

REQUEST FOR PROPOSALS

RFP#20-RFP-08-209



The Cameron County Workforce Development Board dba Workforce Solutions Cameron (WFSC) is soliciting proposals to provide:

Professional Employer Organization (PEO) Services

Information necessary to prepare a proposal is contained in this Request. Prospective proposers should read this package carefully before preparing a proposal.

Final proposals are due at Workforce Solutions Cameron
no later than

3:00 p.m. Central Daylight-Saving Time on September 30, 2020 to:

Hazel Quintero
Workforce Solutions Cameron
700 Ruben M. Torres Blvd., 3rd Floor
Brownsville, Texas 78520
(956) 548-6700

and

E-MAIL via PDF Attachment to hazel.quintero@wfscameron.org

Late proposals will not be accepted. There will be no exceptions to this deadline.

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SECTION 1 – PROPOSAL INFORMATION AND SUBMISSION INSTRUCTIONS

1.1 INTRODUCTION

The Cameron County Workforce Development Board, dba Workforce Solutions Cameron (WFSC), is a volunteer body appointed by the Chief Elected Official (CEO) of the Workforce Development Area (WDA), in accordance with the Workforce Innovation and Opportunity Act (WIOA) and SB642 as amended by HB 1863. WFSC is made up of community representatives appointed by local elected officials to plan and oversee the operation of the one-stop delivery system in Cameron County. WFSC also functions as the administrative entity and grant recipient for the Workforce Development Area. It also provides policy and program guidance and exercises independent oversight, and evaluation of the one-stop delivery system that affects area employers, residents and job seekers.

1.2 ACTIVITIES AND SERVICES SOLICITED

WFSC is seeking proposals from qualified organizations to provide Professional Employer Organization services for twenty-six (26) staff of the workforce development board located in Cameron County with an annual payroll of approximately 1.8 million.

1.3 BACKGROUND

WFSC is one of 28 local workforce boards that comprise a local-state network dedicated to developing the workforce of Texas. The boards oversee planning and provision of services on a regional level to give job seekers and employers in Cameron County access to local workforce solutions and statewide services in the Texas workforce centers.

WFSC consists of a Board which oversees the operation of 4 workforce centers in Cameron County, Texas. These workforce centers are operated by an independent contractor and provide job seekers and employers solutions to their employment needs. WFSC Board does not provide services directly. Rather, it is responsible for the oversight and monitoring of workforce center operations.

1.4 LEGISLATIVE AUTHORITY

All contracts funded from this Request for Proposal are subject to the following requirements: the Workforce Innovation and Opportunity Act (WIOA), public Law NO: 133-128; federal laws and regulations concerning nondiscrimination and equal opportunity; federal labor laws and standards; state workforce development plans and policy; and plans and policies of WFSC related to federal job training programs.

1.5 SUBMISSION INSTRUCTIONS

1.5.1 *Communication and Procurement Information.*

Written questions will be accepted until 3:00 PM, Central Time October 2, 2020. Questions may be submitted via e-mail at hazel.quintero@wfscameron.org.

Answers to all questions will be posted on our website as soon as answers are available. Submit all questions via E-mail with a Read Receipt so that transmissions can be verified.

Submission of questions in this manner will be the **ONLY** opportunity for bidders to ask questions about this RFP.

1.5.2 Response Deadline.

All proposals must be received and recorded no later than **3:00 p.m. Central Daylight-Saving Time on September 30th, 2020.**

1.5.3 Submission.

Proposers may submit proposals via mail, hand delivery, or courier to:

**Hazel Quintero
Workforce Solutions Cameron
700 Ruben M. Torres Blvd., 3rd Floor
Brownsville, Texas 78520**

Proposals submitted via courier or overnight mail services will be considered to be hand-delivered and must be received by the deadline. Receipts for proposals will be furnished upon request.

Without exception, proposals received after the deadline will not be accepted.

1.5.4 Proposal Format

Proposals may be submitted in the order and bound in the normal manner of the proposer. All narrative pages submitted must be sequentially paginated, excluding attachments.

