



NEW JERSEY DEPARTMENT OF CHILDREN AND FAMILIES

Policy Manual

Manual:	CON	Contracting	Effective Date: 1-12-2010
Volume:	I	Contract Policy and Information Manual (CPIM)	
Chapter:	A	Contract Policy and Information	Revised Date: 12-18-2023
Subchapter:	1	Contract Negotiations and Revisions	
Issuance:	1.04.2010	Request for Proposals and Requests for Qualifications	

Purpose:

This issuance establishes the policy and procedures of the New Jersey Department of Children and Families (DCF) for awarding contracts to third party providers of services and training for the benefit of families and children through Request for Proposals (RFP) and Request for Qualifications (RFQ). This policy applies to all individuals and entities participating in DCF's RFP and RFQ procurement process for the awarding of contracts that do not fall within the parameters of N.J.S.A. 52:34-6 et seq.

Authority:

- N.J.S.A. § 9:3A-3 (2013) - Department of Children and Families established
- N.J.S.A. § 9:3A-7(n) (2013) - Responsibilities, duties of Commissioner
- N.J.S.A. § 30:1-1.2 (2013) - Establishment of contracts, licensing for social services providers
- N.J.A.C. 30:4C-4 - Powers of Department of Children and Families
- NO.: 23-03-0MB - Accounting for The Purchase of Goods or Services from State Colleges and Universities

Policy:

- A) Issuance of an RFP or RFQ:** DCF procures the services and training for the benefit of families and children from third party providers through an open and competitive process requiring the development of either an RFP or RFQ to procure any new service or training, regardless of the dollar amount funding it.
- B) An RFP or RFQ is not required for:**
- 1) The renewal of an existing DCF contract.
 - 2) The expansion of an existing service through a modification of an existing DCF contract for those same services.
 - 3) Executing new contracts or modifications of existing DCF contracts for services directly provided by a State College or University, including through a subcontract with its wholly owned subsidiary corporation or not-for-profit corporation that has as its mission the engagement in activities that are consistent with the mission of the State College or University, as per Circular 23-03-OMB.
 - 4) When the Commissioner approves in writing an exemption from the RFP process as necessary and appropriate to address an emergent risk to the health, safety, or welfare of clients, such as may occur as the result of a natural disaster or a sudden and unexpected withdrawal of a contract, as per Policy CON-I-A-1-1.13.2013, Emergency Social Services Procurements for the Safety of Children and Families.
- C) Withdrawal of an RFP or RFQ:** DCF may determine at any time to withdraw a published RFP or RFQ and whether and when to reissue it.
- D) When only one (1) application is submitted in response to an RFP or RFQ,** and an Evaluation Committee determines after review of the application that it has met the required specifications of the RFP or RFQ, DCF may issue a sole source contract. The Departmental Component responsible for the processing of RFPs and RFQs will retain documentation of its efforts to obtain multiple applications.
- E) When there are no applications submitted in response to the RFP or RFQ,** the Director of the Departmental Component responsible for the processing of RFPs or RFQs shall:
- 1) determine whether to reissue the RFP or RFQ or to use the failed RFP or RFQ as evidence authorizing the negotiation of a sole source contract; and
 - 2) retain documentation of the approval of the negotiated sole source contract by the Commissioner or his or her designee.

Procedures:

DCF shall follow the procedures in this policy when issuing RFPs or RFQs as set forth in four (4) distinct phases: Development, Solicitation, Evaluation and Award.

1) The Development Phase:

- a) The Departmental Component responsible for the oversight of the services to be procured:
 - i) Provides confirmation of the Commissioner's approval to proceed with the procurement; and
 - ii) Completes the procurement intake form of the Departmental Component responsible for the issuance of RFPs and RFQs to identify the deliverables and the sources of funding for the services to be procured.
- b) The Departmental Component responsible for the processing of RFPs and RFQs:
 - i) Receives notice of the Commissioner's approval to proceed with the procurement.
 - ii) Prepares a draft RFP or RFQ based on its completed intake form that includes:
 - (1) the name of the program services to be procured;
 - (2) the amount of funds available, the source of funds, the purpose, scope, and goals of the programs and services being solicited, the population and the geographic area to be served, and any specific conditions, requirements, and/or constraints such as spending caps or match requirements;
 - (3) all requirements that must be met for the proposal to be evaluated; the applicant eligibility criteria;
 - (4) the Departmental Component contact information;
 - (5) the time and date for the submission of applications;
 - (6) the target date for the start of the contract;
 - (7) the target date for the implementation of the services;
 - (8) the method and procedures that will be utilized to provide prospective
 - (9) Applicants' technical assistance and additional or clarifying information regarding the RFP or RFQ or the services to be provided, such as a virtual conference, and/or a Question and Answer (Q/A) period through DCF email at: DCF.ASKRFP@dcf.nj.gov
 - (10) the proposal evaluation review criteria; and
 - (11) the list of required supporting documents as included in the RFP or RFQ.
 - iii) Obtains approval from the Grants Committee members for the publication of the draft RFP or RFQ and confirmation of the availability of grant funds to support any resulting awarded contracts.
 - iv) Assesses whether the Office of the State Comptroller (OSC) is required to review and approve the RFP or RFQ prior to publication and ensures the result of this external review is incorporated into the final version.

- v) Retains on file the final version of the RFP or RFQ to be published.
- vi) Proceeds with the solicitation phase in a manner that permits reasonable competition among eligible providers of the services or training to be procured.

2) The Solicitation Phase:

- a) The Departmental Component responsible for the processing of RFPs and RFQs:
 - i) Posts the approved RFP or RFQ on DCF's public website at <https://www.nj.gov/dcf/providers/notices/requests/>, in DCF-SAGE (System for Administering Grants Electronically), and may elect to post in another location it determines appropriate to permit reasonable competition among eligible Applicants.
 - ii) Directs those interested in responding to RFPs or RFQs to:
 - (1) visit New Jersey Department of Children and Families (govdelivery.com) to register to receive notices announcing funding opportunities by email;
 - (2) check the availability of funding for needed services at <https://www.nj.gov/dcf/providers/notices/>;
 - (3) enter and submit their application to the RFP or RFQ in the manner described therein;
 - (4) attend a mandatory or non-mandatory virtual conference, when DCF elects to offer it, for Applicants to obtain more information and ask questions about the RFP or RFQ;
 - (5) obtain additional or clarifying information about the RFP or RFQ through a time-limited electronic Q/A period; and
 - (6) contact DCF only through the virtual conference and Q/A period during the RFP or RFQ process or risk disqualification.
 - iii) Obtains from the Departmental Component responsible for the oversight of the services to be procured:
 - (1) the materials to be presented for any mandatory or non-mandatory virtual conference that may be held to provide Applicants information and an opportunity for questions about the RFP or RFQ;
 - (2) the answers to questions raised during the virtual conference and Q/A period;
 - (3) the schedule for the Evaluation Committee's reading and assessment of the applications qualified for their review and for the submission of a draft Award Recommendation memo; and
 - (4) a commitment to not discuss or disclose any information about the RFP or RFQ to anyone external to DCF.
 - iv) Posts on DCF's public website:

- (1) as an addendum to the RFP or RFQ the materials presented at any mandatory or non-mandatory virtual conference held for Applicants and the questions and answers resulting from the virtual conference and the Q/A period; and
- (2) a dated time stamped report of all applications received by the deadline.

3) The Evaluation Phase:

- a) The Departmental Component responsible for the oversight of the services to be procured:
 - i) Designates members of an Evaluation Committee, prior to the receipt of proposals, to review proposals and make recommendations for funding.
 - ii) Includes as members DCF staff and/or state or municipal representatives having expertise in areas such as contracting, finance, and program services who are broadly representative and culturally diverse.
 - iii) Ensures there are at least three (3) voting members on each Evaluation Committee.
 - iv) Decides when to utilize the services of non-voting consultants or community members to provide programmatic or technical expertise when needed to assist its members in the proposal evaluation process.
 - v) Appoints a chairperson (voting or non-voting) of the Evaluation Committee.
 - vi) Distributes to each Evaluation Committee member the DCF Evaluation Committee Guidelines and Instructions.
 - vii) Collects from each Evaluation Committee member a signed Acknowledgement and Certification form that documents the member's understanding and agreement to abide by the DCF Evaluation Committee Guidelines and Instructions and the absence of any conflict of interest and sends these to the Departmental Component responsible for the processing of RFPs and RFQs.
 - viii) Directs voting and non-voting Evaluation Committee members who are state employees to sign and send their Personal and Business Relationships Disclosure forms relating to personal and financial relationships to DCF's Ethics Liaison, who then will forward it to the State Ethics Commission. <https://www.state.nj.us/ethics/docs/forms/bdf.pdf>
 - ix) Collects from non-voting members of the Evaluation Committee who are not state employees their signed Non-Disclosure and Confidentiality Agreement forms relating to personal and financial relationships, adds a DCF Representative signature to each form prior to sending it to DCF's Ethics Liaison, who then will forward it to the State Ethics Commission. <https://www.nj.gov/dcf/providers/notices/requests/DCF-Non-Disclosure-Confidentiality-Agreement-non-state-employees.docx>

- x) Informs designated Evaluation Committee members of the need to disqualify themselves when they have any direct or indirect interest, financial or otherwise, in any Applicant or proposed sub-contractor, or in the results of the Committee's evaluations. (See Conflict of Interest Law, N.J.S.A. 52:13D-12 et seq.).
 - xi) Collects a resume from each Evaluation Committee member and sends these to the Departmental Component responsible for the issuance of RFPs and RFQs.
 - b) The Departmental Component responsible for the processing of RFPs and RFQs:
 - i) Conducts a preliminary screening process to determine whether the applications conform to the specifications set forth in the RFP or RFQ and to determine whether the application/proposal is eligible for evaluation or disqualification.
 - ii) Issues a written notification to Applicants whose applications were disqualified as the result of the initial screening process for failure to:
 - (1) sign the Attestation of Acceptance of the specified deliverables; or
 - (2) attend a mandatory virtual conference; or
 - (3) submit an Ownership Disclosure Form:
<https://www.nj.gov/treasury/purchase/forms/OwnershipDisclosure.pdf>
 - iii) Issues a written notification to Applicants, whose applications were disqualified as the result of the initial screening process for failure to submit documents requested with the submission, of their opportunity to cure by producing the missing documents within five (5) business days of the date of the notice.
 - iv) Makes available to the Evaluation Committee the responses that conform to the specifications set forth in the RFP or RFQ for its review and recommendations.
 - v) Retains on file:
 - (1) records of the composition of the Evaluation Committee, including a listing of all voting and non-voting members;
 - (2) copies of all Evaluation Committee Member Acknowledgement and Certification forms; and
 - (3) disqualifications from participation of state employees and non-state employees due to a Conflict of Interest.
 - c) The Evaluation Committee:
 - i) Evaluates each qualified application submitted in response to an RFP or RFQ using a confidential and deliberative process that confirms the Applicant's ability to meet or exceed all the compulsory requirements, to

provide services consistent with the scope of services delineated, and to comply with the service implementation and payment processes described.

- ii) Additionally evaluates each qualified application submitted in response to an RFP by:
 - (1) using a point scoring methodology to rank competing applications in the order most responsive to the RFP and advantageous to the needs of the clients to be served, all factors considered; and
 - (2) not scoring a sole source application for which there are no other applications with which to compare it.
- iii) Submits the score forms of its reviewers to its chairperson, who then prepares a confidential and advisory draft Award Recommendation Memo addressed to the Commissioner that reports the average score and rank granted to an application if not from a sole source Applicant, summarizes some of the strengths and weaknesses of every application, and sends it to the Departmental Component responsible for the issuance of RFPs and RFQs for review, comment, and approval.

