

COMPETITIVE INTERGRATED EMPLOYMENT
Notice of Grant Opportunity – FY 2024
New Jersey Department of Labor and Workforce Development
Notice of Availability of Grant Program Fund

Take Notice that, in compliance with N.J.S.A. 52:14-34.4 et seq., the New Jersey Department of Labor and Workforce Development (hereinafter “the Department” or “NJDOLE”) regularly publishes on its website all notices of fund availability pertaining to federal or state grant funds, which may be awarded by the Department. The notices of fund availability may be found on the Department’s website under the heading “Research & Information” and the subheading “Grant Opportunities” - <https://www.nj.gov/labor/research-info/grants.shtml>.

A. NAME OF GRANT PROGRAM

The New Jersey Competitive Integrated Employment Grant Program (NJCIE).

B. PURPOSE FOR WHICH THE FUNDS WILL BE USED

Grant funds will be awarded to successful applicants responding to this competitive Notice of Grant Opportunity (NGO). The purpose of the NJCIE program is to provide an opportunity for community rehabilitation providers to strengthen organizational capacity and pilot innovative employment and training services for people with disabilities that are intended to lead to competitive integrated employment.

Goals of CIE Program

This competitive NGO is being made available to accomplish the following goals:

Goal 1. Strengthen provider staff capacity and infrastructure to support competitive integrated employment in the state’s workforce system.

Goal 2. Promote relevant and effective skills training that will prepare people with disabilities for competitive integrated employment.

Goal 3. Implement new innovative strategies to strengthen access to and enhance community integrated work experiences for people with disabilities.

Goal 4. Increase the number of people with disabilities entering in and maintaining competitive integrated employment.

Goal 5. Identify viable alternative program models to reduce the organizational reliance on subminimum wage employment in NJ.

Key Activities

This competitive NGO is being made available to ensure that the grantees accomplish the following activities:

- Participate in NJCIE Grant Program baseline assessment of CIE and the program evaluation
- Implement CIE related staff capacity building
- Pilot a CIE focused alternative service delivery strategy (which must include employment and training services).

C. AVAILABLE FUNDING

The amount of funding available for this program in Fiscal Year 2024 (FY24) is estimated to be \$3,680,000 for a 2-year program, contingent upon available funding and the quality of applications. The estimated range of awards per grantee is: \$160,000 to \$550,000. Estimated Number of Awards: 8. The grant period is estimated to begin June 24, 2024, and end June 23, 2026.

Note: The Department is not bound by any estimates in this notice.

Note: Grantees are expected to complete at least monthly drawdowns of expenditures.

The applicant's budget must be detailed and itemized for the implementation of the program. Final amounts will be determined at the time of pre-contract revisions. Ineligible, inappropriate, or undocumented costs will be removed from the funding request.

Funds may only be used to support services that are specific to this award; hence, this funding may not be used to supplant or duplicate existing funding streams. Actual funding levels will depend on the availability of funds and prior satisfactory performance.

Failure to meet performance goals and expend funds will impact future grant opportunities. NJDOL reserves the right to rescind any unspent funds.

NJDOL also reserves the right to use this solicitation and competition to extend contracts of successful applicants, contingent upon available funding.

D. ELIGIBLE APPLICANTS

Community Rehabilitation Programs (CRP) that are currently approved vendors through DVRS are eligible to apply for NJCIE Program funding. These programs provide or facilitate the provision of one or more vocational rehabilitation services to individuals with disabilities. Applicants must have the capacity to operate this program for the full duration of the grant period and must be in good standing with NJDOL's Division of Employer Accounts.

E. PARTICIPANTS TO BE PROVIDED SERVICES

In accordance with program requirements, each grantee is expected to serve a minimum of 10 participants with a maximum of \$28,000 per person costs.

Participants must meet the following eligibility requirements:

- Resident of New Jersey with a disability who meets the program eligibility requirements of the applying Community Rehabilitation Programs.
- Willingness to complete identified training and obtain competitive integrated employment.
- Meets the definition of a qualified disadvantaged worker or qualified employed worker.
 - "Qualified disadvantaged worker" means a worker who is not a qualified displaced worker or a qualified employed worker, but otherwise meets the following criteria:
 - a. Is unemployed;
 - b. Is working part-time and actively seeking full-time work or is working full-time but is earning wages substantially below the median salary for others in the labor force with similar qualifications and experience; or

c. Is certified by the Department of Human Services as:

- (1) Currently receiving public assistance;
- (2) Having been recently removed from the public assistance rolls because of gross income exceeding the grant standard for assistance; or
- (3) Being eligible for public assistance but not receiving the assistance because of a failure to apply for it.

