-time in a secondary education program or the equivalent and expected to graduate before age 19), with a blood or legal relationship to their caregivers, living in the home.

Note: WFNJ/TANF recipients who have exhausted their EA benefits may be eligible for SSH/TANF. This does not include those who are serving a WFNJ program sanction, or a 6-month EA penalty.

A. SSH/State Funding:

If the household does not meet the criteria to receive services through SSH/TANF but all other SSH eligibility criteria are met and funds are available, SSH benefits must be granted using SSH/State funds.

- There are no eligibility requirements for SSH/State related to immigration status. SSH/State funds are available to non-citizens ineligible to receive WFNJ cash assistance due to their immigration status.
- There is no maximum income limit for SSH/State. SSH-eligible individuals include persons whose income makes them ineligible for WFNJ/TANF or General Assistance (GA). (As noted above, however, households must establish that they lack the income and resources to resolve their imminent or actual homelessness.)
- There is no dependent child requirement for SSH/State.

Note: WFNJ/GA recipients who have exhausted their EA benefits and are ineligible for SSH/TANF because they do not have dependent children are eligible for SSH-State if all other SSH criteria are met.

B. Documentation/Verification:

SSH vendors must maintain documentation/verification in the case file to substantiate the household's eligibility as a general practice and for auditing purposes. Case information must be documented in HMIS and supporting documentation/verification must be documented in the case file. Successful applicants may use the attached SSH Eligibility Worksheet template as an aid in evaluating/documenting SSH eligibility but are not required to complete the worksheet in full, or at all, if all relevant household information is documented elsewhere in the case record. All required verification must be included in the case file.

In all SSH cases, providers must document/verify that:

1. Household members are current New Jersey residents applying for SSH either in the county where they became homeless, or in the county where they intend to relocate into affordable housing. A household's statement of New Jersey residency is sufficient;
2. The household is facing imminent or actual homelessness;
3. The household lacks the income and resources to resolve the housing crisis; and

4. If the household receives public assistance, they are not serving a WFNJ sanction or EA penalty. The provider must reach out to the CSSA to confirm this. Successful applicants must obtain a client release of information form and provide to the CSSA when requesting WFNJ related information. A template release form is attached.

In SSH/TANF cases, providers must further document and verify the following:

1. Monthly income below 250% of the federal poverty level for the household size;
 - Calculating monthly income: If there is weekly income, add up the four (4) consecutive paystubs, divide that sum by four (4) and multiply by 4.333. For bi-weekly income, add the two (2) paystubs together, divide by two (2) and multiply by 2.167;
 - Verifying/Documenting monthly income: Examples of income documentation include but are not limited to paycheck stubs, a letter from the employer, business receipts and expenditures, most recent income tax return, a benefits award letter, or a bank letter or statement.
2. At least one dependent child in the household under age 18, or age 18 if the child is enrolled full-time in a secondary education program (or the equivalent) and is expected to graduate before age 19.
 - Verifying/documenting dependent child: Examples of dependent child documentation include but are not limited to birth certificates, baptismal certificates, medical records, legal guardianship papers, adoption papers, court records, school records, income tax returns, or an affidavit from someone outside the household.
 - Verifying/documenting that child(ren) reside with the family: Examples of such residence include but are not limited to a document dated within the past year listing the same residence for the applicant and child, medical records listing address, court records, school records listing address, most recent income tax return, or an affidavit from someone outside the household.
3. U.S. citizenship or eligible non-citizen status; and
4. Social security numbers and birth dates for each adult household member.

C. Data Matching:

To satisfy a federal requirement that each adult applicant granted assistance under SSH/TANF must be matched for earnings, SSH vendors may develop a relationship with their CSSA (or leverage their existing access) to assist with verifying income in LOOPS, DABS and WAGES match for each adult member granted SSH-TANF services and keep the records in the case file. Successful applicants must obtain a client release of information form and provide to the CSSA when requesting income related information. A template release form is attached.

D. Data and Record Management:

1. HMIS: All SSH vendors must input information into HMIS on the following SSH services granted:
 - Shelter (except for Domestic Violence Shelters);
 - Prevention- Rent Payments;
 - Prevention- Mortgage Payments;
 - Prevention- Utility Payments;
 - Prevention- Security Deposit; and

SSH vendors (with the exception of Domestic Violence Shelters) must input SSH recipient information into HMIS within 72 hours of service. Monthly Paper LOS Reports must be submitted for Domestic Violence Shelters using the Monthly Level of Service Report and submitted by the 5th day of the month following the reporting period to hsinvoices@passaiccountynj.org.

Successful applicants must adhere to the following procedures when inputting units into HMIS:

- Emergency Shelter--Each night of emergency shelter must be entered as one unit.
 - Rental Assistance--Each month that rental assistance is granted must be entered as one unit, even if rental assistance was not granted for the full month. Also, if rental assistance is granted for longer than one month, each month must be input as a separate unit—the full term of rental assistance must not be input as one unit.
 - Utility Payments--When entering utility payments into HMIS, SSH vendors must input the actual number of months paid, not the countable number of months for SSH. For example, if eight months of utility bills were paid, eight units should be input into HMIS, not four units (although only four months would be countable for SSH assistance limits).
 - Security Deposits--If SSH funds are used to pay a security deposit, vendors must enter this into HMIS as one unit, even if the security deposit amount is more than one month's rent.
2. Retention of Records: SSH vendors must abide by the retention schedules below:
- Programmatic records on each closed case must be retained for three years after the end of the calendar year in which the benefit was provided; and
 - Fiscal records on closed cases must be retained for seven years after the end of the calendar year in which the benefit was provided.

