



**WORKFORCESolutions**  
S O U T H P L A I N S

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## **RFP 04-01-2022-WFS Request for Proposal for Management and Operation of Workforce Services**

The South Plains Regional Workforce Development Board, dba Workforce Solutions South Plains, is soliciting proposals from qualified entities for the management and operation of the following component of service delivery:

**Workforce Services:** The service provider will manage and direct the operations of the Workforce Solutions South Plains Career Centers including staffing services, provision of employment and training services to the residents of the South Plains Region, engaging employers in successful collaborations to support an effective labor exchange system. The ideal provider will possess the knowledge and skills to be responsive to the needs of business with the goal of ensuring the availability of appropriately skilled labor to meet the hiring demands of employers located throughout the South Plains Region.

**Issue Date: April 1, 2022**

**Pre-bid Conference to be held: April 29, 2022**

**Proposals Due by: May 13, 2022**

**Bidders may send Notice of Intent to Submit Proposal:**

**Erin Rea  
Workforce Solutions South Plains  
1500 Broadway, Ste. 800  
Lubbock, Texas 79401  
[erin.rea@spworkforce.org](mailto:erin.rea@spworkforce.org)**

## Introduction

We appreciate your interest in providing services for residents of the South Plains Region. This Request for Proposals (RFP) includes the information necessary for eligible offerors to submit a responsive proposal. To facilitate the development of proposals, offerors will have an opportunity to attend and ask questions at a pre-proposal conference and to submit questions during the question-and-answer period. Our goal is the optimal selection of service provider(s) to serve residents of the South Plains Workforce Development Area.

## Background

The South Plains Regional Workforce Development Board d.b.a. Workforce Solutions South Plains (herein referred to as “Workforce Solutions” or “the Board”) is a 501(c)(3) non-profit corporation. The Board administers workforce development programs for the South Plains Workforce Development Area (WDA) in accordance with the Texas Administrative Code Title 40, Part 20, the Texas Government Code Chapter 2308, and applicable legislative authority pertaining to workforce center systems, operations and programs. The South Plains WDA consists of a 15-county mostly rural region with a total population of 432,547<sup>1</sup> persons. Counties we serve include 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 (MSA) comprised of Lubbock, Crosby and Lynn Counties. More information about the South Plains Region and the Board’s Vision, Mission and Goals is available from the [Board's Strategic Plan](#), the Labor Market and Economic Profiles for the [Lubbock MSA](#) and the [South Plains WDA](#).

The focal point of the local workforce delivery system is a network of one-stop career centers that provide convenient access to a broad array of programs and services funded by various state and federal sources and administered by the Board. The Board currently maintains five career centers located in Brownfield, Levelland, Lubbock, Muleshoe, and Plainview. More information regarding these programs and services can be gained by visiting the [Board website](#). Additional information regarding governing rules, regulations, and laws pertaining to the operations of one-stop centers and delivery of these services is available from the Texas Workforce Commission (TWC) via the links below:

- [Workforce Innovation & Opportunity Act \(WIOA\) Program for Youth, Adults and Dislocated Workers](#);
- [Temporary Assistance to Needy Families \(TANF\)/Choices](#);
- [Non-Custodial Parent Choices \(NCP\)](#);
- [Supplemental Nutrition Assistance Program Employment and Training \(SNAP E&T\)](#);
- [Trade Adjustment Assistance \(TAA\)](#);
- [Employment Services \(ES\)](#), including services of [WorkinTexas.com \(WIT\)](#);
- [Rapid Reemployment \(RR\) Services](#); and,
- [Child Care Service \(CCS\)](#).

In addition to the programs listed above, the Board seeks out discretionary funding opportunities and administers various discretionary grants and special projects as the opportunities arise. All grants and contracts are administered in compliance with the [TWC Financial Manual for Grants and Contracts \(FMGC\)](#) and other laws, regulations & standards for TWC-Funded Grant Contracts such as the [Texas Uniform Grant Management Standards \(UGMS\)](#). Offerors are expected to be knowledgeable of all applicable federal state and local laws, rules, regulations and policies. *Such knowledge should be evident in the quality of the proposal submitted in response to this RFP.*

### **Purpose of this Request for Proposals**

Through this competitive RFP process, the Board is soliciting proposals from qualified entities to manage and operate workforce services. Eligible offerors are invited to submit a proposal for the service components described below.

**Workforce Services (WFS):** The service provider will manage and direct the operations of Workforce Solutions Career Centers located throughout the 15-county South Plains Region. The management and operation of centers includes responsibility and personnel authority for all staff engaged in the provision of employment and training services under the WIOA, TANF/Choices, SNAP E&T, TAA, ES, NCP and other discretionary state, federal and private grant-funded programs. Career centers provide outreach and recruitment, determine participant eligibility, perform assessments and case management, and ensure the integrity of customer and system information entered into the TWC's automated information systems. Career centers also provide job search assistance, facilitate enrollment in education and training programs, providing a variety of support and other services to promote successful training outcomes; make referrals to job openings to facilitate employment up to and including job development, and provide post-employment support and follow-up and provide other allowable services. The workforce contractor will also identify and serve individuals who are determined most in danger of exhausting their unemployment insurance benefits through the Board's Rapid Reemployment Services (RRES). Career centers are also expected to provide services to the area's employers. The Texas Workforce Commission (TWC) Employment Services Guide provides detailed information regarding the operation of the Employment Services Program including Recruitment Assistance; Employer Training Services; Rapid Response and job posting and advanced job matching services through WorkinTexas.com. The contractor will work to ensure that the workforce system is employer driven by serving as point of contact for businesses and engaging employers in a successful collaboration to support an effective labor exchange system. The ideal contractor will manage a team of business experts with the knowledge and skills to be responsive to the needs of business with the goal of ensuring the availability of appropriately skilled labor to meet employer demand in order to support industry growth. The contractor will support all employer groups with a focus on target industries and pipeline partnerships with business, education, economic development and other community stakeholders. The contractor will work closely with employers to facilitate job fairs and other recruitment events; facilitate successful job placements; and develop agreements with employers to provide on-the-job (OJT) training or customized training to meet skill needs. The contractor will facilitate OJT and customized training agreements to support the employer's ability to

upgrade the skills workers. The contractor will support the Board's Rapid Response Coordinator as needed to respond to business closures or layoff events and work with employers on an ongoing basis to develop and strengthen layoff-avoidance strategies. The contractor is expected to develop and employ innovative strategies in support of the Board's priorities and to consistently meet or exceed the TWC's contracted performance measures.

### **Board Standards**

The selected contractor(s) will be responsible for having technical, managerial, and administrative competencies and capabilities in all areas necessary to ensure programmatic and fiscal management systems are implemented efficiently and effectively to meet or exceed all applicable performance outcomes of the program(s) *and* will have the financial resources and stability to meet high standards of public and fiduciary responsibility. Successful contractors will demonstrate in their proposals that they possess these capacities.

In addition to meeting the requirements of program law, the selected contractor(s) will be expected to meet standards for quality customer outcomes for program services. These standards are identified in the section of this RFP pertaining to the specific service component for which an offer is being submitted.

### **Potential Management Structure, Design and Service Delivery Arrangements**

The Board seeks proposals from eligible offerors with expertise and a proven record of accomplishment in the management and delivery of services similar in nature and scope to those described in this RFP. We welcome proposals that incorporate innovative or creative service delivery arrangements to find the most efficient and cost-effective means of delivering workforce services in the South Plains WDA. This solicitation does not limit offerors to a management structure or specified service delivery approach or method. The solicitation is open to any appropriate management design and to a wide variety of organizations or individuals, including large and small companies, partnerships, nonprofit organizations, joint ventures, individual project managers, governmental entities, etc. Potential arrangements are described below merely for the convenience of prospective offerors:

- ✓ Individual Managing Director: Under this approach, an individual is proposing to serve as an independent contractor to the Board. The individual will be responsible for the management and operations of the system including management of all related personnel and will have all personnel authority.
- ✓ Management Team: Under this approach, a collaboration of individuals or a team of individuals currently associated with an established organization proposes to contract to provide the entire management function including management of all related personnel. The team can be proposed from an established organization or be newly formed with the intent of establishing a legal entity. The management team might also elect to use a Personnel Employer Organization (PEO) to handle staffing and payroll services. The Management team will have responsibility for all related personnel and will have all personnel authority.
- ✓ Organization: Under this approach, an organization proposes a turnkey operation which would include direct employment of personnel and will have all personnel authority.

The individual(s) designated to provide top-level local management for program operations (i.e. the managing director) will need to be identified in the service proposal(s). Proposals should include a resume that demonstrates substantial experience and expertise to include at least 10 years of senior management experience in workforce development systems, employment training programs, job development, economic development or social services.

### Available Funding

The chart below represents FY2020/PY2019 allocations for the South Plains Board Area. This information is provided for the offeror's use in preparing a proposal budget, but allocations are subject to change for FY2022 and beyond.

<b>Federal and State Funding Source</b>	<b>Program Allocation FY2020/PY2019</b>
Workforce Innovation and Opportunity Act – Adult, Youth and Dislocated Worker	\$2,481,511
WIOA Rapid Response	\$16,941
TANF/Choices	\$1,491,190
Supplemental Nutrition and Assistance Employment and Training	\$297,858
Employment Services	\$359,960

### Participant Numbers Served

The Board is interested in seeing proposals that offer to increase/enhance services while maintaining or improving the cost-effectiveness of service offerings for a greater return-on-investment.

### Contract Type

1. Any contract resulting from this procurement will be a cost-reimbursement contract. The selected contractor will be reimbursed for allowable actual service delivery costs. The actual amount of a contract award will be based on the proposed budgets, availability of funds, and standards for the use of public funds (i.e. all costs must be reasonable and necessary to carry out the planned functions, must be allowable, and must be allocable to the proper grant/cost categories). Contractors will be expected to have the financial resources or the ability to obtain financial resources sufficient to meet their cash flow needs for a minimum of a four to six- week period. There will be no cash advances allowed under a contract resulting from this RFP.
2. The initial contract(s) will be for a period of one year, beginning October 1, 2022, and ending September 30, 2023. Contract(s) may be extended for a one-year period on an annual basis at the discretion of the Board for up to three additional years based on satisfactory performance or other factors as determined by the Board. In the event a contractor fails to perform as required, the Board reserves the right to terminate a contract early with a failing or non-compliant contractor and assign a contract in whole or in part to another successfully performing contractor(s) obtained through this procurement, subject to successful contract negotiations.

