



NJEDA

ECONOMIC DEVELOPMENT AUTHORITY

Child Care Facilities Improvement Program—Phase 1

*Department of Labor and Workforce Development Public Works Registered Contractors
November 10, 2022*

We will be using the Q&A feature to take all your questions



Open (2)

Answered (1)

Dismissed

Anonymous Attendee 11:26 AM

How can I schedule a meeting?

Answer live

Type answer

Agenda

- 1 | Welcome
- 2 | NJ Child Care Facilities Improvement Program Overview
- 3 | Contract Requirements
- 4 | Labor Compliance Reporting
- 5 | NJ Department of Children and Families (NJDCF) Requirements



Welcome

Commissioner Robert Asaro-Angelo

NJ Department of Labor & Workforce Development





NJ Child Care Facilities Improvement Program Overview

Tara Colton

Executive VP for Economic Security, NJEDA

About NJEDA

The New Jersey Economic Development Authority (NJEDA) serves as the State's principal agency for driving economic growth.

The NJEDA is committed to making New Jersey a national model for **inclusive and sustainable economic development** by focusing on key strategies to help build **strong and dynamic communities, create good jobs for New Jersey residents, and provide pathways to a stronger and fairer economy**. Through partnerships with a diverse range of stakeholders, the NJEDA creates and implements initiatives to **enhance the economic vitality and quality of life** in the State and **strengthen New Jersey's long-term economic competitiveness**.



HELPING TO BUILD A
STRONGER AND FAIRER
NEW JERSEY ECONOMY

What is the New Jersey Child Care Facilities Improvement Program?

▶ The Child Care Facilities Improvement Program was funded by the Child Care Revitalization Fund, allocating \$100M of federal American Rescue Plan funds, including \$54.5 million for NJEDA to provide facility improvement grants and technical assistance to child care providers. Legislation was passed by the New Jersey State Legislature and signed into law by Governor Murphy in June 2021. Funding for Phase 1 of the Child Care Facilities Improvement Pilot Program will be supported through the ARP funding, as well as an additional \$4.45 million in state funding.



▶ Provides grants to New Jersey child care providers for facilities improvements that will contribute to high quality early childhood learning environments.



NJEDA has over **\$90M** to support child care facility improvements
Phase 1 of the Child Care Facilities Improvement Plan will be up to **\$25M**

What is considered a project?

What is a **project**?
All construction, all labor, all Furniture, Fixtures & Equipment and **all** soft costs at one location

1
project



What is an **eligible use**?
All the activities making up the project.

- For example: Happy Kids Child Care center would like to
1. replace all the windows
 2. paint all their classrooms
 3. replace the flooring
 4. install a shed for their outdoor toys and materials.



4
eligible
uses



Eligible Interior Facility Improvements

▶ Create **additional classroom space** in existing location by converting or adapting other rooms to classroom space

▶ Create or improve areas to serve as **indoor gross motor and/or multi-purpose space**

▶ Improve **egress and access** within the facility, as well as egress and access to the outdoors for children with no or limited mobility



▶ **Install, repair, and/or improve:**

- ▶ Bathrooms with age-appropriate plumbing and child height fixtures that are in or adjacent to classrooms
- ▶ Child height handwashing sinks in classrooms
- ▶ Electric and lighting systems
- ▶ Plumbing (e.g., leaking pipes, drainage issues)
- ▶ Diaper changing areas
- ▶ Nurse area, sick child area
- ▶ Windows in classrooms and common areas
- ▶ Flooring
- ▶ Fire safety and fire protection systems
- ▶ Indoor air quality systems
- ▶ Doors, entrances and exits including locking mechanisms
- ▶ Remediation of environmental issues
- ▶ Security systems including security cameras
- ▶ Kitchens and food preparation areas
- ▶ Acoustics
- ▶ Secure storage areas
- ▶ Stable partitions and/or floor-to-ceiling walls to separate classrooms and improve acoustics
- ▶ Furniture, fixtures, and equipment

Eligible Exterior Facility Improvements

▶ Install, repair, replace and/or improve equipment to provide children with age-appropriate, safe, engaging **outdoor play areas**:

- ▶ Climbing structures (e.g., adding more cushioning)
- ▶ Creating a separate space for infants
- ▶ Bollards for parking lots and/or playgrounds
- ▶ Covered enclosures, shade structures, awnings, outdoor furniture, storage shed

▶ Install, repair, and/or improve:

- ▶ Exterior fencing, including security gates
- ▶ Roofing
- ▶ Decking
- ▶ Sidewalks connecting classrooms
- ▶ Parking areas

