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## **REQUEST FOR PROPOSALS RFP 2018-50-0403-IPS**

*For*

**Internet Data Lines and Local /Long Distance Phone Service**

Initial Issue Date: April 2, 2018  
Close Date: April 20, 2018

## **I. Introduction**

The South Plains Regional Workforce Development Board Dba Workforce Solutions South Plains (hereinafter, "the Board" or "Workforce Solutions") is a 501c3 Non-profit Corporation that administers workforce development services funded by the Texas Workforce Commission (TWC) for the 15-county South Plains Regional Workforce Development Area (SPRWDA) which consists of Bailey, Cochran, Crosby, Dickens, Floyd, Garza, Hale, Hockley, King, Lamb, Lubbock, Lynn, Motley, Terry and Yoakum Counties.

The Board's workforce services contractors operate five full-service Workforce Solutions Career Centers to provide employment and training services to residents of the South Plains. These facilities, located in Levelland, Lubbock, Brownfield, Muleshoe, and Plainview, are leased facilities and are open to the public from 8 a.m. to 5 p.m. five (5) days a week Monday through Friday. Some of the facilities have extended hours.

## **II. Purpose of RFP**

The Board is seeking quotes for Internet Data Lines and Local / Long Distant Phone service for existing phone lines. Vendors may provide quotes for one or more locations. The board will handle the LAN (local area network) technology connectivity with local switches, routers and firewalls at the locations.

**Funding for the services provided through this Request for Proposals are Federal.**

## **III. DESCRIPTION SERVICE NEEDS**

- High Speed Internet service is needed as close as possible to the speed request listed.
- SIP Trunk is only required at one office location listed. **SIP** trunking is Voice over Internet Protocol (VoIP) and streaming media service based on the Session Initiation Protocol (**SIP**) by which Internet telephony service providers (ITSPs) deliver telephone services and unified communications to customers equipped with **SIP**-based private branch exchange (IP-PBX) and Unified Communications facilities.
- Dedicated or Asymmetrical lines is accepted. Static IP's / VPN / VOIP network options are required.
- Phone numbers listed must be ported over at time of new service during the last week of June 2018
- Total of 15 static IP numbers needed as listed in Information Sheet
- Itemized pricing and service is needed for each line item to be quoted.

## **IV. Term of Contract:**

- The contract will be for 1 year with two one-year renewal options for a total of three years.
- The contract must include a provision that will allow the Board the right to terminate the contract if workforce program funding from the Texas Workforce Commission is reduced by 15% or more during any one-year period of the contract.
- The contract must provide a provision for the Board to terminate services without a financial penalty with a thirty (30) day notice, should the Board close an office provided services through a contract.

## Request for Proposal Information Sheet

### Internet and Phone Service

#### Internet Speeds Requested

1001 N I27, Plainview, TX 79072  
 1102 Austin St, Levelland, TX 79336  
 1321 Tahoka Rd, Brownfield, TX 79316  
 1301 Broadway Suite 201, Lubbock TX 79401

2002 W. Loop 289, Lubbock, TX 79414

150 X 75 Business Fiber  
 150 X 75 Business Fiber  
 150 X 75 Business Fiber  
 250X125 Business Fiber  
 250 X 125 Business Fiber  
**10 Meg SIP Trunk needed for 40 concurrent callers**

**Static IP's needed Qty - 15**

### Phone Lines and Locations Requested

1001 N I27, Plainview, TX	<b>Static IP's needed -1</b>
(806) 293-8566	main hunt line
(806) 293-8567	2nd hunt line
(806) 293-8568	3rd hunt line
(806) 293-8569	4th hunt line
(806) 296-7572	single line/FAX
(806) 293-5651	single line/FAX

1102 Austin Street, Levelland, TX	<b>Static IP's needed-1</b>
(806) 894-5005	main hunt line
(806) 894-1248	2nd hunt line
(806) 894-3739	3rd hunt line
(806) 894-4644	4th hunt line
(806) 894-8755	single line/FAX