Three hard copies of the proposal must be submitted, as well as one PDF copy sent via Email to hazel.quintero@wfscameron.org. The authorized signatory noted on the Authorization for Submission contained in Attachment A must sign all forms requiring signatures. All proposals must contain the following:

1. Cover Letter
2. Proposer Identification Form (**Attachment A**)
3. Description of Services (see Section 2) (**Attachment B**)
4. Budget Information (See Section 3) (**Attachment C**)
5. Three Professional References (**Attachment D**)
6. Certification of Legal and Signatory Authority (**Attachment E**)
7. Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug-Free Workplace Requirements (**Attachment F**)
8. Certification Regarding Texas Corporate Franchise Tax (**Attachment G**)
9. Fiscal Management Systems Survey and accompanying documents (**Attachment H**)
10. Certificate Regarding Conflict of Interest (**Attachment I**)
11. Equal Opportunity and Nondiscrimination (**Attachment J**)
12. Assurances and Certifications (**Attachment K**)
13. Most recent Certificate of Good Standing or Certificate of Account Status from the Comptroller of Public Accounts (**Attachment L**)
14. For non-profit organizations: resolution from proposer's governing body or board authorizing submission of the proposal and transmittal letter from the Chief Executive Officer or for-profits: attach a signed statement by an authorized representative of the corporation authorizing submission of the proposal.
15. Other relevant documentation.

1.6 PROCUREMENT TIMEFRAMES

The following list delineates significant activities and dates with regard to this RFP.

RFP Available	September 21, 2020
Written Questions Closed	October 2, 2020 at 3:00 p.m.
Last Answer to Questions posted	October 7, 2020
Proposal Due Date	October 23, 2020
Notification of Pre-Award - Letter of Intent	November 16, 2020
Contract Negotiation / Transition Planning / Award	November 16 th – December 4 th 2020
Transition, Enrollment, Training	December 7 th 2020
Contract effective date	Signed by December 4 th for a January 1, 2021 start day.

1.7 EVALUATION

1.7.1 *Evaluation Process.*

The policy of WFSC is to conduct procurement in a manner that provides for full and open competition. Contract award will be made only to organizations possessing the demonstrated ability to perform successfully under the terms and conditions of the RFP.

1.7.2 *Minimum Standards for Review.*

A proposal must meet the following minimum criteria to be considered for review. The proposal must:

- a. Be received by the deadline.
- b. Be submitted in the required format.
- c. Contain signed Proposer Identification Form, Professional References, Certification of Legal and Signatory Authority, Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug Free Workplace Requirements; Certification Regarding Texas Corporate Franchise Tax; Fiscal Management Systems Survey, Certificate Regarding Conflict of Interest, Equal Opportunity and Non-Discrimination, and accompanying documents; and Assurances and Certifications.
- d. Contain one page that breaks down each cost and fee quoted as a percent of payroll.
- e. Contain most recent Certificate of Good Standing or Certificate of Account Status from the Comptroller of Public Accounts.
- f. Contain no evidence of real or apparent conflict of interest.
- g. Submit Evidence by submitting a brief written narrative addressing each of the following points:
 1. Proposer must be licensed in the State of Texas under the Staff Leasing Services Act.
 2. Proposers must allow for clients to have insurance plans outside their master group plans.
 3. Proposers must be web-enabled, fully automated, with a fully integrated HRIS system.
 4. Proposers must be capable of performing full administration of all benefit plans. This means full administration on plans sponsored by and those not sponsored by the PEO. Invoices for all benefit plans, client sponsored, and non-client sponsored, must be reconciled and paid by the PEO directly to the insurance company.
 5. Proposers must maintain a master group single employer Health Insurance Benefit Plan.
 6. Proposers must honor State and Calendar Tax Caps for SUTA, FUTA, and Social Security.

7. Proposers must have the capability to bid in an unbundled transparent format.

1.7.3 Minimum Standards to be Considered for Award:

- a. Meet all pre-qualification requirements
- b. Receive a minimum score of 70.
- c. Address all elements of the RFP.

A proposal that does not meet any one of these standards will be deemed non-responsive and will not be reviewed.

1.7.4 Evaluation Criteria.

All proposals will be evaluated by a review committee in accordance with criteria listed below.

CRITERIA	POINTS
Service Design	30
Demonstrated Effectiveness	30
Cost Reasonableness	40
Historically Underutilized Business (HUB)	5
TOTAL	105

Service Design:

Service Design considers availability, accessibility, type, and quality of services and approaches offered in support of the goals and objectives listed in the RFP.

Demonstrated Effectiveness:

Demonstrated Effectiveness refers to the offeror's experience capabilities in providing PEO services, and the customer satisfaction of current or previous clients. Financial stability will also be considered as part of these criteria.

Cost Reasonableness:

Cost Reasonableness will be determined by relating the proposed cost to proposed services vs. current cost of those services.