▶ Increase **accessibility** or meet code enforcement requirements (e.g. installing or replacing ramps)

▶ Address **exterior drainage** issues



Eligible Costs

- You do not have to apply for all three types of eligible costs
- You could apply for: hard costs only; hard costs and FFE only; hard costs and soft costs only; or all three
- You cannot apply *only* for soft costs since they are capped at 20% of the total grant
- You are encouraged to consider several factors when deciding whether to include FFE costs through this funding



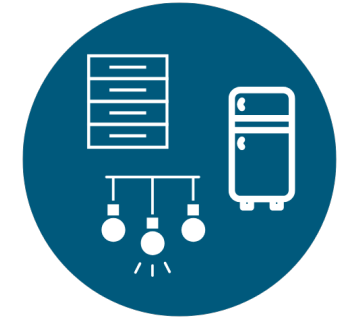
Hard Costs

- Interior and Exterior Eligible Projects
- Paid directly to Public Works Registered Contractor



Soft Costs

- Architect fees
- Permit fees
- Construction management
- Freight and shipping delivery
- Environmental assessment



Furniture, Fixtures and Equipment (FFE)

- Defined as moveable items used in normal, everyday operation, excluding consumable materials.
- Reimbursed to child care providers (they have to pay for it first and we pay them back)

Phase 1 Project Requirements



- ✓ Improvement projects must be between **\$50,000 - \$200,000**
- ✓ **Prospective** costs only
- ✓ Grant must cover the **full cost of the proposed facility improvement**
- ✓ **Up to 20%** of total costs can be used for soft costs
- ✓ All eligible uses outlined in a project on the application must be for a **single location**
- ✓ All work is subject to **prevailing wage and affirmative action requirements**
- ✓ Project should begin **within 1 year** of receiving the grant award and **completed within 1 year** of the start of construction
- ✓ All quotes and work must be completed by a **NJ Public Works Contractor** registered with the NJ Department of Labor and Workforce Development



- ✗ Projects **less than \$50,000**
- ✗ **No retrospective** costs or reimbursement
- ✗ **May not combine** this grant with other funding to cover project costs
- ✗ Projects **cannot replace existing infant/toddler** space and therefore reduce the overall number of infants and toddlers served at the facility



Contract Requirements

Kathleen Agesen

Program Manager - HUD Programs, NJEDA

Application Phase Eligibility Verifications



NJDOL Public Works Registration

- Public Works Certificate



Debarment Check

- General Contractors
- Sub-contractors



SAM.GOV Unique Identity

- Register for Financial Assistance
- Public



Verification of Eligibility Form

- NJ Business Registration
- Public Works Certificate
- SWMVBCE Certifications

Contract Requirements – All tiers

- ▶ Exhibit 5-2 Compliance Provisions
- ▶ Exhibit 5-3 General Conditions
- ▶ Mandatory Contract Language-SWMVBE
- ▶ Contractors Cost Breakdown (SOV)
- ▶ SWMVBE Utilization
- ▶ Drug Free Workplace Certificate
- ▶ Anti-Lobbying Certificate
- ▶ AA/EEO Language & Addendum
- ▶ Prevailing Wage Language & Addendum - Official Wage Determinations



Professional Contracts - All tiers

- ▶ Exhibit 5-3 General Conditions
- ▶ Exhibit 5-5 Compliance Provisions
- ▶ Drug Free Workplace Certificate
- ▶ Anti-Lobbying Certificate
- ▶ AA/EEO Language & Addendum
- ▶ Prevailing Wage Language & Addendum

When there is use of tools above and beyond simple soil testing that requires equipment or tools for that work



Contract Period

Pre-Construction Meeting



Written Notice to Proceed



Permits and Approvals



Progress Schedule



Contractors Requisitions

(AIA C702/G703 or equivalent)



10% Retainage

Change Orders

(G701 or equivalent)

SWMVBE Monthly Activity Report

Photo Verification

Lien Release

(Partial or Final)

Punch List

If applicable:
(G704 or equivalent)

- NJEDA Team
- Contractor & any subs
- Child Care Owner

Close Out

As Built

- ▶ Permit Approvals
- ▶ Warranties/Guarantees
- ▶ Operations/Maintenance Manuals
- ▶ Owners Certificate for Acceptance and Final Payment
- ▶ Final Release of Liens
- ▶ Final Inspection





Labor Compliance Reporting

Lorena Garcia

Manager - Diversity and Labor Standards, NJEDA

Labor Compliance Reporting

Affirmative Action
(AA)