F. GRANTEE RESPONSIBILITIES

Specific duties include, but are not limited to:

BASELINE ASSESSMENT AND PROGRAM EVALUATION

- Provider participation in a baseline assessment of NJCIE landscape as well as all follow up activities outlined in the NJCIE evaluation research plan throughout the grant period.

CIE RELATED STAFF CAPACITY BUILDING

- Provider selected staff capacity building/training related to evidence-based services to enhance community integrated employment and work experiences for people with disabilities.

PILOT OF A CIE FOCUSED ALTERNATIVE SERVICE

- Implementation of an alternative service delivery strategy. Example alternative models include expanded supported employment service, pilot employment hybrid program, time limited pre-vocational services, program redesign initiatives, enhanced programming for youth, redesign of day and mental health programs to include exposure and education related to CIE. The employment and training services imbedded in the alternative service delivery model must include either counseling pursuant to [NJ Rev Stat § 34:15D-7 \(2019\)](#); occupational training; or remedial instruction.
- Recruit and enroll (new/current) participants in the NJCIE service.
- Ensure CIE required program documentation is obtained and placed in a participant file and that a copy of the documentation is made available to the NJCIE oversight staff and the evaluation team upon request.
- The alternative strategy must be implemented for a minimum of 12 months; unless a grantee is eligible for and proposes to implement the 14(c) Certificate Holders Option described below:
 - Additional 14(c) Certificate Holders Option: Providers who are 14(c) Certificate Holders have the option of partnering with the NJCIE program technical assistance lead in the development of a business sustainability plan to reduce organizational reliance on sub- minimum wage. Providers who select this option will be required to provide a copy of the sustainability plan to the NJCIE Program Administrator.

Providers that receive this technical assistance and develop a business sustainability plan will only be required to implement alternative service delivery for 9 months.

G. PROGRAM OUTCOMES

Grantees are expected to attain the following outcomes during the funding period:

- Completion of the baseline assessment tool and program evaluation activities.
- Staff completion of capacity building/training related to implementation of the alternative service delivery pilot initiative. (Must at least include staff listed in the Organizational and Staff Capacity section of the proposal but may also include additional staff as needed to support implementation).
- Experience in implementing an alternative service delivery model that promotes competitive integrated employment.
- Receipt of technical assistance and development and implementation business sustainability plans that are not reliant on subminimum wage [14(c) certificate holders only].
- Successful competitive integrated employment job placements for people with disabilities in NJ.

H. PROCEDURES TO APPLY FOR GRANT FUNDS

The grantee serves as the applicant agency of record, the legally recognized fiscal agent for the grant project, and the single point of contact for NJDOL. The grantee will be expected to coordinate all aspects of the grant (i.e., project and spending plan; grant project monitoring and reporting; outreach and recruitment; and fiscal management).

It is essential that the applicant carefully construct result-oriented goals and objectives, together with the program description and budget, providing a comprehensive plan for the successful accomplishment of the program. All applicants are considered new applicants for this funding cycle, and will be evaluated based on quality, comprehensiveness, completeness, accuracy, and appropriateness of response to the NGO.

I. APPLICATION SUBMISSION PROCESS

Successful proposals must be responsive to the NGO and meet all technical capacity and fiscal viability requirements as described. Applicants must determine who will serve as the Authorized Official (AO) for this grant application. The AO may delegate completion of the application to others but should be aware that responsibility for the contract remains with the AO for the life of the grant.

The AO must:

- Be authorized to enter into a contractual agreement on behalf of the company.
- Read and understand the FY2024 Notice of Grant Opportunity (NGO).
- Ensure that the organization completes and submits the letter of intent, registers, and attends the mandatory technical assistance session and completes and submits the application timely.

