

**19-RFP-01- 001**

**Request for Proposal for**

**Management and Operation of Workforce Solutions Career Centers Services**

The Lower Rio Grande Valley Workforce Development Board, dba Workforce Solutions, is soliciting proposals from qualified entities for the management and operation of the service delivery:

**Workforce Services**: The contractor will manage and operate the Workforce Solutions Career Centers in Hidalgo, Willacy and Starr counties. Proposals from individuals, teams and/or organizations with a proven record of outstanding success in operational management and performance improvement achievements are sought. The Workforce Solutions Career Center contractor will manage and operate the five (5) Workforce Solutions Career Centers in Edinburg, Mission, Raymondville, Rio Grande City and Weslaco delivering services to business, job seekers, youth and child care customers. The Workforce Solutions Career Center contractor will engage employers in successful collaborations to support an effective labor exchange system. The ideal Workforce Solutions Career Center contractor 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 Hidalgo, Willacy and Starr counties.

This Request for Proposals (RFP) is open regarding the type of management structure design and service delivery arrangement. Workforce Solutions seeks a wide variety of proposed options to ensure that the resulting selection will be responsive to the current needs and challenges of the organization. The management structure and operational design proposed must ensure exceptional customer service, quality program and operational performance, continuous system improvement and cost efficiency.

**Issue Date:** March 4, 2019

**Bidder’s Conference to be held:** March 11, 2019

**Proposal Due Date:** April 18, 2019

**Bidders May Submit Proposal Addressed To:**

Robert Barbosa, CTCM, Finance Manager

Workforce Solutions

3101 W. Business 83

McAllen, TX 78501

EQUAL OPPORTUNITY IS THE LAW

Lower Rio Grande Valley Workforce Development Board dba Workforce Solutions is an equal opportunity employer/program and auxiliary aids and services are available upon request to include individuals with disabilities. TTY/TDD via RELAY Texas service at 711 or (TDD) 1-800-735-2989/1-800-735-2988 (voice).

# Section I. Introduction

This Request for Proposals (RFP) includes the information necessary for eligible Offerors to submit a responsive proposal. Throughout this document, **blue text** represents links to supporting documentation and/or referenced information that will increase the potential for a successful proposal. To facilitate the development of proposals, Offerors will have an opportunity to attend and ask questions at a Bidder’s conference and to submit questions during the question and answer period.

## I.A. Background

Workforce Solutions is the workforce development organization serving Hidalgo, Starr and Willacy counties in Texas. Workforce Solutions is a non-profit 501(c)(3) organization and is led by a locally nominated Board of Directors (Board). The 25 member volunteer board consists of 51% private sector representation. The remaining 49% are comprised of education, community-based organizations, labor, vocational rehabilitation, public assistance and employment services representatives. The Board is responsible for the planning, oversight, fiscal accountability and evaluation of workforce development services in this region. The Board is supported by Board Staff, led by the Chief Executive Officer. Workforce Solutions’ practical function, through its Workforce Solutions Career Centers, is to connect business with job seekers, to help improve the skills and abilities of the local workforce, and help the current workforce retain and advance in their employment opportunities.

Workforce Solutions is a highly customer focused organization which continuously improves our business to better serve our customers. We believe "our primary customer is business” and one of the critical roles for Workforce Solutions is to provide an educated and skilled workforce. Workforce Solutions must also meet the needs of the other key customer groups, such as: job seekers, youth, individuals with disabilities, migrant seasonal farmworkers, foster youth, ex-offenders, veterans and parents in need of child care. Each of these customer groups effectively represent the major components of the demand and supply chain that exists between business and the current and/or future workforce.

Workforce Solutions strives to be a dynamic organization of inspired and empowered professionals who adhere by the following:

**Vision Statement:**

An educated and skilled workforce enriching the Lower Rio Grande Valley (LRGV) economic prosperity.

**Mission Statement:**

To provide job seekers the skills, and business with the talent they need to be successful.

**Core Values:**

Integrity

We conduct ourselves with uncompromising honesty and sincerity, as an organization, as a team, and as individuals.

Innovation

We focus on new dimensions of services and solutions that empower our customers.

Inclusion

We embrace opportunities to work with community and business partners to tap into new talent resources.

Impact

We believe in positively impacting our community at large, by improving the quality of life for the people in the Rio Grande Valley.

**Purpose Statement**:

Leading Change

Seeking every opportunity to continuously improve and influence others to reach desired outcomes, listening and engaging, actively learning and facing daily work as an opportunity to transform and realize our vision

Connecting People

Connecting business with needed talent, connecting key partners to leverage resources, connecting people to leverage their strengths and talents to accomplish remarkable things

Improving Potential

Developing local talent, improving the capacity of local business, leveraging partnerships to positively impact the local economy and community

In 2018, the Workforce Solutions Board of Directors adopted a 5-Year Strategic Plan that included the following **Key Strategic Imperatives** and **Strategic Goals** for the purpose of achieving organization objectives. Collaboration is an expectation in the execution of Key Strategic Imperatives/Strategic Goals and initiatives. This is inclusive of the development of action plans that help realize organizational strategic imperatives and objectives.

**Key Strategic Imperatives**

1. Understand the needs of the business community to ensure a demand-driven system;
2. Prepare a job-ready workforce and foster external partnerships that promote educational and skill attainment within our communities; and
3. Build strategic partnerships to leverage resources for our customers.

And the following **Strategic Goals**:

Workforce Solutions will:

Goal A: Leverage resources to align partnerships that deliver mutual value to our clients.

Goal B: Provide a skilled workforce by focusing on soft skills training including increased face-

to-face career development of specific skills.

Goal C: Improve student employability and marketability with focus on college and career

readiness.

Goal D: Make Workforce Solutions services more accessible by embracing an array of

internal/external technology solutions.

Goal E: Provide information and resources to all participants regarding in-demand occupational

needs, trends, etc. (including ISDs and IHEs).

Goal F: Ensure fiscal health, management, and audit worthiness of all Workforce Solutions

program offerings.

Workforce Solutions’ expectation is that the contractor will work with board staff to continue the successes of the past eight (8) years, and for Workforce Solutions to continue to be ranked as one of the top performing workforce development boards in the State of Texas. For the program year 2017/2018, Workforce Solutions exceeded or met performance in nineteen (19) out of nineteen (19) Board Contracted Measures.

**Challenges**

**Economic Conditions**

The Rio Grande Valley has benefited from a rapidly diversifying economy, including significant impact from Mexico, primarily in Retail Trade, Healthcare, Manufacturing/Logistics and Hospitality sectors. Business trends of growth and expansion continue without major changes since the last submission of the Workforce Solutions Workforce Development Board Plan Program Year (PY) 2017-2020. While still higher than the state average, the workforce development board area (WDA) unemployment rate has steadily declined and is approaching historic lows for the region (7.0% as of January 2019 down from 8.9% in August 2016).

Local businesses are reporting increasing difficulty in finding qualified applicants for job openings. Wages are beginning to rise and along with the lower unemployment rate, more opportunities exist for employed people to move to better job opportunities. Workforce Solutions is seeing within many subsectors increased competition for talent between companies, which is helping to increase wages and benefits.

For the workforce system, we expect to see an increased need to identify individuals who remain unemployed and provide the necessary literacy, language skills, and job skills training to ensure they meet the needs of business. As the tightening labor market forces businesses to look for additional talent pipelines, Workforce Solutions is seeing more opportunities to work with our business partners to tap into new talent sources, such as, individuals with disabilities and veterans.

**Educational Attainment**

The Lower Rio Grande workforce area high school graduation rates continue to improve steadily across the region. However, according to an Economic Modeling System Inc. (EMSI) Report, in 2018, approximately 38% or 204,293 of the Workforce Solutions service area population between the ages of 25 years and older have less than a high school diploma; and of those 26% have less than a 9th grade education. The service area population in this age group also represent 63% that hold a high school diploma or higher, in comparison to the State of Texas at 81%. The high school completion rate is projected to increase by 10.42% by 2028. As shown on Table 1, the number of Workforce Solutions 25 years and older population holding post-secondary degrees including associates, bachelors and graduate is 21% and is lower in comparison to the state population (34%). Please reference Table 1 for additional information.

**Table 1 Workforce Solutions Education 25 Years and Older**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Education Level** | **2018 Population** | **2028 Population** | **2018 % of Population** | **2018 % State Population** | **2018 % National Population** |
| Less Than 9th Grade | 138,484 | 158,250 | 26% | 11% | 7% |
| 9th Grade to 12th Grade | 65,809 | 64,034 | 12% | 7% | 7% |
| High School Diploma | 128,845 | 142,280 | 24% | 25% | 28% |
| Some College | 94,972 | 106,808 | 17% | 23% | 20% |
| Associate's Degree | 24,158 | 25,848 | 4% | 7% | 8% |
| Bachelor's Degree | 62,298 | 69,111 | 12% | 18% | 19% |
| Graduate Degree and Higher | 26,314 | 29,856 | 5% | 9% | 11% |
| **Total** | **540,880** | **596,187** | **100%** | **100%** | **100%** |

Source: Educational Attainment Overview- EMSI 2018.4

Additional information regarding labor market, economic conditions and other factors can be accessed via the Workforce Solutions Lower Rio Workforce Development Board Plan PY 2017-2020 Two Year Modification Plan at: <https://www.wfsolutions.org/who-we-are/leadership/board-plan.html>.

**Opportunities**

There are many opportunities as we look forward to the coming years in the Rio Grande Valley. Doctors Hospital at Renaissance and South Texas Health Systems both announced expansion plans for 2019. Space X brings opportunities in the areas of Science, Technology, Engineering, and Math, both in education and the business community. Finally, an increase in commerce is expected due to increased activity in the Port of Brownsville and Interstate Highways construction. These opportunities will require a much more strategic approach to our local talent and service delivery and a need for continuously improving our service delivery effectiveness.

Workforce Solutions continuously seeks opportunities to partner with business, education, and community-based organizations to leverage resources and better meet the needs of our community. As such, it is the expectation that the contractor fully supports these board initiatives.

The focal point of the local workforce delivery system is a network of one-stop Workforce Solutions 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.

Funding related to this procurement includes:

* Workforce Innovation and Opportunity Act, (WIOA) Adult, Dislocated Worker, and Youth
* Temporary Assistance for Needy Families (TANF/Choices)
* Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T)
* Child Care Services (CCS)
* Chile Care Quality (CCQ)
* Non-Custodial Parent (NCP)
* Trade Adjustment Assistance (TAA)
* Employment Services (ES)
* Re-employment Services and Eligibility Assistance (RESEA)

Other funding sources may also be included, but not limited to, the U.S. Department of Labor, Texas Workforce Commission Special Initiative Projects, and/or other discretionary special project funding. Workforce Solutions continuously responds to Request for Proposals and may provide additional funding to the contractor for use at the Workforce Solutions Career Center level.

In addition, the contractor is expected to coordinate and maximize resources, as applicable, with other agencies and program(s) that are and/or may be co-located in the Workforce Solutions Career Centers and in our communities, including but not limited to:

* Texas Veteran Commission (TVC)
* Gary Job Corps
* Motivation Education and Training, Inc. (MET)
* Texas Workforce Commission Vocational Rehabilitation Services (TWC VRS)
* Senior Citizens Community Services Program (SCCSP)
* Registered Apprenticeship (RA)
* Adult Education and Literacy (AEL)

Detailed descriptions of these funding sources and related programs can be found at the Texas Workforce Commission (TWC) website: <https://twc.texas.gov/>.

In addition to the programs listed above, the Board seeks out other 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](http://www.twc.state.tx.us/partners/financial-manual-grants-contracts) [and Contracts (FMGC)](http://www.twc.state.tx.us/partners/financial-manual-grants-contracts) and other laws, regulations & standards for TWC-Funded Grant Contracts such as the [Texas Uniform Grant Management Standards](https://comptroller.texas.gov/purchasing/grant-management/) (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.***

## I.B. Purpose of this Request for Proposals

Through this competitive RFP process, the Board is soliciting proposals from qualified entities to manage and operate the workforce services delivery system.

**Workforce Solutions Services:** The contractor provider will manage and direct the operations of Workforce Solutions Career Centers located throughout Hidalgo, Willacy and Starr counties. The management and operation of the Workforce Solutions Career Center 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. Workforce Solutions Career Centers provide outreach and recruitment, determine participant eligibility, perform assessments, case management, career counseling, ensure the integrity of customer and system information entered into the TWC's automated information systems. Workforce Solutions 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 contractor will also identify and serve individuals who are determined most in danger of exhausting their unemployment insurance benefits through the Board's Re-employment Services and EligibilityAssistance (RESEA). Workforce Solutions Career Centers are also expected to provide services to the area’s employers. 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 Industry and support strategic 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 of the 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 strategic goals, initiatives and priorities and to consistently meet or exceed the TWC's contracted performance measures.

## I.C. Board Standards

The selected contractor 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 contractor 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.