Prevailing Wage
(PW)

Additional
LC Training

Affirmative Action (AA) Reporting

- ▶ AA applies when the company has a total workforce of **four (4) or more employees** (for the entire company).
- ▶ AA compliance is based on a **County Goal** for construction performed in the county where the project is located and enforced per contractor, per trade.
- ▶ For those contracts where AA applies, The AA Plan (AA Form 1) is due prior to start of construction.
- ▶ **Good Faith Efforts:**
It is based on "goals" and "timetables"— of how many of each protected group the employer hopes to add in a given period of time. The failure to reach a goal will not necessarily be considered evidence of discrimination if the contractor can show "good faith" efforts to reach the goal. Examples of “good faith” are:
 - ❖ Referral Letters
 - ❖ Advertisements in local news papers
 - ❖ Outreach to unions and NJDOL One-Stop programs

County Goals

Trade	Minority %	Women %
ATLANTIC	18	6.9
BERGEN	22	6.9
BURLINGTON	15	6.9
CAMDEN	19	6.9
CAPE MAY	5	6.9
CUMBERLAND	27	6.9
ESSEX	53	6.9
GLOUCESTER	9	6.9
HUDSON	60	6.9
HUNTERDON	3	6.9
MERCER	30	6.9
MIDDLESEX	24	6.9
MONMOUTH	15	6.9
MORRIS	16	6.9
OCEAN	7	6.9
PASSAIC	36	6.9
SALEM	10	6.9
SOMERSET	20	6.9
SUSSEX	4	6.9
UNION	45	6.9
WARREN	5	6.9

Prevailing Wage

The Prevailing Wage Rate Determinations list wage and fringe benefit rates based on collective bargaining agreements established for a particular craft or trade on the locality in which the public work is performed. In New Jersey, rates vary by county and statewide and by the type of work performed.

Applicable prevailing wage rates are those wages and fringe benefits in effect on the date the contract is awarded. All pre-determined rate increases listed **at the time the contract is awarded** must also be paid, beginning on the dates specified.

The rates and increases listed in the determinations are the **only** rates that can be used for the project and are valid for 24 months.

Nothing prohibits the payment of more than the prevailing wage rate to **any** workman employed on the construction project.

Certified payroll records must be submitted to the public body (the EDA), by all contractors and subcontractors, for each employee on the project **within ten (10) days of the payment of wages**.



Certified Payroll Record (CPR)

As of September, 2019 The NJ Department of Labor requires all contractors to use their CPR.

NJ Department of Labor & Workforce Development

Payroll Certification for Public Works Projects
for Contractor and Subcontractor's Weekly and Final Certification

Other (specify)

Name of <input type="checkbox"/> Contractor or <input type="checkbox"/> Subcontractor		Business Address		Project Name		SUBMIT form by email: equalpayact@dol.nj.gov	
F.E.I.N.		Project Location		Contract I.D. or Project I.D.		IMPORTANT: For purposes of law, you must also submit this form to the appropriate public body or lessor.	
Payroll No.	Date Wages Due & Paid (mm/dd/yyyy)	Week Ending Date	Contractor Registration #		or <input type="checkbox"/> Final Certification		

1. Employee Name and Address	2. Work Job Title e.g., apprentice journeyman, painter	3. Demographics Work Classification/ Occupational Category e.g., carpenter, mason, plumber SSS Minority Preference Schedule See Key	4. Day and Date SU MO TU WE TH FR SA Hours worked each day	5. Hourly Rate							6. Gross Amt. Earned			7. Deductions			8. Total Fringe Benefit				
				This Project		This Week		Total			FICA	Federal Tax	State Tax	Other (specify)	Total Deductions	Net Wages Paid for Week	Total Fringe Benefit				
				Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total	Rate	Total						

KEY W= White; B= Black or African American; A= Asian; N= American Indian or Native Alaskan; I = Native Hawaiian or Pacific Islander; M= 2 or More

I, the undersigned, do hereby state and certify:

(1) That I pay or supervise the payment of the persons employed by _____ (Contractor or Subcontractor) on the _____ (Project Name & Location) that during the payroll period beginning on (date) _____, and ending on (date) _____, all persons employed on said project have been paid the full weekly wages earned, that no rebates have been or will be made either directly or indirectly to or on behalf of the aforementioned Contractor or Subcontractor from the full weekly wages earned by any person and that no deductions have been made either directly or indirectly from the full wages earned by any person, other than permissible deductions as defined in the New Jersey Prevailing Wage Act, N.J.S.A. 34:11-56.25 et seq, and Regulation N.J.A.C. 12:60 et seq, and the Payment of Wages Law, N.J.S.A. 34:11-4-1 et seq.