E. Written Notice and Secondary Reviews:

If the individual/family has provided all required information/documentation, vendors must make a determination within 30 calendar days of the date of application at the latest, and as soon as possible; households who apply for SSH have emergent needs. Households should be promptly notified of any missing documentation and provided with a reasonable amount of time to return it to the provider. SSH vendors must provide applicants with written notification of whether SSH funds were granted, as well as the opportunity for a secondary review of that decision.

- If SSH benefits were not granted, the written notification must include a brief explanation of the reason why.
- The written notification must advise the applicant that if they dispute the decision, they can request a secondary review of the determination by the provider and how to request such review. Secondary reviews must be conducted by a supervisor or equivalent; SSH vendors must ensure that the reviewing supervisor has no conflict of interest with the applicant; that the reviewer's personal interests—family, friendships, financial or social factors—could not compromise their judgment in conducting the review.
- If a secondary review is requested, it must be conducted within five (5) calendar days of the date of the request. The provider must send the requestor a written outcome of the review, whether eligible or ineligible, within seven (7) days of the date of the request. If the applicant is found ineligible, the provider must explain the reasons for finding them ineligible. If the applicant is found eligible, the provider shall immediately process payment following the determination.

F. Confidentiality:

Unless the individual/family completes a consent to release information form, information about recipients of SSH, assistance shall not be used or disclosed for purposes beyond the administration of benefits and related services. The attached standardized client release form provided by DFD must be used, as applicable.

II. Scope of Work

This RFP contains four separate programs. Applicants may apply to provide more than one program or service detailed in this RFP. To apply for multiple programs, applicants only need to complete one full RFP package materials. Applicants should complete a separate Application Package and Annex B or B2 for EACH program for which you are applying. A complete proposal will contain one complete RFP package AND one set of Application Package, and Annex B or B-2 documents for EACH program proposed.

The contract(s) to be awarded for programs utilizing Annex B-2 will be open-end contracts to the fullest extent permitted by law. See, e.g., N.J.A.C. § 5:30-11.2. In addition, and regardless of anything to the contrary, services under the eventual contract(s) to be awarded will be ordered by the County on an “as-needed” basis, in the sole discretion of the County. The County will be permitted to order more or less services than estimated herein without facing any claim from the vendor including but not limited to the following: breach of contract, additional compensation, equitable adjustment, or relief from having to perform. Although the County fully expects to utilize the services of the applicants who are ultimately awarded a contract to the fullest extent, applicants are on notice that the County could conceivably order no units of any one or more items of services, even if the estimates provided for herein for what the County expects to order is substantially higher. Furthermore, applicants are on notice that the County has the right to order more units of any one or more item of services than the estimates provided for herein, to the fullest extent permitted by law, and no less than 50% more than the estimates (hereinafter “Maximum Units”), without having to issue a new solicitation to accommodate the County’s increased demand for services.

If the contract that is ultimately awarded pursuant hereto contains a mix of unit pricing and lump sum pricing, the County reserves the right to characterize either part or all of the contract as “open-end” under the law, including determining whether a lump sum item could be expressed in unit pricing for purposes of securing the benefits to the County of “open-end” treatment.

Funding Availability Summary

Program	SSH Estimated 9-Month Allocation	TANF Estimated 9-Month Allocation	Total Estimated 9-Month Allocation	SSH Estimated 12-Month Allocation	TANF Estimated 12-Month Allocation	Total Estimated 12-Month Allocation
Family Shelter <i>Use Annex B2</i>	\$123,875.00	\$ 44,625.00	\$ 168,500.00	\$ 165,000.00	\$ 59,500.00	\$ 224,500.00
Prevention <i>Use Annex B</i>	\$ 54,040.00	\$ 30,060.00	\$ 84,600.00	\$ 72,643.00	\$ 40,157.00	\$ 112,800.00

Passaic County Department of Human Services is seeking proposals from qualified applicants to provide the following services:

1. Family Shelter: (Annex B-2 Budget Required)

Applicants that are currently under contract with the Department of Human Services for these services or programs described below do not need to reapply under this RFP.

Program	SSH Estimated 9-Month Allocation	TANF Estimated 9-Month Allocation	Total Estimated 9-Month Allocation	SSH Estimated 12-Month Allocation	TANF Estimated 12-Month Allocation	Total Estimated 12-Month Allocation
Family Shelter <i>Use Annex B2</i>	\$123,875.00	\$ 44,625.00	\$ 168,500.00	\$ 165,000.00	\$ 59,500.00	\$ 224,500.00

An estimated 9-month allocation of \$168,500 (\$44,625 TANF Funding and \$123,875 State SSH Funding) will be awarded to up to two entities to provide emergency shelter services for Passaic County's homeless families (12-month estimated allocation is \$224,500 [\$59,500 TANF Funding, and \$165,000 State SSH Funding]). A Family shelter must provide equal access and have the ability to provide shelter services to all eligible families regardless of family composition.

- The facility must be accessible to the population it is intended to serve.
- Preference will be given to entities that can provide other services, (ex. Housing assistance, legal assistance, case management and counseling, and/or provide evidence of collaborative agreement with another entity to provide these services for your target population.
- Preference will be given to an applicant that can provide family shelter where all family members can remain together.

2. Prevention Services: (Annex B Budget Required)

Applicants that are currently under contract with the Department of Human Services for these services or programs described below do not need to reapply under this RFP.