## I.D. 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 Lower Rio Grande Valley Workforce Development Area. 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.

**Management Designs**

Eligible Offeror may propose management designs including, but not limited to the following:

**Individual Managing Director** - Under this approach, an individual is proposing to serve as an independent contractor to Workforce Solutions. The individual will be responsible for the management and operations of the Workforce Solutions Career Centers including management of all related personnel and will have all personnel authority. The Managing Director may elect to use a Professional Employment Organization (PEO) to handle staffing and payroll services for the Workforce Solutions Career Center staff.

**Management Team** - Under this approach, a collaboration of individuals or a team of individuals currently associated with an established/or newly formed entity are proposing to contract and provide the entire management function for the Workforce Solutions Career Centers including management of all related personnel. The team can be comprised from an established entity or be newly formed with the intent of establishing a legal entity. The Management Team might also elect to use a PEO to handle staffing and payroll services for the Workforce Solutions Career Center staff.

**Organizations**- Under this approach, organizations may include, but not limited to, corporations and partnerships. Organizations proposing a partnership should indicate the lead entity. The Board will only contact the lead entity. These organizations’ proposals may propose a turnkey operation which would include direct employment of the Workforce Solutions Career Center staff or the use of a PEO.

Note: Under this management design, all are expected to manage the Workforce Solutions Career Centers using the system tools developed by the Board. Examples may include, but not limited to, procurement of equipment and supplies and payment of client training and support services.

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## I.E. Available Funding

The chart below represents the Program Allocation FY 2019/2020 (estimate) for Workforce Solutions. This information is provided for the Offeror's use in preparing a proposal budget, but allocations are subject to change for FY 2020 and beyond.

|  |  |
| --- | --- |
| **Federal and State Funding Source** | **Program Allocation FY2019/2020**  **(Estimate)** |
| Workforce Innovation and Opportunity Act – Adult CFDA 17.258 | $3,700,000 |
| Workforce Innovation and Opportunity Act – Dislocated Worker CFDA 17.278 | $1,500,000 |
| Workforce Innovation and Opportunity Act – Youth CFDA 17.259 | $4,000,000 |
| Trade Act Services CFDA 17.245 | $15,000 |
| TANF – Choices CFDA 93.558 | $2,000,000 |
| Supplemental Nutrition and Assistance Employment and Training CFDA 10.561 | $800,000 |
| Child Care Services Formula Allocation CFDA 93.575, 93.596, 93.667 | $45,000,000 |
| Non-Custodial Parent Choices CFDA 93.558 | $350,000 |
| Re-Employment Services Eligibility Assessment CFDA 17.225 | $375,000 |

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## I.F. Participant Numbers Served and Workforce Solutions Career Center Traffic

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.

**Workforce Solutions Career Center Data**

**Workforce Solutions Career Center Customer Served**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Career Center Customer Served Levels** | **BCY 16**  **(Oct. 2015 – Sept. 2016)** | **BCY 17**  **(Oct. 2016 – Sept. 2017)** | **BCY 18**  **(Oct. 2017 – Sept. 2018)** | **BCY 19**  **(Oct. 2018 – Jan. 2019)** |
| Total Job Seekers | 49,657 | 49,758 | 43,978 | 18,896 |
| Workforce Opportunity Innovation Act (WIOA): *Adult* | 750 | 568 | 630 | 331 |
| Workforce Opportunity Innovation Act (WIOA): *Dislocated Worker* | 93 | 72 | 86 | 52 |
| Workforce Opportunity Innovation Act (WIOA): *Youth* | 352 | 322 | 506 | 275 |
| Subset of WIOA Youth: *Out of School* | 292 | 277 | 437 | 232 |
| Temporary Assistance of Need Families (TANF/Choices) | 975 | 879 | 774 | 340 |
| Supplemental Nutrition Assistance Program Employment & Training (SNAP E &T) | 1,716 | 1,054 | 740 | 237 |
| Non-Custodial Parent (NCP) | 479 | 560 | 462 | 152 |

**Source: *TWIST web report # 265 WIOA Participants Served Report***

**Workforce Solutions Career Center Traffic**

**Reporting Period: BCY 18 (October 2017– September 2018)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Monthly**  **Center Traffic** | **Edinburg** | **Mission** | **Raymondville** | **Rio**  **Grande City** | **Weslaco** | **All Centers** |
| Oct-17 | 2,202 | 2,447 | 611 | 944 | 3,183 | 9,387 |
| Nov-17 | 2,679 | 2,002 | 694 | 782 | 2,843 | 9,000 |
| Dec-17 | 2,808 | 1,796 | 560 | 710 | 2,559 | 8,433 |
| Jan-18 | 2,414 | 2,603 | 398 | 732 | 3,528 | 9,675 |
| Feb-18 | 1,863 | 2,001 | 376 | 594 | 2,646 | 7,480 |
| Mar-18 | 1,838 | 2,917 | 349 | 696 | 2,736 | 8,536 |
| Apr-18 | 1,764 | 2,044 | 554 | 544 | 3,113 | 8,019 |
| May-18 | 1,996 | 2,742 | 402 | 553 | 2,558 | 8,251 |
| Jun-18 | 3,706 | 6,082 | 937 | 1,554 | 3,343 | 15,622 |
| Jul-18 | 4,325 | 5,862 | 928 | 1,479 | 4,469 | 17,063 |
| Aug-18 | 4,052 | 6,858 | 1,173 | 1,717 | 5,478 | 19,278 |
| Sep-18 | 3,081 | 5,671 | 782 | 1,464 | 4,621 | 15,619 |
| **Total** | **32,728** | **43,025** | **7,764** | **11,769** | **41,077** | **136,363** |

***Source: TWIST Workforce Center Customer Tracking (WCCT)***

## I.G. Type of Contract

Successful Offeror will enter into a performance-based cost reimbursement contract, or any type of contract Workforce Solutions deems most advantageous. Workforce Solutions will negotiate performance benchmarks and will utilize those benchmarks to measure the performance of the contract funded through this procurement. During contract negotiations, a pay for performance and funds utilization schedule will be negotiated to tie certain expenditure reimbursements to reported performance.

A performance-based cost reimbursement contract is a contract format wherein all allowable costs detailed in the budget attached to the executed contract are reimbursed on the basis of meeting established performance requirements. Contractor(s) are required to maintain documentation which substantiates the expenditure, and must submit copies of the documentation in order for an invoice to be paid. Only allowable costs shall be reimbursed. “Allowable” means allowable under both federal and state requirements and contract terms. When applicable, organizations must identify Profit/Management Fee on the line item in the budget submitted in response to this RFP. Under no circumstances shall the Profit/Management Fees exceed 10% of the total budget amount less Talent Development costs and is subject to negotiations during the contract process.

**Use of Subcontracting**

A consortium, or team of organizations with complementary skills and experience, are permitted to respond to this RFP in a sub-contractual relationship so long as such proposal demonstrates that all contractual responsibility rests solely with one company or organization as the fiscal agent and that the proposed contractual arrangement would enable the Offeror to provide efficient quality management and delivery of the workforce services for Workforce Solutions.

If the Offeror will provide services through a sub-contractor, then the proposed role of that sub-contractor, as well as the same type and level of information such sub-contractor would otherwise submit to Workforce Solutions as if the sub-contractor was to be a direct contractor with Workforce Solutions, must be adequately described in the proposal response. Workforce Solutions (or its delegate) retains its right to approve and monitor any and all sub-contractual arrangements of the successful bidder at any level, and to ensure that sub-contractors meet the standards and qualifications of the RFP and contract. Both the primary contractor and the sub-contractor will be liable and accountable for sub-contractor performance.

Workforce Solutions retains the right to terminate the entire contract or to require the contractor to terminate a sub-contract if a sub-contractor at any level fails to perform in accordance with acceptable standards. All relevant federal, state, and local statutes, regulations, and policies also apply to any sub-contractor, and the contractor’s agreement(s).

**I.H. Transition**

Workforce Solutions anticipates making an award on June 26, 2019. Should a transition to a new contractor occur, it is the expectation that Workforce Solutions Career Centers will be fully operational by October 1, 2019 and that there is no lapse in service to customers. New Offerors are required to complete Attachment 23: Transition Plan Questionnaire.

## I.I. 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 for local initiatives and special projects. 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.

Funds provided in Section I.E. Available Funding are to be utilized as a base for developing contractor’s proposed budget. Costs associated with the services listed below are NOT to be included in proposal budgets.

1. 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;
2. Oversight to include technical assistance and serving as liaison with TWC/U.S. DOL;
3. Programmatic and fiscal monitoring (not to include internal monitoring);
4. Management of all facility leases and facility maintenance;
5. Management and maintenance of all IT equipment, hardware and software and related systems;
6. Management and maintenance of utilities, communications and connectivity;
7. Management and maintenance of the billing and payment system for Child Care Services.
8. To be responsive, proposal budgets should include management and operational costs (i.e. personnel and related costs). Costs associated with direct customer services (i.e. training, training-related, and support services or child care payments) are 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.
9. Indirect costs may be charged to administration and programs if supported by appropriate documentation and in accordance with the TWC FMGC.
10. 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 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.
11. Contractor 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.
12. Profit is an allowable cost. 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, and the quality of its past performance record. For subsequent contract years, the amount of profit may be negotiated based on the following factors:
13. Exceeding minimum standards for contracted federal and state performance measures;
14. 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,
15. Meeting contractual expenditures, enrollment and program requirements, which includes satisfactory monitor reviews.
16. 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.
17. Specific requirements for incentive pay will be identified during contract negotiations.
18. Final adjustments to indirect costs, administrative costs and profit will be made during contract negotiations once direct program participant costs have been determined.
19. Offerors selected for award of a contract should be prepared to cover expenditures for start- up activities during the transition period.
20. Financial systems must:
21. Comply with Generally Accepted Accounting Principles (GAAP) and Texas Uniform Grant Management Standards (UGMS);
22. Be sufficient to permit preparation of required reports;
23. 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;
24. Permit the tracing of program income, potential stand-in costs, and other funds;
25. Designed to report contract costs as accruals or modified accruals.

**I.J. State and Federal Governing Authority**

Contracts funded as a result of this RFP are subject to, but not limited 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 1966 (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;
24. 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;
25. Labor Code (as amended by HB 1863 and SB 1519, etc.);
26. Appropriations Bill (including riders);
27. Public Law 107-288, The Jobs for Veterans Act;
28. Nondiscrimination and equal opportunity provisions of the Non-Traditional Employment for Women Act of 1991;
29. 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;
30. Workforce Development Letters, Information Notices; Technical Assistance Bulletins, rules, policies, procedures, manuals and other guidance issued by the Texas Workforce Commission; and
31. Plans, policies and procedures of Workforce Solutions related to Workforce Solutions Career Centers and child care programs and operations.

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# Section II. Procurement Contents and Sequence

The remainder of this procurement document contents are as follows:

**Application Instructions**

This section provides general procurement information and instructions for all Offerors regarding the procurement process. It also includes the specifications, elements of the proposal, evaluation criteria, evaluation process, negotiations, selection, contract award, Attachments (1-26) and Exhibit A: Standard Procurement Terms and Conditions.

**Attachments and Exhibit**

Attachments include required forms relevant background information to assist Offerors responding to this RFP. Exhibit contains Standard Procurement Terms and Conditions.

**II.A. Instructions and Timeline Schedule**

Beginning 12:00 PM CST, March 4, 2019, the RFP will be available for release. The document(s) may be downloaded via the Workforce Solutions website at: <https://www.wfsolutions.org/who-we-are/do-business-with-us/procurement.html>

For questions, please contact:

Robert Barbosa, CTCM, Finance Manager

Workforce Solutions

3101 W. Business 83

McAllen, TX 78501

956-928-5000

E-mail address: [robertb@wfsolutions.org](mailto:robertb@wfsolutions.org)

If Robert Barbosa is not available, Martin Cuevas, Deputy Director/Chief Financial Officer, may be contacted at:

Workforce Solutions

3101 W. Business 83

McAllen, Texas 78501

956-928-5000

E-mail address: [martin@wfsolutions.org](mailto:martin@wfsolutions.org)

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**Timeline:**

|  |  |
| --- | --- |
| March 4, 2019 | RFP is released |
| March 11, 2019 | Bidder’s Conference |
| March 18, 2019 | RFP question submission deadline |
| March 26, 2019 | RFP question & answer posting deadline |
| April 18, 2019 | Workforce Solutions Career Centers proposals due 3:00 PM CST |
| April 22-26, 2019 | RFP proposals to evaluators |
| April 26, 2019 | Proposal evaluations due to Board designee |
| June 26, 2019 | Present to Board evaluator ranking, if necessary presentation(s) by Offerors, and authorize board staff to negotiate with highest ranking Offeror |
| July 1-16, 2019 | Contract negotiations |
| August 28, 2019 | Board of Directors approval to authorize CEO to sign contract |
| September 2019 | Transition - if applicable |
| October 1, 2019 | Contract Start Date |

**II.B. Bidder’s Conference**

Workforce Solutions will host a Bidder’s Conference on March 11, 2019 at 3:00 PM CST. The conference will be held both in person and via a GoToMeeting conference. The Bidder’s Conference is not mandatory, however, highly recommended. It is recommended that all Offerors review the RFP, required Attachments and Exhibits prior to the scheduled Bidder’s Conference. The Bidder’s Conference will include a presentation as well as a question and answer period. Auxiliary aids and services are available upon request.