3. The Board may periodically expand the scope of the contract to include other workforce programs, funding or requirements that the Board deems necessary and appropriate. Changes to the scope of work and/or resultant contract(s) shall be subject to the availability of funds, successful contract negotiations, applicable procurement standards, and the laws, rules, regulations and policies governing the programs funded under this RFP.
4. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this RFP if adequate funding is not received by the Board from the Texas Workforce Commission or other funding sources or due to legislative changes.

**Fiscal Parameters:**

1. Not all allocated funds will be contracted to successful offerors. A portion of all funds will be held by the Board to cover its own operating expenses. The Board may also elect to holdback a portion of all program funds (10-15%) for local initiatives and special projects to be determined by the Board of Directors. In addition, a portion of all funds will be held by the Board to cover costs associated with the following services provided by Board staff. Costs associated with the services listed below are NOT to be included in proposal budgets.
  - a. Fiscal administration to include preparation of drawdowns, summary monthly expenditure reports and grant close-out documents to TWC on Board contracts and reimbursement to contractor(s) for allowable expenditures;
  - b. Oversight to include technical assistance and serving as liaison with TWC/U.S. DOL;
  - c. Programmatic and fiscal monitoring (not to include internal monitoring);
  - d. Management of all facility leases and facility maintenance.
  - e. Management and maintenance of all IT equipment, hardware and software and related systems;
  - f. Management and maintenance of utilities, communications and connectivity;
2. To be responsive, proposal budgets should include management and operational costs only (i.e. personnel and related costs). Costs associated with direct customer services (i.e. training, training-related, and support services) are NOT to be included in the proposal budget. Such costs will be incorporated as part of any resulting contract(s) in conjunction with service level plans that will be negotiated during contract negotiations.
3. Contractors will be allowed no more than 4% of the total contract amount for administrative costs subject to cost allocation requirements for each funding program. Indirect costs may be charged to administration and programs if supported by appropriate documentation and in accordance with the TWC FMGC.
4. An indirect cost rate or overhead charge to be levied against the services to be provided under a contract issued pursuant to this RFP must be approved by a federal cognizant agency. All indirect charges are to be fully explained in the budget narrative. Indirect costs are capped at 5% of the total contract amount subject to negotiation and tied to the achievement of negotiated performance benchmarks. The payment of indirect costs will be negotiated as a separate item during contract negotiations.
5. Contractors must have a cost allocation plan, as required by regulations governing multiple funding sources and must not double bill for items to be charged to contracts with the Board. The cost allocation plan is a separate document from the approved indirect cost plan from a cognizant federal agency.

6. Profit is an allowable cost and capped at 8% of the total contracted amount. Profit is only available as a budget line item for a for-profit organization and will be a factor in the evaluation process. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the sub-contractor, the sub-contractor's investment, the amount of sub-contracting, the quality of its past performance record, industry profit rates in the surrounding geographical area for similar work, and market conditions in the surrounding geographical area. For subsequent contract years, the amount of profit will be negotiated based on the following factors:
  - a. Exceeding minimum standards for contracted federal and state performance measures;
  - b. Achieving satisfactory progress in a continuing focus on the integrated service delivery system that is currently in place by utilizing co-enrollment, assessments, and skill enhancements to provide customers with a high level of relevant service; and,
  - c. Meeting contractual expenditures, enrollment and program requirements, which includes satisfactory monitoring reviews.
7. A non-profit or governmental entity is not eligible to earn profit from a contract resulting from this RFP and will be required to turn over any profit (i.e. excess of revenues over expenses) at the end of each contract year.
8. For subsequent contract years, a contractor will also have the option to earn incentive payments with the amount of the financial incentive subject to negotiation and payments used only for staff development and System Quality Improvement initiatives. Specific requirements for incentive pay will be identified during contract negotiations; however, criteria for eligibility will include staff training provided, grants obtained outside the scope of formula funding, and the number of partners recruited including MOU's, Letters of Agreement, or co-locations at Workforce centers.
9. Final adjustments to indirect costs, administrative costs and profit will be made during contract negotiations once direct program participant costs have been determined.
10. Offerors selected for award of a contract should be prepared to cover expenditures for start-up activities during the transition period.
11. Financial systems must:
  - a. comply with generally accepted accounting principles (GAAP) and Texas Uniform Grant Management Standards (UGMS);
  - b. be sufficient to permit preparation of required reports;
  - c. permit the tracing of funds to a level of expenditure adequate to establish that funds have not been used in violation of applicable restrictions on use of such funds;
  - d. permit the tracing of program income, potential stand-in costs, and other funds;
  - e. designed to report contract costs as accruals or modified accruals.
12. In order to promote effective service delivery, financial planning and management and to ensure the full utilization of funding, funding levels for all programs are to be maintained consistently with the following percentages expended for staffing/operations and direct client services. Offerors should submit budgets that are consistent with these guidelines:

<b>Program</b>	<b>Staffing &amp; Operations</b>	<b>Direct Client Services</b>
<b>WIOA Adult</b>	60%	40%
<b>WIOA Dislocated Worker</b>	60%	40%
<b>TANF/Choices</b>	70%	30%
<b>SNAP E&amp;T</b>	70%	30%
<b>Non-Custodial Parent</b>	70%	30%

## State and Federal Governing Authority

Contracts funded as a result of this RFP are subject to the requirements of the State and federal authorities listed below:

1. Workforce Innovation and Opportunity Act (WIOA) of 2014, Public Law 113-128 (29 U.S.C. Sec. 3101, *et. seq.*)
2. Worker Profiling Reemployment Services (WPRS), (hereinafter called Rapid Reemployment Services (RRS)), programs as described in Title III, §303, Social Security Act (42 USC §503(j))
3. Trade Adjustment Assistance (TAA) services to Dislocated Workers who are identified as potentially eligible for Trade Adjustment Assistance (TAA) services in accordance with the Trade Act of 1974, as amended (P.L. 93-618, as amended); the Trade Act of 2002 (P.L. 107-210); and the Federal rules and regulations in 20 CFR Part 617 and 29 CFR 90. State law at Texas Labor Code, Chapter 307;
4. Wagner-Peyser Act of 1933, as amended, (29 USCA S. 29 *et. seq.*);
5. Portions of the Social Security Act (42 USCA Section 2000, *et. Seq.*);
6. Food and Nutrition Act of 2008 (7USC §200 *et.seq.*);
7. Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (Public Law 104-193)
8. PL 105-33, Balanced Budget Act of 1997;
9. Title IV-A of the Social Security Act, as amended by the Balanced Budget Act of 1997 (PL 105-33); federal regulations 20 CFR Part 645 Consolidated Appropriations Act for FY2000, 42 USC 601 through 619;
10. Federal Regulations issued by the U.S. Department of Health and Human Services at 45 CFR Parts 270 through 275, inclusive, for services funded by Temporary Assistance to Needy Families, federal regulations issued 45 CFR Part 260, *et al.*;
11. Federal regulations issued by the U.S. Department of Agriculture at 7 CFR § 271 through 273 Food Stamp employment and training services; 42 USC 1766 (Hunger Prevention Act) regarding the creation of the Supplemental Nutrition Assistance Program (formerly the Food Stamp Employment and Training Program);
12. Federal laws and regulations concerning nondiscrimination and equal opportunity; federal labor laws and standards;
13. State legislation Senate Bill 642 as amended by House Bill 1863;
14. Sections of the Texas Administrative Code Title 40, Part 20 and the Texas Government Code Chapter 2308, as they pertain to Workforce center systems, operations and programs;
15. Human Resources Code 44.001 regarding authorization to the Texas Workforce Commission to administer the state's child care program; Human Resources Code, Chapter 44 regarding provision for the state administration of federally established child care programs and for the establishment and administration of state-funded child care centers;
16. 42 USC 1397 (Public Law 97-35, The Omnibus Budget Reconciliation Act of 1981) regarding establishment of Title XX Social Services Block Grant;
17. 42 USC 670-687 regarding establishment of Title IV-E Foster Care and Adoption Subsidies authorizing payments for certain foster care-related subsidies such as child care;
18. The Omnibus Reconciliation Act of 1990 regarding the creation of the Child Care and Development Block Grant (CCDBG) and authorization of payment for certain child care and quality improvement activities;
19. Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (HR 3734 – Welfare Reform) regarding amendment of 42 USC 9858 and creation of the Child Care Development Fund (CCDF);
20. Human Resources Code 0031.0035 regarding requirements that the state provide child care services for eligible families who leave cash assistance due to earnings (Transitional clients), in accordance with TWC rules and regulations;



21. Human Resources Code, 0031.0010 regarding providing the state with the authority to provide support services (including child care) to families who are attempting to become self-sufficient, i.e. TANF (Choices) participants;
22. The Hatch Political Activity Act (5 U.S.C. § 7321-29) which limit the political activity of employees whose principal employment activities are funded in whole or in part with Federal funds.
23. The minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.
27. 40 TAC § 73 (Texas Administrative Code, Article 40, Part I, Chapter 73, Subpart A) provides the processes and procedures for the administration of all programs and services receiving state financial assistance directly or through contractual arrangement, in accordance with applicable federal civil rights regulation;
28. Labor Code (as amended by HB 1863 and SB 1519, etc.);
29. Appropriations Bill (including riders);
30. Public Law 107-288, The Jobs for Veterans Act;
31. Nondiscrimination and equal opportunity provisions of the Non-Traditional Employment for Women Act of 1991;
32. State Regulations 40 T.A.C. Chapter 800, 801, 802, 803, 807, 809, 811, 813, 815, 817, 819, 821, 823, 833, 835, 837, 839, 841, 843, 845, 847, 849 Texas Workforce Commission section of Texas Administrative Code providing rules for administration of Workforce and child care programs;
33. Workforce Development Letters, Information Notices; Technical Assistance Bulletins, rules, policies, procedures, manuals and other guidance issued by the Texas Workforce Commission;
34. Plans, policies and procedures of the Workforce Solutions South Plains Board related to Workforce center and child care programs and operations.

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## Proposal Submission Guidelines

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 Request for Proposals 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.

### Procurement Timeline

1. Copies of this RFP will be available beginning April 1, 2022. A copy can be downloaded from the Board's [website](#), from the Texas Comptroller's Electronic Business Daily website, or can be requested via email or regular mail or by calling (806) 744-1987. A copy can also be picked up in person at 1500 Broadway Suite 800, 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.