Program	SSH Estimated 9-Month Allocation	TANF Estimated 9-Month Allocation	Total Estimated 9-Month Allocation	SSH Estimated 12-Month Allocation	TANF Estimated 12-Month Allocation	Total Estimated 12-Month Allocation
Prevention <i>Use Annex B</i>	\$ 54,040.00	\$ 30,060.00	\$ 84,600.00	\$ 72,720.00	\$ 40,080.00	\$ 112,800.00

An estimated 9-month allocation of \$84,600 (\$30,060 TANF Funding, and \$54,040 State SSH Funding) will be awarded to up to two entities to provide financial assistance, counseling, and other services to prevent families and individuals from being evicted, losing their homes, or becoming homeless, and to provide for those experiencing homelessness to find both short term, and permanent housing (12-month estimated allocation is \$112,800 [\$40,080 TANF Funding, and \$72,720 State SSH Funding]). This funding will be available as outlined below:

- The facility must be accessible to the population it is intended to serve.
- Entities must provide rental/ security deposit assistance
- Preference will be given to entities that provide utility assistance
- Preference will be given to entities that provide case management to eligible households.

- Preference will be given to at least one entity that can provide these prevention services within the upper Passaic County municipalities including Bloomingdale, Pompton Lakes, Ringwood, Wanaque, Wayne, and West Milford.

III. Deliverables and Requirements for Prevention and Family Shelter Grants Administered by the Passaic County Department of Human Services

Applicants need to submit one (1) original and three (3) complete copies, including one on a flash drive. To apply, please complete **Application Package** documents. The **Application Package** is a separate fillable PDF document downloadable with the RFP materials. Applicants are advised to ensure they have downloaded the RFP, along with **Application Package** and **Annex B** (for Prevention services) and **Annex B-2** (for all other services). Information about completing the **Application Package** and **Annex B** and **Annex B-2** forms can be found on the Department of Human Services website under the heading: “Doing Business with Passaic County” at <https://www.passaiccountynj.org/departments/human-services>.

This RFP contains 5 separate programs. Applicants may apply to provide more than one program or service detailed in this RFP. To apply for multiple programs, applicants may complete one complete set of boiler plate documents, all forms and documents contained on the Request for Proposals Documents Checklist. Applicants must also complete a separate set of **Application Package** documents and **Annex B** (for Prevention Services) **or B-2** (for all other services) documents for each program proposed. A complete proposal will contain one complete set of boilerplate documents, and one set of **Application Package** and **Annex B** (for Prevention Services) **or B-2** (for all other services) documents for **EACH** program proposed.

Instructions and Guidance for Completing Application Narrative and Budget

1. Program Proposal and Narrative: Download and complete the **Application Package** following the instructions and formatting in that document, you may attach additional pages as necessary.
2. Proposed Budget for the project: Download and complete the **Annex B or B-2 forms**. Include the grant dollars associated with this project and other anticipated revenue. If the application is for Prevention Services, the applicant must use the **Annex B Budget form**. If the application is for all other services contained in this RFP, the applicant must use the **Annex B-2 Budget form**. **The Annex B and B-2 Budget forms** are in separate Excel spreadsheets that are downloaded with the RFP materials.

IMPORTANT: When completing the Annex B or Annex B-2, you must complete the BID PROPOSAL tab in the spreadsheet. Please remember that the allocation for the “**Base Agreement**” is the estimated 9-month allocation. The allocation for the “**County Options to Extend Agreement**” is the estimated 12-month allocation. Both of these sections **MUST BE COMPLETED**, or your bid will be **REJECTED**.

Upon award, the Department of Human Services will request a Contract Budget for this award and for each one-year renewal. The Contract Budget may be modified in collaboration with the Department of Human Services to address changes in the level of service, demand for service, and/or based on actual service provided or billed.

3. Table of Organization: Indicating the reporting and supervisory relationships for staff involved in the proposed project as well as the relationship of the program to the overall organization.
4. Board of Director's List: A list containing the names, addresses, and affiliations of the organization's officers and Board of Director members.

5. Attach job descriptions for new or vacant positions and resumes for existing staff who will be working with the proposed program.
6. Supporting documents: Include a copy of all Memoranda of Understanding with other corporations, agencies, or programs referenced in your proposal.

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 Prevention and Family Shelter Grants Administered by the Passaic County Department of Human 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 Prevention and Family Shelter Grants Administered by the Passaic County Department of Human 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 Human Services.

- l. “Project” means the Prevention and Family Shelter Grants Administered by the Passaic County Department of Human 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, 2nd 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.

By typing your signature on the County bid document, you are doing so with the intent to sign your bid submission and consent to the terms of the County's bid specifications pursuant to the Uniformed Electronic Transaction Act.

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 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 current 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 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:

Hashiah Brown, Principal Purchasing Agent

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.

This form must be returned with your bid response regardless of if addenda were issued.

Addenda Number

Date

☐

No addenda were received

Name of Bidder (i.e. Company Name) *(Please Print)*: _____

Signature of Authorized Representative: _____

Name *(Please Print)*: _____

Title *(Please Print)*: _____ **Date:** _____

*Signature is required only if an addendum was issued.

