



**Request for Youth
Program Applications
RFA 2000-18-2004**

**WORKFORCE SOLUTIONS SOUTH PLAINS
Released October 23, 2018
South Plains Regional Workforce Development Board
dba Workforce Solutions South Plains
1301 Broadway, Ste. 201
Lubbock, Texas 79401
(806) 744-1987**

DUE DATE: Open and continuous through September 1, 2019

The South Plains Regional Workforce Development Board, d.b.a. Workforce Solutions South Plains, in Lubbock, Texas is requesting applications from organizations operating programs and projects serving youth anywhere in the South Plains region. The 15-county area served by the Workforce Solutions South Plains includes Lubbock, Bailey, Cochran, Crosby, Dickens, Floyd, Garza, Hale, Hockley, King, Lamb, Lynn, Motley, Terry, and Yoakum counties.

Background Information

Workforce Solutions South Plains (WSSP) is a 501(c)(3) non-profit corporation. It is governed by a Board of Directors who are appointed by the local Chief Elected Officials (CEO's), the county judges, in the 15 counties that comprise the South Plains Region, in accordance with the provisions of Texas Senate Bill 642, Texas House Bill 1863 and the federal Workforce Innovation and Opportunity Act (WIOA) of 2014.

The Board is a volunteer board composed of community leaders representing business, organized labor, education, rehabilitation services, economic development and local and state agencies. As the lead Workforce development entity on the South Plains, the Board represents a public/private partnership that serves as a catalyst for building a Workforce development system that meets the needs of local employers and job seekers. As fiscal agent for Workforce development services, the Board is responsible for the planning, oversight and evaluation of the Workforce development system. The Board administers the procurement of the operation of the Workforce Solutions Career Centers and the Child Care Services for the South Plains Workforce Development Area.

The South Plains Workforce Development Area consists of a 15-county region with a total population of approximately 397,590 persons. Included are Bailey, Cochran, Crosby, Dickens, Floyd, Garza, Hale, Hockley, King, Lamb, Lubbock, Lynn, Motley, Terry and Yoakum Counties. The region includes the Lubbock Metropolitan Statistical Area comprised of Lubbock and Crosby Counties. The focal point of the local Workforce delivery system is a network of one-stop career centers, known as Workforce Solutions Career Centers. These Centers provide customers, employers and job seekers, with convenient access to a broad array of information and services.

Eligible Applicants

Eligible applicants are public or private not-for-profit or private for-profit, faith-based, and community-based organizations, school districts, colleges, and universities, as well as other organizations. Entities that are subject to the Texas Proprietary School Laws or other State regulatory requirements must be in compliance with applicable laws to be eligible. Minority-owned, disadvantaged and woman-owned businesses are encouraged to respond.

Applicants must have at least one year of demonstrated performance in the provision of the types of services.

Program Requirements

A successful applicant will operate a program or programs that provides services to eligible in-school and out-of-school youth, ages 14-24, throughout the 15-county South Plains region. Youth programs should include activities that promote youth development and citizenship, such as leadership development through voluntary community service opportunities, adult mentoring, work experience, and enrollment in post-secondary education and employment and include provision of the fourteen elements of service delivery required by the Workforce Innovation and Opportunity Act (WIOA) Section 129(c)(2):

1. Tutoring, study skills training, instruction, and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized post-secondary credential;
2. Alternative secondary school services, or dropout recovery services, as appropriate;
3. Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
 - (i) summer employment opportunities and other employment opportunities available throughout the school year;
 - (ii) pre-apprenticeship programs;
 - (iii) internships and job shadowing; and
 - (iv) on-the-job training opportunities;
4. Occupational skills training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123;
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
6. Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors;
7. Supportive services;
8. Adult mentoring for a duration of at least 12 months that may occur both during and after the program participation;
9. Follow-up services for not less than 12 months after the completion of participation;
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
11. Financial literacy education;
12. Entrepreneurial skills training;
13. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
14. Activities that help youth prepare for and transition to post-secondary education and training.