Activity	Due Date
Submission of Questions Deadline	Thursday, April 21, 2022
Mandatory Pre-Proposal Conference	10:00 a.m., Friday, April 29, 2022
Questions/Answers Provided to Offerors	Friday, May 6, 2022
Proposal Due Date	5:00 p.m., Friday, May 13, 2022
Proposal Review	May 16 – June 13, 2022
Offeror Presentations (as needed)	June 20 - 24, 2022
Board Meeting/Proposal Decision	July 28, 2022
Contract Negotiations Begin	July 29, 2022
Award Date	August 22, 2022
Transition Period (if required)	August 22 - September 30, 2022
Contract Begins	October 1, 2022

### **Letter of Intent to Submit a Proposal, Technical Assistance, and Mandatory Pre-Proposal Conference/Conference Call**

1. A letter stating the offeror's intent to submit a proposal may be submitted but is not mandatory. Letters of intent may be submitted electronically, faxed, or hand delivered to the address listed below.

Workforce Solutions South Plains  
1500 Broadway, Ste. 800  
Lubbock, Texas 79401  
Attn: Erin Rea  
Fax: (806) 744-5378  
E-mail: erin.rea@spworkforce.org

2. A mandatory pre-proposal conference/conference call to explain, clarify and answer technical questions concerning this RFP is scheduled for Friday, April 29, 2022 at 10:00 a.m., via Zoom. Prospective offerors must notify the Board via the e-mail above and provide their contact number in order to receive the Zoom meeting information. The meeting information will also be posted on the Board's website.
3. The Board will accept written, e-mailed, and faxed questions prior to and at the pre-proposal conference. Questions asked during the conference will be answered in a question and answer publication to be released no later than May 6, 2022. Questions will not be accepted after the pre-proposal conference.

### **Proposal Deadline**

1. All proposals must be received and recorded by the Board no later than 5:00 p.m. (CDST) on May 13, 2022. Official receipt of proposals submitted will be recorded electronically. A receipt form will be issued upon request.
2. 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. Proposals submitted by any other means than that listed under **Proposal Submission** will not be accepted.
3. 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 Erin Rea, Procurements Officer, 1500 Broadway, Ste 800, Lubbock, Texas 79401.

### **Required Format**

1. Format: Proposals must be typed in a 12-point font, single-spaced, with a 1" margin on all sides on an 8 1/2 x 11-inch formatted Word document. Each page of the proposal should be sequentially numbered and should include the name of the offeror in the footer of each page.
2. Page Limit: The narrative portion of each section of the proposal must be no more than 20 pages, excluding the required attachments. Pages in excess of the 20-page limit will not be reviewed. Materials not specifically requested will not be reviewed.
3. Financial audits must accompany the proposal.
4. Offerors that fail to follow the requirements set forth in this document regarding page limits and format may be considered non-responsive.
5. Offerors should provide contact information for the individual(s) who can respond to questions regarding the proposal on the Proposal Cover Sheet to be provided on the Board's

[website](#). The contact person should be knowledgeable of the proposal and be authorized to provide information on behalf of the offeror.

6. Each offeror should submit an Offeror's Profile narrative along with a narrative for the services the offeror is proposing to provide to be considered responsive to this RFP. Only one Offeror's Profile is required regardless of the number of service proposals being submitted. All information required to develop the offeror's profile and service proposal narrative(s) is contained in Sections III through VII of this RFP.
7. Budget forms and certification forms are streamlined to accommodate the various facets of service provider operations and should be completed as provided. Submission of altered forms may result in disqualification.

### **Proposal Submission**

1. Proposals including all attachments must be uploaded through the secure links provided on the Board's [website](#).
2. The proposal and all required assurances and certifications will be signed electronically via the links on the Board's website.
3. All proposals must be received and recorded by the Board no later than 5:00 p.m. (CDST) on May 13, 2022. Official receipt of proposals submitted will be recorded electronically. A receipt form will be issued upon request.
4. It is recommended that you submit your proposal at least 4 hours prior to the deadline to allow yourself time for troubleshooting.

### **Qualified Offerors**

1. Eligible organizations include public entities, community-based organizations, faith-based organizations, non-profit organizations, private-for-profit corporations, and other qualified providers.
2. Under Texas House Bill 1863 and the Texas Government Code, the Board is prohibited from entering into a contract for the management and operation of workforce career centers with any entity that provides workforce education or workforce training services. The Board is also prohibited from awarding a contract to a party excluded from federal procurement or non-procurement programs by the U.S. General Services Administration or any entity that has outstanding Unemployment Insurance balance payable to the State of Texas or any corporation that is delinquent in its franchise tax payments to the State of Texas.
3. Minority and women-owned businesses are encouraged to respond to this RFP. Historically-underutilized (HUB) businesses certified by the Texas Office of the Comptroller will receive a 5-point preference in the evaluation process. To apply for certification, visit the [Texas Comptroller's website](#). Current certification of such status must be included in the proposal submission if the offeror requests that HUB status be considered during the evaluation process.
4. Offerors will be asked to provide evidence that they are legally organized and authorized to do business in the State of Texas.
5. Offerors must have the technical competence, administrative capacity, management and administrative skills, program experience and expertise, fiscal management systems, and the financial resources and stability to accomplish the work of this RFP and meet high standards of public service and fiduciary responsibility. Offerors will be expected to demonstrate the

capability to provide service delivery for all customer groups at current levels and effectively incorporate the Board's stated priorities.

6. The offeror's authorized signatory must sign all signature documents in the proposal. This individual should typically be the director, president or chief executive officer of the organization or any individual who has the authority to negotiate and enter into and sign contracts on behalf of the offeror.
7. A consortium or partnership of eligible offerors may submit a proposal. All partners must be eligible offerors and a signed certification must be obtained from each partner attesting to their agreement to all the terms of the proposal and any resulting contract, if awarded. Proposals from partnerships or consortiums must clearly identify the lead agency, the fiscal agent and the specific responsibilities of each partner. A copy of the partnership/consortium agreement must be submitted as part of the proposal and documents are subject to review by the Board's legal counsel. Proposals may be deemed non-responsive if legal documents are not presented for review, if they do not pass legal review or if they are not legally binding.
8. Any subcontracting must be clearly identified in the proposal narrative and approval must be provided by the Board prior to contract execution. All subcontracting is subject to applicable federal, state and local laws, rules, regulations and policies governing procurement. If the offeror currently subcontracts certain functions or activities and intends to do so as part of this proposal, the subcontract must be identified, and a certification included from the subcontractor attesting to their agreement to the terms of the proposal and any resulting contract. The offeror must indicate which services and activities will be subcontracted and the rationale behind using subcontractors instead of providing the services directly. The offeror must also describe how subcontractors were (or will be) procured and selected, their qualifications, as well as the basis for payments. Note that subcontracting is not allowed for CCS. Subcontractors are subject to the same requirements as the offeror under this RFP and resultant contract.

#### **Evaluation and Award Process:**

1. An initial review will be conducted to test for responsiveness and compliance with the technical specifications and other criteria specified in the RFP. Proposals that do not include the required documentation specified in the instructions given for preparation of the offeror's profile or the service proposal(s) and/or do not comply with the guidelines specified in these "Proposal Submission Guidelines", will be considered non-responsive;
2. Responsive proposals will be evaluated and scored by an independent team of reviewers contracted for this purpose with all reviewers using the same standardized instrument. Reviewers will evaluate proposals based on offeror's responses to the questions included in the Offeror's Profile or service component proposal narrative(s). The scoring criteria to be used to evaluate the Offeror Profile and each service proposal, along with the points applicable to each, are provided in the instructions for each in Sections III through IV.
3. Evaluations will combine the Offeror's Profile score and service proposal score to obtain a cumulative total score for each offeror for each service component. Offeror's achieving a score below seventy percent (70%) of available points on the Offeror's Profile or on any one of the service proposals will be considered nonresponsive and will not be reviewed. The decision for contracting will be determined by a cumulative point total for each response consisting of an Offeror's Profile plus service component based on a 60/40 ratio (i.e.

(Offeror's Profile score \* 60%) + (Service proposal narrative score \* 40%) = cumulative total score).

4. A review of the results of the independent evaluations will be conducted by Board staff;
5. Board staff will present the outcome of the evaluations and make a recommendation to the Board of Directors;
6. At their discretion, the committee may request that the offerors make an oral presentation to the committee or to the full Board. If the committee elects to request oral presentations, offerors will be notified of the date, time and place in adequate time to allow development of a presentation.

### **Debriefings and Appeals:**

1. The Board 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.
2. 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.
3. 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, 1500 Broadway, Ste. 800, 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. Except for complaints alleging fraud or criminal activity, complaints shall be made within one year of the alleged occurrence.
4. The protesting party is first given an opportunity for an informal review of the evaluation, ranking and selection process with the 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, and 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.
5. 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. Protests not resolved to the satisfaction of the protesting party may be pursued through the Texas Workforce Commission.
6. 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.

**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.
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.
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. A contract with a selected offeror may be withheld, at the sole discretion of the Board, if issues of contract or questions of non-compliance, questioned/disallowed costs, audit/monitoring findings or legal issues exist, until such issues are satisfactorily resolved. The Board may withdraw the award of a contract if the resolution is not satisfactory to the Board.
7. The Board reserves the right to:
  - a. award from one to three 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.
8. 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 certification to this effect must be submitted with the offeror's proposal along with Certifications and Assurances as Attachment 19.
  9. Any entity selected for funding under this RFP will be subject to Administrative Management and Fiscal and Financial Responsibility pre-award reviews. This may include but not be limited to a review of the offeror's record keeping procedures, management systems, accounting and administrative systems and procedures. Pre-award reviews will occur prior to contract negotiations.
  10. Any entity selected for funding under this RFP will be expected to submit an operational business/service plan addressing the items that are important to the Board in achieving its goals prior to contract award. Format will be provided prior to contract negotiations.

### **Contract Terms and Related Contract Provisions**

1. Any contract(s) funded as a result of this RFP will incorporate master contract terms. By submitting a proposal, offerors agree to be bound by the master contract terms if the proposal is successful and results in an offer to contract with the Board. Contract terms that may impact the development of a proposal(s) are listed below for the offeror's convenience.
2. Contractors will be considered sub-recipients as defined in the UGMS and the TWC FMGC. The Board may refer to the agreement between itself and the service organization as a "grant" or "contract", although it will be understood to be a sub-grant for services, and all federal or state requirements applicable to sub-recipients will apply to Board contractors.
3. Contractors must comply with applicable cost principles and administrative requirements set out in federal OMB Circulars A-21, A-87, A-102, A-122, and 48 CFR Chapter 1, Part 31, as supplemented by final rules promulgated by the Texas Office of the Governor under the UGMS and TWC's FMGC.
4. Contractors will be subject to compliance monitoring. At any time during normal business hours, and as often as deemed necessary, the Board, TWC, U.S. Department of Labor, or any of their duly authorized representatives shall have complete access to any books, invoices, payrolls, time sheets, or any other records or papers which are related to a contract resulting from this RFP for the purpose of verifying contractual, program and financial compliance with all applicable laws, rules, regulations and policies.
5. The Board will conduct a Risk Assessment to determine if a prospective or renewing Contractor might be high-risk. The Board reserves the right to impose increased monitoring requirements on a Contractor identified as high-risk based on the Board's Risk Assessment Plan.
6. Contractors must have an annual audit made in accordance with the Single Audit Act of 1984, as amended, and OMB Circular A-133, or in accordance with federal laws and regulations governing programs. A contractor may arrange for a single, organization-wide audit of its programs that will include a financial and compliance audit of state or federally



funded programs under the Board's contract, provided it is consistent with the criteria found in the TWC's FMGC, and the Board agrees prior to the audit process.