4) The Award Phase:

- a) The Departmental Component responsible for the processing of RFPs and RFQs:
 - i) Reviews and edits the Evaluation Committee's draft Award Recommendation Memo to ensure compliance with law and policy and returns it to its chairperson to sign.
 - ii) Sends the final approved and signed Award Recommendation Memo with the consequent intent to award letters to the Commissioner for her review and approval of the intended awardees.
 - iii) Issues the intent to award letters signed by the Commissioner.
 - iv) Executes and issues the letters of rejection with notice of the option to request reconsideration in writing within ten (10) business days of the date of the letter by emailing it to DCF.AHUAppeals@dcf.nj.gov and/or mailing it to:
 - v) Responds to each request an unsuccessful Applicant emails to DCF.ASKRFP@dcf.nj.gov in response to a letter of rejection for clarification of the reasons for rejection by providing the Evaluation Committee's summary review of the rejected application.
 - vi) Responds to each request of an unsuccessful Applicant to review proposals selected for funding by offering the opportunity to make an appointment to come to DCF to read a representative sampling while ensuring the Applicant does not remove or make copies or snapshot/video any documents or materials that are made available during the review session.

- vii) Safeguards from post award review any information that is prohibited from disclosure or exempt from release, such as trade secrets and proprietary financial information as specifically reserved by the Applicant. (See Open Public Records Act, N.J.S. A. 47:1A-1 et seq.)
- viii) Maintains the confidentiality of Evaluation Committee proceedings, proposals and recommendations and publicly discloses final awards.
- ix) Informs the Departmental Component charged with the administration of contracts of the new awards to facilitate the execution of the contract following its review and acceptance of required documentation and its negotiation of any unresolved issues.
- x) Retains on file at DCF for a minimum of three (3) years after the termination of the Contract and four (4) years thereafter at the records center prior to destruction, in accordance with the schedule published at <https://www.nj.gov/treasury/revenue/rms/pdf/G100000-014.pdf>, the:
 - (1) RFP or RFQ;
 - (2) submission deadline date;
 - (3) date the completed responses are received from the Applicants;
 - (4) applications filed in response to the RFP or RFQ;
 - (5) name of the DCF staff person receiving and/or screening the proposals;
 - (6) records of Applicants whose applications were disqualified as the result of the Preliminary Screening processes or rejected after evaluation.
 - (7) Award Recommendation Memo of the Evaluation Committee;
 - (8) Evaluation Committee scores of competing applications submitted in response to RFPs; and
 - (9) date the decision letters notifying Applicants of acceptance or rejection were sent and copies of each letter and email correspondence.
- xi) Publishes in the New Jersey Register at a minimum semi-annually, pursuant to N.J.S.A. 52:14-34.5, the address of the DCF website where prospective respondents may access information regarding the availability of funding and the issuance of an RFP or RFQ.

Key Terms (Definitions):

In addition to the defined terms included in the Glossary of the DCF Contract Manual, the following terms, when capitalized, shall have the meanings as stated:

- **Applicant** means the person, agency or entity filing an application in response to a Request for Proposal (RFP) or Request for Qualification (RFQ).
- **Departmental Component responsible for the oversight of the services to be procured** means the DCF Divisions and Offices involved in the provision of the specified program services.

- **Departmental Component responsible for the processing of RFPs and RFQs** means the DCF Office of Grants, Integrity, and Auditing (GIA).
- **Departmental Component charged with the administration of contracts** means the Office of Contracting Administration (OCA).
- **Grant(s)** means state or federal funds awarded to subsidize a DCF project or service.
- **Grants Committee** means the committee designated to review and approve the version of the RFP or RFQ prior to publication and consisting of a representative from the Office of Fiscal Planning and Development; the Budget Office, the Office of Contract Administration, and the CSOC Business Office Manager when CSOC is the Departmental Component responsible for the oversight of the services to be procured.
- **Evaluation Committee** means the individuals appointed by DCF to evaluate the proposals.
- **Request for Proposals** means the document that solicits Applicants to comply with all specified requirements as demonstrated by submitting all required documentation and signing the Statement of Acceptance and additionally requires them to be evaluated and scored by the Evaluation Committee based on the quality, completeness, and accuracy of their narrative responses to questions.
- **Request for Qualifications** means the document that solicits applicants to comply with all specified requirements as demonstrated by submitting all required documentation and signing the Statement of Acceptance.

Policy History:

- 12-18-2023, Revised
- 04-2022, Revised
- 01-12-2010, New