Applicant programs need not provide all fourteen elements or serve all youth between ages 14 and 24. Eligible organization that provide any one of the above services to youth anywhere between ages 14 and 24 are encouraged to apply. WSSP's goal is to gather several youth programs to offer its youth clients. Applications from qualified organizations that meet the criteria described in the RFA will be placed on a list of approved service offerings to be made available to eligible WIOA Youth participants.

WSSP's WIOA Youth Program

WSSP's Career Center WIOA Youth staff ensures that all 14 program elements are available to WIOA youth participants. Youth Program staff determine which elements are appropriate to provide to a participant based on the participant's assessment and Individual Service Strategy (ISS). An ISS is developed for each participant to identify their short- and long-term goals. Case managers review the youth's identified barriers to determine how the Program, directly or through partnering agencies, can assist to remove the barriers. Over the course of participation, case managers track the progress the customer is making toward meeting his or her goals. Youth

Program staff identify appropriate services and career pathways by utilizing an objective assessment. This process includes a review of the academic and occupational skills levels and service needs. Staff also utilize this process to develop the ISS. The objective assessment includes a review of:

- Basic skills
- Occupational skills
- Work Experience
- Employability
- Interests/Aptitudes
- Support service needs
- Developmental needs

WIOA requires that at least 75% of Youth Program funding be expended on services to out-of-school youth. Expenditures on Work Experience activities must meet or exceed 20% of local youth formula funds. To meet this requirement, the Youth Program offers a summer employment program to connect youth with area employers. Business Services Unit and ES staff make contact with employers throughout the region and to identify placements for youth. These teams work in tandem with Youth Program staff to facilitate successful work experiences for program participants. Work experience is a priority as it is important for the youth to not only obtain skills but also explore careers to assist them in gaining self-sufficiency.

By offering an enhanced array of services to this population, the Board seeks to be more responsive to the needs of area youth.

Funding Availability

Funding of successful applicants will vary based upon the services provided and the number of youths served.

Application Instructions

This RFA is open and continuous and applications may be submitted through September 1, 2018.

In your response please include the completed application and all signed certifications and applicable attachments.

Workforce Solutions will issue written notification of selection or non-selection, within 60 days of the date of receipt of the application by Workforce Solutions. Successful applicants will be placed on the Workforce Solutions WIOA Youth Approved Vendor list for the applicable Program Year - effective as of the date of approval - for a period not to exceed twelve months from the date of placement on the list.

Questions about the RFA may be sent to erin.rea@spworkforce.org.

Applications with original signatures and required attachments may be submitted to erin.rea@spworkforce.org or to the address below.

Workforce Solutions South Plains
Attention: Erin Rea
1301 Broadway, Ste. 201
Lubbock, Texas 79401

Application Selection Process

Only applications that are responsive to the RFA instructions will be considered.

A committee comprised of Workforce Solutions Board Administration staff will review and score applications based on application evaluation criteria outlined below.

In accordance with the 73rd Texas Legislature, Workforce Solutions will make a good faith effort to award contracts to Historically Underutilized Businesses (HUBs). It is the policy of this organization to pursue HUB business. However, the final decision as to the award of this contract will be contingent upon weighted evaluation criteria.

Application Evaluation Criteria

Applicants will be scored by a review committee comprised of Board Administration staff using the criteria outlined below.