7. The Board reserves the right to conduct or cause to be conducted an independent audit of all funds received under a Board contract, notwithstanding the requirements above. The audit may be performed by a local government audit staff, a certified public accounting firm, or other auditors that the Board designates. Such audit will be conducted in accordance with applicable federal rules and regulations, contractual guidelines, and established professional standards and practices. Offerors must submit copies of their organization's audits for the current and two prior fiscal years as Attachment 10 to their proposal.
8. Contractors must obtain a fidelity bond that indemnifies the Board and TWC against loss arising from a fraudulent or dishonest act of the contractor's officers and employees holding positions of fiduciary trust; i.e., individuals responsible for receiving or depositing agency funds, or issuing financial documents, checks or other instruments of payment. The contractor must be the insured entity and the Board must be the assigned certificate holder. The contractor must submit the bond to the Board within 15 calendar days of the contract start date. Failure to do so may result in termination of the contract. Under no circumstances will the Board disburse to the contractor an amount of cash that exceeds the coverage provided by the fidelity bond that is on file with the Agency. The fidelity bond must be in an amount that is sufficient to cover the largest cumulative amount of all cash requests submitted on a given day or the cumulative amount of funds on hand at any given point. Such amount will be determined based on cumulative amounts drawn during any consecutive three-day period for single or multiple funding sources. If the amount secured by the Board's fidelity bond is 'sufficient to cover the largest cumulative amount of all cash requests submitted on a given day or the cumulative amount of funds on hand at any given point,' but is less than ten percent of the funds subject to the contractor's control, the difference must be secured through bonds, insurance, escrow accounts, cash on deposit, or other methods in accordance with the requirements of 40 TAC §801.54;
9. The Board will conduct a fiscal integrity evaluation of the prospective or renewing workforce service contractor's prior three-year financial history in accordance with 40 TAC §801.54(a). If the contractor is determined to be high-risk, the Board reserves the right to require that a percentage higher than 10 per cent of funds be secured through bonds, insurance, escrow accounts, cash on deposit, or other methods.
10. Contractors will be required to procure all insurances required by this RFP as described in the Chart of Required Insurance included herein as Attachment 13. All policies should list the Board as an additional insured. Contractors will be required to submit certificates of insurance coverage prior to the commencement of any work pursuant to a contract executed as a result of this RFP. Any actual losses that occur during the performance of a contract that could have been covered by permissible insurance are unallowable, unless expressly provided for in the contract.
11. If a contractor warrants that it is self-insured, for instance in the case of a State Agency, then the contractor must be able to pay any obligation that incurs under the terms of a contract resulting from this RFP, including any liability, which may arise from performance under a contract.
12. All workforce supplies and services procured by the contractor must be procured in compliance with the FMGC. The Board will be responsible for procuring and purchasing all

Workforce Solutions System equipment, furniture, technology, hardware, janitorial services, etc.

13. All non-expendable property purchased under a contract resulting from this RFP shall be the property of the Board. Purchases of property must comply with Board policies and may require prior review and approval from the Board and TWC.
14. Upon award, successful offerors will be required to develop a written transition plan that addresses a timetable for transition to service delivery that incorporates Board priorities. If applicable, this plan will be developed in coordination with the exiting contractor and the timetable must also include the transfer of program-funded property, client records, assumption of or release from obligations, continuity of service delivery, and any preferences to be provided for hiring of current contractor staff. Such a plan must be submitted to the Board prior to contract execution.
15. In the event of a transition, contractors may choose to give first consideration to current Workforce Solutions Center staff in filling Workforce Solutions Center positions. If the contractor does not hire all current staff or retain staff through a professional employment organization, the contractor will be responsible for coordinating with the employer of record for such staff to ensure compliance with their personnel policies in making such a transition. In the event of a transition and a reduction of staff, the Board shall carefully oversee the process to ensure that there is no loss of service or reduction of quality.
16. Contractors will have limited management authority over State and partner staff located within the Workforce Solutions Centers. Employer-employee relationships will be governed by the Texas Model agreement between the Board and the TWC. Employees of TWC will be governed by and entitled to the protection and rights of all State and federal employment laws and regulations, the policies and procedures set forth in the TWC General Administration and Personnel Manuals. The contractor shall ensure that such staff are integrated into the overall delivery of services in the workforce career centers. There are currently nine (9) TWC Employment Services staff assigned to the Workforce Solutions South Plains Career Centers.
17. Contractors will coordinate with State agencies and partners currently co-located at the one-stop centers including TWC staff, two (2) Texas Veterans Commission staff, Job Corp. staff, and thirty (30) Vocational Rehabilitation staff.
18. Contractors must ensure that senior management for this contract will be full-time (100% FTE) and solely dedicated to this contract, based in the Lubbock one-stop center, and have the authority and autonomy to serve as a single point of contact for day-to-day operations.
19. Contractors will be responsible for ensuring that their employees, subcontractor's employees, or partner-agency employees who are engaged in service delivery are properly trained to effectively carry out all activities described in this RFP. On-going staff training will ensure that staff is kept abreast of all new information and processes to effectively run a comprehensive and efficient operation. Individuals hired should possess the necessary skill sets and/or certifications to guide, counsel and direct service strategies for eligible participants. At a minimum, contractors must have Spanish-speaking personnel on staff and must have access to translators of languages that reflect the applicable demography of the region. Case managers must be knowledgeable of the career development and training resources available in the WDA both internally and externally to enhance services provided to all customers.

20. Contractors will be required to input and update data on Workforce Solutions Center customers and program participants into TWIST, the state job matching system WIT, or other data systems as required by the Board, TWC or other funding sources. Data represents the case file to be maintained for every registered jobseeker or employer customer. The data is used to generate reports and information that TWC and Boards use to manage, monitor, and assess performance. Documents such as customer eligibility documents, correspondence, documents requiring participant's signatures and documentation of required participation hours must be maintained in case folders in hard copy in accordance with local Board and TWC policies.
21. The contractor's Management Information Systems (MIS) and ability to respond to the Board's data needs will be a significant element in the evaluation of successful proposals. Offerors will be asked to describe MIS systems currently used or to be used in the performance of a workforce contract as part of the narrative and the Administrative Management Survey to be submitted with the offeror's proposal.
22. Contractors must develop and implement strong data integrity initiatives to ensure the timely, complete, and accurate entry of customer data and implement procedures for the routine and systematic review of customer data to ensure the timely, complete, and accurate entry of the data. Evidence of organizational policies and procedures designed to maintain high quality and consistent customer data will be a factor in the evaluation of proposals.
23. Contractors will be responsible for accurate reporting of workforce development and/or business services activities provided to clients along with client outcomes through the Texas Workforce Information System of Texas (TWIST) and/or WorkinTexas.com (WIT). Performance targets are set by TWC and officially listed in the Texas Workforce Commission Monthly Performance Report (MPR). The Board's performance on each measure as compared to established targets will be assessed and reported monthly through the MPR. TWC revises performance measures periodically. The Board may add additional performance measures over and above those required by TWC to meet specific program goals.
24. Contractors will also be required to protect client confidentiality and ensure the security of client data in hard copy and/or electronic files and must certify compliance by 1) submitting evidence of completion of required Information Technology (IT) Security training and 2) submitting signed certifications for each employee or subcontractor who is granted access to the Board's automated and paper record systems.
25. Contractors will be required to maintain the following record systems:
  - i. automated and/or paper records of customer activity;
  - ii. financial management;
  - iii. property;
  - iv. procurement;
  - v. plans, including technical assistance, corrective action and strategic plans;
  - vi. policies and procedures;
  - vii. internal and external monitoring evaluations; and,
  - viii. system performance.
26. The format, frequency and due date of system performance, financial, or other reports to be submitted by the contractor on a regular or ad hoc basis will be determined by the Board.
27. Program records and financial management records, which support and document all expenditures of funds made under this Contract must be maintained based on the retention and

custodial requirements for records in the TWC FMGC and 40 TAC §805.212, as amended. All fiscal records and supporting documents shall be maintained for a minimum of three (3) years after final contract closeout unless otherwise specified in the contract. In the event there is an unresolved audit discrepancy at the end of such retention period, the records will be retained until the discrepancy is resolved. In the event of termination of the contract, the Board shall have the right to take responsibility for maintenance and retention of the records and records shall be transmitted to the Board in an acceptable condition for storage. Notwithstanding the foregoing, the contractor shall have the right to maintain copies of any such records and documents it deems necessary to preserve or defend contractor's rights. The United States Department of Labor, the United States Department of Health and Human Services, the United States Department of Agriculture, the Comptroller General of the United States, the General Accounting Office, the Auditor of the State of Texas, other state and federal auditing agencies, the Commission, or any of their duly authorized representatives, and the Board shall have unrestricted access to and the right to examine, copy or mechanically reproduce, all reports, books, papers, documents, automated data systems and other records pertaining to this contract during normal business hours. Such rights to access shall continue as long as the records are retained by the contractor. Oversight entities shall have the right to timely and reasonable access to the contractor and subcontractor, existing for the purposes of accomplishing the goals of this contract, premises and personnel for the purpose of inspection, monitoring, auditing, evaluation, or interview and discussion, related to all records required to be retained under this section.