Proposal Deadlines

Please adhere to deadlines dates noted below:

<u>Letter of Intent Due</u>	<u>Technical Assistance Session</u>	<u>Application Due</u>	<u>Notification</u>
April 8, 2024 by 5PM	April 12, 2024 10AM	May 13, 2024 by 5PM	May 31, 2024

Letter of Intent

Applicants interested in applying for the NJCIE grant **must** submit a LOI to express interest in the grant opportunity. This notification allows NJDOL to have sufficient resources in place to carefully review each proposal and to obtain access to the application in IGX. Applicants **must** complete, sign, and submit a letter of intent as soon as the applicant is interested in applying for the grant opportunity. A sample LOI can be found in Attachment A. The completed and signed LOI **must** be emailed as an attachment to NJCompetitiveIntegratedEmployment@dol.nj.gov by **April 8, 2024, by 5PM.**

Mandatory Technical Assistance Session

NJDOL will provide a mandatory technical assistance (TA) session via Microsoft Teams to potential applicants on **April 12, 2024, at 10AM.** General guidance on completing the required documents and budget forms will be provided. It is important that both the AO and Fiscal Officer attend this session. **A link for the mandatory technical assistance session will be provided by e-mail upon receipt of the letter of intent. Please submit an accommodation request if needed for participation to NJCompetitiveIntegratedEmployment@dol.nj.gov.**

Application Submission

The responsibility for a timely submission rests with the applicant. NJDOL must receive a completed application emailed no later than **5:00 pm on May 13, 2024, to NJCompetitiveIntegratedEmployment@dol.nj.gov.** **NJDOL will not accept and cannot evaluate for funding consideration an incomplete application, or one received after this deadline.**

Date of Applicant Notification

All applications are subject to the NJDOL review and final approval by the Commissioner of the NJDOL. It is anticipated that the successful proposal will be notified by May 31, 2024.

J. AWARD PROCESS

To be eligible for funding, the applicant must have satisfactorily completed the required elements of the NGO. NJDOL reserves the right to reject any and all applications when circumstances indicate that it is in its best interest to do so. NJDOL's best interests in this context include, but are not limited to, loss of funding; inability of the applicant to provide adequate services; indication of misrepresentation of information and/or non-compliance with State and Federal laws and regulations; and/or any existing NJDOL contracts and procedures.

Panel Review Process - All applications are subject to a department panel review and final approval by the Commissioner of the New Jersey Department of Labor. The panel review date is expected to occur per proposal deadline dates above. Within 10 business days following the panel review date, applicants will be notified of the status of their application and any requested revisions. Upon completion of all requested revisions and re-submission of completed applications with the required timelines, applicants will be notified of the final determination of their application.

K. REPORTING AND ON-SITE TECHNICAL ASSISTANCE VISITS

Grant recipients are required to maintain progress data and submit monthly program and fiscal reports documenting grant-related activities by the 15th of every month, starting July 15, 2024. The reports will be reviewed to ascertain the grantee's progress within the scope of work and its conformance with program regulations and enabling legislation.

The format of the monthly reports is determined by NJDOL, and the report form will be provided with the contract.

Monthly financial reports (expenditures, profits, and loss statements, etc.) must be submitted as required in the contract and are due no later than the 15th of each month unless prior approval is provided.

In addition, they must contain the following:

- Status of all expenditures listed in the budget detail and the amount expended each month along with supporting documents; and
- A State of New Jersey payment voucher submission for expenditures incurred during the month.

In addition to the above monthly reports, quarterly performance reports are required.

All programs will receive a minimum of one on-site technical assistance visit. The purpose of the visit will be to assess progress toward the program goals and objectives, and integrity of the program model. Grantees may be required to submit additional reports as requested by NJDOL.

L. PROPOSAL CONTENT AND CHECKLIST

To ensure consistency and fairness of evaluation, NJDOL requires that each applicant seeking funding under this grant program submit an application that includes, at a minimum, the components listed below. It is important to note that failure to submit the required documentation may result in the application being removed from consideration for funding. Standard Assurances and Certification and General Provisions – By submitting the application, the applicant implicitly agrees to the terms and conditions as outlined in the “Standard Assurances and Certification and General Provisions”. (see Attachment C).”

A description of each component is listed in this section, after the checklist.

The Program Narrative must be produced using the following formatting requirements:

- Font – Times New Roman, 12 points.
- Spacing – double spaced.
- Margins – 1” top and bottom and 1” side margins.
- Pages must be numbered – X of X pages centered at the bottom of the page.
- Charts and graphs are allowed but must be clearly labeled and described.
- Applicant/Organization’s name must be listed on each page; and
- Proposals including attachments should not exceed 20 pages.