(2) That any payrolls otherwise under this contract required to be submitted for the above period are correct and complete; that the wage rates for laborers or mechanics contained therein are not less than the applicable wage rates contained in any wage determination incorporated into the contract; that the classifications set forth therein for each laborer or mechanic conform with the work he performed.

(3) That any apprentices employed in the above period are duly registered with the United States Department of Labor, Bureau of Apprenticeship and Training and enrolled in a certified apprenticeship program.

(4) That:

(a) WHERE FRINGE BENEFITS ARE PAID TO APPROVED PLANS, FUNDS OR PROGRAMS

In addition to the basic hourly wage rate paid to each laborer or mechanic listed in the above-referenced payroll, payments of fringe benefits have been or will be made when due to appropriate programs for the benefit of such employ-ees, as noted in Section 4(c) at right.

(b) WHERE FRINGE BENEFITS ARE PAID IN CASH

Each laborer or mechanic listed in the above-referenced payroll has been paid as indicated on the payroll, an amount not less than the sum of the applicable basic hourly wage rate plus the amount of the required fringe benefits as listed in the contract, except as noted in Section 4(c) at right.

(5) N.J.S.A. 12:60-2.1 and 5.1 – The Public Works employers shall submit to the public body or lessor a certified payroll record each pay period within 10 days of the payment of wages.

By checking this box and typing my name below, I am electronically signing this application. I understand that an electronic signature has the same legal effect as a written signature.

Name _____
Title _____ Date (mm/dd/yy) _____

THE FALSIFICATION OF ANY OF THE ABOVE STATEMENTS MAY SUBJECT THE CONTRACTOR OR SUBCONTRACTOR TO CIVIL OR CRIMINAL PROSECUTION - N.J.S.A. 34:11-56.25 ET SEQ. AND N.J.A.C. 12:60 ET SEQ. AND N.J.S.A. 34:11-4.1 ET SEQ.

4(c) Benefit Program Information in AMOUNT CONTRIBUTED PER HOUR (Must be completed if 4(a) is checked)
To calculate the cost per hour, divide 2,000 hours into the benefit cost per year per employee.

Program Title, Classification Title, or Individual Workers	Health/Welfare	Workers' Holiday	Apprenticeship/ Training	Pension	Other Benefit Type and Amount (e.g., training, long-term disability or life ins.)	Name & Address of Fringe Benefit Fund, Plan, or Program Administrator	USDOL Benefit Plan Filing Number/EIN	Third-Party Trustee &/or Contract Person

Page 1: Certified Payroll

Page 2: Statement of Compliance

Additional Contractor Training

The EDA's Labor Compliance group will provide additional assistance and certified payroll training in January 2023