Historical Underutilized Business (HUB):

To qualify, HUB certificate must accompany proposal.

1.7.5 Notification.

All proposers will be notified of WFSC final decision.

1.7.6 Process for submitting a protest.

Proposers who believe that they have been treated unfairly during the review process or have concerns about the application of state and federal regulations and policies may file a protest. See section **1.10.1** for complete grievance procedures.

1.8 CONDITIONS OF BID

Following are conditions that apply to this Request for Proposals and any subsequent contract.

- 1.8.1** WFSC specifically reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is deemed to be in the best interest of WFSC.
- 1.8.2** WFSC reserves the right to require specific modifications to proposals accepted for funding before agreeing to contract, including the increase or decrease in specific line items of cost or other modifications, to bring the proposal into compliance with the Act, the Regulation(s), requirements of this Request, and/or Board policies.
- 1.8.3** The award of a contract under this RFP is contingent upon funding.
- 1.8.4** All funds provided through this contract shall be expended for allowable activities and no funds shall be used for sectarian worship, instruction, or proselytation.
- 1.8.5** Other than providing technical assistance through written questions, WFSC staff will not assist any proposer in the preparation of the proposal.
- 1.8.6** All proposals and any attachments, appendices, or other information submitted as a part of a proposal become the property of WFSC upon submission and may be reprinted, published, or distributed in any manner according to open records laws, applicable state and federal policies and procedures.
- 1.8.7** No employee, member of a Board of Directors or other governing body, representative of a proposer who submits a proposal under this Request may have any contact outside of the formal review process with any employee or Board of Directors of WFSC for purposes of discussing or lobbying on behalf of the proposer's proposal. This contact includes written correspondence, telephone calls, personal meetings, or other kinds of personal contact. WFSC will reject proposals of those bidders who violate this condition.
- 1.8.8** WFSC reserves the right to accept or reject any or all proposals received; to cancel this request in part, or in its entirety; or to reissue the request.
- 1.8.9** In order to ensure that the needs of the Workforce Development Area are adequately met, WFSC reserves the right to request additional information and/or negotiate issues prior to making a selection.
- 1.8.10** WFSC reserves the right to waive any defect in this procurement process or to make changes to this solicitation as deemed necessary.
- 1.8.11** WFSC reserves the right to conduct a review of records, systems, and procedures of the entity selected to receive funding. This may occur prior to, or subsequent to, the award of a contract. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of a contract resulting from this procurement.
- 1.8.12** WFSC reserves the right to contact any individual, agencies or employers listed in a proposal, to contact others who have experience and/or knowledge of the proposer's relevant performance and/or qualification and to request additional information from any and all proposers.

1.9 ADMINISTRATIVE REQUIREMENTS

Following are general administrative requirements that apply to all WFSC contractors.

1.9.1 PROPOSER APPEALS PROCESS

The Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. This includes, but is not limited to, disputes, claims, protests of selection or non-selection for award, or other matters of a contractual or procurement nature. Matters concerning violation of laws shall be referred to such authority, as may have proper jurisdiction.

All proposers will be notified in writing of the final results of the procurement process within ten (10) working days of the decision of the Board. Proposers not selected by this procurement process may appeal the decision by submitting a written Notice of Appeal to the Board within ten (10) working days following the receipt of Board notification of the procurement decision. This written notice must clearly state that it is an appeal and identify (1) the funding decision being appealed; (2) the name, address, phone and fax number (if available) of the appealing party(ies); and (3) the specific grounds of the appeal.

The Notice of Appeal must be sent by registered mail or hand delivered (a receipt will be issued) and addressed to:

**Salome Perez, Chief Program Officer
Workforce Solutions Cameron
700 Ruben M. Torres Blvd., 3rd Floor
Brownsville, Texas 78520
Dated Material Enclosed**

Facsimile or email shall not be accepted at any stage of the appeals process. Written acknowledgement of receipt of the Notice of Appeal will be provided to the appealing party within three (3) working days of receipt of the Notice of Appeal. Such acknowledgement will include specific instructions for completing the appeals process and the date, time and place of the next step, The Informal Hearing.

The filing of an appeal within the specified time frame and in the manner required is a non-waivable requirement. There is no relief accorded to appellants for not filing within the published deadlines or following instructions. The appeal must indicate the Board action appealed and the violation, which forms the basis for the appeal, and shall be signed by the appellant organization's authorized representative. Fax and e-mail transmittals will not be accepted. The filing of the appeal within ten business days is a condition precedent. There is no relief accorded appellants for not filing within the deadline. Hearings shall be conducted in accordance with Board procedures.