**Bidder’s Conference Location:**

Workforce Solutions Corporate Office

Palm Room

3101 W. Business 83

McAllen, TX 78501

Phone: 956-928-5000

**GoToMeeting Information**

Meeting Title:

Workforce Solutions RFP for the Management and Operations of the Workforce Solutions Career Centers Bidder’s Conference

Monday, March 11, 2019 3:00 PM CDT

Please join GoToMeeting from your computer by accessing the following link:

<https://global.gotomeeting.com/join/618884941>

You can also dial in using your phone. United States [+1 (669) 224-3412](tel:+16692243412,,618884941)

Access Code: **618-884-941**

**Written Questions:**

Question received at the bidder’s conference will be documented and become part of the Question and Answer document. Questions received after the Bidder’s Conference related to the RFP must be submitted via e-mail to robertb@wfsolutions.org by the established deadline. Workforce Solutions will acknowledge receipt of submitted questions via email.

Written questions will be accepted until March 18, 2019, 5:00 PM CST. Questions received after this deadline will not be answered. A complete set of written Questions and Answers will be posted on the Workforce Solutions website: <https://www.wfsolutions.org/who-we-are/do-business-with-us/procurement.html>

Written questions for this RFP must be labeled with the following information:

“RFP for the Management and Operation of Workforce Solutions Career Centers Services”

Name of Offeror

Contact Person

Mailing Address

Questions should be addressed to:

Workforce Solutions

ATTN: Robert Barbosa, CTCM, Finance Manager

3101 W. Business 83

McAllen, Texas 78501

Phone: 956-928-5000

Offerors are responsible for accessing the Question and Answer document via the Workforce Solutions website following the listed deadlines.

NOTE: With the exception of the Bidder’s Conference, verbal questions of any kind (in-person or by telephone) will NOT be accepted. In the event that responses modify any of the terms, conditions, or provisions of this RFP, a notice will be provided via a subsequent amendment to the RFP. The only contacts for questions are the staff listed in this section. No other sources of responses or clarification are considered valid. Offerors are strictly prohibited from contacting Workforce Solutions Board Members or staff other than as stated above.

## II.C. Submission Instructions

Offerors must submit hard copies of the proposal and all required attachments to:

Workforce Solutions

ATTN: Robert Barbosa, CTCM, Finance Manager

3101 W. Business 83

McAllen, Texas 78501

Workforce Solutions must receive the proposal marked “Name of Offeror, Management and Operation of Workforce Solutions Career Centers Services” no later than the due date included in the above timeline. Submit one (1) response marked as “original” with original signature and five (5) copies. All proposals must be labeled clearly with the Offeror’s name and the RFP #. Proposals should be in 3 ring binders, appropriately labeled, and not stapled. **In addition, each Offeror must submit all proposal narratives and budgets with budget backup on USB with files saved in a Microsoft Word and Excel format.** Offerors are responsible for requesting proof of delivery date and time from their chosen delivery/mail contractor provider. Each Offeror is requested to submit its proposal in a format suitable for ease of review with a minimum of repetitious material. The proposal should clearly demonstrate the Offeror’s ability to manage the operation of the Workforce Solutions Career Centers. All required RFP Attachments, Budget Forms and Exhibits are available at <https://www.wfsolutions.org/who-we-are/do-business-with-us/procurement.html> and/or upon request from Robert Barbosa at [robertb@wfsolutions.org](mailto:robertb@wfsolutions.org).

**All proposals must be received at the Workforce Solutions Corporate Office located at 3101 W. Business 83, McAllen, Texas 78501 no later than 3:00 PM CST on Thursday, April 18, 2019.** Please take every precaution to ensure that your proposal arrives in a timely manner.

Workforce Solutions will not accept proposals transmitted by facsimile (FAX) or via e-mail. Proposals submitted by mail must be received at the Workforce Solutions Corporate Office by the established deadline. Proposals submitted via courier or overnight mail services will be considered to be hand-delivered and must be received by the deadline.

### Proposals that are submitted after the deadline will not be accepted. There will be no exceptions.

## II.D. Required Format

1. Format: Proposals must be typed in a 12-point font, single-spaced, with a 1" margin on all sides on 8 1/2 x 11 inch plain white paper. Each page of the proposal, including attachments - except for the coversheet and financial audits - should be sequentially numbered and should include the name of the offeror in the footer of each page.
2. Page Limit: The proposal must be no more than 70 pages, excluding the required attachments. Pages in excess of the 70-page limit will not be reviewed. Materials not specifically requested will not be reviewed.
3. Title Page (Reference Attachment 1: Proposal Cover Sheet) shall show the: Company Name, address, phone number, and federal tax ID number; the name of the person who will be authorized to negotiate this contract and make decisions for the organization, and that person’s telephone number, fax number, and e-mail address; the authorized signature and submittal date.
4. Offeror must submit an Offeror's Profile narrative to be considered responsive to this RFP. All information required to develop the Offeror’s profile and service proposal narrative(s) is contained in Sections III through IV of this RFP.

## II.E. Qualified Offerors

Qualified Offerors, management teams, and/or organizations (private for-profit, private non-profit or governmental) are all eligible to apply. Offerors should possess extensive senior management experience in workforce development systems, employment-training programs, job development, economic development and/or social services. Prior experience administering federal, state and private grant funds and fund development programs is required and must be demonstrated in the background of the Offeror. The Offerors must demonstrate the knowledge necessary to manage and operate dynamic career oriented Workforce Solutions Career Centers that provide high standards of customer service and satisfaction while maintaining and exceeding program performance standards. All Offerors should be prepared to illustrate a capacity for covering any disallowed costs incurred by the system under the management of the Offeror.

## II.F. Evaluation and Award Process:

1. Proposals will be evaluated and scored by an independent team of reviewers contracted for this purpose with all reviewers using the same instrument. Reviewers will evaluate proposals based on Offeror’s responses to the questions included in the Offeror's Profile and service component proposal narrative(s). The scoring criteria to be used to evaluate the Offeror Profile and the Service Proposal, along with the points applicable to each, are provided in the instructions for each in Sections III through IV.
2. Evaluations for the Offeror’s Profile and Service Proposal score must achieve at minimum a score of 70%, respectively. Offeror's achieving a score below seventy percent (70%) of available points on the Offeror's Profile or the Service Proposal 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).
3. The independent evaluators’ recommendations will be presented at the tentatively scheduled June 26, 2019 Workforce Solutions Board of Director’s meeting. At the discretion of Workforce Solutions, the top-ranking Offeror (s) may be asked to make a presentation before the Board of Directors. Offerors are advised that the Workforce Solutions Board of Directors must approve the final award. The final award is also contingent based upon successful pre-award results.
4. All Offerors shall designate in writing an authorized negotiator. (The name and contact information for this person must be included on the cover sheet of the Proposal.) This designated person must be authorized by the Offeror to make binding commitments for the successful Offeror and their subcontractors, if any. Workforce Solutions reserves the right to negotiate the final terms of the contract with the successful Offeror (s). Items that may be negotiated include, but are not limited to, the scope of work, optional responses, the staff as proposed, the implementation schedule, and final award amount.
5. The Workforce Solutions Board of Directors will make final selection of the successful Offeror at the Board Meeting tentatively scheduled for June 26, 2019, with contract negotiations and contract signing to follow. These target dates are subject to revision. The term of the Contract shall be for a twelve (12) month period beginning October 1, 2019 and ending September 30, 2020, with the option to extend the contract for four (4) additional one year terms based on need, performance, and funding availability. The contract budget shall be renewed annually based on the availability of funds.

## II.G. 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 contact, 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:
8. award one contract as a result of this RFP of services as necessary to obtain the best value for the Board;
9. accept or reject any or all proposals received, to cancel or reissue this RFP in part, or its entirety;
10. extend, shorten, increase or decrease any contract awarded as a result of this RFP;
11. 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;
12. request additional information from any and all Offerors to obtain clarification of or explanation for any aspect of a response to this RFP;
13. waive any defect in this procurement process or to correct any error(s) and/or make changes to this solicitation it deems necessary;
14. 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 Hidalgo, Willacy and Starr;
15. 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;
16. 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.
17. 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 17 A-M.
18. 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.
19. 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.

## II.H. 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. Contractor(s) 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 contractor(s).
3. Contractor(s) 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. Office of Management and Budget’s Uniform Guidance at 2 C.F.R. Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements and 2 C.F.R. Part 2900, Department of Labor (DOL) exceptions to 2 C.F.R. Part 200.
4. Contractor(s) 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. Contractor(s) 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.
8. Contractor(s) 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. Contractor(s) 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. Contractor(s) 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, contractor(s) may choose to give first consideration to current Workforce Solutions Career Center staff in filling Workforce Solutions Career 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. Contractor(s) will have limited management authority over State and partner staff located within the Workforce Solutions Career 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 staffs are integrated into the overall delivery of services in the Workforce Solutions Career Centers. There are currently TWC Employment Services staff assigned to the Workforce Solutions Career Centers.
17. Contractor(s) will coordinate with State agencies and partners currently co-located at the Workforce Solutions Career Centers including TWC staff, Texas Veterans Commission staff, Job Corp staff, and Texas Workforce Commission Vocational Rehabilitation Service staff.
18. Contractor(s) must ensure that senior management for this contract will be full-time (100% FTE) and solely dedicated to this contract, and have the authority and autonomy to serve as a single point of contact for day-to-day operations.
19. Contractor(s) 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. Contractor(s) will be required to input and update data on Workforce Solutions Career Center customers and program participants into Texas Workforce Information System of Texas (TWIST), the state job matching system WorkinTexas (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. Contractor(s) 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.
22. Contractor(s) will be responsible for accurate reporting of workforce development and/or business services activities provided to clients along with client outcomes through the TWIST and/or 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.
23. Contractor(s) 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.
24. Contractor(s) will be required to maintain the following record systems:
25. automated and/or paper records of customer activity;
26. financial management;
27. property:
28. procurement;
29. plans, including technical assistance, corrective action and strategic plans;
30. policies and procedures;
31. internal and external monitoring evaluations; and,
32. system performance.
33. 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.
34. 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.
35. Contractor(s) 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.
36. Contractor(s) 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. Contractor(s) 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. Contractor(s) 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.
37. Contractor(s) 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:
38. The development and implementation of a formal corrective action plan to address weaknesses;
39. Obtainment of technical, management, and/or quality assurance assistance;
40. Designated as a high-risk entity requiring intensive monitoring and, potentially, increased fidelity bonding;
41. Implementation of a reorganization plan;
42. Restriction on funds;
43. Delay, suspension or denial of contracted payments;
44. Contract cancellation or termination.
45. Contractor(s) must agree with the Board in the development and implementation of partnerships and collaborations with community partners in coordinating Workforce Solutions programs
46. Contractor(s) will be responsible for maintaining Workforce Solutions Career Center certifications issued by the Texas Workforce Commission and assisting the Board in obtaining certification of any new facilities.
47. Contractor(s) will ensure that the public shall have access to local Workforce development services provided through Workforce Solutions Career 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 Career Center locations.
48. Contractor(s) 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.
49. Contractor(s) must house staff in the Workforce Solutions Corporate Office and existing Workforce Solutions Career Centers.
50. During the contract period, the number and locations of Workforce Solutions Career Centers and the types and levels of services to be provided are subject to change. Contractor(s) will be required to work with the Board on any expansion, change or alteration to the Workforce Solutions Career Center system or individual centers that may occur during the term of a contract.
51. Contractor(s) must agree to comply with TWC and the Board’s marketing guidelines and policies.

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# Section III: Offeror's Profile

The Offeror's Profile is a position statement regarding your capabilities to effectively manage and operate the Workforce Solutions Career Center operations and 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 (existing and Target & Demand occupations), education and training (e.g. career exploration and guidance on Target Industry & Occupations), both those services provided directly through the Workforce Solutions Career Centers system and those available through community partners.
* Integration: Customers should be able to enter the system through multiple access points, yet is should feel like a single system. There should be no separate identification of programs or workforce system partners/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.

## III.A. Performance Standards and Expectations:

The successful Offeror will organize and operate a service delivery system that is fully aligned with the Board’s vision statement, mission statement, key strategic imperatives and strategic goals. Contractor(s) are expected to 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 high priority populations for potential enrollment in training and other services that would increase their self-sufficiency.
* Collaborative arrangements to facilitate increased services and technology to enhance the variety and level of services available.
* Seek and execute methods to improve program engagement for TANF/Choices, SNAP E&T, WIOA Youth (OSY/ISY), Foster Youth, WIOA DW and other high priority populations as identified by the Board.
* Development of service offerings that support area economic development organizations and educational institutions in their efforts to sustain existing businesses and attract new companies.