STATEMENT OF OWNERSHIP

*All parts must be carefully reviewed and completed to the extent applicable.
Any material errors or omissions will result in the rejection of a bidder's entire submission.*

PART 1

(Part 1 must be completed by all bidders)

1) Full Legal/Corporate Name of Bidder: _____
(hereafter, "Bidder")

2) Bidder's Entity Type (check one):

Corporation	☐
S Corporation	☐
Limited Liability Company	☐
Partnership	☐
Limited Partnership	☐
Limited Liability Partnership	☐
Sole Proprietorship	☐
Other: _____	☐

3) Does any individual own a 10% or greater interest in the Bidder? (check one):

Yes	☐
No	☐

4) Does any entity own a 10% or greater interest in the Bidder? (check one):

Yes	☐
No	☐

5) Does any individual or entity own a 10% or greater interest in an entity described in Question 4 above? (check one):

Yes	☐
No	☐
Not Applicable	☐

PART 2

(Part 2 must be completed if Bidder is a Corporation, S Corporation, or Limited Liability Company)

Date of Incorporation: _____ **Place of Incorporation:** _____

Business Address: _____

Business Telephone: _____ **Business Fax:** _____

PART 3A

(Part 3A must be completed if you answered "Yes" to Part I, Question 3)

In accordance with N.J.S.A. 52:25-24.2, you must provide the legal names and addresses of **all individuals holding a ten percent (10%) or greater interest in the Bidder** (i.e., of all stockholders in the corporation who own 10 percent or more of its stock, of any class, or of all individual partners in the partnership who own a 10 percent or greater interest therein, or of all members in the limited liability company who own a 10 percent or greater interest therein, as the case may be).

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

(Attach additional sheets if necessary)

PART 3B

(Part 3B must be completed if you answered "Yes" to Part I, Question 4)

In accordance with N.J.S.A. 52:25-24.2, you must provide the legal names and addresses of **all entities holding a ten percent (10%) or greater interest in the Bidder** (i.e., if any stockholder or partner or member holding a ten percent (10%) or greater interest in Bidder is itself a corporation or partnership or limited liability company).

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

Name: _____

Address: _____

(Attach additional sheets if necessary)

PART 3C

(Part 3C must be completed if you answered "Yes" to Part 1, Question 5)

In accordance with N.J.S.A. 52:25-24.2, you must provide the legal names and addresses of **all individuals and entities holding a ten percent (10%) or greater interest in any entity listed in Part 3B hereinabove.**

Name: _____

Address: _____

Name: _____

Address: _____

(Attach additional sheets if necessary)

PART 4

(Part 4 is optional, and may be completed in lieu of Parts 3B and/or 3C with respect to any publicly traded entity that is a direct or indirect parent entity of the Bidder)

To comply with N.J.S.A. 52:25-24.2, a bidder with any direct or indirect parent entity which is publicly traded may submit:

- 1) The name and address of each publicly traded entity and the name and address of each person that holds a 10 percent or greater beneficial interest in the publicly traded entity as of the last annual filing with the federal Securities and Exchange Commission or the foreign equivalent; and
- 2) If there is any person that holds a 10 percent or greater beneficial interest, also shall submit links to the websites containing the last annual filings with the federal Securities and Exchange Commission or the foreign equivalent and the relevant page numbers of the filings that contain the information on each person that holds a 10 percent or greater beneficial interest.

Any response to Part 4 must be provided through separately attached document(s) including all information, website links, and page numbers required by N.J.S.A. 52:25-24.2.

PART 5

(Part 5 must be completed and signed by an individual on behalf of the Bidder)

CERTIFICATION

I, the undersigned, certify that I am authorized to execute this certification on behalf of the Bidder, and that the foregoing information and any attachments hereto, to the best of my knowledge are true and complete. I acknowledge that the County of Passaic ("County") is relying on the information contained herein, and that the Bidder is under a continuing obligation from the date of this certification through the completion of any contract(s) with the County to notify the County in writing of any changes to the information contained herein. I am aware that it is a criminal offense to make a false statement or misrepresentation in this certification. If I do so, I will be subject to criminal prosecution under the law, and it will constitute a material breach permitting the County to declare any contract(s) resulting from this certification void and unenforceable.

Signature: _____ **Date:** _____

Name (please print): _____

Title: (please print): _____

BID PROPOSAL

Proposals showing any erasure or alteration must be initialed by the Proposer in ink. Altered items not initialed will not be considered for award.

Name of Bidder (i.e. Company Name) *(Please Print):* _____

submits the following proposal for the

Prevention and Family Shelter Grants Administered by the Passaic County Department of Human Services

RFP-26-038

Contract Period: Commence Upon Award of Contract through June 30, 2027 with Three (3) One-Year Options Contingent on the Availability of Funds and Performance

To the Passaic County Board of County Commissioners:

The undersigned hereby declares that they have carefully examined the Request for Proposals and all documents comprising this solicitation, and that they will contract to furnish and perform the services described therein in accordance with the Bid Proposal Page and supporting budgets and/or rates included in Annex B and/or Annex B-2 of this proposal. **(PLEASE BE SURE TO COMPLETE ALL TABS ON THE ANNEX B AND/OR ANNEX B-2.)**

I certify that the cost data used to prepare this contract budget is accurate, complete, current, and consistent with the procedures and requirements established by the Passaic County Department of Human Services. I further certify that I am authorized to submit this proposal on behalf of the Proposer and to bind the Proposer to its terms.