1321 Tahoka Rd, Suite B, Brownfield, TX	<b>Static IP's needed-1</b>
(806) 637-4234	main hunt line
(806) 637-5587	2nd hunt line
(806) 637-1223	3rd hunt line
(806) 637-6743	single line/FAX

2002 W. Loop 289, Lubbock, TX	10 Meg SIP Trunk needed for 40 concurrent callers
	Static IP's needed-8
(806) 776-1700	
(806) 776-1701	
(806) 776-1702	through (806)776-1799
(806) 776-1800	through (806)776-1899
(806) 687-1689	DID
(806) 744-2037	DID
(806) 744-3572	DID
(806) 744-3576	DID
(806) 747-7638	DID
(806) 762-3694	DID
(806) 765-5038	DID
(806) 765-6944	DID
(806) 765-7902	DID
(806) 771-3815	DID

Workforce Board Administration	Static IP's needed-4
1301 Broadway, Suite 201, Lubbock, TX	
(806) 744-1987	main hunt line
(806) 744-7935	2nd hunt line
(806) 744-8030	3rd hunt line
(806) 744-8036	4th hunt line
(806) 744-8046	5th hunt line
(806) 687-1881	single line/analog
(806) 744-5378	single line/FAX

## **V. Guidelines for Submitting a Proposal**

The Board is subject to the Texas Public Information Act pursuant to Texas Government Code sec. 552.003. The information provided in response to this RFP will be made accessible to the public. If an offeror believes that any information contained in the offeror's proposal qualifies for an exception to the Public Information Act, the offeror must indicate in the proposal the information it seeks to except from the Act and the grounds for the exception. If there is a request for this information under the Public Information Act, the Board will inform the offeror of the request for access to the information and process the request for an exception as described in the Act. All proposals become the property of the Board.

Other than as specified in the proposal guidelines below, potential offerors are prohibited from making any contact with Board staff or members of the Workforce Solutions South Plains Board of Directors at any time during this procurement. Violations of this prohibition will result in the automatic disqualification of the offending offeror. Members of the Workforce Solutions South Plains Board of Directors, Board staff, or authorized representatives or agents of the Board are precluded from entertaining or answering questions concerning this RFP or the procurement process.

Offerors who are partnering with other companies to provide the requested services must list the names of all service providers or joint providers. All contracted costs must be itemized in the budget. Proposals must indicate that they are joint submissions. If proposers seek to form a legal joint venture using a corporate identity for the partnership, the Board will require the individual corporate partners to accept liability for the funds.

This request for proposals does not commit or obligate Workforce Solutions to pay for any costs incurred in the preparation of a response or in advance of the execution of a subcontract. The contract and accompanying budget must be fully executed prior to the service start date. No costs incurred prior to contract execution will be reimbursed.

### **A. Procurement Timeline**

Copies of this RFP will be available beginning Monday April 2, 2018. A copy can be downloaded from the Board's website [www.workforcesouthplains.org](http://www.workforcesouthplains.org) or it can be requested via email [rocky.brown@spworkforce.org](mailto:rocky.brown@spworkforce.org) or by calling (806) 744-1987. A copy can be picked up in person at 1301 Broadway Suite 201 Lubbock, TX 79401 from 8:00 a.m. - 5:00 p.m., Monday through Friday (except for holidays).

The projected timeline for soliciting proposals, proposal review, selection and negotiation is presented below. The dates are tentative and may be changed at the Board's

discretion. Organizations requesting a copy of the RFP will be notified in writing or via the Board's website of any changes in the procurement schedule.

<b>Activity</b>	<b>Due Date</b>
Release of the RFP	April 2, 2018
Submission of Questions	1:00 p.m., Wednesday, April 11, 2018
Final Q&A Provided to Offerors	Friday, April 13, 2018
Proposal Due Date	5:00 p.m., Friday, April 20, 2018
Proposal Review and Approval	April 23 to April 27 2018
Contract Negotiations Begin	April 30, 2018
Award Date	April 30, 2018
Contract Begins	June 1, 2018

**B. Technical Assistance and Pre-proposal Conference**

Questions regarding this procurement can be submitted in writing electronically, faxed or via private or public mail carrier until 1:00 p.m., Wednesday, April 11, 2018, to the address listed below. All questions will be answered as expeditiously as possible, responses will be provided in electronic format to all offerors by Friday April 13, 2018. Questions will not be accepted after April 11, 2018. All questions should be addressed to:

Rocky Brown  
 Workforce Solutions South Plains  
 1301 Broadway, Ste. 201  
 Lubbock, Texas 79401  
 Attn: RFP 2018 50-0402-IPS  
 Fax: (806) 744-5378  
 E-mail: rocky.brown@spworkforce.org

**C. Proposal Deadline**

All proposals must be received and recorded by the Board no later than 5:00 p.m. (CDST) on Friday April 20, 2018, at the address listed above. Official receipt of proposals submitted will be by entry on a proposal receipt log. A receipt form will be issued upon request. Offerors who mail a proposal will be sent a copy of the receipt form upon request. Proposals may be submitted prior to the required deadline between 8:00 a.m. and 5:00 p.m. Monday through Friday or mailed to the address above. Proposals submitted by mail, courier or overnight mail services must be received at the above address by the deadline (regardless of postmark or date shipped). Proposals received after the due date and time will not be accepted or considered under this procurement. No exceptions will be made to this requirement for any reason. The timely delivery of proposals is the sole responsibility of the offeror. Faxed or e-mailed proposals will not be accepted.

Any modifications or amendments to a proposal must also comply with the above requirements and response deadline. An offeror may withdraw a proposal at any time during the procurement process by submitting a written request to Workforce Solutions South Plains attn: Rocky Brown, Chief Operating Officer, 1301 Broadway, Suite 201, Lubbock, Texas 79401.

**D. Requested Format**

Proposal narratives should be typed in a 12-point font, single-spaced, with a 1" margin on all sides on 8 1/2 x 11 inch plain white paper. Materials not specifically requested will not be reviewed. Provide one signed original of the proposal and three copies for evaluation purposes.

**E. Evaluation and Award Process:**

An initial review will be conducted to test for responsiveness and compliance with the technical specifications and other criteria specified in the RFP. Responsive proposals will be evaluated and scored by a team of internal reviewers based on the following criteria:

<b>Criteria</b>	<b>Points</b>
<u>Demonstrated Performance and Design</u> This criterion examines the experience and demonstrated effectiveness (competence and qualifications) of the company. Professional references may be considered. The criterion examines the planned phone and internet services design and delivery based upon the information provided in the proposal.	35
<u>Reasonableness of Cost</u> This criterion examines the cost of services being purchased. The costs for services must be reasonable and necessary.	45
<u>Capacity and Financial Stability</u> This criterion examines whether the selected provider has adequate capacity and stability to provide services to the coverage area over the period of the contract.	20
Total Points	100
BONUS: HUB Certification	5

**F. Scoring Threshold**

Any application with a total score of less than 70 points will be considered as non-responsive and will be disqualified from further consideration.

**G. Proposal Narrative Instructions:**

1. Complete a cover sheet included as Attachment 1 and provide the business

information requested.

2. Provide an Executive Summary for the business outlining qualifications to provide the services.
3. Provide a description of the services you propose to offer. Proposed services must align with the requirements for services outlined in the RFP.
4. Provide the total amount the services will cost on a monthly and annual basis.
5. Provide the initial installation cost of services.
6. Provide a copy of the company's general liability insurance and bonding.
7. Provide the businesses most recent audited financial statement, if available. If not available, provide the most recent unaudited financial statement that will show financial stability.
8. Provide contact information for 3 professional references.

## **VI. Debriefings and Appeals:**

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

Offerors will be notified as soon as possible if the proposal is found to be unresponsive and will not be considered. Once the Workforce Solutions Board of Directors has agreed upon selection(s), all offerors will be notified in writing of the results within ten (10) working days of the decision.

Any unsuccessful offeror has the option to protest the procurement decision. Complaints or protests must be submitted in writing by registered mail to Director of Operations, Workforce Solutions South Plains, 1301 Broadway, Ste. 201, Lubbock, Texas 79401. A clear statement of the complaint or protest and the reason(s) or grounds must be made. Protests must be received by the Board within 14 calendar days of the mailing date of the notification of non-selection. An acknowledgment of receipt of the protest will be provided to the protestor along with specific instructions and dates for the protest process.