Request for Debriefing: A request for a debriefing may be submitted within fifteen (15) days of the receipt of notification of the procurement decision by any unsuccessful respondent not filing an appeal. The purpose of the debriefing is to promote the exchange of information, explain the procurement process, including proposal evaluation process, and help unsuccessful respondents understand why they were not selected. Debriefings serve an important educational function for proposers, which hopefully will help them to improve the quality of any future proposals.

The debriefing shall be scheduled as soon as possible but no later than thirty (30) days from the receipt of the Request for Debriefing.

DISCLAIMER

The Board is under no legal requirements to execute a contract and/or agreement based on any quote received.

No employee, member of a Board of Directors or other governing body, or representative of a proposer who submits a quote under this Request may have any contact outside of the formal review process with any employee of the Workforce Solutions Cameron Local Workforce Development Board or any member of the Workforce Solutions Cameron Local Workforce Development contractor, for purposes of discussing or lobbying on behalf of the proposer's quote. This contact includes written correspondence, telephone calls, personal meetings, or other kinds of personal contact. The Board will reject quotes of those proposers who violate this condition.

The Board reserves the right to accept or reject any or all quotes received; to cancel this Request in part, or in its entirety; or to reissue the Request.

The Board reserves the right to waive any defect in this procurement process or to make changes to this solicitation as deemed necessary.

The Board is the responsible authority for handling complaints or protest regarding the quote selection process. No protest will be accepted by the State Grantor Agency (Texas Workforce Commission) until all administrative remedies at the grantee (Board) level have been exhausted. This include, but is not limited to, disputes, claims, protests of awards, source evaluations or other matters of contractual nature. Matters concerning violation of law shall be referred to such authority as may have proper jurisdiction.

The Board reserves the right to request additional information and/or negotiate issues prior to selection.

Questions concerning this request should be directed to Hazel Quintero by calling (956) 548-6700 or emailing hazel.quintero@wfscameron.org.

REQUIRED ASSURANCES

1. Procurement documents will outline required compliance with assurance provisions stated in 29 CFR 38.25 through 38.27; 38.53 and WIOA Section 188. The assurances include, at minimum, Section 188 of the Workforce Innovation and Opportunity Act (WIOA), Title VI of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, The Age Discrimination Act of 1975, as amended, Title IX of the Education Amendments of 1972, as amended.
2. Pursuant to 15 U.S.C. 2225a, the proposer, if awarded, must ensure that all spaces for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fires Safety Act (P.L. 101-391, as amended). Recipients may search the Hotel Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance, or to find other information about the act.
3. The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 et seq. provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DOL support. List of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.
4. No funds may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries identified by the DOL prior to December 18, 2015. DOL has identified these goods and services here: <http://www.dol.gov/ilab/reports/childlabor/list-of-products/index-country.htm>.

1.9.2 Organizational capacity

Proposers must demonstrate that they have the organizational capacity to provide a service in accordance with the requirements in this Request for Proposals. WFSC reserves the right to conduct a pre-award survey of the selected proposer to determine the capacity of the proposer's organization to provide services, meet administrative requirements, and maintain an adequate financial system. Workforce Solutions Cameron also reserves the right to deny a contract to any selected proposer that does not make timely changes required by Workforce Solutions Cameron, as a result of a pre-award survey, to bring its systems into compliance.

1.10 TYPE OF CONTRACT AND CONTRACT TERM

- a. Contracts awarded will be cost reimbursement (monthly reimbursement for expenses incurred).
- b. The contract for services awarded through this RFP will be effective for twelve (12) months beginning January 1, 2021. The contract period will be for one (1) year with up to an additional four (4) one-year renewals based on satisfactory performance.

SECTION 2 – DESCRIPTION OF SERVICES

2.1 Provide a description of payroll services offered including, the following:

- a. Payment methods available
- b. Payroll input methods (phone, fax, internet, etc.), including process and timelines
- c. Filing/Reporting (new hire, W2, W4, FICA, etc.) to local, state, and federal agencies
- d. Tax reporting and compliance
- e. Reporting (certified payroll, job costing, departmental billing)
- f. Worker's Compensation

2.2. Provide a description of benefits offered matching (or providing comparable) current benefits (see Section 4.0 Resources), including:

- a. Available health plans and benefits
- b. Availability of Section 125 cafeteria plan
- c. Availability of retirement plans (401k, profit sharing, pension plans, etc.)