## III.B. 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 25 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 in the order prescribed in the Attachment Checklist provided in Section III.D.

## III.B.1. General Background

1. 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.
2. Identify any governing board associated with your organization.
3. Provide a list of your organization's owner(s), board of directors, principals, and chief officers as applicable.
4. Identify your core business as it relates to workforce development.
5. Describe your vision for the Workforce Solutions system.
6. Complete and submit a proposal cover sheet included herein as Attachment 1.

## III.B.2. Management and Organizational Structure

1. 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 as Attachment 2.
2. If you are submitting a proposal using a Managing Director/Professional Employer Organization (PEO) Model, provide a copy of the agreement between the Managing Director and the PEO as Attachment 3.
3. Briefly describe your entity's overall structure. Provide a current organizational chart for the entire entity submitting this proposal as Attachment 4. Show lines of authority and all key staff positions by title and name.
4. Describe your proposed business model.
5. 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.
6. How is key management staff evaluated and who measures accountability?
7. Describe your strategy for holding the various levels of staff accountable system-wide.
8. 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.
9. Describe your approach to ensure an inclusive relationship between management and staff at all service sites.
10. Describe the standards for dress code/appearance, courtesy and professionalism. How will customer satisfaction data be used to measure perceptions of staff?
11. Describe your internal communication structure and strategy.
12. 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?
13. 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.

## III.B.3. Past Performance

1. Describe performance results for programs you have operated highlighting experience providing workforce services in Texas. Provide results for a minimum of three prior program years and the current year. Include all federal and state required performance measures as well as any additional contracted measures and provide as Attachment 5. Provide the following details for each program identified:
   1. Project or contract budget;
   2. 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.)
   3. Planned versus actual performance outcomes for contracted performance measures;
   4. Amount of disallowed costs and reason for the disallowance.
2. Describe your customer satisfaction results for internal and external customers for a minimum of two prior calendar years and the current year. 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 and provide as Attachment 6.
3. Describe any internal and/or external evaluations conducted of your operations during the past three (3) years. What were the purposes of the evaluations? Provide copies of all internal and external evaluations (other than audits) conducted on your organization for the last three program years as Attachment 7.
4. Provide a list of all grievances and/or complaints filed against your organization by staff or customers during the last three program years as Attachment 8. 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.
5. Describe any awards, recognitions, or noteworthy achievements that your organization has received during the past three years.

## III.B.4. References

1. 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.
2. 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 as Attachment 9.

## III.B.5. Resources

1. Identify additional resources that your organization will bring to the Board. This may include financial resources, equipment, property, intellectual properties, proprietary services or products, human and organizational resources.

## III.B.6. Financial and Organizational Stability

1. List your organization's primary source(s) of revenue and amounts for the previous fiscal year.
2. 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.

1. 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.
2. Describe the type of financial review and/or audit that your organization conducts on an annual basis. Provide copies of your most recent audit and/or financial statement and audits/financial statements from the prior three calendar years as Attachment 10.
3. Provide a list of any legal action taken against your organization, including lawsuits, injunctions or court orders for three prior calendar years as Attachment 11, include resolution. Include any pending litigation regardless of date initiated.
4. Provide a signed Attestation of Personnel Policies Statement included herein as Attachment 12. Offerors must agree to provide current personnel policies, including payroll, leave and travel policies, if selected as contractor provider.
5. Provide a signed Certification of Required Insurance statement included herein as Attachment 13 establishing that Offeror maintains or agrees to obtain the required insurance and bonding coverage.
6. Describe your policies for subcontractor management as Attachment 14. Please include: selection process, type of contract, contract management, performance management, a description of services that would be subcontracted and the estimated cost.
7. Complete and attach the Administrative Management Survey as Attachment 17 J.
8. Describe your accounting system. How is it able to handle the unique accounting requirements of the workforce system?
9. 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.
10. Complete and submit the Fiscal and Financial Responsibility Survey included herein as Attachment 17 K.
11. Submit a copy of the most recent cost allocation plan as Attachment 15.
12. Submit the most recent approved indirect cost plan as Attachment 16.
13. Describe your capacity and plan for managing possible disallowed costs.

## III.B.7. Historically Underutilized Business (HUB) (Bonus Points)

Provide the certificate verifying your organization’s status as a Historically Underutilized Business (HUB) issued by the Texas Secretary of State as Attachment 18.

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## III.C. Evaluation Criteria for Offeror's Profile Narrative

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

|  |  |
| --- | --- |
| **Criteria** | **Points Awarded** |
| General Background | 9 |
| Management and Organizational Structure | 38 |
| Past Performance/References | 36 |
| Resources | 4 |
| Financial and Organizational Stability | 50 |
| Historically Underutilized Business | 5 |
| Total Points | 142 |

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## III.D. Attachment Checklist

The following items are to be provided as attachments if applicable and are not included in the 25-page limit.

|  |  |  |
| --- | --- | --- |
| **Attachment** | **Description** | **Form**  **Provided**  **√** |
| 1 | Proposal Cover Sheet | √ |
| 2 | Joint Venture, Partnership, and/or Collaborative Agreements (If applicable, Offeror Submits) |  |
| 3 | Managing Director and PEO Agreement (If applicable, Offeror Submits) |  |
| 4 | Organizational Chart (Offeror Submits) |  |
| 5 | Performance results for prior three years (Offeror Submits) |  |
| 6 | Customer satisfaction results for internal and external customers (Offeror Submits) |  |
| 7 | Internal and External Evaluations (Offeror Submits) |  |
| 8 | List of Grievances and/or Complaints with Resolutions (Offeror Submits) |  |
| 9 | References | √ |
| 10 | Audits/Financial statements (Offeror Submits) |  |
| 11 | List of Legal Action Taken (Offeror Submits) |  |
| 12 | Attestation of Personnel Policies | √ |
| 13 | Certification of Required Insurance | √ |
| 14 | Policies for Subcontractor Management (If applicable, Offeror Submits) |  |
| 15 | Cost Allocation Plan (Offeror Submits) |  |
| 16 | Indirect Cost Plan (Offeror Submits) |  |
| 17 | Certifications and Assurances   1. Statement of Qualifications 2. Certification of Respondent 3. Certification Regarding Debarment, Suspension and Other Responsibility Matters 4. Certification Regarding Lobbying 5. Certification Regarding Texas Corporate Franchise Tax 6. Certification Regarding Drug Free Workplace 7. Disclosure of Interests 8. Texas State Assessment Certification 9. Listing of Prior Performance of Contractor or Similar Services 10. Administrative Management Survey 11. Fiscal Management Survey 12. Equal Opportunity and Nondiscrimination 13. Certification Regarding Conflict of Interest | √ |
| 18 | Historically Underutilized Business (HUB) Certificate (Offeror Submits) |  |

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**Section IV: 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 Hidalgo, Willacy and Starr counties. 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 Solutions Career Centers 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. Evidence of successful development of key partnerships that will complement and enhance the services being provided by the Board;
6. A commitment to pursue continuous program improvement through training, staff development, and teamwork; and,
7. 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](http://www.twc.state.tx.us/programs/employment-service-guide-f-100-performance-measures) 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:

1. job search assistance, job referral, and placement assistance for job seekers;
2. reemployment services for UI claimants;
3. recruitment services for employers with job openings.
4. assessment of skill levels, abilities, and aptitudes;
5. career guidance;
6. job search workshops; and
7. referral to training.

Employer Services include:

1. the referral of job seekers to available job openings;
2. assistance in the development of job posting requirements;
3. matching job seekers with job requirements, skills, and other attributes;
4. assisting employers with special recruitment needs;
5. arranging job fairs;
6. assisting employers with analyzing hard-to-fill jobs;
7. assisting with job restructuring; and
8. helping employers with layoffs.

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

1. veterans;
2. individuals with disabilities;
3. migrant and seasonal farmworkers;
4. ex-offenders;
5. youth; and
6. older workers.

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## IV.A. Performance Standards

The Workforce Solutions 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.

**FY 2019/2020 contracted Integrated Common Measures and targets for the Workforce Solutions Career Center System services include:**

|  |  |  |
| --- | --- | --- |
| Contracted Measures | | Target |
| 1 | Claimant Reemployment within 10 weeks | 58.29% |
| 2 | # of Employers Receiving Workforce Assistance | 4,362 |
| 3 | Choices Full Work Rate | 50% |
| 4 | Avg. Children served Per day-Discretionary At Risk | 11,183 |
| 5 | Employed Quarter 2 Post Exit-Adult | 89.90% |
| 6 | Employed Quarter 4 Post Exit-Adult | 86.00% |
| 7 | Credential Rate-Adult | 82.30% |
| 8 | Median Wage Earnings Qrt 2 Post Exit - Adult | Pending |
| 9 | Employed Quarter 2 Post Exit-DW | 87.40% |
| 10 | Employed Quarter 4 Post Exit-DW | 90.00% |
| 11 | Credential Rate-DW | 90.00% |
| 12 | Median Wage Earnings Quarter 2 Post Exit-DW | Pending |
| 13 | Employed/Enrolled Quarter 2 Post Exit-Youth | 75.90% |
| 14 | Employed/Enrolled Quarter 4 Post Exit-Youth | 73.30% |
| 15 | Credential Rate-Youth | 59.90% |
| 16 | Employed/Enrolled Quarter 2 Post Exit-All Participants | 69.00% |
| 17 | Employed/Enrolled Quarter 2-Qrt 4 Post Exit-All Participants | 84.00 % |
| 18 | Credential Rate-All Participants | 60.00% |
| 19 | Median Wage Earnings Quarter 2 Post Exit-All Participants | $4,764 |

## IV.B. 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 45 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 in the order prescribed in the Attachment Checklist provided in Section IV.E.

## IV.C.1. Defining the Workforce Solutions Career Center System:

1. Describe your vision for the Workforce Solutions Career Center system.
2. Describe the structure of the Workforce Solutions Career Center system. How is the Workforce Solutions Career Center system connected to other key systems, such as economic development, education and social services?

## IV.C.2. Services

1. Identify the key customer groups and their differing needs.
2. 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. What are the potential bottlenecks and what is the contingency plan for dealing with them?
3. Describe your strategy for provision of services to TANF Choices customers.
4. Describe your strategy for provision of services to SNAP E&T customers, both ABAWD and general population.
5. Describe how technology will be deployed to improve overall organizational effectiveness and efficiency.
6. Describe how data 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?
7. Describe how input from partners and customers is used to develop services.

## IV.C.3. Marketing and Outreach

1. Describe your marketing strategy for the Workforce Solutions Career Centers 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.
2. Describe your plan for using social media to market Workforce Solutions Career Centers services and engage customers, businesses and other stakeholders.
3. Identify the short and long-term objectives of the marketing strategy to include specific targets for various customer groups and various geographic regions.

## IV.C.4. Management and Organizational Structure

1. Provide an organizational/divisional chart that depicts the management team and where the point(s) of day-to-day relationships with the Board will be as Attachment 19.
2. Provide a functional organizational chart for the system that identifies the success indicators for each function as Attachment 20.
3. Describe the staffing structure, including lines of authority, job titles/function and how the structure ensures sufficient back-up for all positions.
4. 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.
5. Describe the qualifications of the management team to manage a system of the size of the Lower Rio Workforce System.
6. Describe the Project Director’s (top-level manager’s) experience with managing multiple programs with different performance outcomes.
7. Describe the Project Director’s experience working with federal or state-funded employment and training, especially one-stop programs.
8. Describe the Project Director’s knowledge in the areas of human resources, staff development and retention.
9. Describe how the Project Director will ensure timely information regarding performance, anticipate issues and resolve performance as problems arise.
10. Provide resumes and job descriptions for key management staff as Attachment 21.
11. Provide 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 this contract as Attachment 22.
12. 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.
13. Describe how you ensure that staff has a good foundation of sufficient skills and knowledge to help customers achieve their goals.
14. Describe your training/development and mentoring plans for new hires and existing staff.
15. How is staff involved in planning and setting of standards?