The protesting party is first given an opportunity for an informal review of the evaluation, ranking and selection process with Board staff. This review is designed to allow the protesting party an opportunity to examine documentation related to the procurement, understand the reasons for their evaluation score, provide them with information that may allow them to prepare a more successful response in future solicitations. The objective of this informal review is to provide an opportunity for resolution and avoid, if possible, the need for a formal hearing.

If after the informal review, the protesting party is not satisfied, a formal hearing will be scheduled. Hearings shall be conducted within thirty (30) days of the filing of a protest and decisions shall be made not later than sixty (60) days after such filing. Except for complaints alleging fraud or criminal activity, complaints shall be made within one year of



the alleged occurrence. Protests not resolved to the satisfaction of the protesting party may be pursued through the Texas Workforce Commission.

Offerors not selected for award of a contract may receive a debriefing to determine the reasons for non-selection if the debriefing is requested in writing to the contact person for this procurement, and the request is made within thirty (30) days of the date the notice of non-selection is postmarked.

## **VII. Governing Provisions and Limitations**

1. Offerors shall not, under penalty of law, offer or provide any gratuities, favors or anything of monetary value to any officer, board member, employee, proposal evaluator, or agent of the Board or elected official for purposes of having an influencing effect on this procurement. Offerors shall not attempt in any manner to advocate for, lobby or otherwise attempt to influence any officer, board member, employee, proposal evaluator, or agent of the Board or elected official for purposes of having an influencing effect on this procurement. (Attachment 6)
2. No officer, board member, employee, proposal evaluator, or agent of the Board shall participate in the selection, award or administration of a contract supported by workforce development funds if a conflict of interest, or potential conflict, is involved. (Attachment 6)
3. Offerors shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause an offeror's proposal to be disqualified and rejected. This does not preclude joint ventures or subcontracts.
4. All proposals submitted must be an original work product of the offeror. The copying, paraphrasing or other use of substantial portions of the work product of another party and submitted hereunder as original work of the offeror is not permitted. Failure to adhere to this instruction may cause the proposal to be disqualified and rejected.
5. The contents of a successful proposal may become a contractual obligation if selected for the award of a contract. Failure of an offeror to accept this obligation may result in cancellation of an award. No plea of error or mistake shall be available to successful offerors as a basis for release from proposed services at the stated price/cost. Any damages accruing to the Board as a result of a successful offeror's failure to contract may be recovered from the offeror.
6. The Board reserves the right to:
  - a. award from one or more contracts as a result of this RFP for any combination of services as necessary to obtain the best value for the State;
  - b. accept or reject any or all proposals received, to cancel or reissue this RFP in part, or its entirety;
  - c. extend, shorten, increase or decrease any contract awarded as a result of this RFP;
  - d. contact any individual, agency, employer or granting agencies listed in a proposal, contact others who may have experience and/or knowledge of the offeror's relevant performance and/or qualifications;
  - e. request additional information from any and all offerors to obtain clarification of or explanation for any aspect of a response to this RFP;
  - f. waive any defect in this procurement process or to correct any error(s) and/or make changes to this solicitation it deems necessary;
  - g. negotiate the final terms of any and all contracts or agreements with selected offerors and any such terms negotiated as a result of this RFP may be renegotiated and/or amended in order to successfully meet the needs of the South Plains Area;
  - h. conduct on-site reviews of records, systems, procedures, including credit and criminal background checks, etc., of any entity selected for funding under this RFP either before or after the award of a contract or agreement;
  - i. cancel any contract or agreement awarded if there is found to be misrepresentation of the offeror's ability to perform as stated in the offeror's proposal.