- **Demonstrated Performance – 30 Points**
 - This criterion examines the experience and demonstrated effectiveness (competence and qualifications) in providing the proposed educational or training service in a timely manner. Professional recommendations from reliable sources and/or an onsite review may be required.
- **Program Design – 30 Points**
 - This criterion examines the quality and innovativeness of the program activity and the outcomes desired, as well as whether program activities are consistent with the eligible activities as described in the section, “Program Requirements”, and the section, “Service Offerings”. Quality programs will provide services and/or activities that assist Workforce Solutions in attaining mandated performance measures on the core indicators of performance as described in the section entitled, “Evaluation”.
 - If applicable, applications will be evaluated on the innovative method the organization will employ to coordinate proposed services with other providers in the community based on existing service gaps or overlaps to ensure that there is no duplication of services. For those providers that propose to offer services already available in the community, the provider must demonstrate that the service or activity is either directed at a special population or provided in an area that does not currently offer these services.
- **Reasonableness of Cost – 20 Points**
 - This criterion examines the cost of services being purchased. The costs for services must be reasonable and necessary to the success of the program participants.
- **Financial Stability – 20 Points**
 - This criterion examines whether the selected provider has adequate financial resources to achieve contract performance requirements. The application will be reviewed carefully for evidence of the bidder’s ability to account for funds in accordance with TWC fiscal requirements. Training providers whose programs are regulated by the Texas Higher Education Board or the Texas Workforce Commission Career Schools and Colleges Division are not required to submit financial information.

Applications will be reviewed by a committee of Workforce Solutions staff.

APPLICATION

For Workforce Solutions South Plains Board Use Only		
Received By:	Date:	Time:

Organization's Information	
Complete, Legal Name:	
Mailing Address:	
Street Address (if different):	
City/State/Zip:	

Organization's Authorized Representative	
Name:	
Title:	
Telephone Number:	
Fax Number:	
E-mail Address:	

Organization's Program Contact Person	
Name:	
Title:	
Telephone Number:	
Fax Number:	
E-mail Address:	

Federal Employer Identification Number: _____

Is this a Historically Underutilized Business (HUB)? YES NO

If yes, please include certification from the Texas Comptroller.

Organization Type – please check all that apply

Nature of Organization			
<input type="checkbox"/> Charitable/Faith Based Org.	<input type="checkbox"/> Proprietary School	<input type="checkbox"/> Community College	<input type="checkbox"/> Non-Profit
<input type="checkbox"/> Community Based Org.	<input type="checkbox"/> University Public ___ Private	<input type="checkbox"/> For Profit	<input type="checkbox"/> Partnership
<input type="checkbox"/> Corporation	<input type="checkbox"/> Sole Proprietorship	<input type="checkbox"/> Woman-Owned or Minority-Owned Business	<input type="checkbox"/> Other

Program Information

Provider Name:

Program Name:

Program Address/Location:

Program Operating Hours:

Program Web Address:

Does your facility meet the requirements of the American with Disabilities Act?
 YES NO

Is your facility easily accessible by public transportation?
 YES NO

Do you maintain liability insurance? YES NO

Amount of Insurance: _____

If not, will you provide liability insurance if awarded grant? YES NO N/A

Provider Background / Experience

Has your organization been providing the proposed program services for at least one year?
 YES NO

Proposed Program

Applicants must submit a narrative description of the proposed program. Responses should include, but not be limited to:

- Describe program services
- Describe how program performance will be evaluated;
- Attach job descriptions describing program staff qualifications;
- Provide resumes for all managerial staff;
- *Narrative descriptions are limited to ten one-sided pages of text using 12-point font.*

Budget

Applicants must complete the budget spreadsheet provided as Attachment 3. In addition, include a budget narrative describing the cost items requested.

Certification of Applicant

Some organizations may need to have an on-site quality assurance review, financial, or administrative system review prior to approval. Workforce Solutions South Plains staff may need to conduct quality assurance reviews after a provider is approved to insure compliance with applicable State and Federal grant requirements.

By signing this application, the signatory authorizes Workforce Solutions South Plains to conduct an on-site quality assurance review, financial or administrative system review.

The Applicant/Service Provider hereby submits an application to Workforce Solutions South Plains. This is an offer to provide the stated for eligible participants funded under the WIOA Youth Program administered by Workforce Solutions South Plains.

Authorized Signatory Name and Title:

Date:

FINANCIAL DOCUMENTATION

Applicants that are not regulated by a State Regulatory Agency such as the Texas Workforce Career Schools and Colleges or the Texas Higher Education Coordinating Board are required to provide evidence of financial stability prepared by a certified public accountant. Is documentation of financial stability attached?