## IV.C.5. Operational Plan

1. Describe your strategies and actions to integrate the programs and resources available through the workforce system for Workforce Solutions Career Center services to meet the needs of key customer groups. How will you provide a seamless system of services?
2. 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.
3. Describe how continuous improvement strategies, such as process mapping, fact-based analysis and customer feedback are employed throughout the system.
4. Describe how identified customer requirements will be matched to available services and resources.
5. 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?
6. 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?
7. 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?
8. 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?
9. Describe how job seeker skill levels, needs and interests will be matched to demand occupation training and jobs.
10. Describe how case management staff will ensure that job seeker skill levels are appropriately matched with business skill requirements.
11. Describe how the case management will be coordinated between the partner programs and other entities providing services to customers of the workforce system.
12. 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?
13. Describe your approach to involving regional businesses in the Workforce Solutions Career Center system in Hidalgo, Willacy and Starr counties. How will you identify and respond to employer expectations as a part of your continuous improvement strategy?
14. How will you coordinate, assess, and identify employers’ needs?
15. 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.
16. 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?
17. How will the Business Service Unit (BSU) facilitate the development of new businesses in the region?
18. How will lay-off avoidance services be coordinated with employers? Describe how you will market Skills Development Fund, High Demand Job Training Program, Texas Industry Partnership Program, Work Opportunity Tax Credits, Self- Sufficiency Fund, and other TWC program to employers?
19. 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.
20. 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?
21. Describe how you will help employers identify gaps in employee skills, and assist them in developing new resources for skills development.
22. Describe the human resource functions available to business through the Workforce Solutions Career Centers (i.e. job matching, job orders, screening and assessment of potential employees, services to incumbent workers).
23. 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.
24. 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?

## IV.C.6. Performance and Outcomes

1. 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?
2. 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?
3. Describe how you will ensure the accuracy, integrity, security and timeliness of data entry for customer data and information? Give specific examples.
4. 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 Workforce Solutions Career Center's performance denominator and how will they be made aware of their impact on performance measures?
5. Describe how you will measure customer satisfaction information including methodology and frequency. How will results be used to improve services?
6. Describe the process and sources for benchmarking key results. How often will benchmarking occur? How will the information be used?
7. 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.
8. Provide a description of 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.

## IV.C.7. Financial Management

1. 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?
2. 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?
3. Briefly describe the salary scale and benefits you will provide to Workforce Solutions Career 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.
4. Describe your experience in managing and accounting for multiple federal, state and local funding sources in accordance with federal and state accounting practices and principles.
5. Describe your organization’s fiscal management system (or proposed system), including the accounting system to be used, fiscal organizational structures, cash management system, financial reporting, and property management. Describe your organization’s experience with the accounting software Abila MIP.
6. As this is a cost reimbursement contract, how will the Applicant ensure that adequate financial resources are available to operate without an advance?
7. Describe your internal fiscal monitoring systems and techniques used to measure budgeted vs. actual costs. Describe your encumbrances and expenditures process.

## IV.C.8. Budget

1. Provide a proposed budget to include all costs, such as management, Workforce Solutions Career Center staff, travel, indirect, profit and/or management fees. (Reference Attachment 24: Planning Estimates and Attachment 25: Annual Budget Forms)
2. Attachment 25: Annual Budget Forms contains two (2) tabs of the Budget documents, Annual Line Item Budget and Salary Allocation. Offeror must include the line-item detail by fund listing all personnel, non-personnel, subcontractor, indirect, and Profit/Management Fee costs. All personnel costs must be identified on the Salary Allocation Sheet by staff position, annual salary, and percentage of annual time spent on the activity. Estimated funding amounts are listed in Section I.E. Available Funding. No Offeror should exceed the estimated funding amounts.
3. Each Offeror is required to submit a Budget Narrative (Reference Attachment 26: Budget Narrative Annual). Narrative should correspond to the line item detail of each cost and justify the need for all costs built into the line item detail, the methodology utilized to derive each cost, and the methodology used to allocate the line item cost across the funding streams. This narrative should not exceed four (4) pages.
4. The Offeror must indicate the percentage of personnel cost for front line staff (those who have direct contact with customers as a part of their essential job function) to the overall personnel cost. Any indirect costs budgeted must be supported by an indirect cost rate agreement with a federal or state cognizant agency. Profit/Management Fee shall not be paid as a percentage of monthly billings. Profit/Management fee is subject to negotiations and will be tied to program performance. Profit/Management Fee may not exceed 10% of the total budget less Talent Development costs.

Note: The Workforce Solutions Board maintains the costs associated with the Workforce Solutions Career Centers to include; lease costs, utilities, technology support for Workforce Solutions managed systems, computer purchases, communication lines, phone systems, consumable supplies, and postage. As such, these costs should not be included as part of the Offeror ’s budget . Talent Development costs (training, childcare and support services) while also paid directly to vendors by the Workforce Solutions Board will be managed by the Offeror and should be included in the Offeror’s budget. These costs include participant payments, such as support services (transportation, etc.), childcare services, work experience, Individual Training Accounts (ITA), On-the-Job Training (OJT) and other types of training. Offeror who allocates at least 75% of estimated allocation to Talent Development will be viewed more favorably.

## IV.D. Evaluation Criteria for Workforce Services Proposal

Offerors must achieve an overall score of at least 70% of available points, to be considered for award. 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 |
| Financial Management | 50 |
| Total Points | 235 |

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## IV.E. Attachment Checklist

The following items are to be provided as attachments and are not included in the 45-page limit.

## Attachment Checklist for Workforce Services Proposal

|  |  |  |
| --- | --- | --- |
| **Attachment** | **Description** | **Form**  **Provided**  **√** |
| 19 | Organizational Chart (Offeror Submits) |  |
| 20 | Functional Chart (Offeror Submits) |  |
| 21 | Management Staff Resumes and Job Descriptions (Offeror Submits) |  |
| 22 | Job Descriptions for Other Staff (Offeror Submits) |  |
| 23 | Transition Plan Questionnaire | √ |
| 24 | Planning Estimates | √ |
| 25 | Annual Budget Forms | √ |
| 26 | Budget Narrative Annual | √ |

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ATTACHMENTS

&

EXHIBIT

|  |  |  |
| --- | --- | --- |
| **Attachment** | **Description** | **Form**  **Provided**  **√** |
| 1 | Proposal Cover Sheet | **√** |
| 2 | Joint Venture, Partnership, and/or Collaborative Agreements (If applicable, Offeror Submits) |  |
| 3 | Managing Director and PEO Agreement (If applicable, Offeror Submits) |  |
| 4 | Organizational Chart (Offeror Submits) |  |
| 5 | Performance Results for Prior Three Years (Offeror Submits) |  |
| 6 | Customer Satisfaction Results for Internal and External Customers (Offeror Submits) |  |
| 7 | Internal and External Evaluations (Offeror Submits) |  |
| 8 | List of Grievances and/or Complaints with Resolutions (Offeror Submits) |  |
| 9 | References | **√** |
| 10 | Audits/Financial statements (Offeror Submits) |  |
| 11 | List of Legal Action Taken (Offeror Submits) |  |
| 12 | Attestation of Personnel Policies | **√** |
| 13 | Certification of Required Insurance | **√** |
| 14 | Policies for Subcontractor Management (If applicable, Offeror Submits) |  |
| 15 | Cost Allocation Plan (Offeror Submits) |  |
| 16 | Indirect Cost Plan (Offeror Submits) |  |
| 17 | Certifications and Assurances   1. Statement of Qualifications 2. Certification of Respondent 3. Certification Regarding Debarment, Suspension and Other Responsibility Matters 4. Certification Regarding Lobbying 5. Certification Regarding Texas Corporate Franchise Tax 6. Certification Regarding Drug Free Workplace 7. Disclosure of Interests 8. Texas State Assessment Certification 9. Listing of Prior Performance of Contractor or Similar Services 10. Administrative Management Survey 11. Fiscal Management Survey 12. Equal Opportunity and Nondiscrimination 13. Certification Regarding Conflict of Interest | **√** |
| 18 | Historically Underutilized Business (HUB) Certificate (Offeror Submits) |  |
| 19 | Organizational Chart (Offeror Submits) |  |
| 20 | Functional Chart (Offeror Submits) |  |
| 21 | Management Staff Resumes and Job Descriptions (Offeror Submits) |  |
| 22 | Job Descriptions for Other Staff (Offeror Submits) |  |
| 23 | Transition Plan Questionnaire | **√** |
| 24 | Planning Estimates | **√** |
| 25 | Annual Budget Forms | **√** |
| 26 | Budget Narrative Annual | **√** |

|  |  |  |
| --- | --- | --- |
| **Exhibit** | **Description** | **Form**  **Provided**  **√** |
| A | Standard Procurement Terms and Conditions | **√** |

**Attachment 1 Proposal Cover Sheet**

|  |  |
| --- | --- |
| **Name of Offeror**  **(Include legal name of parent company, if applicable)** |  |
| **Name of Parent Company CEO or Owner** |  |
| **Mailing Address and Physical Address (if different)** |  |
| **Telephone Number** |  |
| **Fax Number** |  |
| **E-mail of Proposal Liaison** |  |
| **Phone Number of Proposal Liaison** |  |
| **Name & Title of Proposal Liaison** |  |
| **Name & Title of Signatory Authority** |  |
| **Legal/Tax Status of Proposing Organization (check all that apply)** | (Specify) |
| **State Comptroller ID Number** |  |
| **Federal Tax ID Number** |  |
| **Historically Underutilized Business? (If “Yes”, attach certification)** |  |
| **Amount of Funds Requested (for a 12- month period)** |  |

**Attachment 2 Joint Venture, Partnership, and/or Collaborative Agreements**

**(If applicable, Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 3 Managing Director and PEO Agreement**

**(If applicable, Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 4 Organizational Chart**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 5 Performance Results for Prior Three Years**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 6 Customer Satisfaction Results for Internal and External Customers**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 7 Internal and External Evaluations**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 8 List of Grievances and/or Complaints with Resolutions**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 9 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): |  |

**Attachment 10 Audits/Financial statements**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 11 List of Legal Action Taken**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 12 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:\_

**Attachment 13 Certification of Required Insurance**

Offerors should complete the chart and indicate the level of current or proposed coverage for each type of coverage. If an Offeror plans to provide additional coverage, please include such coverage and provide a brief explanation. If an Offeror 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 Offeror 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 |
| Participant Insurance | $1,000,000 |  |  |
| General and Professional Liability Insurance | $1,000,000 per claim  $3,000,000 annual aggregate |  |  |
| Public Liability and Property Damage Insurance | $100,000 per occurrence  $300,000 aggregate  $100,000 property |  |  |

**Attachment 14 Policies for Subcontractor Management**

**(If applicable, Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 15 Cost Allocation Plan**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 16 Indirect Cost Plan**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 17 Certifications and Assurances**

**This space is intentionally left blank.**

**Attachment 17 A**

**Statement of Qualifications (1 of 2)**

**(NAME OF ORGANIZATION) (DATE)**

Requests consideration for placement on the Qualified Offeror s List of the Lower Rio Grande Valley Workforce Development Board, d.b.a. Workforce Solutions, Inc. (Workforce Solutions).

In submitting this Statement, Offeror certifies that it is true and accurate to the best knowledge of the signator. If Offeror is a public or private not-for-profit agency, Offeror certifies that personnel policies are on file at their agency for inspection.  **Offeror also certifies that the Workforce Solutions is authorized to examine administrative and fiscal systems for compliance with minimum requirements to be on the Qualified Offeror s List**. It is understood that the Workforce Solutions reserves the right to request additional information regarding administrative, financial, and legal status, and to visit the facilities at normal and reasonable hours.

**Also, Offeror certifies that each Attachment to this Statement of Qualifications has been completed and is submitted as integral to this Statement.**

*I certify that I am authorized to submit this Statement on behalf of the above named organization. If any information changes significantly, the Workforce Solutions will be notified. I certify that the contents of this document are true and correct.*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signature Date Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Printed Name Address

**List the name, title, and telephone number of individual (s) authorized (if different than signatory above) to sign proposals and contracts on behalf of Offeror.** (Provide address, if different than address listed above.)

Name Title Address Telephone/Fax E-mail

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Other Contact Person:**

Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Title \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Telephone \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ FAX \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**(2 of 2)**

**1. LEGAL STATUS**

**\_\_\_\_\_\***Private For-Profit Corporation (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Date Incorporated State

\_\_\_\_\_\_Private Not-for-Profit Corporation (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

Date Incorporated State

**\*\*** IRS Not-for-profit classification for Tax Exemption (\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)

\_\_\_\_\_\_State, local or Indian Tribal Government

\_\_\_\_\_\_Educational Institution (post-secondary)

\_\_\_\_\_\_Other (Specify) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**\*Attach a copy of your certificate or articles of incorporation, or other proof of legal power to contract and conduct business in Texas.**

**\*\*Attach a copy of the Internal Revenue Service letter of determination of your nonprofit status. If community-based agency, provide documentation.**

**2. ORGANIZATION INFORMATION (Must provide.)**

**a. Internal** Revenue Service (IRS) Employer’s Number (EIN)\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. **GOVERNING BODY, BOARD OF DIRECTORS OR OTHER PRINCIPALS**

**(Attach separate sheet if necessary)**

Name Title Address Telephone

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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**3. FIDELITY BOND & INSURANCE**

1. Does the agency have a fidelity bond or employee dishonesty insurance? ○ **\*YES ○ NO**

**\*If YES, attach copy of a binder or a copy of the current policy.**

1. Does the agency have general liability insurance? ○ **\***YES ○ NO

**\*If YES, attach copy of a binder or a copy of the current policy**.

**4.** **CERTIFICATIONS AND ATTACHMENTS**

Please complete Attachments A through M, and submit with the Statement of Qualifications.