Name of Bidder (i.e. Company Name) *(Please Print):* _____

Signature of Authorized Representative: _____

Name *(Please Print):* _____

Title *(Please Print):* _____ **Date:** _____

STANDARD QUESTIONNAIRE

Name of Bidder (i.e. Company Name) : _____

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:

Name of Owner	
Project Manager	
Project Manager Phone #	
Project Type	
Project Location	
Amount of Contract	\$
Date of Completion	

Name of Owner	
Project Manager	
Project Manager Phone #	
Project Type	
Project Location	
Amount of Contract	\$
Date of Completion	

Name of Owner	
Project Manager	
Project Manager Phone #	
Project Type	
Project Location	
Amount of Contract	\$
Date of Completion	

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/Officer** _____

Description of Activities _____

Duration of Engagement _____ **Anticipated Cessation Date** _____

Bidder/Officer
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 (i.e. Company Name) (Please Print): _____

Signature of Authorized Representative: _____

Name (Please Print): _____

Title (Please Print): _____ **Date:** _____

CERTIFICATION OF NON-INVOLVEMENT IN PROHIBITED ACTIVITIES IN RUSSIA OR BELARUS

Pursuant to N.J.S.A. 52:32-60.1, et seq. ([L. 2022, c. 3](#)) any person or entity (hereinafter “Vendor”) that seeks to enter into or renew a contract with a State agency, including a local government agency, for the provision of goods or services, or the purchase of bonds or other obligations, must complete the certification below indicating whether or not the Vendor is identified on the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, available here: <https://sanctionssearch.ofac.treas.gov/>. If the County of Passaic finds that a Vendor has made a certification in violation of the law, it shall take any action as may be appropriate and provided by law, rule or contract, including but not limited to, imposing sanctions, seeking compliance, recovering damages, declaring the party in default and seeking debarment or suspension of the party.

CERTIFICATION

I, the undersigned, certify that I have read the definition of “Vendor” below, and have reviewed the Office of Foreign Assets Control (OFAC) Specially Designated Nationals and Blocked Persons list, and having done so certify:

(Check the Appropriate Box)

- ☐ **A.** That the Vendor is not identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus.](#)
- OR**
- ☐ **B.** That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list on account of activity related to Russia and/or Belarus.](#)
- OR**
- ☐ **C.** That I am unable to certify as to “A” above, because the Vendor is identified on the [OFAC Specially Designated Nationals and Blocked Persons list](#). However, the Vendor is engaged in activity related to Russia and/or Belarus consistent with federal law, regulation, license or exemption. A detailed description of how the Vendor’s activity related to Russia and/or Belarus is consistent with federal law is set forth below.

(Attach Additional Sheets if Necessary.)

Signature of Vendor’s Authorized Representative	Date
Print Name and Title of Vendor’s Authorized Representative	Vendor’s FEIN,EIN, or FTIN
Vendor’s Name (i.e. Company Name)	Vendor’s Phone Number
Vendor’s Address (Street Address)	Vendor’s Fax Number
Vendor’s Address (City/State/Zip Code)	Vendor’s Email Address

Definitions:

Vendor means: (1) A natural person, corporation, company, limited partnership, limited liability partnership, limited liability company, business association, sole proprietorship, joint venture, partnership, society, trust, or any other nongovernmental entity, organization, or group; (2) Any governmental entity or instrumentality of a government, including a multilateral development institution, as defined in Section 1701(c)(3) of the International Financial Institutions Act, 22 U.S.C. 262r(c)(3); or (3) Any parent, successor, subunit, direct or indirect subsidiary, or any entity under common ownership or control with, any entity described in paragraph (1) or (2)

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 **Prevention and Family Shelter Grants Administered by the Passaic County Department of Human 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 (i.e. Company Name) (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

MBE/WBE PROGRAM CERTIFICATION FORM

Pursuant to N.J.S.A. 40A:11-42, et seq., 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 Program. The County of Passaic ("County") created the Set-Aside and Joint Venture Program to promote economic inclusion and ensure the County's procurement practices advance equal opportunities for all willing and able businesses.

Minority Business Enterprise (MBE)

Pursuant to N.J.S.A. 40A:11-41(d), a qualified minority business enterprise is a business which has its principal place of business in the State of New Jersey, is independently owned and operated, is at least 51 percent owned and controlled by minority group members and is qualified pursuant to N.J.S.A. 40A:11-25. Minority group members are persons who are black, Hispanic, Portuguese, Asian-American, American Indian or Alaskan natives, as defined under N.J.S.A. 40A:11-41(b).

Women's Business Enterprise (WBE)

Pursuant to N.J.S.A. 40A:11-41(c), a qualified women's business enterprise is a business which has its principal place of business in the State of New Jersey, is independently owned and operated, is at least 51 percent owned and controlled by women and is qualified pursuant to N.J.S.A. 40A:11-25.

Section I. Please select the appropriate box below:

- ☐ Qualified Minority Business Enterprise (MBE).
- ☐ Qualified Women Business Enterprise (WBE).
- ☐ Qualified Minority Business Enterprise and Women Business Enterprise (MWBE).
- ☐ None of the above.

Section II. If your business is a qualified MBE, WBE or MWBE, please provide a Certificate issued by the State of New Jersey and complete this Section.

1. I hereby certify my business is a qualified MBE, WBE or MWBE, as evidenced by the enclosed Certificate issued by the State of New Jersey. I understand the County may reject my bid for failure to provide an MBE, WBE or MWBE Certificate prior to an award of contract.
2. I understand qualification for the County of Passaic's Minority Business Enterprise and Women Business Enterprise Set-Aside and Joint Venture Program is subject to audit.
3. I understand the terms of the County's Set-Aside and Joint Venture Program, as stated in Resolution No. R20210933, attached hereto as **Appendix A**.
4. I understand if the County determines a vendor has been classified as a qualified MBE, WBE or MWBE based on false information knowingly supplied by the vendor and the vendor has been awarded a contract to which it would not otherwise have been entitled to under N.J.S.A. 40A:11-41, et seq., the County may do all or any of the following in accordance with the requirements set forth in N.J.S.A. 40A:11-47:

- a. Assess against the vendor any difference between the contract and what the County's cost would have been if the contract had not been awarded to the vendor;
- b. In addition to the amount due under section a., assess against the vendor a penalty in an amount of not more than 10% of the amount of the contract involved; and
- c. Order the business ineligible to transact any business with the County of Passaic for a period to be determined by the County.