7. Offers must be valid for a period of 90 days following the date and time designated for receipt of proposals, and may not be withdrawn or canceled during that period without the written permission of the Board. A statement to this effect must be submitted with the offeror's proposal.
8. As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:
  - i. Section 188 of the Workforce Innovation Opportunity Act of 2015 (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I—financially assisted program or activity;
  - ii. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
  - iii. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
  - iv. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
  - v. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
  - vi. The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.
  - vii. The Americans With Disabilities Act (ADA) of 1990 and the ADAA.
9. Any applicant may withdraw his application either in person or by written request by a duly authorized representative at any time prior to the scheduled closing time for receipt of applications.
10. Funding for goods or services requested in this RFP is contingent upon the Board's actual receipt and availability of funds from the Texas Workforce Commission.
11. Workforce Solutions South Plains is an equal opportunity employer and complies fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I- financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; the Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.
12. Contracts will include a Drug Free Workplace Certification. (Attachment 3)
13. No contract may be awarded until the applicant has complied with Executive Order 12549, 29CFR, Part 98 by submitting to the Board a signed Certification of Debarment, which states that neither the applicant, nor any of its principals, are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in a procurement by any Federal department or agency. (Attachment 3)
14. Contracts will contain provisions for maintaining confidentiality. The Service Provider agrees to maintain the confidentiality of any information.
15. The contract with the successful offeror will include general provisions set forth in the contract between the Board and the Texas Workforce Commission and other applicable requirements. A copy of the general provisions is available upon request.
16. The offeror certifies and assures that it has not been found guilty of unfair business practices in a judicial or state agency administrative proceeding during the preceding year. The Applicant further certifies and

assures that no officer of the Applicant has served as an officer of any company found guilty of unfair business practices in a judicial or state agency administrative proceeding during the preceding year.

17. The offeror certifies that it will notify the Board immediately in the event of any significant change affecting the Applicant and Applicant's identity, such as ownership or control, name change, governing board membership and vendor identification number.
18. The offeror certifies that it will comply with the requirements of the Immigration Reform and Control Act of 1986 regarding employment verification and retention of verification forms for any individuals hired on or after November 1, 1986, who will perform any services under the proposed contract.

**ATTACHMENT 1**

**COVER SHEET**

<b>Legal Name of Proposing Organization (Include legal name of parent company and DBA, if applicable)</b>	
<b>Name of Parent Company CEO</b>	
<b>Mailing Address and Physical Address (if different)</b>	
<b>Telephone Number</b>	
<b>Fax Number</b>	
<b>E-mail of Proposal Liaison</b>	
<b>Phone Number of Proposal Liaison</b>	
<b>Name &amp; Title of Proposal Liaison</b>	
<b>Name &amp; Title of Signatory Authority</b>	
<b>Legal/Tax Status of Proposing Organization (check all that apply)</b>	<input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> for Profit <input type="checkbox"/> Not for Profit <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Other (Specify) _____
<b>Federal Tax ID Number</b>	
<b>Historically Underutilized Business? (If “Yes”, attach certification)</b>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<b>Total Amount Proposed</b>	

**ATTACHMENT 2 - CERTIFICATION OF PROPOSER**

I hereby certify that the information contained in this proposal and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided and the administrative, management and financial systems of this organization. I certify that no employee of Workforce Solutions South Plains has assisted in the preparation of this proposal.

I acknowledge that I have read and understand the requirements and provisions of the RFP and that the organization will comply with applicable local, state and federal regulations and directives in the implementation of the program. I also certify that I have read and understand the Governing Provisions and Limitations section presented in this RFP and will comply with the terms.

This proposal is a firm offer for a minimum of 90 days.

I, \_\_\_\_\_, certify that I am the  
(Typed Name)

\_\_\_\_\_ of the corporation, partnership, organization, or other  
(Typed Title)

entity named as Respondent herein and that I am authorized to sign this proposal and submit it to the Workforce Solutions South Plains Workforce Board on behalf of said organization by authority of its governing body.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)

**ATTACHMENT 3 - 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 Act, Title 31 U.S. Code, for the Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned contractor certifies that:

- (1) 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 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.
- (2) 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.
- (3) 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), Department of Health and Human Services (45 CFR Part 76).

The undersigned contractor certifies that neither it nor its principals:

- (1) Are presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency.
- (2) Have not within a three-year period preceding this contract been convicted of 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;

- (3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in Paragraph (2) of this certification; and,
- (4) Have not within a three-year period preceding this contract had one or more public transactions 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 recipient shall attach an explanation to this certification.