2.3. Provide a description of additional benefits available beyond current package.

2.4. Provide a description of human resource management services offered, including:

- a. Consultation/assistance for hiring (background checks, pre-employment testing, recruiting, etc.)
- b. Consultation/assistance for termination
- c. Consultation/assistance with performance management and appraisal
- d. Consultation/assistance with Compliance such as ADA/discrimination/sexual harassment/ legal issues
- e. Availability and types of professional development training (staff and managerial)
- f. Development/assistance with employee handbooks and job descriptions

- g. Provision/handling of Unemployment and Worker's Compensation Insurance.
- h. Availability of COBRA
- i. Provide a description of the capabilities of your HRIS system, address system integration, reporting tools, reporting formats, ability to download reports.
- j. Describe Time and attendance systems, vacation and sick pay tracking, ability to integrate with payroll and communicate balances to employees.

SECTION 3 - BUDGET INFORMATION

3.1 BUDGET AND NARRATIVE

A PEO proposal should include pricing based on a percentage (%) of gross payroll. The proposal should include the employer's costs of FICA tax, Federal Unemployment Tax (FUTA), State Unemployment Tax (SUTA),

Workers Comp Insurance for by class codes, and an Administrative Fee %. All of these fees are percentages of the Gross Wages paid to employees.

SECTION 4 - BENEFITS AND OTHER RELEVANT INFORMATION

4.1 RELEVANT INFORMATION

The following information is intended for planning purposes. Totals, where given, are estimated and may differ from actual totals. This is a snapshot of the current state and operations.

- FEIN 74-22992671
- Single Location
- Number of employees: 26
- Annual payroll: \$1,347,442
- Bi-weekly pay cycle, with 24 benefit deductions
- With Current PEO Provider - 5 years
- Current PEO provider - CoAdvantage, Tampa, Florida
- WFSC In-Business – Over 30 years
- Total 401K plan assets approximately \$843K
- WC codes 5191, 8810 and 8868
- SUTA currently billed at (see payroll report)
- Pre-employment screening – yes
- Criminal and drug and credit checks/testing – yes
- Current employee handbook and job descriptions – yes
- Time and Attendance – Via PEO
- Vacation and PTO tracking – Via PEO
- Current Medical Insurance - Community Rated.

4.2 MEDICAL INSURANCE

Current Major Medical Insurance is provided by Blue Cross Blue Shield of Texas. This is a Client Sponsored Plan currently, however the client desires to be part of a Single Employer Group Master Plan offered via the PEO if favorable to WFSC employees.

4.3 OTHER CURRENT BENEFITS

- Dental Insurance - AETNA Passive PPO, PEO sponsored
- Vision Insurance – Humana VCP Vision, PEO Sponsored
- Basic Group Life – Met Life, PEO Sponsored.
- Accidental Death and Dismemberment Insurance – Lincoln Financial, PEO Sponsored and Met Life, PEO Sponsored.
- GAP Plan – Fidelity Security Life Insurance Company – Base and Buy Up, PEO Sponsored. Group Universal Employee Life Insurance which includes optional coverage for dependents – Guarantee Life Insurance Company, PEO Sponsored.
- Accidental Death and Dismemberment Insurance – Guarantee Life Insurance Company- PEO Sponsored.
- 125 Cafeteria Plan – E-Flex PEO Sponsored
- Voluntary Disability – AFLAC
- Critical Illness with Cancer Rider - AFLAC
- Hospital Indemnity – AFLAC
- Accident Insurance – AFLAC

RETIREMENT PLAN:

401(k) Savings Plan offered. This is a Client Sponsored Plan. After one year of service, employer matches 25% of the first 6% of pay an employee saves. The employer match would be a maximum of 1.5% of the employee pay. Current Total Plan Assets approximately \$843K and the current administrator is Mass Mutual Services.