Name of Bidder (i.e. Company Name) *(Please Print)*: _____

Signature of Authorized Representative: _____

Name *(Please Print)*: _____

Title *(Please Print)*: _____ **Date:** _____

FORM W-9, DEPARTMENT OF THE TREASURER INTERNAL REVENUE SERVICE

W-9 Form (Rev. March 2024) Department of the Treasury Internal Revenue Service	Request for Taxpayer Identification Number and Certification Go to www.irs.gov/FormW9 for instructions and the latest information.	Give form to the requester. Do not send to the IRS.
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Before you begin. For guidance related to the purpose of Form W-9, see *Purpose of Form*, below.

Print or type. See Specific Instructions on page 8.	1 Name of entity/individual. An entry is required. (For a sole proprietor or disregarded entity, enter the owner's name on line 1, and enter the business/disregarded entity's name on line 2.)		
	2 Business name/disregarded entity name, if different from above.		
	3a Check the appropriate box for federal tax classification of the entity/individual whose name is entered on line 1. Check only one of the following seven boxes. ☐ Individual/sole proprietor ☐ C corporation ☐ S corporation ☐ Partnership ☐ Trust/estate ☐ LLC. Enter the tax classification (C = C corporation, S = S corporation, P = Partnership) _____ Note: Check the "LLC" box above and, in the entry space, enter the appropriate code (C, S, or P) for the tax classification of the LLC, unless it is a disregarded entity. A disregarded entity should instead check the appropriate box for the tax classification of its owner. ☐ Other (see instructions) _____		4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from Foreign Account Tax Compliance Act (FATCA) reporting code (if any) _____ (Applies to accounts maintained outside the United States.)
	3b If on line 3a you checked "Partnership" or "Trust/estate," or checked "LLC" and entered "P" as its tax classification, and you are providing this form to a partnership, trust, or estate in which you have an ownership interest, check this box if you have any foreign partners, owners, or beneficiaries. See instructions _____ ☐		
	5 Address (number, street, and apt. or suite no.). See instructions.		Requester's name and address (optional)
	6 City, state, and ZIP code		
	7 List account number(s) here (optional)		

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. See also *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number									
				-					
OR									
Employer identification number									
				-					

Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and, generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person	Date

General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

What's New

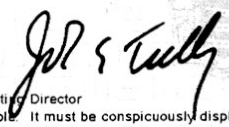
Line 3a has been modified to clarify how a disregarded entity completes this line. An LLC that is a disregarded entity should check the appropriate box for the tax classification of its owner. Otherwise, it should check the "LLC" box and enter its appropriate tax classification.

New line 3b has been added to this form. A flow-through entity is required to complete this line to indicate that it has direct or indirect foreign partners, owners, or beneficiaries when it provides the Form W-9 to another flow-through entity in which it has an ownership interest. This change is intended to provide a flow-through entity with information regarding the status of its indirect foreign partners, owners, or beneficiaries, so that it can satisfy any applicable reporting requirements. For example, a partnership that has any indirect foreign partners may be required to complete Schedules K-2 and K-3. See the Partnership Instructions for Schedules K-2 and K-3 (Form 1065).

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS is giving you this form because they

SAMPLE NEW JERSEY BUSINESS REGISTRATION CERTIFICATE

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE		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:		
FORM-BRC(08-01)	This Certificate is NOT assignable or transferable. It must be conspicuously displayed at above address.	

STATE OF NEW JERSEY BUSINESS REGISTRATION CERTIFICATE	
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	

APPENDIX A

MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE SET-ASIDE AND JOINT VENTURE PROGRAM FOR THE COUNTY OF PASSAIC

Res-Pg:o.24-1

County of Passaic Board of County Commissioners

OFFICE OF COUNTY COMMISSIONERS

Director Pasquale "Pat" Lepore
Deputy Director Bruce James
Assad R. Akhter
John W. Bartlett
Theodore O. Best, Jr.
Terry Duffy
Cassandra "Sandi" Lazzara

401 Grand Street
Paterson, New Jersey 07505
Tel: 973-881-4402
Fax: 973-742-3746

Anthony J. De Nova III

Administrator

Matthew P. Jordan, Esq.

County Counsel

Louis E. Imhof, III, RMC

Clerk Of The Board



Public Meeting (Board Meeting)

Date: Oct 26, 2021 - 5:30 PM

Location: County Administration Building
220
401 Grand Street
Paterson, NJ 07601

Agenda: RESOLUTION ESTABLISHING A MINORITY BUSINESS ENTERPRISE AND WOMEN BUSINESS ENTERPRISE SET-ASIDE AND JOINT VENTURE PROGRAM FOR THE COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:11-42 ET SEQ., ALL AS NOTED IN THE RESOLUTION.