Required	Form
✓	Applicant Title Page (Attachment B)
✓	Program Narrative <ul style="list-style-type: none"> • Statement of Need • Detailed Scope of Work • Justification for Scope of Work • Training Curriculum and Schedule
✓	Letter(s) of Commitment from Partner(s) (WIB, Partner Agencies)
✓	Organizational Commitment and Capacity
✓	Budget

Explanation of Proposal Components

1. Applicant Title Page – Complete all sections and ensure all information is accurate on the form.

2. Program Narrative:

2a. Statement of Need – Demonstrate the need for the project in relation to the NGO. A need is defined as the difference between the current status and the outcomes that the applicant would like to achieve. Documentation may include a demographic description of your targeted area.

2b. Detailed Scope of Work – provide a description of how the grant activities and services will be implemented and the timeframes involved.

2c. Justification for Scope of Work – provide a narrative that describes all the following in support of the scope of work:

- 1.) A review of the literature or noting of previous studies or success stories that supports the potential effectiveness of the proposed program activities.
- 2.) How the applicant's proposed grant activities will promote program Goal 1 through Goal 4. Grantees proposing to implement the 14(c) Certificate Holders Option must also describe how program activities will achieve Goal 5.
- 3.) Strategy to ensure participant program completion, placement, and attendance tracking procedure/policy.
- 4.) All anticipated collaboration with other entities while fulfilling the requirements of the contract resulting from this NGO.
- 5.) Resolutions to anticipated barriers and potential problems the applicant foresees itself and/or the State encountering in the successful realization of the initiative described herein.

2d. Training Curriculum and Schedule – It is required that each applicant submit a training plan that outlines the training provider and proposed curriculum outlining the key components of training needed to strengthen staff capacity to implement an alternative service delivery approach. Proposals that include training which leads to industry-recognized credentials will be given special consideration.

3. Applicant Requirements

3a. Letter(s) of Commitment from Partner(s) – Letters of commitment from other partners such as training providers, treatment providers, supportive service providers, and employers are encouraged. The letter(s) should indicate the specific activities in which the partner(s) will be involved.

3b. Organizational Commitment and Capacity – Applicants need to describe their commitment to addressing the conditions and/or needs identified in this NGO, including the organizational support that exists for implementing the proposed project. Please include charts of staff names, titles, duties/responsibilities, and allocation of time related to this grant. The applicant must also state they have the management information system (MIS), equipment and capacity needed to properly track and report participant demographic and

performance data to NJDOL and demonstrate the ability to complete all required monthly reports and requests for information in accordance with protocol and timelines established by NJDOL. Additionally, the applicant should focus on how previous experience will be applied to ensure successful implementation of the proposed project. The applicant should describe how they will leverage the capacity building opportunities during and after the project to strengthen the workforce development infrastructure and promote continued competitive integrated employment for people with disabilities.

4. Budget and Budget Narrative – This section must be completed, and narrative must also include all monetary and non-monetary funding sources or resources within the budget. Amounts reported in the budget must be fully supported by information provided in the budget narrative. Budgets will be reviewed using the State of New Jersey policies and regulations as a guideline.

Note: The following are not allowable:

- Participant Stipends
- Fee for Service

Miscellaneous Attachments – The miscellaneous attachment is optional, and not required to be completed. In this section, you can submit any additional information or documents that will support your grant application.

Standard Assurances and Certification and General Provisions – By submitting the application, the applicant implicitly agrees to the terms and conditions as outlined in the “Standard Assurances and Certification and General Provisions”.

Evaluation Criteria

This NGO is competitive and will be reviewed by a selection committee using a pre-established set of requirements, which will include, but not be limited to the following:

<i>Evaluation Criteria</i>	<i>Total Points</i>
<p>Program Narrative:</p> <ul style="list-style-type: none"> • Addresses all narrative summary items. • Compelling statement of need. • Provides a detailed description of grant activities and implementation steps. • Provides a comprehensive justification of the scope of work. • Summary of training curriculum and alignment with the NGO. • Strategy to ensure participant program completion, placement, and attendance tracking procedure/policy. 	60
<p>Applicant Requirements:</p> <ul style="list-style-type: none"> • Signed Letter of Commitment • Organizational commitment and capacity statement which describes past experience and capability to carry out proposed grant activities 	10

Budget and Budget Narrative:

- Budget is completed.
- Budget provides detailed budget information for each of the total grant periods, including detailed budget information for each year. Applicants are encouraged to consider the impact of implementation of the proposed project when creating a year 1 budget. Applicants are also encouraged to consider the impact of the period of performance end date, April 30, 2026, when creating the Year 2 budget.
- Applicants may not set aside more than 5 percent of the total budget to participate in the assessment and evaluation activities for the grant.
- Budget is within the cost guidelines of the NGO.
- Budget aligns with Budget Narrative.
- No calculation errors.