**Attachment 17 B**

**CERTIFICATION OF RESPONDENT**

I, the undersigned, submit this quote/bid and have read the specifications, which are a part of this solicitation. My signature also certifies that I am authorized to submit this quote/bid. Sign as a representative for the firm, and carry out services solicited in this solicitation:

**Signature of Authorized Agent**: **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Printed Name and Title of Agent: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Firm: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Telephone Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FAX Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Contact Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email Address (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Web Site Address (if applicable): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Note:** The \_\_\_\_\_\_\_\_ ensures that small, minority, disadvantaged, and women’s businesses are utilized as sources for acquisitions whenever possible. Auxiliary aids and services are available upon request to individuals with disabilities.

Please check if your firm is a historically underutilized (disadvantaged) business (HUB), as defined by Texas Government Code 407.101.

Yes \_\_\_\_\_ No \_\_\_\_\_

**If the answer is yes**, is your firm registered with the State General Services Commission and a HUB?

Yes \_\_\_\_\_ No \_\_\_\_\_**\_**

**Attachment 17 C**

**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, 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 statues or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicated for or otherwise criminally or civilly charged by a government entity with commission of any of the offense enumerated in Paragraph (2) of this certification; and,
4. Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization/Firm

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Signature of Authorized Representative** Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name and Title of Authorized Representative

**Attachment 17 D**

**CERTIFICATION REGARDING LOBBYING**

*This certification is required by the Federal Regulations Implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code, for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).*

The undersigned certifies, to the best of his or her knowledge and belief, that:

No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee or a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement.

If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

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

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name of Organization**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature of Authorized Representative Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Print Name and Title of Authorized Representative**

**Attachment 17 E**

**CERTIFICATION REGARDING**

**TEXAS CORPORATE FRANCHISE TAX**

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

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

Indicate the certification that applies to your subcontracting entity:

 The subcontracting entity is a for-profit corporation and certifies that 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

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

I.R.S. Tax Number

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Authorized Representative’s Printed Name

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

Signature of Authorized Representative

**Attachment 17 F**

**CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

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

The undersigned subcontractor certifies it will provide a drug-free workplace by:

1. Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;

1. Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the subcontractor’s policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations in the workplace;
2. Providing each employee with a copy of the subcontractor’s policy statement;
3. Notifying the employees in the subcontractor’s policy statement that as a condition of employment under this subcontract, employees shall abide by the terms of the policy statement and notifying the subcontractor in writing within five days after any conviction for a violation by the employee of a criminal drug abuse statute in the workplace;
4. Notifying the Board within ten (10) days of the subcontractor’s receipt of a notice of a conviction of any employee; and,
5. Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or require such employee to participate in a drug abuse assistance or rehabilitation program.

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name of Organization**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature of Authorized Representative Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Print Name and Title of Authorized Representative**

**Attachment 17 G**

**DISCLOSURE OF INTERESTS** (1 of 2)

It is the fiscal policy of Workforce Solutions that all persons or firms seeking to do business with Workforce Solutions have to provide the following information**. Every question must be answered. *If the question is not applicable, answer with “NA”.***

COMPANY NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

FEDERAL ID#: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

P.O. BOX: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

STREET: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

CITY: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ STATE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ ZIP: \_\_\_\_\_\_\_\_\_

Firm is: (1.) Corporation 🞏 (2.) Partnership 🞏 (3.) Sole Owner 🞏 (4.) Association 🞏 (5.) Other 🞏

**DISCLOSURE QUESTIONS**

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the name of each “non-managerial employee” of having an “ownership interest” constituting 10% or more of the ownership in the above name “firm”

Name Job Title

1. State the names of each “managerial employee” of Workforce Solutions having an “ownership interest” constituting 10% or more of the ownership in the above name “firm”

Name Job Title

1. State the names of each “member” of Workforce Solutions or Board Staff having an “ownership interest” constituting 10% or more the ownership in the above name “firm”

Name Job Title

(2 of 2)

1. State the name of each employee or officer of a “consultant” for Workforce Solutions who worked on any matter related to the subject of this contract and has an “ownership interest” constituting 10% or more of the ownership in the above name “firm”

Name Job Title

1. Other

Name Job Title

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of Organization/Firm

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**Signature of Authorized Representative** Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print Name and Title of Authorized Representative

**Attachment 17 H**

**TEXAS STATE ASSESSMENT CERTIFICATION**

The authorized representative of the corporation contracting herein by executing this contract certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of contract and is grounds for contract cancellation.

The corporation certifies 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.

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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

**Attachment 17 I**

**LISTING OF PRIOR PERFORMANCE OF CONTRACTS OR SIMILAR SERVICES**

**Note: Respondent must submit at least three (3) responsive business references**.

*(References from past projects for same or similar goods/services.)*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Customer Agency** | | | **Contact Person** | **Telephone #** | **Address** | | **Amount of Contract** |
| 1. | |  |  | |  |  |  | | |
| 2. | |  |  | |  |  |  | | |
| 3. | |  |  | |  |  |  | | |

**Attachment 17 J**

**ADMINISTRATIVE MANAGEMENT SURVEY (1 of 2)**

**Answer the following questions regarding your administrative management system.**

**Information will be verified. Provide copies as indicated.**

|  |  |  |  |
| --- | --- | --- | --- |
| **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:** |  |  |  |
| **a. Open employee recruitment, selection, and promotional opportunities based on ability, knowledge, and skills;** |  |  |  |
| **b. Providing equitable and adequate compensation;** |  |  |  |
| **c. Training employees to assure high-quality performance;** |  |  |  |
| **d. Retaining employees based on the adequacy of their performance, and making adequate efforts for correcting inadequate performance;** |  |  |  |
| **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** |  |  |  |
| **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?** |  |  |  |
| **4. 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?** |  | (2 of 2) |  |
| **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**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ **Signature of Authorized Representative Date**

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**Print Name and Title of Authorized Representative**

**Attachment 17 K**

### FISCAL MANAGEMENT SURVEY (1 of 2)

**Answer the following questions regarding your fiscal management system. Information will be verified. Provide copies as indicated. Information will be verified. Provide copies as indicated.**

|  |  |  |  |
| --- | --- | --- | --- |
| **QUESTION** | **YES** | **NO** | **N/A** |
| **1. Do you have a copy of the applicable regulations pertaining to the programs?** |  |  |  |
| **2. Do you have a copy of the Uniform Grants and Contract Management Standards?** |  |  |  |
| **3. Does your accounting system provide you with adequate information to prepare a monthly financial report? (Such report must be derived from a balance sheet and income and expense statements).** |  |  |  |
| **4. Does your accounting system provide control and accountability over all funds received, property, and other assets?** |  |  |  |
| **5. Can your accounting system provide for financial reports on an accrual basis?** |  |  |  |
| **6. Does your accounting system provide for identification of receipt and expenditure of funds separately for each funding source?** |  |  |  |
| **7. Are your accounting records maintained in such a manner as to facilitate the tracking of funds to source documentation of the unit transaction?** |  |  |  |
| **8. Does your accounting system have the capability to develop procedures for determining the allowability and allocation of costs in accordance with the provisions of federal regulations and the Uniform Grants and Contract Management Standards?** |  |  |  |
| **9. Are State and Federal funds advanced to you deposited in a bank with FDIC coverage?** |  |  |  |
| **10. Has the bank in which you deposit State and Federal funds insure the account(s) or put up collateral or both which is equal to the largest sum of money which would be in such bank account(s) at any one point in time?** |  |  |  |
| **11. Do you make monthly reconciliations of your bank account(s)?** |  |  |  |
| **12. Are these reconciliations made by the same person who performs the record keeping for receipt and disbursement transactions?** |  |  |  |
| **13. Do you record daily your cash receipts and disbursement transactions?** |  |  |  |
| **14. Are there individuals or positions in your organization which have as one of their duties, the receipt, distribution or handling of money covered under bond?** |  |  |  |
| **15. Is there one person who is directly responsible for all fiscal transactions?** |  |  |  |
| **16. Is there a person who is responsible for the receipt of all purchased goods?** |  |  |  |
| **a. Does this person immediately assign upon receipt an inventory number to the required items?** |  |  |  |
| **b. Does this person perform an inventory audit at least once a year?** |  |  |  |
| **c. Do you maintain records on all property acquisition, disposition, and transfers?** |  |  | (2 of 2) |
| **17. Do you have written procedures and internal controls established for the procurement of goods and services?** |  |  |  |
| **18. Is a bid process incorporated in your purchasing procedures for acquisition of major items of equipment and office space?** |  |  |  |
| **19. Is documentation (i.e., Time sheets, etc.) properly kept to support each payroll disbursement?** |  |  |  |
| **20. Are records maintained to support authorized leave (sick, etc.)?** |  |  |  |
| **21. Is proper documentation maintained to support travel disbursement?** |  |  |  |
| **22. Has a formal audit of your organization's financial records been conducted within the past year?** |  |  |  |
| **23. Do you have an indirect cost plan with current approval by a cognizant agency?** |  |  |  |
| **24. Is your organization funded by more than one source?** |  |  |  |
| **25. Does your organization have a written lease agreement**  **for all rented or leased property?** |  |  |  |
| **26. Does your organization have written accounting procedures? (Provide Copies)** |  |  |  |

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Name of Organization**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_

**Signature of Authorized Representative Date**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Print Name and Title of Authorized Representative**

**Attachment 17 L**

**EQUAL OPPORTUNITY AND NONDISCRIMIANTION (1 of 2)**

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

**EEO Laws, Rules, Guidelines, Regulations**

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

1. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination under any program or activity receiving federal financial assistance.
2. Title VII of the Civil Rights Act of 1964, as amended, and its implementing regulations at 29 CFR Part 38 which prohibit discrimination based on race, color, religion, sex, or national origin in any term, condition or privilege of employment.
3. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals because of disability.
4. Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination against individuals 40 years of age and older.
5. Americans with Disabilities Act of 1990, which prohibits discrimination against qualified individuals with disabilities.
6. Age Discrimination Act of 1975, as amended, which prohibits discrimination based on age in programs receiving federal financial assistance.
7. Texas Commission on Human Rights Act, as amended, which prohibits discrimination in employment based on race, color, handicap, religion, sex, national origin, or age (40-70).
8. Equal Pay Act of 1963, as amended, which requires equal pay for men and women performing equal work.
9. Pregnancy Discrimination Act of 1978, which prohibits discrimination against pregnant women.
10. Title IX of the Education Amendments Act of 1972 which prohibits discrimination on the basis of sex under any education program or activity receiving Federal financial assistance
11. Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical condition, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity.

**(2 of 2)**

(**Name**) is committed to promoting equal employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. (**Name**) takes positive steps to eliminate any systematic discrimination from personnel practices. (**Name**) recruits, hires, trains, and promotes into all job levels the most qualified persons without regard to race, color, religion, sex, national origin, age, or disability status.

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

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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

**Attachment 17 M**

**CERTIFICATION REGARDING CONFLICT OF INTEREST**

By signature of this bid proposal, Respondent covenants and affirms that:

* No manager, employee or paid consultant of the Respondent is a member of the Board, or an employee of Workforce Solutions;
* No manager or paid consultant of the Respondent is married to a member of the Board, the CEO, or an employee of Workforce Solutions;
* No member of the Board, the CEO or an employee of Workforce Solutions is a manager or paid consultant of the respondent;
* No member of the Board, the CEO or an employee of Workforce Solutions owns or controls more than 10 percent in the Respondent;
* No member of the Board, CEO, or employee of Workforce Solutions receives compensation from Respondent for lobbying activities as defined in Chapter 305 of the Texas Government Code;
* Respondent has disclosed within the Bid any interest, fact or circumstance which does or may present a potential conflict of interest;
* Should Respondent fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Respondent shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with Workforce Solutions and shall immediately refund to Workforce Solutions 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 Workforce Solutions relating to that contract.

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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

**Attachment 18 Historically Underutilized Business (HUB) Certificate**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 19 Organizational Chart**

**(Offeror Submits)**

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**Attachment 20 Functional Chart**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 21 Management Staff Resumes and Job Descriptions**

**(Offeror Submits)**

**This space is intentionally left blank.**

**Attachment 22 Job Descriptions for Other Staff**

**(Offeror Submits)**

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**Attachment 23 Transition Plan Questionnaire**

**Transition Plan Questionnaire**

The Board anticipates awarding the contract during its Board meeting tentatively scheduled for June 26, 2019, with authorization to execute the contract tentatively scheduled for August 28, 2019.

1. Provide an outline of your plan for transition, include:
   * Timetable for transition
   * Transfer of program records
   * Assumption of or release from obligations
2. Describe how continuity of service delivery will be maintained, include:

* Plan of coordination with the Workforce Solutions Career Centers Contractor
* How provision of the appropriate level of service to customers will continue.