NJ Department of Children and Families (NJDCF) Requirements

Anna Smith

Assistant Director, Office of Licensing, NJDCF

Emily Gear

Supervisor, Child Care Inspections, NJDCF

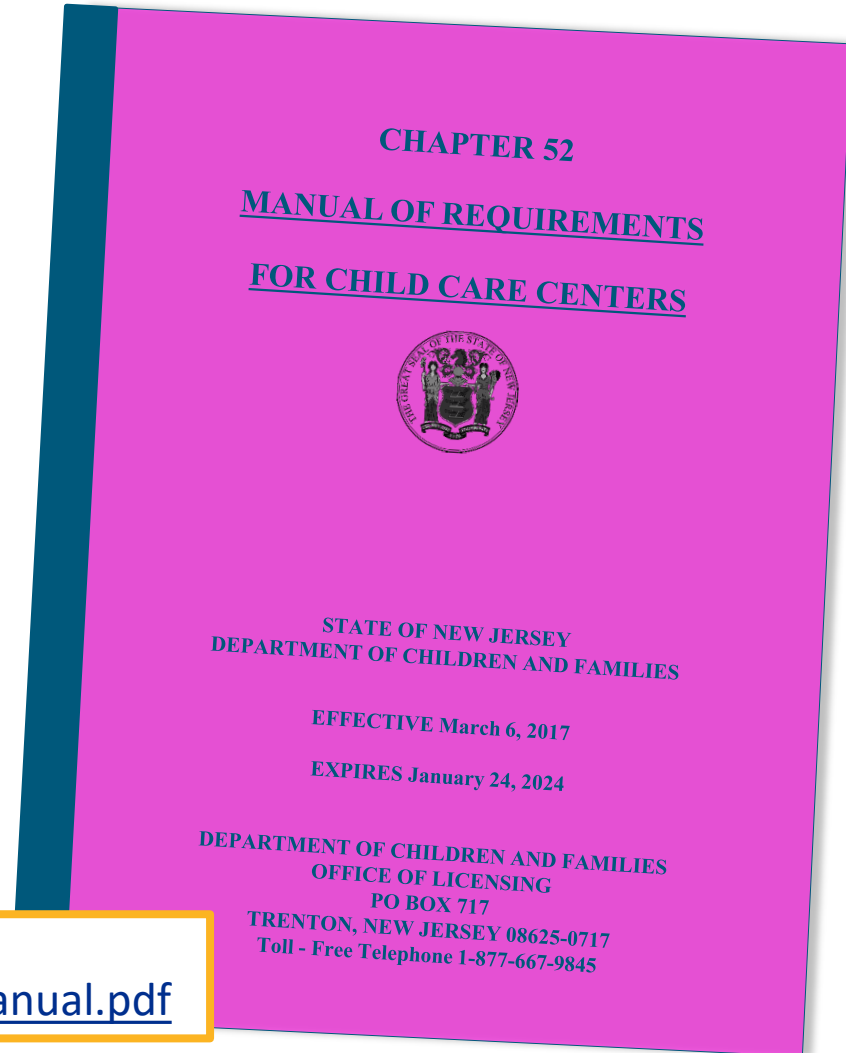


NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING

N.J.A.C. 3A:52

The Manual of Requirements is promulgated pursuant to the Child Care Center Licensing Act, N.J.S.A. 30:5B-1 *et. Seq.*



The manual is available online at:
www.nj.gov/dcf/providers/licensing/laws/CCCmanual.pdf



NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING

ELIGIBILITY

The NJ Department of Children and Families (DCF), Office of Licensing (OOL), Child Care Licensing (CCL) is authorized to:

- license child care centers caring for 6 or more children under 13 years of age for less than 24 hours a day.
- examine the physical plant or facilities, including but not limited to, storage areas and additional floor levels without a delay or an escort.

***Child care centers licensed by CCL as of
June 4, 2021 are eligible for the
New Jersey Child Care Facilities Improvement Program***



NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING



Physical Facility Requirements



Environmental Requirements



Health, Safety, And Well-being



NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING

PHYSICAL FACILITY REQUIREMENTS

Compliance with all applicable provisions of:

- 3A:52, Subchapter 5. Physical Facility Requirements
- New Jersey Uniform Construction Code (NJUCC), as Specified in N.J.A.C. 5:23
 - E-Use to I-4 Changes Require:
 - Architectural Plans Submitted to Municipality and the OOL.
 - Municipality and OOL Approval Prior to Construction
- Playground Safety Subcode for Equipment, Layout, Surfacing, etc.
- Manufacturer Instructions for Furniture, Equipment, and Supplies



NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING

ENVIRONMENTAL REQUIREMENTS

OUTDOOR

- Remediation Action Outcome (RAO) Letter Completed by an NJDEP-Certified LSRP
- Remediation, if Applicable, Conducted by NJDEP-Certified Environmentalists

INTERIOR/STRUCTURAL

- NJDOH Safe Building Interior Certificate (SBIC); Indoor Health Assessment and Vapor intrusion Remediation, if Applicable
- Water Testing Conducted by an NJDEP-Certified Lab (Repeated Post-Remediation, if Applicable)
- Lead Paint Testing and/or Remediation Conducted by NJDEP-Certified Lead Paint Evaluators and Contractors



NJ DEPARTMENT OF CHILDREN AND FAMILIES

OFFICE OF LICENSING, CHILD CARE LICENSING

HEALTH, SAFETY, AND WELL-BEING

Work must not compromise the health, safety, and well-being of the children in care.

- Major Projects will need to be completed after operating hours.
- Fire protective systems, water, plumbing, electric and gas must be fully functioning and operational at all times during operating hours.
- Construction equipment and tools must be inaccessible to children at all times.
- Exits and egresses cannot be blocked or limited at any time.

Questions following the webinar



Resources available at

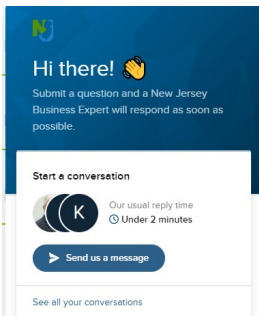
<https://www.njeda.com/child-care-improvement-program/>



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NJEDA Customer Care Chat

www.njeda.com



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