28. Contractors must agree to comply with TWC and the Board's Fraud Plan, Policies and Procedures and must certify compliance by 1) submitting evidence of completion of required Fraud Prevention training and 2) submitting signed certifications for each employee or subcontractor who is granted access to the Board's IT, administrative and financial management systems.
29. Contractors will be required to participate fully in regular Board performance reviews and to provide evidence that they have reviewed and analyzed the performance information on an on-going basis. Contractors must demonstrate that the performance feedback received from the Board is used regularly as a management tool as evidence of compliance with the commitment to continuous improvement. Contractors must also demonstrate that the reports and performance results are shared with the appropriate staff. Contractor's individual performance statistics will be evaluated and should meet or exceed the performance targets throughout the performance period.
30. Contractors performing at or below the contract level on any individual performance measure will be subject to corrective actions including intensive technical assistance and thorough assessment of the causes of the low performance; development and implementation of appropriate Corrective Action Plan(s) to raise performance; and close monitoring of subsequent performance to assess the impact of the corrective action plan(s). Contractor's performance trends and Contractor's full attention to corrective action plans will be critical to decisions regarding contract renewal. Failure to achieve the goals set forth in the corrective action plan may result in penalties, which may include but not be limited to the following:
  - i. The development and implementation of a formal corrective action plan to address weaknesses;
  - ii. Obtainment of technical, management, and/or quality assurance assistance;

- iii. Designated as a high-risk entity requiring intensive monitoring and, potentially, increased fidelity bonding;
  - iv. Implementation of a reorganization plan;
  - v. Restriction on funds;
  - vi. Delay, suspension or denial of contracted payments;
  - vii. Contract cancellation or termination.
31. Contractors must agree to cooperate with the Board in the development and implementation of partnerships and collaborations with community partners in coordinating Workforce Solutions Center programs and services and providing a broad range of client services and maximization of local resources. At a minimum, this includes cooperation and coordination as may be requested or required by the Board under any Memorandum of Understanding (MOU) or other agreement entered into by the Board with required workforce center partners.
  32. Contractors will be responsible for maintaining Workforce Solutions Center certifications issued by the Texas Workforce Commission and assisting the Board in obtaining certification of any new facilities.
  33. Contractors will ensure that the public shall have access to local Workforce development services provided through Workforce Solutions Centers, at a minimum from Monday through Friday between the hours of 8:00 a.m. to 5:00 p.m., not including official Board or federal holidays, and at such other times as the Board deems necessary to meet local demand for services. The Board may negotiate for extended service hours at any of the Workforce Solutions Center locations.
  34. Contractors may not charge individuals eligible for Workforce programs a fee for any service. If an offeror proposes to charge fees for non-eligible individuals or outside organizations (i.e. fee-for-service), the service and fee structure must be fully described in the narrative. The Board reserves the right to retain all or a portion of the income generated from such activities.
  35. Contractors must house staff in the Workforce Solutions Administrative Offices and existing Workforce centers. If an offeror proposes to house staff at other sites in the region, the Board and contractor will negotiate the cost and sufficient funds shall be withheld from the allocation to cover such costs.
  36. During the contract period, the number and locations of Workforce Solutions Centers and the types and levels of services to be provided are subject to change. Contractors will be required to work with the Board on any expansion, change or alteration to the Workforce Solutions Center system or individual centers that may occur during the term of a contract. As of July 2018, the Workforce Solutions South Plains Career Center will be housed in a new location: 2002 West Loop 289, Lubbock, TX, 79407.
  37. Contractors must agree to comply with TWC and the Board's marketing guidelines and policies.

## Offeror's Profile

The Offeror's Profile is a position statement regarding your capabilities to effectively operate the Workforce Solutions Career Center operations. Most importantly, the Offeror's Profile is an offer to become a partner with the Board to maintain and expand the workforce system in the South Plains Region as a provider of services. A successful response to this RFP will reflect the offeror's understanding of the guiding principles and priorities for the one-stop delivery system envisioned by the U. S. Department of Labor:

- ✓ **Universality:** Services must be available for everyone – all workers and employers. The system should offer something for everyone from highly skilled individuals to new workforce entrants, from major corporations to small businesses.
- ✓ **Customer Choice:** All customers must be informed and aware of the choices and opportunities that exist for employment, education and training, both those services provided directly through the Workforce center system and those available through community partners.
- ✓ **Integration:** Customers should be able to enter the system through multiple access points, yet it should feel like a single system. There should be no separate identification of programs or agencies.
- ✓ **Performance-driven and Outcome-based:** The system must be accountable for achieving the outcome of a skilled workforce. Customer feedback, quantitative and qualitative data should be used to measure success and serve as the foundation of continuous improvement activities.

### **Performance Standards and Expectations:**

The successful offeror will organize and operate a service delivery system that is fully aligned with the guiding principles and Board priorities and capable of providing program services throughout the South Plains WDA. Contractors are expected to employ and/or collaborate in creative and innovative strategies that incorporate the following priorities:

- ✓ **Integration of common program tasks and processes** in order to enhance operational efficiency and facilitate customer access to needed services.
- ✓ **Co-enrollment of individuals in programs** for which they are eligible in order to leverage resources and provide a more complete package of services.
- ✓ **Development of other operational efficiencies** to reduce expenditures to the most efficient and effective level consistent with program work requirements.
- ✓ **Effective outreach to low-income parents receiving child care subsidies and other high priority populations** for potential enrollment in training and other services that would increase their self-sufficiency.
- ✓ **Collaborative arrangements** to facilitate increased itinerant services and technology to enhance the variety and level of services available in rural counties and communities.
- ✓ **Development of service offerings** that support area economic development organizations and educational institutions in their efforts to sustain existing businesses and attract new companies.

## Instructions for Offeror's Profile Narrative

The Offeror's Profile should include each of the elements of information listed below. Please restate each question along with your response. *If the question does not apply, a statement to that effect should be included.* The narrative should be no more than 20 pages in length, not including attachments. Any information submitted along with the profile narrative or included as an attachment that is not specifically requested will not be reviewed. Attachments should be submitted via the instructions in the **Attachment Checklist** section below. If an attachment is not applicable, please upload a document stating that it is not applicable. Missing attachments may result in disqualification.

### General Background

- a. Provide a brief history of your organization including year established, location of home office, location(s) of any local/regional offices (including projects), number of employees, and lines of business.
- b. Identify any governing board associated with your organization.
- c. Provide a list of your organization's owner(s), board of directors, principals, and chief officers as applicable.
- d. Identify your core business as it relates to workforce development and to the local labor market.
- e. Describe your vision for the South Plains system.
- f. Complete and submit the proposal cover sheet *via the secure links on the Board's [website](#)*. *You will not need to complete this step until you are ready to submit your proposal.*

### Management and Organizational Structure

- a. Provide a statement defining your management design. If you are submitting a proposal as a partnership, consortium or joint venture, describe the roles and responsibilities of each party and identify the lead entity. Explain the rationale in entering into a partnership or joint venture. Attach a copy of the Joint Venture, Partnership, and/or Collaborative Agreements if applicable.
- b. If you are submitting a proposal using a Managing Director/Professional Employer Organization (PEO) Model, attach a copy of the agreement between the Managing Director and the PEO.
- c. Briefly describe your entity's overall structure. Attach a current organizational chart for the entire entity submitting this proposal. Show lines of authority and all key staff positions by title and name.
- d. Describe your proposed business model.
- e. Describe the chain of command and explain the chain of command to resolve issues should conflicts arise between directives from the Board and directives from the offeror's/parent organization.
- f. How is key management staff evaluated and who measures accountability?
- g. Describe your strategy for holding the various levels of staff accountable system-wide.
- h. Describe your succession plan, process and strategy for ensuring that the loss of key management does not result in failure to perform a key function.
- i. Describe your approach to ensure an inclusive relationship between management and staff at all service sites.
- j. Describe the standards for dress code/appearance, courtesy and professionalism. How will customer satisfaction data be used to measure perceptions of staff?
- k. Describe your internal communication structure and strategy.

- l. Describe your system for quality assurance. How will you ensure that the organization is in compliance with federal, state and local requirements identified in law, regulations, policy and the contract with the Board?
- m. Describe your complaint management process. Include how you will ensure that both staff and customer complaints are resolved effectively and efficiently. Describe how customer complaints are analyzed for program improvement.

### **Past Performance**

- a. List the education, counseling, training, employment or other related activities and services you have provided within the past five years. What is the largest funding amount you have managed over the past five years? Summarize the contract or project purpose and identify the contracting organization.
- b. Describe performance results for programs you have operated highlighting experience providing workforce services in Texas. Provide results for a minimum of two prior calendar years and the current year through May 1, 2022. Include all federal- and state-required performance measures as well as any local measures you established for any program/funding stream. Provide the following details for each program identified:
  - i. Project or contract budget;
  - ii. Total and percent of budget expended by during program year (if less than 75% during any one year, explain the circumstances and the changes implemented to improve performance.)
  - iii. Planned versus actual performance outcomes for contracted performance measures;
  - iv. Cost per participant served by type of service provided (i.e. training; education; business creation or expansion; job placement); and,
  - v. Amount of disallowed costs and reason for the disallowance.
- c. Describe your customer satisfaction results for internal and external customers for a minimum of two prior calendar years and the current year through May 1, 2022. Identify the customer group and the methodology and frequency of measurement. Was customer satisfaction assessed internally, by an outside entity or a combination? If customer satisfaction was assessed by an outside entity, describe the process and results.
- d. Describe any internal and/or external evaluations conducted on your program operations during the past three (3) years. What were the purposes of the evaluations? Attach copies of all internal and external evaluations (other than audits) conducted on your organization for the last two calendar years and through May 1, 2022.
- e. Provide a list of all grievances and/or complaints filed against your organization by staff or customers during the last two calendar years and through May 1, 2022. It is not necessary to identify the individual by name, however, please identify the individual as 'staff' or 'customer'. Include the outcome and resolution status for each complaint or grievance and if any funds were paid to the individual.
- f. Describe any awards, recognitions, or noteworthy achievements that your organization has received during the past two years.

### **References**

- a. Identify names of three (3) agencies you have provided services for during the past three years that are willing to provide information and discuss past performance. Services provided should be similar in nature and scope to those you are proposing
- b. Provide contact information for at least one individual per each agency above, including name, job title, telephone number, mailing address and e-mail address for the individual.



- c. *The references form is provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*

### **Resources**

- a. Who are your key partners and what resources do they provide? How is your system connected to other key systems, such as economic development, education and social services?
- b. Identify additional resources that your organization will bring to the partnership with the Board. This may include financial resources, equipment, property, intellectual properties, proprietary services or products, human and organizational resources.