OTHER VOLUNTARY BENEFIT PLANS:

Selected PEO may elect to offer additional voluntary benefit plans, such as:

- Pre-paid Legal Services Plan
- Cancer Benefit Plan
- Long Term Care Insurance
- Employee Assistance Program

Attachment A

PROPOSER IDENTIFICATION FORM

LEGAL NAME OF ORGANIZATION		
HEAD OF ORGANIZATION		
MAILING ADDRESS		
PHYSICAL ADDRESS (IF DIFFERENT)		
PHONE NUMBER		
FAX NUMBER		
EMAIL		
PROPOSAL CONTACT PERSON		
TITLE		
AGREEMENT SIGNATORY AUTHORITY		
TAX/LEGAL STATUS	<input type="checkbox"/> CORPORATION <input type="checkbox"/> SOLE OWNERSHIP	
	<input type="checkbox"/> PARTNERSHIP <input type="checkbox"/> OTHER	
DATE ESTABLISHED		
STATE COMPTROLLER ID NO. (If available)		
FEDERAL TAXPAYER ID NUMBER		
SMALL BUSINESS	<input type="checkbox"/> YES	<input type="checkbox"/> NO
IS PROPOSER CERTIFIED AS A HISTORICALLY UNDER-UTILIZED BUSINESS BY THE TEXAS WORKFORCE COMMISSION	<input type="checkbox"/> YES	<input type="checkbox"/> NO

AUTHORIZATION FOR SUBMISSION

TYPED NAME & TITLE OF AUTHORIZED SIGNATORY	
SIGNATURE & DATE	

Subscribed and sworn to me this _____ day of _____, 20____.

Notary Signature: _____

Seal:

Attachment D

PROFESSIONAL REFERENCES

Please list at least 3 references of current or past contracts that are similar in scope or scale and provide Company/City name, contact and additional information. Attach additional pages if necessary.

COMPANY NAME		
COMPANY ADDRESS		
NAME OF AUTHORIZED REPRESENTATIVE		REPRESENTATIVE E-MAIL
TYPES(S) OF SERVICES PERFORMED	YEARS OF SERVICE	TELEPHONE#

COMPANY NAME		
COMPANY ADDRESS		
NAME OF AUTHORIZED REPRESENTATIVE		REPRESENTATIVE E-MAIL
TYPES(S) OF SERVICES PERFORMED	YEARS OF SERVICE	TELEPHONE#

COMPANY NAME		
COMPANY ADDRESS		
NAME OF AUTHORIZED REPRESENTATIVE		REPRESENTATIVE E-MAIL
TYPES(S) OF SERVICES PERFORMED	YEARS OF SERVICE	TELEPHONE#

Attachment E

CERTIFICATION OF LEGAL AND SIGNATORY AUTHORITY

I, _____ (typed or printed name) certify that I am the _____
_____ (typed or printed title) of the eligible entity named as bidder and
respondent herein, and I am legally authorized to sign and submit this proposal to Workforce Solutions Cameron
(WFSC) on behalf of said organization by authority of its governing body.

I certify that _____ (typed or printed name) who signed the
coversheet of this proposal has the legal authority to enter into and execute a contract with WFSC to provide the
services and activities authorized and detailed in this proposal. I agree to submit upon request by WFSC such
information and documentation as may be necessary to verify the certification contained herein.

I further certify that the information contained in this proposal and all attachments is true and correct. I certify that
no officer, employee, board member, or authorized agent of WFSC has assisted in the preparation of this proposal.
I acknowledge that I have read and understand the requirement and provisions of this RFP and that this organization
will comply with all applicable federal, state, and local laws, rules, regulations, policies and directives in the
implementation of this proposal. I certify that I have read and understand the governing provisions, limitations and
administrative requirements of this RFP and will comply with all terms and conditions.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment F

**CERTIFICATONS REGARDING LOBBYING, DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS, AND DRUG-FREE WORKPLACE REQUIREMENTS**

LOBBYING: This certification is required by the Federal Regulations, implementing Section 1352 of the Program Fraud and Civil Remedies Acts, Title 31 U.S. Code, for the Department of Agriculture (7 CFR part 3018), Department of Labor (20 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned contractor states that:

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 any employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.

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, and officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS: This certification is required by the Federal Regulations implementing Executive Order 12549, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), and Department of Health and Human Services (45 CFR Part 76).

The undersigned contractor certifies that it or its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency

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;

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 2 of this certification; and

Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

DRUG-FREE WORKPLACE: This certification is required by the Federal Regulations, implementing Sections 5151-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701; for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR parts 85, 668 and 682) and Department of Health and Human Services (45 CFR Part 76).

The undersigned contractor certifies that it shall provide a drug-free workplace by:

Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition.

Establishing an on-going drug-free awareness program to inform employees of the dangers of drugs in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed on employees for drug abuse violations occurring in the workplace.

Providing each employee with a copy of the Contractor's policy statement.