1. Describe your plan for hiring staff, include,

* Evaluation of staff performance
* Maintaining staff accountability
* Training/cross-training staff

A fully developed transition plan will be negotiated prior to contract start date.

**This space is intentionally left blank.**

**Attachment 24 Planning Estimates**

|  |  |
| --- | --- |
| **Federal and State Funding Source** | **Program Allocation FY2019/2020**  **(Estimate)** |
| Workforce Innovation and Opportunity Act – Adult CFDA 17.258 | $3,700,000 |
| Workforce Innovation and Opportunity Act – Dislocated Worker CFDA 17.278 | $1,500,000 |
| Workforce Innovation and Opportunity Act – Youth CFDA 17.259 | $4,000,000 |
| Trade Act Services CFDA 17.245 | $15,000 |
| TANF – Choices CFDA 93.558 | $2,000,000 |
| Supplemental Nutrition and Assistance Employment and Training CFDA 10.561 | $800,000 |
| Child Care Services Formula Allocation CFDA 93.575, 93.596, 93.667 | $45,000,000 |
| Non-Custodial Parent Choices CFDA 93.558 | $350,000 |
| Re-Employment Services Eligibility Assessment CFDA 17.225 | $375,000 |

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**Attachment 25 Annual Budget Forms**

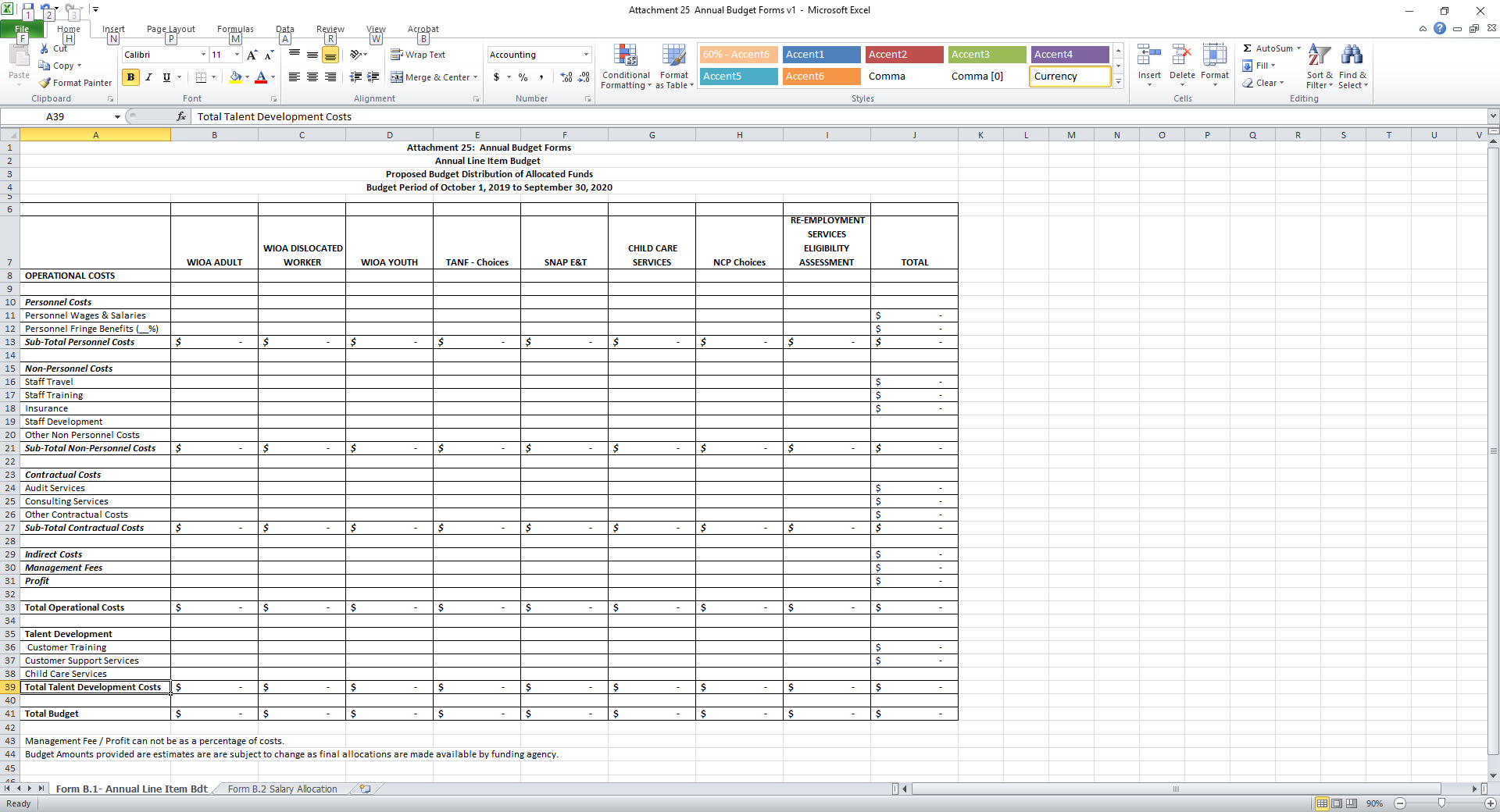
**This attachment must be downloaded from our website in order to fill in the budget.**

**Note, there are two tabs that require completion:**

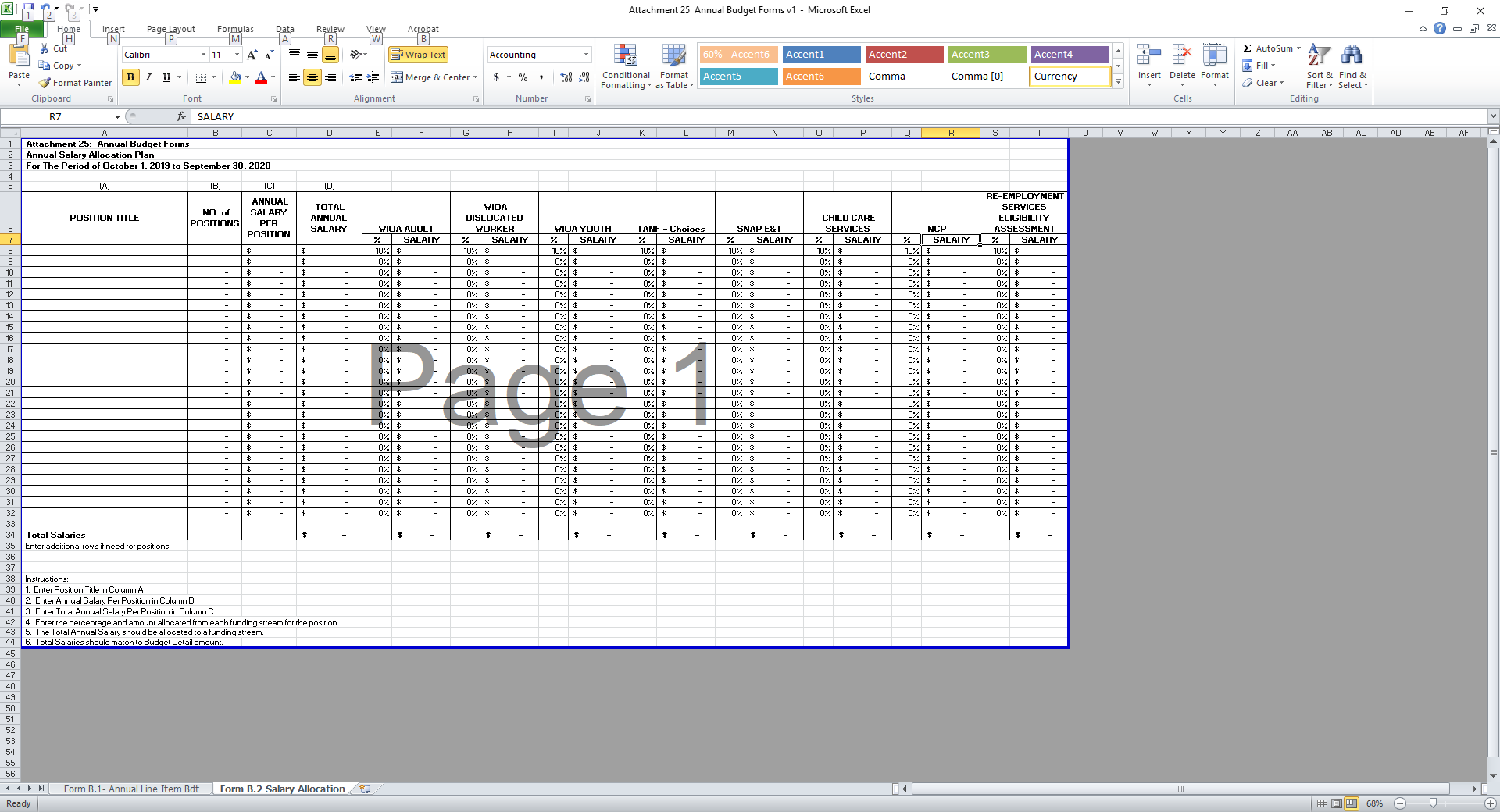
**1) Form B.1 – Annual Line Item Bdt;**

**2) Form B.2 – Salary Allocation**

**FORM B.1**



**FORM B.2**



**Attachment 26 Budget Narrative Annual**

### 

### Budget Narrative (Annual)

### Period of October 1, 2019 to September 30, 2020

**Budget Narrative Instructions**: Provide for each line item of your budget an explanation of the costs you are proposing. Narrative should provide a level of detail sufficient to show justification of cost and how the budgeted amount was developed.

**Personnel Costs:**

1. **Salaries** – Complete Annual Salary Allocation Plan. The information entered on budget form should be consistent with the proposal narrative and the total salaries should match the amount entered on Budget Form B.1 – Annual Line Item Budget.

2. **Fringe** **Benefits** – List all fringe benefits provided to staff. Provide the cost and or percentage of salary each represent. Indicate your organization's total fringe rate.

**Non-Personnel Costs**

1. **Staff Travel** – Identify all travel costs (mileage reimbursement, per diem, lodging,

transportation, etc. as paid by the State of Texas) associated with this proposal. List in-state and out-of-state travel costs separately. Explain all out-of-state travel.

1. **Staff** **Training** – Explain the type and purpose of each training exercise to be provided to the staff and breakdown of all related costs (tuition, registration fees, trainer costs, etc.).
2. **Insurance –** List each type of insurance and cost separately. Explain how premiums are allocated if costs are share with non-workforce uses.
3. **Staff Development –** List any planned trainings/seminars for staff.
4. **Other** **Non-Personnel** **Costs** – Identify and explain any other non-personnel costs not included in this section. Provide sufficient description of cost and purpose for the costs.

**Contractual Costs**

1. **Audit Services** – Provide estimated cost of conducting an annual audit. If known, provide the name and contact information of the auditor.
2. **Consulting** **Services** – List each consulting service to be purchased. Provide an explanation/reason for each service. Along with hourly/daily rates and any related costs.
3. **Other** **Contractual** **Services** – Identify and explain any other contractual costs not already included disclosed.

**Indirect** **Costs**

If proposing Indirect Costs, specify the rate used and describe the method of calculation used in deriving the rate. You must submit a copy of your approved plan and/or cognizant agency letter approving an indirect cost rate. Regardless of the approved rate the final indirect cost rate on the resulting contract will be negotiated.

**Management Fee/Profit**

If proposing a Management Fee or Profit, identify the amount and show how the amount was developed. Profit is only available to for-profit entities. Management Fee/Profit may be subject to negotiation prior to contract award.

Note: Indirect Costs and/or Management Fee/Profit, may not be computed on Talent Development Costs.

**Talent Development**

Talent Development costs (training, child care services and support services) while also paid directly to vendors by the Workforce Solutions Board will be managed by the Offeror and should be included in the Offeror’s budget. These costs include participant payments, such as support services (transportation, etc.), child care services, work experience, Individual Training Accounts (ITA), On-the-Job Training (OJT) and other types of training.

**This space is intentionally left blank.**

**Exhibit A Standard Procurement Terms and Conditions**

**STANDARD PROCUREMENT TERMS AND CONDITIONS**

**Modifications or Withdrawals by Offerors:**

Proposals may be modified or withdrawn by written notice to Workforce Solutions, addressed to Robert Barbosa, CTCM, Finance Manager **prior to the deadline for the submission of proposals**. Any changes must be initialed by the person(s) signing the proposal. In no event may proposals be modified by the Offeror after the submission deadline, unless a modification is requested by the Board as a condition of proposal clarification or contract negotiation.

**Addenda to the RFP:**

Workforce Solutions reserves the right to delay, amend, or reissue this RFP at any time. At the discretion of Workforce Solutions, if it becomes necessary to revise any part of this RFP, an addendum will be mailed to all known recipients of this RFP. Changes to the timeline for this request and/or additional information will be provided as changes occur.

**Right to Cancel, Accept or Reject:**

Workforce Solutions reserves the right to cancel all or any part of this RFP at any time without prior notice. Workforce Solutions also reserves the right to modify the RFP process and timeline as is deemed necessary.