THIS RESOLUTION WAS REQUESTED BY:

REVIEWED BY:

Anthony J. De Nova III
COUNTY ADMINISTRATOR

APPROVED AS TO FORM AND LEGALITY:

Matthew P. Jordan, Esq.
COUNTY COUNSEL

Administration and Finance
COMMITTEE NAME

Official Resolution#		R20210933							
Meeting Date		10/26/2021							
Introduced Date		10/26/2021							
Adopted Date		10/26/2021							
Agenda Item		o-24							
CAF #									
Purchase Req. #									
Result		Adopted							
COMMISSIONER		PRES.	ABS.	MOVE	SEC	AYE	NAY	ABST.	RECU.
Lepore		✓				✓			
James		✓		✓		✓			
Akhter		✓				✓			
Bartlett		✓				✓			
Best Jr.		✓				✓			
Duffy		✓				✓			
Lazzara		✓			✓	✓			

PRES.= present ABS.= absent
MOVE= moved SEC= seconded
AYE= yes NAY= no ABST.= abstain
RECU.= recuse

Dated: October 27, 2021

Res-Pg:o.24-2

**RESOLUTION ESTABLISHING A MINORITY BUSINESS ENTERPRISE AND WOMEN
BUSINESS ENTERPRISE SET-ASIDE AND JOINT VENTURE PROGRAM FOR THE
COUNTY OF PASSAIC, PURSUANT TO N.J.S.A. 40A:11-42 ET SEQ.**

WHEREAS, the County of Passaic (hereafter "County") is a body politic and corporate pursuant to N.J.S.A. 40:18-1 and vested with all rights contained therein; and

WHEREAS, pursuant to N.J.S.A. 40:20-1 the Board of County Commissioners of the County of Passaic (hereafter "Board") is vested with managing the property, finances, and affairs of the County; and

WHEREAS, the Board desires to affirm their commitment to economic inclusion and wishes to ensure that the County's business practices promote equal opportunities to compete for all willing and able businesses eligible to contract with the County for construction, architecture, engineering, and other professional services, and for the procurement of other goods and services; and

WHEREAS, the Board has been analyzing the County's procurement practices and policies and closely monitoring contracts with Minority Business Enterprise (hereafter "MBE") and Women Business Enterprise (hereafter "WBE") vendors and has determined the best course of action is to establish a formalized set-aside program, pursuant to N.J.S.A. 40A:11-42; and

WHEREAS, pursuant to N.J.S.A. 40A:11-41, a MBE is a business that is at least 51 percent owned by minority group members and has its principal place of business in New Jersey, a WBE is a business that is at least 51 percent owned by women and has its principal place of business in New Jersey; and

WHEREAS, the cities of Atlanta, New York, the District of Columbia, the County of Essex, the County of Hudson, and the County of Bergen and a number of other counties and municipalities have had success in increasing MBE and WBE contract participation and utilization through Joint Ventures in the procurement process; and

WHEREAS, in December of 2016, the Minority Business Development Agency of the United States Department of Commerce developed a report looking at practices within NJ and throughout the country entitled, "Contracting Barriers and Factors Affecting Minority Business Enterprises", finding that "both discriminatory and non-discriminatory actions lead to a contracting disparity for MBEs;" and

WHEREAS, pursuant to N.J.S.A. 40A:11-42, the Board is empowered to enact, by Resolution, a set-aside program to attract the participation of qualified MBEs and WBEs; and

WHEREAS, the Board has determined that a Minority Business Enterprise and Women Business Enterprise Set-Aside and Joint-Venture program will best support and affirm the County's commitment for greater economic inclusion for all residents of the County.

WHEREAS, this matter was discussed at the September 29, 2021 meeting of the Administration and Finance Committee and is being recommended to the Board for approval; and

NOW THEREFORE LET IT BE RESOLVED, that pursuant to N.J.S.A. 40A:11-42 et seq., the Board of County Commissioners of the County of Passaic hereby authorize the County Administrator to Amend the Administrative Code of the County of Passaic to establish a Minority Business Enterprise and Women Business Enterprise Set-Aside and Joint-Venture program as follows:

Section 1. Definitions.

"Set-Aside" has the same meaning as set forth in N.J.S.A. 40A:11-41 as "(1) a contract for goods, equipment, construction, or services which is designated as a contract for which bids are invited and accepted only from qualified minority business enterprises or qualified women's business enterprises, as appropriate, (2) a portion of a contract when that portion has been so designated, or (3) any other purchase or procurement so designated. "

"Contract" shall mean any agreement, including but not limited to a purchase order or a formal agreement which is legally binding relationship enforceable by law, between a vendor who agrees to provide or perform goods or services and the County of Passaic which agrees to compensate a vendor as defined by and subject to the terms and conditions of the agreement. A

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Res-Pg:o.24-3

contract may include an arrangement whereby a vendor compensates a contracting unit for the vendor's right to perform a service, such as, but not limited to, operating a concession.

"Joint Venture" shall mean an association of one or more Minority Business Enterprise or Women Business Enterprise in combination with one or more non-MBE/WBE business enterprise, proposing to perform as a single for-profit enterprise, in which each Joint Venture partner contributes property, capital, efforts, skill and knowledge. Joint Ventures must have an agreement in writing specifying the terms and conditions of the relationship between the partners and their respective roles in the contract. The County is to issue payment for services to Joint Ventures on checks to be endorsed by each partner of the enterprise; and,

"Goods and Nonprofessional Services" shall mean such goods and services from vendors typically procured through the County's straight bid process pursuant to N.J.S.A. 40A:11-4.

"Professional Services" shall mean services rendered or performed by a person authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study as distinguished from general academic instruction or apprenticeship and training. Professional services may also mean services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor.

Section 2. Goals.

For the fiscal year beginning on January 1, 2022, and for every year thereafter, goals are hereby established for qualified business participation and shall be obtained, unless prohibited by any Federal, State or local law, for any contract advertised, or if not advertised after the effective date of this section, the MBE/WBE Set-aside and Joint Venture program created herein shall have the goals of contracts awarded as set forth below, and shall serve as the initial goals for the County of Passaic to pursue. At any time, the Board of County Commissioners of the County of Passaic may, at their discretion, revise the goals established herein by subsequent resolution.