ATTACHMENT A

Letter of Intent

(On organization's letterhead)

New Jersey Department of Labor and Workforce Development
NJCompetitiveIntegratedEmployment@dol.nj.gov.

RE: FY24 Competitive Integrated Employment

Please accept this letter as notice of my intention to apply for the New Jersey Department of Labor and Workforce Development Fiscal Year 2024 Competitive Integrated Employment Program. I have completed registration (created an account) in the System to Administer Grants Electronically (SAGE) IGX and did read and do understand the FY24 Competitive Integrated Employment Notice of Grant Opportunity and am aware of my responsibilities as the Authorized Official.

(Organization's Name) proposes to request funding to strengthen organizational capacity and pilot innovative support services for people with disabilities to increase participation in community integrated work experiences that lead to competitive integrated employment.

Legal business name:

Federal Employee Identification # (FEIN):

System for Award Management (SAM)/Unique Entity Identifier (UEI):

NJ Business Address:

County of NJ Business:

Business Web Address:

Name of Authorized Official:

Title of Authorized Official:

Direct phone # and email address of Authorized Official:

Main point of contact for the Competitive Integrated Employment application:

Direct phone # and email address of main point of contact:

Signature of Authorized Official Date:

Email this completed form as an attachment to: NJCompetitiveIntegratedEmployment@dol.nj.gov.

ATTACHMENT B
Applicant Title Page

**NEW JERSEY DEPARTMENT
OF LABOR**

**NOTICE OF GRANT
OPPORTUNITY**

SECTION I:

TITLE OF NGO: The New Jersey Competitive Integrated Employment Grant Program

DEPARTMENT: New Jersey Department of Labor and Workforce Development

SECTION II:

FEIN/EIN _____ NAICS Number _____ UEI Number: _____

APPLICANT AGENCY: _____

ADDRESS: _____ CITY /STATE /ZIP: _____

COUNTY: _____

PRIMARY CONTACT (Please print or type name): _____

TELEPHONE # () _____ FAX#: () _____ EMAIL _____

TOTAL AMOUNT OF FUNDS REQUESTED: \$ _____

APPLICATION CERTIFICATION: To the best of my knowledge and belief, the information contained in the application is true and correct.

The document has been duly authorized by the governing body of this agency and we will comply with the attached assurances if funding is awarded.

SIGNATURE OF CHIEF EXECUTIVE OFFICER OF APPLICANT OR EQUIVALENT OFFICER

Name

Title

(Please print or type name)

*** FAILURE TO INCLUDE A REQUIRED APPLICATION COMPONENT RENDERS THE APPLICATION INCOMPLETE AND WILL RESULT IN THE APPLICATION BEING ELIMINATED FROM CONSIDERATION**

SECTION III:

SEND OR DELIVER PROPOSALS TO:

**NEW JERSEY DEPARTMENT OF LABOR
EMPLOYMENT ACCESSIBILITY SERVICES
ATTN: SHARON MYSTRENA
1 JOHN FITCH WAY
11TH FLOOR
PO BOX 944
TRENTON, NJ 08625-0398**

OR EMAIL TO:

NJCompetitiveIntegratedEmployment@dol.nj.gov

APPLICATIONS MUST BE RECEIVED BY: May 13, 2024 – 5 PM

NO LATE APPLICATIONS WILL BE ACCEPTED REGARDLESS OF THE DATE POSTMARKED.

NO ADDITIONAL MATERIALS CAN BE SUBMITTED AFTER RECEIPT OF THIS APPLICATION.

ATTACHMENT C

NJDOL Standard Assurances and Certifications

ASSURANCES AND CERTIFICATIONS

The New Jersey Department of Labor Office of Employment Accessibility will not award a contract where the vendor (contractor) has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under this agreement, the contractor hereby certifies and assures that it will fully comply with the following:

- 1) Assurances-Non-Construction Programs (SF 424 B)
- 2) Debarment and Suspension Certification (29 CFR Part 98)
- 3) Certification Regarding Lobbying (29 CFR Part 93)
- 4) Drug Free Workplace Certification (29 CFR Part 98)
- 5) Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37)

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

1) ASSURANCES-NON-CONSTRUCTION PROGRAMS

NOTE: Some of these Assurances may not be applicable to your project or program. If you have questions, please contact the NJDVRS.