Notifying the employees in the Contractor's policy statement that, as a condition of employment under the grant, employees will abide by the terms of the policy statement and notifying the Contractor in writing within five (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace.

Notifying the grantor agency, Workforce Solutions Cameron in writing, within ten (10) calendar days of the Contractor's receipt of a notice of conviction of an employee.

Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

These certifications are a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment G

CERTIFICATION REGARDING TEXAS CORPORATE FRANCHISE TAX

Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for profit corporations that are delinquent in making state franchise tax payments. The following certification that the entity entering into this subcontract is current in its franchise taxes or is not subject to the payment of franchise taxes to the State of Texas must be signed by the individual authorized to sign the subcontract for the subcontracting entity.

The undersigned authorized representative of the entity subcontracting herein certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of subcontract and is grounds for subcontract cancellation.

Indicate the certification that applies to your subcontracting entity:

- ☐ The subcontracting entity is a for-profit corporation and certifies that is not delinquent in its franchise tax payments to the State of Texas.
- ☐ The subcontracting entity is a non-profit corporation or is otherwise not subject to payment of franchise tax to the State of Texas.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment H

FISCAL MANAGEMENT SYSTEMS SURVEY

Answer the following questions regarding your fiscal management system. The information submitted should contain sufficient information to demonstrate your organization's capability in the area surveyed. Additional information may be requested.

Yes, No, N/A

1. Does your accounting system provide you with adequate information to prepare a monthly financial report? (Such report must be derived from a balance sheet and income and expense statements.) _____
2. Does your accounting system provide control and accountability over all funds received, property and other assets? _____
3. Can your accounting system provide for financial reports on an accrual basis? _____
4. Does your accounting system provide for identification of receipt and expenditure of funds separately for each funding source? _____
5. Are your accounting records maintained in such a manner as to facilitate the tracking of funds to source documentation of the unit transaction? _____
6. Does your accounting system have the capability to develop procedures or determining the allowability and allocability of costs in accordance with the provisions of state regulations and the Uniform Grants and Contract Management Standards? _____
7. Are State and Federal funds deposited in a bank with FDIC coverage? _____
8. Has the bank in which you deposit State and Federal funds insured the account(s) or put up collateral or both which is equal to the largest sum of money which would be in such bank account(s) at any one point in time? _____
9. Do you make monthly reconciliation of your bank account(s)? _____
10. Are these reconciliation's made by the same person who performs the record keeping for receipt and disbursement transactions? _____
11. Do you record your cash receipts and disbursement transactions at least monthly? _____
12. Are there individuals or positions in your organization that have as one of their duties, the receipt, distribution, or handling of money covered under bond? _____

- 13. Is there one person who is directly responsible for all fiscal transactions? _____
- 14. Do you have written procedures and internal controls established for the procurement of goods and services? _____
- 15. Is documentation (i.e., Time sheets, etc.) properly kept supporting each payroll disbursement? _____
- 16. Are records maintained to support authorized leave (sick, etc.)? _____
- 17. Is proper documentation maintained to support travel disbursement? _____
- 18. Has a formal audit of your organization's financial records been conducted within the past year? _____
- 19. Do you have an indirect cost plan with current approval by a cognizant agency? _____
- 20. Is your organization funded by more than one source? _____
- 21. Does your organization have written accounting procedures? _____

I certify that the information I have provided on this form and the accompanying attachments is an accurate and true representation of the fiscal management systems of this organization.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment I

CERTIFICATE REGARDING CONFLICT OF INTEREST

By signature of this Certificate, Applicant covenants and affirms that:

1. No manager, employee or paid consultant of the Applicant is a member of the Policy Board, the Executive Director, or an employee of Workforce Solutions Cameron (WFSC);
2. No manager or paid consultant of the Applicant is married to a member of the Policy Board, the Executive Director, or an employee of WFSC;
3. No member of the Policy Board, the Executive Director or an employee of WFSC owns or controls more than a 10 percent share in the Applicant's organization;
4. No spouse of a member of the Policy Board, Executive Director, or employee of WFSC receives compensation from Applicant for lobbying activities as defined in Chapter 305 of the Texas Government Code;
5. Applicant has disclosed within the proposal response any interest, fact or circumstance which does or may present a potential conflict of interest;
6. Should Applicant fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Applicant shall not be entitled to the recovery of any costs or expenses incurred in relations to any contract with WFSC and shall immediately refund to WFSC any fees or expenses that may have been paid under the contract and shall further be liable for any others costs incurred or damages sustained by WFSC relating to that contract.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment J

EQUAL OPPORTUNITY AND NON-DISCRIMINATION

The (_____) promotes employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. Additionally, discrimination is prohibited against any beneficiary of programs funded under the Workforce Innovation Opportunity Act, on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any Workforce Innovation Opportunity Act financially assisted program or activity. (_____) conforms to all applicable federal and state laws, rules, guidelines, regulations, and provides equal employment opportunity in all employment and employee relations.