(a) For Goods and Nonprofessional Services, the initial goals are as follows:

- (1) WBE: Ten percent (10%) total average "spend" on contracts for Nonprofessional Services awarded to WBEs and with the goal to increase same to twenty percent (20%) by 2024 by way of set-asides.
- (2) MBE: Ten percent (10%) total average "spend" on contracts for Nonprofessional Services awarded to MBEs and with the goal to increase same to twenty percent (20%) by 2024 by way of set-asides.

(b) For Professional Services, the initial goals are as follows:

- (1) WBE: Ten percent (10%) total average "spend" on contracts for Professional Services awarded to WBEs and with the goal to increase same to twenty percent (20%) by 2024 by way of set-asides.
- (2) MBE: Ten percent (10%) total average "spend" on contracts for Professional Services awarded to MBEs and with the goal to increase same to twenty percent (20%) by 2024 by way of set-asides.

(c) For Construction Contracts, the initial goals are as follows:

- (1) WBE: Ten percent (10%) total average "spend" on Construction contracts awarded to WBEs and increasing same to twenty percent (20%) by 2024 by way of set-asides or Joint Venture.
- (2) MBE: Ten percent (10%) total average "spend" on Construction contracts awarded to MBEs and increasing same to twenty percent (20%) by 2024 by way of set-asides or Joint Venture.

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The above stated percentages relate to the total dollar value of all County contracting departments and contracting agencies to be set aside for qualified businesses, as appropriate, as goals for County departments and contracting agencies to achieve by the end of each year.

Section 3. Duties of the Purchasing Agent

(a) The County will pay by reimbursement the \$100 certification fee for first-time registrants who wish to become certified as WBEs or MBEs, in accordance with procedures adopted by the Purchasing Agent.

(b) The Purchasing Agent may forego awarding a contract pursuant to this section, under the following conditions: (i) an emergency exists, as a specific, documented and definable danger to public health, safety or welfare; (ii) where an eligible MBE or WBE Joint Venture or set-aside is determined by the Purchasing Agent to be unqualified or ineligible to perform the contract; (iii) where the Purchasing Agent determines that two (2) bids from qualified MBE, WBE, or a qualified Joint Venture cannot be obtained pursuant to N.J.S.A. 40A:11-46(a); or (iv) where the Purchasing Agent determines that the acceptance of the lowest responsible bid will result in the payment of an unreasonable price pursuant to N.J.S.A. 40A:11-46(b).

(c) For the purposes of Joint Ventures the bonding requirement for any contract awarded the joint entity formed, for purposes of complying with this Resolution, shall be the liability of the entity formed to satisfy same; and

(d) For all contracts advertised after the effective date of this section, the Purchasing Agent shall make a good faith effort to attain the goals established by the Board of County Commissioners of the County of Passaic pursuant to this Resolution.

(e) The policies set forth in this Resolution shall not apply to any contract to the extent that the requirements imposed by this section are inconsistent with procedures or standards required by any law or regulation of the United States or the State of New Jersey to the extent such inconsistency is not permitted under law or the home rule powers of the County, and,

Section 4. Joint Venture Requirements

(a) As a condition of being awarded a contract under this Resolution, the eligible MBE or WBE joint venture or set-aside shall continue to meet the definition and satisfy the criteria of an eligible joint venture or set-aside during the term of the contract for which the bid incentive was awarded.

(b) The joint venture contract awardee shall maintain accurate and detailed books and records necessary to monitor compliance with this section and shall submit such reports as required by the Purchasing Agent, his/her designee or the Board of County Commissioners of the County of Passaic.

Section 5. Certification & Compliance Officer

(a) The Purchasing Agent in collaboration with the County Administrator shall be required to adopt policy, rules and regulations for the proper administration and enforcement of the policy set forth in this Resolution. The policy, rules and regulations to be adopted, shall include training opportunities, outreach, compliance and enforcement measures to assess the accurate representation of MBE and WBE structure, including, but not limited to the establishing of a Certification & Compliance Officer within the Division of Purchasing to ensure compliance with this Resolution and to assess the Set-aside company and/or Joint Venture's Board of Directors composition.

(b) The role of the Certification & Compliance Officer shall be as follows:

- (1) Maintain a list of eligible businesses; consult with the Purchasing Agent, and the County Administration to determine which County contracts should be set aside for participation herein; oversee outreach to qualified business enterprises; and to oversee and co-ordinate seminars for qualified businesses enterprise to expand the number of qualified business eligible to participate in this set-aside program.

Introduced on: October 26, 2021
Adopted on: October 26, 2021
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- (2) Maintain a listing of qualified businesses in the Passaic County area for use by the County's Departments and Officers.
- (3) Pursuant to N.J.S.A. 40A:11-48, submit annual written reports to the County Administrator indicating the good faith effort made by the County's contracting agencies to attain the set-aside goals. The reports shall be submitted to the Board of County Commissioners of the County of Passaic setting forth the previous annual activity. The County shall publish a list of the County's contracting agencies' attainments (goals) for the immediately preceding year, in two newspapers circulating in the County, by March 1 of each year.
- (4) Have access to all records and files of all County departments related to construction, goods and services contracts in order to monitor and review compliance.
- (5) Classify each business according to contract types in which the business represents itself to have capabilities, such a list shall be shared with all Departments, Agencies, and Divisions within the County.
- (6) Survey businesses placed on the solicitation list to determine their past and current participation in County contracts. The results may be used to ascertain the Department's good faith efforts to attain the goals as established by the County.

Section 6. Effective Date

The policies set forth herein shall take effect on January 1, 2022.

KJB

October 26, 2021

Introduced on: October 26, 2021
Adopted on: October 26, 2021
Official Resolution#: R20210933