### **Financial and Organizational Stability**

- a. List your organization's primary source(s) of revenue and amounts for the previous fiscal year.
- b. Disclose any potential liabilities that might affect your ability to perform a contract if selected. Liabilities include, but are not limited to, delinquent federal, state or city Taxes; lawsuits; audit exceptions and sanction.
- c. Disclose if you are currently operating under any form of corrective action, performance improvement plan, or sanction status; describe the reason(s) for the action and duration of the action.
- d. Describe the type of financial review and/or audit that your organization conducts on an annual basis. Attach copies of your most recent audit and/or financial statement and audits/financial statements from the prior two calendar years and financial statements through May 1, 2022.
- e. Provide a list of any legal action taken against your organization, including lawsuits, injunctions, or court orders for two prior calendar years and the current year through May 1, 2022. Include resolution. Include any pending litigation regardless of date initiated.
- d. Provide a signed Attestation of Personnel Policies Statement. Offerors must agree to provide current personnel policies, including payroll, leave and travel policies, if selected as service provider. *The Attestation of Personnel Policies Statement is provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*
- f. Provide a signed Certification of Required Insurance statement establishing that offeror maintains or agrees to obtain the required insurance and bonding coverage. *The Certification of Required Insurance Statement is provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*
- g. Describe your policies for subcontractor management. Please include: selection process, type of contract, contract management, performance management, a description of services that would be subcontracted and the estimated cost.
- h. Complete the Administrative Management Survey. *The Administrative Management Survey is provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*
- i. Describe your accounting system. How is it able to handle the unique accounting requirements of the workforce system?
- j. Describe your financial management system including, at a minimum, cost allocation methodology, procurement, inventory control, property management, reporting, recordkeeping, cost controls, and methods used to determine cost allowability.
- k. Complete the Fiscal and Financial Responsibility Survey. *The Fiscal and Financial Responsibility Survey is provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*
- l. Attach a copy of the most recent cost allocation plan.

- m. Attach a copy of the most recent approved indirect cost plan.
- n. Describe your capacity and plan for managing possible disallowed costs.
- o. Complete the following assurances and certifications. *These certifications are provided via the secure links on the Board's [website](#). You will not need to complete this step until you are ready to submit your proposal.*
  - a. CERTIFICATE OF OFFEROR
  - b. PROPOSAL LANGUAGE CHANGE CERTIFICATION
  - c. CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS
  - d. CERTIFICATION REGARDING LOBBYING
  - e. CERTIFICATION REGARDING DRUG-FREE WORKPLACE
  - f. CERTIFICATION REGARDING CONFLICT OF INTEREST
  - g. CERTIFICATION REGARDING TEXAS CORPORATE FRANCHISE TAX
  - h. CERTIFICATE OF COMPLIANCE WITH TEXAS FAMILY CODE 231.006 REGARDING PAYMENT OF CHILD SUPPORT
  - i. STATE ASSESSMENT CERTIFICATION
- p. Attach IRS Form 990 for the prior two years, if applicable.

#### **Historically Underutilized Business (HUB) (Bonus Points)**

Attach the certificate verifying your organization's status as a Historically Underutilized Business issued by the Texas Secretary of State.

#### **Evaluation Criteria for Offeror's Profile Narrative**

Offerors must achieve an overall rating of at least 70% of available points to be considered for the award of funds. Proposals will be scored based on the following criteria:

<b>Criteria</b>	<b>Points Awarded</b>
General Background	9
Management and Organizational Structure	38
Past Performance/References	36
Resources	4
Financial and Organizational Stability	50
Historically Underutilized Business	5
<b>Total Points</b>	<b>145</b>

#### **Attachment Checklist**

The following items are to be provided as attachments if applicable and are not included in the 20-page limit. Attachments should be submitted via the secure links on the Board's [website](#). *If an attachment is not applicable, please upload a document stating that it is not applicable.* Missing attachments may result in disqualification.

1. Joint Venture, Partnership, and/or Collaborative Agreements
2. Managing Director and PEO Agreement
3. Organizational Chart
4. Internal and External Evaluations
5. Audits/Financial statements

6. Cost Allocation Plan
7. Approved Indirect Cost Plan
8. IRS Form 990
9. Historically Underutilized Business (HUB) Certificate

## **Proposal for Management and Operation of the Workforce Solutions Career Center System**

The Workforce Solutions Career Center contractor will manage and direct the operations of Workforce Solutions Career Centers located throughout the 15-county South Plains Region. The management and operation of centers includes responsibility and personnel authority for all staff engaged in the provision of employment and training services under the WIOA, TANF/Choices, SNAP E&T, TAA, ES, NCP and other discretionary state, federal and private grant-funded programs.

The successful offeror will demonstrate in their proposal:

1. Recognition that the primary purpose of workforce center services is to help customers identify their employment readiness needs and to assess the programs and services that will advance customers along a continuum of readiness or employment;
2. Understanding of the specific factors that influence a customer's ability to be 'employable' and to develop and implement a career plan;
3. Proposed use of comprehensive, multipoint assessment and intake processes to help customers and staff gather employment readiness information and explore all options;
4. Proposed use of strategies that will ensure that program services are closely linked to different readiness levels and designed to help customers progress toward full employability;
5. Understanding of the need to work collaboratively with Youth Services and CCS program services to ensure an integrated system and quality customer interactions and outcomes;
6. Evidence of success working collaboratively with community, education and workforce partners and of developing key partnerships that will complement and enhance the services being provided by the Board;
7. A commitment to pursue continuous program improvement through training, staff development, and teamwork; and,  
Demonstrated ability to provide quality customer interactions and to work effectively with a diverse population.

Additionally, the Workforce Solutions Career Center System is intended to provide universal access, through self-service or with staff assistance, to an integrated array of labor exchange (ES) services. This allows employers, workers, and job seekers to obtain the services they need, when they need them, and by the method they prefer (e.g., online, in person, by phone). The TWC [Employment Service Guide](#) provides information about ES policies and procedures, and details how ES supports the primary mission of an employer-driven workforce development system.

Employer Services focuses on providing a variety of employment-related services, including:

- a. job search assistance, job referral, and placement assistance for job seekers;
- b. reemployment services for UI claimants;
- c. recruitment services for employers with job openings.
- d. assessment of skill levels, abilities, and aptitudes;
- e. career guidance;
- f. job search workshops; and
- g. referral to training.

Employer services include:

- a. the referral of job seekers to available job openings;
- b. assistance in the development of job posting requirements;
- c. matching job seekers with job requirements, skills, and other attributes;
- d. assisting employers with special recruitment needs;
- e. arranging job fairs;
- f. assisting employers with analyzing hard-to-fill jobs;
- g. assisting with job restructuring; and
- h. helping employers with layoffs.

In addition to universal access for employers and job seekers, Employer Services provides specialized services to:

- veterans;
- individuals with disabilities;
- migrant and seasonal farmworkers;
- ex-offenders;
- youth; and
- older workers.

### **Performance Standards**

The Career Center contractor will be expected to deliver services in accordance with all specific program components, service levels and performance standards as described in this RFP. Contractor performance includes but is not limited to meeting all general program requirements, approved scope of work, WIOA performance measures and enrollment plans. Lack of compliance with any of these may constitute grounds to reduce Contractor's payment level and budget.

### **Service Proposal Narrative**

Offerors are asked to identify the resources necessary to make the system successful – those requested from the Board and those provided by the offeror. The proposal narrative should include each of the following elements of information. *If the question does not apply, a statement to that effect should be included.* Please restate each question along with your response. The narrative should be no more than 20 pages in length, not including attachments. Any information submitted along with the profile narrative or with the attachments that is not specifically requested will not be reviewed. Attachments should be submitted via the instructions in the **Attachment Checklist** section below. If an attachment is not applicable, please upload a document stating that it is not applicable. Missing attachments may result in disqualification.

**Defining the System:**

- a. Describe your vision for the system.
- b. Describe the structure of the system. Who are the key partners and what resources do they provide? How is the system connected to other key systems, such as economic development, education and social services?

**Services**

- a. Identify the key customer groups and their differing needs.
- b. Identify and describe the primary products and services of the system.
- c. What are the types of available services, the providers for each service and what is available at each site. Use the following definitions to identify categories of services: Core or basic services; Intensive services; Training services.
- d. Define and describe the service standards for each product and/or service.
- e. Describe the customer flow through the system and provide a customer flowchart that clearly identifies services available for various customer populations, customer decision points within the system and potential outcomes for customers receiving these services. Identify the providers for each service and what services are available at each site. What are the potential bottlenecks and what is the contingency plan for dealing with them?
- f. Describe your system for securing, tracking and managing gas cards, gift cards and other non-monetary incentives.
- g. Describe your system for tracking and managing OJT, customized training, and Individual Training Accounts (ITAs).
- h. Describe your strategy for provision of services to Choices customers.
- i. Describe your strategy for provision of services to SNAP E&T customers, both ABAWD and general population.
- j. Describe how technology will be deployed to improve overall organizational effectiveness and efficiency.
- k. Describe the process for determining future products and services. How is data that is collected through the system analyzed and converted into information for service process improvement or development of new services? How will you assess the relative value of the services to the customer before implementing changes?
- l. Describe any proposed income-generating (i.e. fee-for-service) activities, the amount of income generated from these activities, and how funds earned will be used to improve your performance. Describe your process for determining that income generated from these activities was in excess of the cost of providing the service or producing the product.
- m. Describe how input from partners and customers is used to develop services.

**Marketing and Outreach**

- a. Describe your marketing strategy for the workforce center system, including the process for determining key customer requirements, how to ensure continuing relevance of services and how to build relationships to acquire, satisfy, retain and attract customers.
- b. Describe your plan for using social media to market workforce center services and engage customers, businesses and other stakeholders.
- c. Describe your plan for using the website chat help function for marketing and outreach to Workforce Solutions South Plains website visitors.
- d. Identify the short and long-term objectives of the marketing strategy to include specific targets for various customer groups and various geographic regions.
- e. Describe how you will promote a unified image for the system.

## **Management and Organizational Structure**

- a. Attach an organizational/divisional chart that depicts the management team assigned to each site, that management's relationship to others in your organization, and where the point(s) of day-to-day relationships with the Board will be.
- b. Attach a functional organizational chart for the system that identifies the success indicators for each function.
- c. Describe the staffing structure, including lines of authority, job titles/function and how the structure ensures sufficient back-up for all positions at all service sites in the region.
- d. How will you ensure adequate supervision/oversight at the rural service sites and sites with the highest caseloads/traffic?
- e. Describe your human resource plan, including a description of staff selection, orientation, training, evaluation, development, recognition and reward and how it applies to partners.
- f. Describe the program knowledge of the proposed management staff including knowledge of employment and training programs such as WIOA, SNAP, TANF/Choices and working knowledge of TWIST, WIT and related automated systems.
- g. Describe the qualifications of the management team to manage a system of the size of the South Plains system.
- h. Describe the managing director's (top-level manager's) experience with managing multiple programs with different performance outcomes.
- i. Describe the managing director's experience working with federal or state-funded employment and training, especially one-stop programs.
- j. Describe the managing director's knowledge in the areas of human resources, staff development and retention.
- k. Describe how the director will ensure timely information regarding performance, anticipate issues and resolve performance as problems arise.
- l. Attach resumes and job descriptions for key management staff.
- m. Attach job descriptions, including minimum qualifications, for all other staff directly related to the management, operation and administration of this program that would be charged to a contract.
- n. Describe how you determine if employees are doing a good job, how you help them improve, and how you establish performance goals for each employee.
- o. Describe how you ensure that staff have a good foundation of sufficient skills and knowledge to help customers achieve their goals.
- p. Describe your training/development and mentoring plans for new hires and existing staff.
- q. How are staff involved in planning and setting of standards?