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

- A) Has the legal authority to apply for Federal Assistance and the institutional managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
- B) Will give the Rehabilitation Services Administration, NJDVR, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting principles or agency directives.
- C) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

- D) Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
- E) Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR 900, Subpart F).
- F) Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq. (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101- 6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972, 21 U.S.C. 1101, et seq. (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970, 21 U.S.C. 801, et seq. (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act (42 U.S.C. 290 dd-2), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. 3601, et seq.) as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other non-discrimination statute(s) which may apply to the application.
- G) Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601, et seq. (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
- H) Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
- I) Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. 276a to 276a to 276a 7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. 874), and the

Contract Work Hours and Safety Standards Act (40.U.S.C 327-333), regarding labor standards for federally assisted construction sub-agreements.

- J) Will comply, if applicable, with Flood Insurance Purchase Requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4001, et seq. (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.

- K) Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq. (P. L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et. seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974 as amended, 42 U.S.C. 300f, et seq. (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531, et seq. (P.L. 93-205).

- L) Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271, et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

- M) Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1, et seq.).

- N) Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.

- O) Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544), as amended, (7 U.S.C. 2131, et seq.) pertaining to the care, handling, and treatment of warm-blooded animals held for research, teaching, or other activities supported by this award of assistance.

- P) Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. 4801, et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
- Q) Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
- R) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
- S) Will comply with the Federal Transparency Act requiring recipients and sub-recipients of federal financial assistance to obtain a Data Universal Numbering System (DUNS) number and will report the DUNS number to NJDVRS/Labor and Workforce Development (LWD) as a condition of receiving a federal contract.

2) CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

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

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

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

this application/proposal had one or more public transactions (Federal, State or Local) terminated for cause or default.

- D) Where the prospective primary participant is unable to certify any of the statements in this certification, such prospective participant shall attach an explanation to this proposal [or plan].

3) CERTIFICATION REGARDING LOBBYING

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

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

- A) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal contract, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, or cooperative agreement.
- B) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

4) CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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

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

- A) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

- B) Establishing an ongoing drug-free awareness program to inform employees about:
 - 1) The dangers of drug abuse in the workplace.
 - 2) The contractor's policy of maintaining a drug-free workplace.
 - 3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

- C) Making it a requirement that each employee be engaged in the performance of the contract be given a copy of the statement required by paragraph (a).

- D) Notifying the employee in the statement required by paragraph (a) that as a condition of employment under the contract, the employee will:
 - 1) Abide by the terms of the statement; and
 - 2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

- E) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (D)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every contract officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected contract.

- F) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
 - 1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - 2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or Local health, law enforcement, or other appropriate agency.

- G) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs A), B), C), D), E) and F).

5) NON-DISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE

As a condition to the award of financial assistance from NJDVRS/Department of Labor and Workforce Development, the contract applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- A) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin.
- B) Section 504 of the Rehabilitation Act of 1973, as amended, prohibits discrimination against qualified individuals with disabilities.
- C) The Age Discrimination Act of 1975, as amended, prohibits discrimination on the basis of age.
- D) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
- E) Americans with Disabilities Act (P.L. 101-336) which prohibits discrimination based on disabilities in the areas of employment, public services, transportation, public accommodations, and telecommunications. It requires all affected entities (businesses) to provide "reasonable accommodation" for persons with disabilities.

6) LIABILITY

This Agreement is subject to all the provisions of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1, et seq., the New Jersey Contractual Liability Act N.J.S.A. 59:11-1, et seq. and the availability of appropriations.

The State of New Jersey does not carry any public liability insurance, but the liability of the State of tort claims against its employees is covered under the terms and provisions of the New Jersey Tort Claims Act. The Act also creates a special self-insurance fund and provides for payment of claims against the State of New Jersey or against its employees for tort claims arising out of the performance of their duties for which the State is obligated to indemnify.

The Contractor shall defend, protect, hold harmless and indemnify the Department from all liabilities arising out of a contract matter, which the Contractor has been negligent.

The contractor may insert in the space provided below the site(s) for the performance of work done in connection with the specific contract.

Place of Performance (Street address, city, county, state, zip code)

Check () if there are workplaces on file that are not identified.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

Printed Name & Title

Signature

Date