**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:

- (1) Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying **the consequences of any such action by an employee;**
- (2) Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations in the workplace;
- (3) Providing each employee with a copy of the Contractor's policy statement;
- (4) Notifying the employees in the Contractor's policy statement that as a condition of employment under this contract, employees shall abide by the terms of the policy statement and notifying the Contractor in writing within five days after any conviction for a violation by the employee of a criminal drug statute in the workplace;
- (5) Notifying Workforce Solutions South Plains within ten days of Contractor's receipt of a notice of a conviction of an employee; and,
- (6) 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.

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Signature and Date

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Type Name and Title



**ATTACHMENT 4 - TEXAS CORPORATE FRANCHISE TAX CERTIFICATION**

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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 corporation entering into this contract is current in its franchise taxes must be signed by the individual on Form 203, Corporate Board of Directors Resolution, to sign the contract for the corporation.

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The undersigned authorized representative of the corporation contracting 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 contract and is grounds for contract cancellation.

Indicate the certification that applies to your corporation:

The Corporation is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

The Corporation is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

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Signature

---

Date

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Type Name and Title

**ATTACHMENT 5 - STATE ASSESSMENT CERTIFICATION**

The undersigned authorized representative of the firm or individual contracting 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 contract and is grounds for contract cancellation.

The firm or individual certifies that:

Is current in Unemployment Insurance taxes, Payday and Child Labor law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.

Has no outstanding Unemployment Insurance overpayment balance payable to the State of Texas.

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Signature and Date

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Type Name and Title

**ATTACHMENT 6 - CERTIFICATION REGARDING CONFLICT OF INTEREST**

By signature of this proposal, Proposer covenants and affirms that:

- (1) no manager, employee or paid consultant of the Proposer is a member of the Board, the Executive Director, or an employee of Workforce Solutions South Plains;
- (2) no manager or paid consultant of the Proposer is married to a member of the Board, the Executive Director, or an employee of Workforce Solutions South Plains;
- (3) no member of the Board, the Executive Director or employee of Workforce Solutions South Plains owns or controls more than a 10 percent interest in the Proposer;
- (4) no spouse or member of the Board, Executive Director or employee of Workforce Solutions South Plains is a manager or paid consultant of the Proposer;
- (5) no member of the Board, the Executive Director or employee of Workforce Solutions South Plains receives compensation from Proposer for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- (6) proposer has disclosed within the Proposal any interest, fact or circumstance which does or may present a potential conflict of interest;
- (7) should Proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with Workforce Solutions South Plains and shall immediately refund to Workforce Solutions South Plains any fees or expenses that may have been paid under the contract and shall further be liable for any other costs incurred or damages sustained by Workforce Solutions South Plains relating to that contract.

Disclosure of Potential Conflict of Interest \_\_\_\_\_

Name of Organization: \_\_\_\_\_

Name/Title of Authorized Signatory: \_\_\_\_\_

Signature \_\_\_\_\_ Date: \_\_\_\_\_

**ATTACHMENT 7 – STATEMENT OF RECEIPT**

**STATEMENT OF RECEIPT**

PLEASE COMPLETE AND FAX ATTENTION ROCKY BROWN TO: 806-744-5378 WITHIN 48 HOURS OF RECEIPT

**REQUEST FOR PROPOSALS RFP 2018-50-0403-IPS for Internet Data Lines and Local /Long Distance Phone Service**

COMPANY/AGENCY: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_  
City State Zip

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

E-MAIL: \_\_\_\_\_

I certify that I have received the Request for Proposal (RFP) Package for Internet Data Lines and Local/Long Distance Phone Service for Workforce Solutions South Plains Workforce Development Board.

I am aware that Workforce Solutions South Plains will only send responses and answers to questions submitted to proposers who return the "Statement of Receipt." Failing to submit the "Statement of Receipt" does not impact the acceptance of a proposal.

I am aware that the response is due to Workforce Solutions South Plains by 5:00 p. m. on Friday April 20, 2018.

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_