## **Operational Plan**

- a. Describe your strategies and actions to integrate the programs and resources available through the workforce system for Career Center services to meet the needs of key customer groups. How will you provide a seamless system of services?
- b. Identify how technology is used in the system, including a description of the resources available to assist internal and external customers in maximizing the use of the technology.
- c. Describe how continuous improvement strategies, such as process mapping, fact-based analysis and customer feedback are employed throughout the system.
- d. Describe how identified customer requirements will be matched to available services and resources.

- e. Describe the assessment instruments you propose to use. What accommodations are made in assessing different population groups, for individuals with significant barriers to employment and for disabled individuals?
- f. Describe your case management philosophy. What strategies and methods of counseling, job development, placement, and or referrals will best ensure that employment and follow up performance goals are achieved?
- g. What is your proposed case manager to customer ratio? What is your justification for this ratio? What is the customer to case management ratio in your current/other workforce operations, if applicable?
- h. What steps will be taken to ensure that the individual employment plan is based on a realistic understanding of the skill levels of the customer and the conditions of the labor market? Describe how job seeker skill levels, needs and interests will be matched to demand occupation training and jobs.
- i. Describe how case management staff will ensure that job seeker skill levels are appropriately matched with business skill requirements.
- j. Describe how the case management function will be coordinated between the career centers, partner programs and other entities providing services to customers of the workforce system.
- k. Describe how customers referred to off-site partners will be tracked to determine if services are received. How will you measure customer satisfaction with services received as a result of such referrals?
- l. Describe your strategy for providing services to customers throughout the entire geographic region.
- m. How will you ensure/expand services to the rural communities in the region? What linkages will you establish with the rural communities to improve services to these areas?
- n. Describe any innovative projects and activities that will be implemented in rural areas to circumvent rural-specific barriers to employment.
- o. Describe your approach to involving regional businesses in the Workforce Solutions Center system in the South Plains region. How will you identify and respond to employer expectations as a part of your continuous improvement strategy?
- p. How will you coordinate, assess, and identify employers' needs?
- q. Describe any types of innovative activities or methods of business services delivery that will be developed and geared towards the business customer. Describe how the activities will be implemented and who will be delivering these services. Address the frequency and location of workshops and other value services offered to business.
- r. How will contacts with businesses be coordinated to avoid over-burdening employers with contacts? How will services be prioritized to effectively serve high-growth industry sector employers?
- s. How will the BSU facilitate the development of new businesses in the region?
- t. How will lay-off avoidance services be coordinated with employers.
- u. Describe how you will market Skills Development Fund, Work Opportunity Tax Credits, Self-Sufficiency Fund, and other TWC program to employers?
- v. Describe your procedures for following-up on the status of job seekers and employers registered in WIT. Include the activities, the duration of follow-up, the frequency of contact, and the procedures for determining the need for additional services.
- w. Describe your approach to addressing the needs of specific employer groups and industries such as HUB's, Micro-Business, Rural Business, Entrepreneurs, Internet Based Providers, etc.

- x. How will business worksites for work experience, on-the-job training, and private sector internships be identified? What steps will be taken to ensure that job seeker customers receive the necessary training experience from these employers?
- y. How will business services be coordinated with other business resources in the region?
- z. Describe how you will help employers identify gaps in employee skills, and assist them in developing new resources for skills development.
- aa. Describe the human resource functions available to business through the Workforce Centers. (i.e. job matching, job orders, screening and assessment of potential employees, services to incumbent workers).
- bb. Describe how your services will be used to remove barriers and/or assist employers in upgrading the skills of incumbent workers and/or filling vacancies with qualified workers.
- cc. Describe how your services will facilitate quality job placements for special population groups (i.e. physically disabled, mentally disabled, limited English speaking.)
- dd. Discuss the follow-up strategy that will be used to ensure that employer service outcomes are tracked. What services will be provided during the follow-up period? Include in your discussion the procedures for determining the need for follow-up services, the frequency of contact, and the duration of the follow-up.
- ee. Describe any innovations or special projects you plan to make available to employers. How will you determine which employers will be involved in the activity?

#### **Performance and Outcomes**

- a. Identify the quantifiable goals established for the system and the action plan to ensure that goals are accomplished. Include all mandated, local, state and federal measures. How are goals established? Who is responsible for each goal? How often is progress evaluated? How is success defined? How do partners assist each other in meeting goals?
- b. Describe the process for data collection and analysis to assess performance on progress and measure success. Who is responsible for data collection and analysis? What is the type and frequency of data collected? What is included in reports and who reviews the reports? What is the result of the review and analysis? How are results used? What information is reported to the Board?
- c. Describe how you will ensure the accuracy, integrity, security and timeliness of data entry for customer data and information? Give specific examples.
- d. What reports, information and/or methods will be used by frontline staff to manage their individual performance and caseloads? How will frontline staff constantly know the status of each customer in their center's performance denominator and how will they be made aware of their impact on performance measures?
- e. Describe how you will measure customer satisfaction information including methodology and frequency. How will results be used to improve services?
- f. Describe the process and sources for benchmarking key results. How often will benchmarking occur? How will the information be used?
- g. Describe how technology will be deployed to improve effectiveness and efficiency. Discuss any proprietary technology offerings as well as any experience in working with state or federal automated systems as they relate to workforce services.
- h. Describe your overall quality assurance process, including elements evaluated, staffing, resources dedicated and tools. A detailed quality assurance plan will be required within 60 days of operational start-up.



### Transitional Services

- a. Attach an outline of your plan for transition including the timetable for transition, transfer of program records, assumption of or release from obligations, continuity of service delivery. Contractor will submit a fully developed transition plan prior to contract start date.
- b. Describe a plan of coordination with the Workforce Solutions Center Contractor to provide the appropriate level of service to customers.
- c. Describe your plan for hiring staff, evaluating staff performance, maintaining staff accountability, and training/cross-training staff.

### Financial Management

- a. Demonstrate the relationship between the vision, goals and budget. How does the budget support the goals and ensure that adequate resources are available to operate and accomplish the intended results?
- b. Identify any gaps in resources and any potential funding sources to address these gaps. What is your strategy for seeking and/or obtaining additional resources?
- c. Identify the type and level of resources that your organization will contribute outside of those resources provided by the Board or partner agencies.
- d. Identify goals for fiscal management. How are budgets developed and tracked? How are expenditures planned to ensure adequate funding to support services throughout the contract period?
- e. Using the Excel spreadsheet included in the RFP documents, complete and attach the Budget Summary and Detail for the first year of operations.
- f. Complete and attach the Budget Narrative (included in the Excel spreadsheet) to explain/expand on the cost effectiveness of the line items included in the Budget Detail.
- g. Briefly describe the salary scale and benefits you will provide to workforce center staff, including holidays, sick and vacation leave, travel, advancement/promotion opportunities and any additional services such as educational assistance. *Do not* include a copy of your full personnel policies. These will be reviewed as part of any pre-award process.
- h. Complete and attach the Personnel Breakdown (included in Excel spreadsheet). Include the full-time equivalents/percent of time and costs for each staff member allocated to the program.
- i. Because of the limited funds, the Board is interested in program designs that leverage funds from other non-WIOA sources. Provide a list of existing or proposed agreements with non-WIOA sources to be leveraged to expand or enhance WIOA service offerings. Letters of collaboration or agreements should be included as Attachment 28:
- j. Describe your method of accelerating or decelerating service provision given changing fiscal allotments from year to year and from time to time. How does your method ensure that customer service is adequate to meet the workforce needs of the customer?

### Evaluation Criteria for Workforce Services Proposal

Offerors must achieve an overall score of at least 70% of available points, to be considered for the award of funds. Proposals will be scored based on the following criteria:

Criteria	Points Awarded
Defining the system	3
Services	38
Marketing and Outreach	10
Management and Organizational Structure	58

Operational Plans	46
Performance and Outcomes	30
Transitional Services	10
Financial Management	50
Total Points	245

### **Attachment Checklist**

The following items are to be provided as attachments if applicable and are not included in the 20-page limit. Attachments should be submitted via the secure links on the Board's [website](#). *If an attachment is not applicable, please upload a document stating that it is not applicable.* Missing attachments may result in disqualification.

### **Attachment Checklist for Workforce Services Proposal**

1. Organizational Chart
2. Functional Chart
3. Management Staff Resumes and Job Descriptions
4. Job Descriptions for Other Staff
5. Transitional Plan Outline
6. Budget Summary and Detail, Budget Narrative, and Personnel Breakdown
7. Letters of Collaboration or Agreements

**This space is intentionally left blank.**

**The following attachments, acknowledgements and certifications are for your review only. Do not sign and attach these documents to your proposal submission. These documents will be provided as secure, electronic forms on the Board's [website](#). You must submit your proposal using the online forms.**

## Cover Sheet

<b>Name of Offeror (Include legal name of parent company, if applicable)</b>	
<b>Name of Parent Company CEO or Owner</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"/> <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> for Profit <input type="checkbox"/> <input type="checkbox"/> Not for Profit <input type="checkbox"/> Corporation <input type="checkbox"/> <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Ownership <input type="checkbox"/> <input type="checkbox"/> Other (Specify)_____
<b>State Comptroller ID Number</b>	
<b>Federal Tax ID Number</b>	
<b>Historically Underutilized Business? (If “Yes”, attach certification)</b>	<input type="checkbox"/> <input type="checkbox"/> Yes <input type="checkbox"/> <input type="checkbox"/> No
<b>Amount of Funds Requested (for a 12-month period)</b>	

## References

Identify at least three (3) current or former clients for who you have provided services to that are the same or similar to those solicited in this RFP in the past three (3) years.