Yes No

This space is intentionally left blank.

CERTIFICATIONS

Please sign and include with the completed application.

1. CERTIFICATION OF OFFEROR
2. PROPOSAL LANGUAGE CHANGE CERTIFICATION
3. CERTIFICATION REGARDING DEBARMENT, SUSPENSION
AND OTHER RESPONSIBILITY MATTERS
4. CERTIFICATION REGARDING LOBBYING
5. CERTIFICATION REGARDING DRUG-FREE WORKPLACE
6. CERTIFICATION REGARDING CONFLICT OF INTEREST
7. CERTIFICATION REGARDING TEXAS CORPORATE
FRANCHISE TAX
8. CERTIFICATE OF COMPLIANCE WITH TEXAS FAMILY CODE
231.006 REGARDING PAYMENT OF CHILD SUPPORT
9. STATE ASSESSMENT CERTIFICATION

CERTIFICATION OF OFFEROR

The Workforce Solutions South Plains Board (hereinafter, “the Board”) contracts for the operation of the Board’s regional workforce system using resources from the federal Workforce Innovation and Opportunity Act of 2013, portions of the public welfare programs under the Social Security Act, Child Care and Development Block Grant Act of 1990, and section 5082 of the Omnibus Budget Reconciliation Act of 1990, P.L. 101-508, as amended, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Funds originating with the United States Departments of Labor, Health and Human Services, and Agriculture are passed through the Texas Workforce Commission to the Board according to requirements of federal law. When submitting a proposal, organizations are required to assure and certify the following:

Non-discrimination and equal opportunity. As a condition to the award of financial assistance from the Board, the applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Innovation and Opportunity Act of 2013 (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 bases 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.

The applicant also assures that it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the applicant makes to carry out the WIOA Title I-financially assisted programs or activities. The applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Environmental compliance. Applicant assures and certifies that to the extent required by law, it will comply with applicable provisions of the Clean Air Act (42 USC §7401 *et. seq.*) the Federal Water Pollution Control Act, as amended (233 USC §1251 *et. seq.*), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and the Environmental Protection Agency regulations at 40 CFR Part 5.

Labor Standards. Applicant agrees and certifies that it will comply with applicable provisions of the Davis-Bacon Act (40 U.S.C. 276a- 276a-7), the Copeland Act (40 U.S.C. 276c), and the Contract Work Hours and safety Standards Act (40 U.S.C. 327-332), as set forth in Department of Labor Regulations at 20 CFR 5.5a.

Texas Family Code. Applicant certifies that the individual or organization submitting the proposal is not ineligible, pursuant to Texas Family Code §231.006, to receive the specified payment and acknowledges that if the certification is inaccurate, no contract will be made with Applicant.

Unfair business practices. Applicant 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.

Criminal Convictions. Applicant certifies that it will disclose to the Board and any applicable federal or state agencies the name of any person who has an ownership or control interest in or is an agent or managing employee of the Applicant who has been convicted of a criminal offense related to the person's involvement in any program under Title XVIII, SIX, or SS of the Social Security Act since the inception of these programs.

Identity Change. Applicant 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.

Immigration Reform and Control Act. Applicant 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.

I hereby certify that the information contained in this proposal and all attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee, board member, or agent of the Workforce Solutions South Plains Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the Request for Proposal Sections **I.F. State and Federal Governing Authority and II.I. Contract Terms and Related Contract Provisions** and that this organization will comply with all pertinent regulations, board policies, and other applicable local, state and federal regulations and directives in the implementation of these programs in the event of an award.

Any exceptions taken to the assurances and certifications as set forth in this document must be identified in detail and accompany your organization proposal response. Any exception not identified and accompanying your proposal response will not be considered if later presented. Workforce Solutions South Plains will not be bound by any oral statement or representation contrary to the RFP except for changes or addenda that are issued in writing as part of the RFP or resulting contract.