EEO Laws, Rules, Guidelines, Regulations

_____ (*typed or printed name*) provides equal opportunities consistent with applicable federal and state laws, rules, guidelines, regulations, and executive orders (29 CFR 38.25). Such regulations include:

- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., and § 2000e-16, as amended.
- The Rehabilitation Act of 1973 §§ 503, 504, and 508, 29 U.S.C. § 793, 794, and 794d, as amended.
- The Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq., as amended.
- The Americans with Disabilities Act, 42 U.S.C. § 12101 et seq., as amended.
- Texas Commission on Human Rights Act, as amended, which prohibits discrimination in employment based on race, color, handicap, religion, sex, national origin, or age (40-70).
- Equal Pay Act of 1963, as amended, which requires equal pay for men and women performing equal work.
- Pregnancy Discrimination Act of 1978, which prohibits discrimination against pregnant women.
- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681-1688, as amended.
- The Workforce Innovation and Opportunity Act (WIOA) § 188; 29 U.S.C. § 3248; which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical condition, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity.

_____ (*typed or printed name*) is committed to promoting equal employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. _____

_____ (*typed or printed name*) takes positive steps to eliminate any systematic discrimination from personnel practices.

_____*(typed or printed name)* recruits, hires, trains, and promotes into all job levels the most qualified persons without regard to race, color, religion, sex, national origin, age, or disability status.

Staff at all levels is responsible for active program support and personal leadership in establishing, maintaining, and carrying out an effective equal employment opportunity program.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date

Attachment K

ASSURANCES AND CERTIFICATIONS

Each organization or individual that submits a proposal in response to a Request for Proposal warrants and assures:

1. The information contained in this proposal is true and correct.
2. The costs described in the proposal budget accurately reflects the proposer's cost of providing services or goods.
3. No employee, member of a government board or board of directors, or any other individual associated with an organization or individual person offering a proposal under this Request for Proposals has offered or will offer any gratuities, favors, or anything of monetary value to any Board of Director or staff of Workforce Solutions Cameron for the purpose of or having the effect of influencing the decisions of Workforce Solutions Cameron with respect to the organization or individual's proposal or any other proposal.
4. No employee, member of a governing board or board of directors, or any other individual associated with an organization or individual person offering a proposal under this Request for Proposals has engaged or will engage in any activity which may be construed in restricting or eliminating competition for funds available under this Request for Proposals.
5. The organization or individual possesses the legal authority to offer this proposal.
6. If the proposer is an organization, a resolution, motion, or similar action has been duly adopted or passed as an official act of the proposer's governing body authorizing the submission of this proposal.
7. No person will be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in the administration of or in connection with any program operated with funds from this Request for Proposals because of race, color, religion, sex, national origin, age, disability, sexual orientation, or political affiliation or belief.

Each organization or individual that submits a proposal also warrants and assures that they will abide by the rules of the following laws, acts, codes, etc. and all applicable rules and regulations promulgated thereunder, as a condition to award of financial assistance from Workforce Solutions Cameron with respect to operation of Workforce Solutions Cameron funded programs or activities and all agreements or arrangements to carry out Workforce Solutions Cameron funded programs or activities:

- WIOA § 188; 29 U.S.C. § 3248;
- The Personal Responsibility and Work Opportunity Act of 1996 (PRWORA) 42 U.S.C. § 601 et seq.
- Civil Rights Act of 1964
- The American with Disabilities Act, 42 U.S.C. § 12001 et seq., as amended
- Rehabilitation Act of 1973
- 40 TAC § Texas Administrative Code, Article 40, Part I
- Assurances required for the Child Care program, Chapter 809 Texas Workforce Commission Administrative Code
- The Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq., as amended
- Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1688, as amended

By signing I acknowledge that I have read these assurances and certifications and that I am authorized to bind the organization I represent to these requirements should this proposal be accepted for funding by Workforce Solutions Cameron.

Name of Individual or Organization submitting application:

Name and Title of Authorized Signatory:

Signature of Authorized Representative:

Date