### **Reference 1**

Name of Entity:

Contact Person:

Contact Phone:

Contact Fax:

Contact E-mail:

Type of Service(s) Provided:

Contract Date(s):

### **Reference 2**

Name of Entity:

Contact Person/Title:

Contact Phone:

Contact Fax:

Contact E-mail:

Type of Service(s) Provided:

Contract Date(s):

### **Reference 3**

Name of Entity:

Contact Person/Title:

Contact Phone:

Contact Fax:

Type of Service(s) Provided:

Contract Date(s):

**Attestation of Personnel Policies**

In lieu of submitting the organization’s complete personnel policies and procedures, offerors must complete this assurance that their personnel policies address at a minimum the following elements. Personnel policies and procedures will be verified as a part of the pre-award review should the proposal be selected for consideration.

- Terms and conditions for employment
- Employee compensation and fringe benefits
- Holidays, vacation and sick leave,
- Travel policies and reimbursement of travel expenses
- Conflict of interest policy
- Employee grievance procedures
- Employee code of conduct

The Personnel Policies and Procedures for (name of entity)\_\_\_\_\_do address the elements checked above. I understand that the verification of the adequacy of personnel policies and procedures will be a part of the pre-award review should this organization be selected.

Signature\_\_\_\_\_Date \_\_\_\_\_

Printed Name and Title of Authorized Signatory:\_\_\_\_\_

## Insurance and bonding requirements

Offerors should complete the chart and indicate the level of current or proposed coverage for each type of coverage. If a proposer plans to provide additional coverage, please include such coverage and provide a brief explanation. If a proposer does not plan to provide coverage for any area, please provide an explanation. Proof of insurance is not a requirement for submission of a proposal, however, offerors should be aware that no activities may begin under contract through the Board until the required insurance has been obtained and proper certificates (or policies) are filed with the Board.

Before submitting a proposal, the offeror should contact its insurance agent to determine if the required coverage can be obtained. The selected contractor will be required to provide a certificate of insurance prior to the commencement of work under this contract certifying that the minimum coverage identified below will remain in force during the life of this contract. Except for workers compensation and accident/injury policies, each policy shall name the Board as an additional insured or loss payee, as applicable. No funds will be disbursed until proof of coverage, in the form of insurance or a binder is provided. The proposer should determine if there are added costs to include the Board as an additional insured and include such costs in the budget. For additional information regarding insurance requirements, refer to the FMGC Chapter 3.

TYPE OF COVERAGE	MINIMUM REQUIREMENT	OFFEROR'S COVERAGE	EXPLANATIONS
Commercial general liability	\$1,000,000 aggregate \$500,000 per occurrence		
Automobile liability*	\$1,000,000 aggregate \$500,000 per occurrence for bodily injury \$100,000 per occurrence for property damage		
Property insurance**	Replacement cost of property		
Errors and Omissions	\$1,000,000 aggregate		
Accident/Personal Injury Coverage for individuals In training	\$1,000,000 accidental death \$1,000,000 accidental dismemberment \$1,000,000 accidental medical expenses		
Employee Dishonesty	\$250,000		
Workers Compensation for staff and individuals in work activities	Must be workers compensation policy or comparable. Please identify type of coverage.		
Fidelity Bonding***	Sufficient to cover the largest cumulative amount of all cash requests or funds on hand.		

\*Applicable if contractor uses an automobile, whether owned, leased or non-owned, in conducting performance under this Contract.

\*\*Applicable if contractor owns or leases property in conducting performance under this contract.

\*\*\*Board must be executed by a corporate surety or sureties holding certificates of authority, authorized to do business in the State of Texas. The bond must be accompanied by a valid Power of Attorney issued and certified by the surety company authorizing the attorney-in-fact who signs the bond to commit the company to the terms of the bond, and stating any limit in the amount for which the attorney-in-fact can issue a single bond.

## Administrative Management Survey

Please answer the following questions regarding your administrative management system. Additional information may be requested at the time of a pre-award survey, including copies of documents specifically named.

QUESTION	YES	NO	N/A
1. Is your organization in good standing with the Secretary of the State of Texas?			
2. Does your organization have written personnel policies?			
3. Do your written personnel policies contain procedures for:			
<ul style="list-style-type: none"> <li>a. Open employee recruitment, selection, and promotional opportunities based on ability, knowledge and skills;</li> <li>b. Providing equitable and adequate compensation;</li> <li>c. Training employees to assure high-quality performance;</li> <li>d. Retaining employees based on the adequacy of their performance, and making adequate efforts for correcting inadequate performance;</li> <li>e. Assuring fair treatment of applicants and employees in all aspects of personnel without regard to political affiliation, race, color, national origin, sex, age, physical handicap or religious creed, with proper regard for their privacy and constitutional rights as a citizen; and,</li> <li>f. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office?</li> </ul>			
4. If not, can your organization revise its present written personnel policies to include the above procedures?			
5. Do your written personnel policies contain a prohibition against nepotism and code of conduct?			
6. Do your written personnel policies contain a prohibition against employees using their positions for private gain for themselves or other parties?			
7. Does your organization have an authorized, written travel policy for employees and authorized agents that provides for reimbursement for mileage and per diem at a specified rate?			
8. Does your organization have a written employee grievance procedure used to resolve employment complaints?			
9. Does your organization have the capacity or staff to produce and maintain participant records and other information as needed by the Board?			
10. If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs to the Board?			
11. Does your agency have a State Comptroller Vendor Number?			
12. Is your organization governed by a Board/Council?			
13. Does your organization operate under local rules or by-laws?			
14. Has your Board/Council reviewed and approved this proposal? (Attachment must be submitted)			
15. Does your organization have a current approved Fidelity Bond?			
16. Does your organization have an EEO/Affirmative Action Plan?			
17. Does your organization have a Complaint Monitor or Ethics Designee?			
Name of Organization:			
Authorized Signatory:			
Date:			

## Fiscal and Financial Responsibility Survey

Please answer the following questions regarding your fiscal management system. Additional information may be requested at the time of a pre-award survey, including copies of the documents specifically named.

Question	Yes	No	N/ A
Does your organization follow GAAP?			
1. Does your accounting system: <ul style="list-style-type: none"> <li>a. Provide control and accountability for funds received, property, and other assets;</li> <li>b. Provide identification of receipt and expenditures of funds separately for each funding source;</li> <li>c. Provide adequate information to prepare monthly financial reports on an accrual basis;</li> <li>d. Have the capability to track allowability and allocation of costs in accordance with requirements for federal grant programs.</li> </ul>			
2. Are state and federal funds which may be advanced to you deposited in a bank with federal insurance oversight?			
3. Has the bank in which you deposit state and federal funds insured the account(s) or put up collateral or both equal to the largest sum of money which would be in such account(s) at any one point in time during the contract period?			
4. Do you reconcile your bank accounts monthly?			
5. Are the bank reconciliations made by the same person who performs recordkeeping for receipts, deposits and disbursement transactions?			
6. Do you record daily cash receipts and disbursement transactions?			
7. Are individuals or positions in your organization which handle the receipt or distribution of money covered by bond? <ul style="list-style-type: none"> <li>a. Is there a person who is responsible for the receipt of all purchased goods?</li> <li>b. Does this person assign, upon receipt, an inventory number for items?</li> <li>c. Does this person perform an inventory audit at least once a year?</li> </ul>			
8. Do you maintain records on all property acquisition, disposition, and transfer?			
9. Do you have written procedures and internal controls established for the procurement of goods and services?			



10. Is a competitive bidding process incorporated into your purchasing procedures for acquisition of subcontractors, major goods and services, equipment, and office space?			
11. Are timesheets kept to support payroll disbursement? If not, describe how employee time is documented and payroll supported:			
12. Are records maintained to support authorized employee leave (vacation, sick, etc.)?			
13. Are complete records kept to support travel payments?			
14. Has a formal audit by an outside auditing firm been conducted of your organization's financial record in the past year?			
15. Do you have an indirect cost plan with current approval by a cognizant agency?			
16. Is your organization funded by more than one source?			
17. Does your organization maintain written accounting procedures?			

Use this space to identify and explain any "N/A" response in the Financial Management Survey


**Certification of Fiscal and Financial Responsibility:**

The Offeror certifies that it has developed key control systems to address the areas of fiscal integrity, procurement, monitoring and oversight, and data integrity as described in the attached certification. Such systems are subject to review and approval by the Workforce Solutions South Plains Board. (Name of Company)\_\_\_\_\_ attests that key control systems, policies, and procedures are in place, as noted in this certification, and that these systems, policies and procedures are in compliance with the applicable federal and state rules and regulations. If a contract is awarded, the offeror will make written policies and procedures available for inspection by the Workforce Solutions South Plains Board or its designee.

Signature of Authorized Signatory: \_\_\_\_\_

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

## 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, \_\_\_\_\_(typed name), 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.

Typed name of person authorized to sign for the organization:	
Title:	
Signature:	
Typed name of authorizing Board Member:	
Title:	
Signature:	

Subscribed and sworn to before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2018 in \_\_\_\_\_, (county),  
 \_\_\_\_\_ (state).

Notary Public in and for \_\_\_\_\_ County, State of \_\_\_\_\_.

Commission expires: \_\_\_\_\_ SEAL

**PROPOSAL LANGUAGE CHANGE CERTIFICATION**

**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, \_\_\_\_\_(typed or printed name) certify that I am the \_\_\_\_\_  
\_\_\_\_\_(typed or printed 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\_\_(typed or printed 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.

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Name of Organization

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Typed/Printed Name and Title of Authorized Representative

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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.

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Name of Organization/Firm

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Signature of Authorized Representative/Date

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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.

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Name of Organization

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Signature of Authorized Representative Date

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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.

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Signature Date

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Typed Name and Title

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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 entitled 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: \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE WITH TEXAS FAMILY CODE 231.006 REGARDING PAYMENT OF CHILD SUPPORT**

Pursuant to 231.006, Texas Family Code, a child support obligor who is more than 30 days delinquent in paying child support and a business entity in which the obligor is a sole proprietor, partner, shareholder, or owner with an ownership interest of at least 25 percent is not eligible to receive payments from state funds under a contract to provide property, materials or services.

The undersigned authorized representative of the respondent hereby certifies that the individual or business entity named in the proposal is not ineligible to receive payments based on Texas Family Code 231.006 and acknowledges that a contract may be terminated and payment may be withheld if this certification is not true and accurate.

\_\_\_\_\_  
Signature      Date

\_\_\_\_\_  
Typed Name and Title of Authorized Signatory

\_\_\_\_\_  
Organization

**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 Name of Offeror’s Organization

\_\_\_\_\_

Typed Name & Title

\_\_\_\_\_

Date

Workforce Solutions South Plains