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

I, _____, certify that I am the _____(title) of the corporation, partnership, or sole proprietorship, or other eligible entity named as an Offeror and Respondent herein and that I am legally authorized to sign this proposal and submit it to the Workforce Solutions South Plains on behalf of said organization by authority of its governing body.

PROPOSAL LANGUAGE CHANGE CERTIFICATION

I hereby certify that the terms and conditions of this Request for Proposal and/or any of its appendices have not been altered in any way from the original document e-mailed or downloaded from the Board's website on _____(date) including change, addition or deletion except as specifically set forth in the space provided below. I further acknowledge that any alteration described below shall not be binding until expressly approved by the Executive Director of the Workforce Solutions South Plains Board or the Executive Director's designee.

Name: _____ Date: _____

Title: _____

Company/Organization: _____

Changes, additions or deletions (please describe below):

CERTIFICATION OF LEGAL AND SIGNATORY AUTHORITY

I, _____(name) certify that I am the _____(title) of the corporation, partnership, or sole proprietorship, or other eligible entity named as Respondent and respondent herein, and that I am legally authorized to sign and submit this proposal to the South Plains Regional Workforce Development Board on behalf of said organization by authority of its governing body.

I certify that _____(name) who signed the Cover sheet of this proposal has the legal authority to enter into and execute a contract with the South Plains Regional Workforce Development Board to provide their services and activities authorized and detailed in this proposal. I agree to submit upon request by the South Plains Regional Workforce Development Board 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 the South Plains Regional Workforce Development Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of this Request for Proposal 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 and limitations and administrative requirements of this Request for Proposal and will comply with all terms and conditions.

Name of Organization

Signature of Authorized Representative Date

Typed/Printed Name and Title of Authorized Representative

ACKNOWLEDGEMENT OF TERMS AND CONDITIONS

The undersigned acknowledges that he/she has read the Assurances and Certification included with this RFP and agrees to manage and operate the proposed program and services as detailed in the proposal response and in compliance with applicable federal, state and local laws, rules, regulations, policies and plans relating to the programs funding this RFP.

By signing below, your organization agrees to provide the services described and agrees to abide by all terms and conditions as specified in this RFP and in any contract resulting from an award based on the RFP. Any exceptions taken to the assurances and certifications as set forth in this document must be identified in detail and accompany your organization's proposal responses. Any exceptions not identified and accompanying your proposal response will not be considered if later presented.

Workforce Solutions Plains Board will not be bound by any oral statement or representation contrary to the RFP except for changes or addenda that are issued in writing as part of the RFP or resulting contract.

Name of Organization

Typed/Printed Name and Title of Authorized Representative

Signature of Authorized Representative Date

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER
RESPONSIBILITY MATTERS**

This certification is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 93, 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 certifies, to the best of his or her knowledge and belief, that both it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, 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 government 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 form.

Name of Organization/Firm

Signature of Authorized Representative/Date

Print Name and Title of Authorized Representative

CERTIFICATION REGARDING 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 Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned certifies, to the best of his or her knowledge and belief, 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 an employee or 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 a 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, an 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.

Name of Organization

Signature of Authorized Representative Date

Print Name and Title of Authorized Representative

CERTIFICATION REGARDING DRUG-FREE WORKPLACE

Applicant/Contractor certifies that it will provide a drug free work place by:

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the contractor's work place and specifying the actions that will be taken against employees for violation of such prohibition;
- B. Establishing a drug free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the work place;
 - 2. The contractor's policy of maintaining a drug free work place;
 - 3. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph A;
- D. Notifying the employee in the statement required by paragraph A that, as a condition of employment under the contract, the employee will:
 - 1. Abide by the terms of the statement, and
 - 2. Notify the employer of any criminal drug statutes conviction for a violation occurring in the work place no later than five working days after such conviction.
- E. Notifying the South Plains Workforce Board within 5 days of receipt of notice from employee, under subparagraph D.2.
- F. Taking one of the following actions, within 30 days of receipt of notice under subparagraph D.2. with respect to any employee who is so convicted:
 - 1. Taking appropriate personnel action against such an employee, up to and including termination; or
 - 2. requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by Federal, State, or local health, law enforcement, or other appropriate agency;
- G. Making a good faith effort to continue to maintain a drug free work place through implementation of paragraphs A, B, C, D, E, and F.
 - 1. Certification is a precondition of receiving a new contract after July 1, 1990.
 - 2. This policy does not require drug testing.
 - 3. Costs incurred to comply with the requirements of this policy are allowable costs under the contract.
 - 4. Contractors are not required to pay for rehabilitation programs for employees.
 - 5. The requirements of this policy must be in place and certification must be made to the Capital Area Workforce Board at the time that the contract is executed.
 - 6. Alcohol is not covered by this policy.

Contractor will provide a Drug Free Work Place in compliance with the Drug Free Work Place Act of 1988. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited on the contractor's premises or any of its facilities. Any employee who violates this prohibition will be subject to disciplinary action up to and including termination. All employees, as a condition of employment, will comply with the policy.

Signature

Date

Typed Name and Title

Organization

CERTIFICATION REGARDING CONFLICT OF INTEREST

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

No manager, employee or paid consultant of the proposer is a member of the Workforce Solutions South Plains Board;

No manager or paid consultant of the proposer is a spouse to a member of the policy board, the chairman or a manager of the South Plains Workforce Development Board;

No member of the policy board, the president or an employee of the South Plains Workforce Development Board owns or controls more than 10 percent in the proposer;

No spouse of a member of the policy board, president or employee of the Workforce South Plains Workforce Development Board is a manager or paid consultant of the proposer;

No member of the policy board, president or employee of the South Plains Workforce Development Board receives compensation from proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;

Proposer has disclosed within the proposal any interest, fact or circumstance which does or may present a potential conflict of interest;

Should proposer fail to abide by the forgoing covenants and affirmations regarding conflict of interest, proposer shall not be entitles to recovery of any costs or expenses incurred in relation to any contract with the South Plains Workforce Development Board and shall immediately refund to the South Plains Workforce Development Board any fees or expenses that may have been paid under the contract and shall further be liable for any costs incurred or damages sustained by the South Plains Workforce Development Board relating to that contract.

Name of Organization Submitting Proposal: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

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 that 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 it 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 taxes to the State of Texas.

Name of Business:

Type of Business (if not corporation): Sole proprietor ; Partnership ; Other

IRS Tax Number: _____

Name of Authorized Representative: _____

Signature of Authorized Representative: _____

STATE ASSESSMENT CERTIFICATION

Offerors must certify that they are current in all Unemployment Insurance taxes, Payday and Child Labor Law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas. Proposers must also certify that they have not outstanding Unemployment Insurance overpayment balances due to the State of Texas.

The undersigned authorized representative of the proposer certifies that the following statements are true and correct and that the undersigned understands that making a false statement will prevent Workforce Solutions South Plains from contracting with the organization.

The corporation certifies, by checking the boxes below, that:

- It 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.

- It has no outstanding Unemployment Insurance overpayment balance payable to the State of Texas.

Authorized Signatory

Organization

Name & Title

Date

Procurement Standards

The procurement of goods and services under Federal assistance programs shall be in compliance with OMB Circular A-102 and/or A-110, as applicable, and the provisions of applicable Federal law or Executive Orders, as well as applicable state laws, rules, regulations and policies governing procurement. Solicitation under this RFA is intended to ensure that services are obtained efficiently, economically, and provide for complete, free and open competition in the selection of service providers.

Under Texas Government Code sec. 552.003, the Board is subject to the Texas Public Information Act and the information provided in response to this RFA will be made accessible to the public. If a proposer believes that any information contained in its proposal qualifies for an exception to the Public Information Act, the proposer must indicate in the proposal which information should be excepted 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 make a good faith effort to inform the proposer of the request for access to the information.

CONDITIONS AND LIMITATIONS

- A. The only purpose of this Request for Applications (RFA) is to ensure uniform information in the solicitation of proposals and procurement of services. This RFA is not to be construed as a purchase agreement or contract or as a commitment of any kind; nor does it commit the Board to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by Board.
- B. The Board reserves the right to accept or reject any or all applications received, to cancel or reissue this RFA in part or its entirety.
- C. The Board reserves the right to negotiate the final terms of any and all contracts or agreements with applicants selected.
- D. Misrepresentation of the applicant's ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded.
- E. Applicants shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the Board for the purpose of having an influencing effect toward their own application or any other application submitted hereunder.
- F. No employee, officer, member or agent of the Board shall participate in the selection, award or administration of a contract if a conflict of interest, or potential conflict, would be involved.
- G. Applicants shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause an applicant's application to be rejected. This does not preclude joint ventures or subcontracts.
- H. 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.
- I. 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.
- J. The Board's Director of Operations is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. No protest shall be accepted by the State until all administrative remedies at the Board level have been exhausted.
- K. Applicants not selected by this process may appeal the Board decision by submitting in writing a formal letter of appeal addressed EO Officer, Workforce Solutions South Plains, 1301 Broadway, Ste 201, Lubbock, Texas, 79401. This appeal must be sent by registered mail and identified on the envelope as an appeal with the grounds of the appeal clearly stated in the letter, within fourteen calendar days of decision notification (the date on the notification letter). The EO Officer shall review the appeal and review applicable laws, and request determination if appeal is valid and shall make decisions. If persons are not satisfied with the decision, they may pursue all other avenues of appeal provided by law.
- L. Applications must be manually signed by a person having the authority to bind the organization in a contract.
- M. The Board considers the application submitted in response to this RFA to be the property of the Board. Applicants should not include proprietary information or trade secrets. Information submitted may be subject to disclosure under the Texas Open Records Act. If necessary, it will be the responsibility of the proposer to seek an exemption from disclosure and file any necessary documents with the Attorney General.
- N. Funding for goods or services requested in this RFA is contingent upon the Board's actual receipt and availability of funds

- from the Texas Workforce Commission.
- O. 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 and 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.
 - P. The recipient also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above.
 - Q. It is the goal of the Board to cooperate with the provisions of Texas Government Code Chapter 2161 and will make a reasonable effort to meet the state goal on subcontracts and supplier contracts for the performance of the activities to historically underutilized businesses (HUBs) certified by the State of Texas, as defined in Texas Government Code §2161.001, including any certified women or minority owned business or enterprise.
 - R. Workforce Solutions contractors must abide by all conflict of interest policies issued by the Board, Texas Workforce Commission, State of Texas and the U. S. Department of Labor.
 - S. Contracts will contain a section prohibiting sectarian involvement, and the Board will ensure that no funds under the contract are used, either directly or indirectly, in the support of any religious or anti-religious activity, worship or instruction.
 - T. Contracts will contain a provision that no participant is directly or indirectly charged a fee as a condition for participation in any TWC funded program.
 - U. Contracts will include a Certification of Debarment and Drug Free Workplace Certification.
 - V. Confidentiality: The Service Provider agrees to maintain the confidentiality of any information, regarding program participants and the immediate family of any applicant or participant, that identifies or may be used to identify them, and which may be obtained through application forms, interviews, tests, reports from public agencies or counselors or any other source. The Service Provider agrees not to divulge such information without the written permission of the participant, except that such information which is necessary as determined by the Board for purposes related to the performance or evaluation of the contract may be divulged to the Board or such other parties as they may designate having responsibilities under the contract for monitoring or evaluating the services and having responsibilities under the contract, or to governmental authorities to the extent necessary for the proper administration of the law. All unauthorized release of information shall be construed as a breach of this section.