The RFP does not commit Workforce Solutions to accept any proposal submitted, nor is Workforce Solutions responsible for any costs incurred by the Offeror s in the preparation of responses to this RFP. Workforce Solutions reserves the right to reject any or all Request for Proposals, to accept or reject any or all items in the Request for Proposals, and to award the contract in whole or in part as is deemed to be in the best interest of Workforce Solutions. Workforce Solutions reserves the right to negotiate with any Offeror after proposals are reviewed, if such action is deemed to be in the best interest of Workforce Solutions.

**Submission, Evaluation, Selection, and Contract Award:**

Instructions for the Submission of hard copies of Offerors proposals can be found are contained in Section II Procurement Contents and Sequence located on pag es 15 - 19.

**Ex**‐**Parte Communication:**

It is the policy of Workforce Solutions to prohibit ex‐parte communication with any board

member or other person serving as an evaluator during the RFP process. Offeror s’

directly contacting board members or evaluators risk elimination of their proposals from further consideration.

**More Standard Terms and Conditions:**

Positive efforts shall be made to utilize Historically Underutilized Businesses (HUBs, i.e.,

minority and female‐owned or operated businesses) as vendors, and to allow such

organizations maximum feasible opportunity to compete for award.

Proposals received will become a part of the Board’s official files without further obligation to the bidders. The contents of a successful Proposal may become a contractual obligation if selected for funding. Failure of the Offeror to accept these obligations can result in cancellation of an award or purchase agreement. Workforce Solutions reserves the right to withdraw or reduce the amount of an award or to cancel any contract resulting from this procurement if there is misrepresentation or errors in the specifications, cost, terms, or Bidder’s ability to meet the terms and conditions of this RFP or if adequate funding is not received from TWC.

A response does not commit Workforce Solutions to award a purchase agreement or contract or to pay any costs incurred in the preparation of a response, nor did to pay for any costs incur prior to the execution of a formal purchase agreement or contract unless such costs are specifically authorized in writing by Workforce Solutions.

Workforce Solutions reserves the right to contact any individual, agency, or employers listed in the RFP, to contact others who may have experience and/or knowledge of the bidder’s goods/supplies, relevant performance, qualifications, etc., and to request additional information from any and all Offerors.

Offerors shall not, under penalty of law, offer any gratuities, favors, or anything of monetary value to any officer or employee of Workforce Solutions, or to any consultant, employee, or member of the Board of Directors for the purpose of or having the effect of influencing favorable disposition toward their own proposal or any other bid submitted hereunder.

**DEBRIEFING AND PROTEST:**

The Lower Rio Grande Valley Workforce Development Board (the “Board”), is the responsible authority for handling protests regarding the procurement and bid selection process.

Once a procurement decision is made, the Board shall notify each bidder in writing of the results. Unsuccessful bidder shall be advised, in writing, that they have the right to request a debriefing or to request a hearing.

**DEBRIEFING**

The purpose of a Debriefing is to promote the exchange of information between a bidder and Board staff pertaining to the proposal process and the bid evaluation system. The goal of a Debriefing is to assist a bidder in improving the quality of future bids. The Board will not host a Debriefing to a bidder who has engaged in the Hearing process described below.

A Debriefing shall include an informal exchange of information pertaining to the Board’s proposal process and bid evaluation system and shall serve as an educational function for bidders. During a Debriefing the bidder will receive information on how their proposal was received and ranked. The Board reserves the right to limit the amount of time allocated for a Debriefing.

**Step 1:** Bidders who desire a Debriefing must submit a written request within ten (10) calendar days of receipt of the Board’s notification of the procurement decision. The Board shall acknowledge receipt of the request for a Debriefing in writing within five (5) working days of receipt, along with the date and time of the scheduled Debriefing.

**This space is intentionally left blank.**

The Request for a Debriefing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as “Dated Material” and addressed to:

Mr. Francisco Almaraz, Chief Executive Officer

Workforce Solutions Corporate Office

3101 West Business 83

McAllen, TX 78501

Telefax, facsimile and e-mail requests for a Debriefing will NOT be accepted.

**Step 2:** The Debriefing shall be scheduled at the Board’s Office located at 3101 West Business 83 McAllen, Texas no later than ten (10) working days from the date the inquiry is received by the Board.

**Step 3**: Board staff and/or the independent evaluators of the specific bid proposal shall meet with the bidder and shall review: 1) the proposal and bid evaluation process; and 2) how the appealing party’s proposal/bid was scored and ranked; suggestions on how to improve future bids (if applicable).

**APPEAL/HEARING REQUEST**

An Appeal occurs when an unsuccessful bidder believes that they were treated unfairly in the bid proposal and award process and that they, rather than the organization selected for the award, deserve the procurement contract. The Board will not grant a Hearing to a bidder who has engaged in the Debriefing process described above.

**Step 1**: If a bidder wishes to appeal the decision of the Board regarding their bid proposal, the complainant bidder must submit to the CEO, a written Request for a Hearing within ten (10) calendar days of receipt of the Board’s notification of the procurement decision. The Board shall acknowledge receipt of the request for a Hearing in writing within five (5) working days of receipt, along with the date and time of the scheduled Hearing. The Request for a Hearing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as “Dated Material” and addressed to:

Mr. Francisco Almaraz, Chief Executive Officer

Workforce Solutions Corporate Office

3101 West Business 83

McAllen, TX 78501

Telefax, facsimile and e-mail notices will NOT be accepted.

**This space is intentionally left blank.**

**Step 2:** The written Request for a Hearing sent to the CEO must include the following information:

1. The funding decision being appealed (i.e. specific date of the RFP/IFB and the Board action taken).
2. Name, address and phone number of the protesting party(ies);
3. A description of any alleged acts or omissions by the Board that form the basis for the protest (this must include the specific concerns and the specific grounds for the protest).
4. Any written information the bidder believes is relevant to the protest;
5. The remedy sought by the bidder.

**Step 3:** Upon written request, the Board staff shall make available to the bidder all requested documents not exempted from disclosure under state or federal law. The Board will provide copies of these documents upon payment of the standard fees for record duplication.

**Step 4:** A Hearing shall be scheduled at the Board Offices at a mutually agreed time and date but no later than twenty (20) calendar days from the date the request for a Hearing is received by the Board.

**Step 5:** The CEO or his/her designee shall act as the Hearing Officer. The CEO shall also appoint a Committee of either Board members and/or Workforce Solutions staff to serve as the Hearings Committee. Such committee shall consist of the Hearing Officer and either two (2) or four (4) additional committee members.

**Step 6:** The Hearings Committee shall meet with the protesting party to discuss the specific concerns and the specific grounds for the protest identified in the Request for a Hearing (see Step 2(c) above). Only those issues presented in the Request for a Hearing will be addressed at the Hearing. The Hearings Committee shall evaluate the appropriate actions which should be taken while abiding by Workforce Solutions funding rules and regulations and which are consistent with the Board’s procurement policies.

**Step 7:** A determination will be made within ten (10) business days from the date of the Hearing. Should the Hearings Committee determination result in a different outcome for the bidder, such recommendation shall be presented to the full Board for consideration and possible action at the next scheduled meeting. However, the Board is NOT obligated to accept the Hearings Committee determination and/or recommendations.

If the Hearing Committee’s determination does not result is a different outcome to the bidder, such information need not be presented to the Board and the bidder shall be informed in writing by the Hearings Officer of the Hearing outcome.

**APPEAL TO TEXAS WORKFORCE COMMISSION**

Texas Workforce Commission (the “TWC”) will not review any protest from a bidder until all administrative remedies at the local Board level have been exhausted. TWC appeal review is limited to:

Violations of federal laws and regulations (Violations of state and local laws shall be under the jurisdiction of state and local authorities).

Violations of the Board’s protest/dispute procedures or failure to review a protest or dispute.

**8.Accessibility**

Contractor(s) are required to ensure that all facilities in which services are conducted or performed pursuant to an executed contract are in compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 with respect to physical and program accessibility.

**9.Nondiscrimination and Equal Opportunity**

Contractor(s) must conduct all programs in accordance with provisions of the following laws, as they apply to specific programs or activities:

•Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination under any program or activity receiving federal financial assistance.

•Title VII of the Civil Rights Act of 1964, as amended, and its implementing regulations at 29 CFR Part 37 which prohibit discrimination based on race, color, religion, sex, or national origin in any term, condition or privilege of employment.

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals because of disability.

•Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination against individuals 40 years of age and older.

•Americans with Disabilities Act of 1990, which prohibits discrimination against qualified individuals with disabilities.

•Age Discrimination Act of 1975, as amended, which prohibits discrimination based on age in programs receiving federal financial assistance.

•Texas Commission on Human Rights Act, as amended, which prohibits discrimination in employment based on race, color, handicap, religion, sex, national origin, or age (40-70).

•Equal Pay Act of 1963, as amended, which requires equal pay for men and women performing equal work.

•Pregnancy Discrimination Act of 1978, which prohibits discrimination against pregnant women.

•Title IX of the Education Amendments Act of 1972 which prohibits discrimination on the basis of sex under any education program or activity receiving Federal financial assistance

Contracts will not deny benefits of any program, activity or service to any person, and are prohibited from discriminating against any employee or applicant for employment, because of race, color, religion, sex, national origin, age, physical or mental disability, temporary medical condition, political affiliation or belief. Contractor(s) will ensure that the evaluation and treatment of employees and applicants for employment are free of such discrimination.

**10. Insurance and bonding:**

1. **Participant Insurance**

Participants who do not qualify as “employees” (i.e. those participants who are not engaged in direct work activities such as work experience) must be covered by on-site medical and accident insurance. Such insurance shall provide coverage in the amount of $1,000,000. Participants who do qualify as employees must be covered by worker’s compensation or insurance comparable to worker’s compensation. All contractor(s) must also ensure that employers, contractor providers, and caregivers accept liability for injuries while participants are on their premises.

1. **General and Professional Liability Insurance**

The Contractor shall maintain policies of general and professional liability insurance coverage from an insurer acceptable to the Board in order to insure Contractor and the Board against any and all claims for damages arising in connection with the Contractor’s responsibilities or the responsibilities of Contractor’s personnel under the final executed contract. Such insurance shall provide coverage in the amount of $1,000,000.00 per claim $3,000,000.00 annual aggregate, or the amount required by the laws or regulations of the State of Texas, whichever is greater. The Contractor will provide a Certificate of Insurance as evidence of this coverage and will communicate in writing any modifications, alterations, or cancellation of coverage during the term of the Contract to the Board.

1. **Public Liability and Property Damage Insurance**

The Contractor shall also maintain at its sole cost and expense public liability and property damage insurance on all vehicles purchased or leased with funds awarded under the terms of this Contract. Such insurance must provide coverage in the amount of $100,000 per occurrence, $300,000 aggregate liability, and $100,000 property damage per vehicle. Contractor will provide a Certificate of Insurance as evidence of this coverage and will communicate in writing any modifications, alterations, or cancellations of coverage during the term of the Contract to the Board.

1. **Bonding**

The Contractor is required to maintain fidelity bonds on their staff members who handle grant funds. The bonds may be position or blanket and must cover at least the maximum amount of a monthly payment under a Workforce Solutions Board contract. The Contractor will be the insured and the Board will be the certificate holder. The Contractor shall immediately notify the Board if the bond is canceled or reduced and no further cash disbursements will be made to the Contractor until adequate coverage has been obtained.

1. **Documentation**

Contractors are required to provide the Board with copies or originals of all certificates demonstrating proper insurance coverage. Contractor(s) are required to maintain certificates and policies on-site.

**11. Organizational capacity**

Offerors must demonstrate that they have the organizational capacity to administer a program in accordance with the requirements in this Request for Proposals. The Board reserves the right to conduct a pre-award survey of each Offeror approved from this Request in order to determine the capacity of the Offeror's organization to operate a program, meet administrative requirements, and maintain an adequate financial system. The Board also reserves the right to deny a contract to any Offeror approved for funding which does not make timely changes required by the Board, as a result of a pre-award survey, to bring its systems into compliance.

**12.Resolutions**

Private non-profit organizations and agencies of state or local government (including independent school districts and community college districts) responding to this Request must include the following: (1) a resolution from Offeror’s governing body or board authorizing the submission of the proposal; and (2) a letter of transmittal from the chief executive officer of the Offeror’s organization. Private for-profit corporations submitting a proposal must include a statement signed by an authorized representative of the corporation authorizing submission of the proposal. Offerors, in accordance with the requirements under HB 1863, may not be the deliverers of occupational or basic skills training. An Offeror who is currently a training provider but agrees to divest of all training activities may apply under this proposal with a statement to that effect.

**Contract Terms and Litigation Warranty**

Workforce Solutions will negotiate a contract with the successful Offeror s. Workforce Solutions’ assurances and general provisions standard contract terms are stated herein. These will be the terms and conditions used by Workforce Solutions in its contract, and will form the basis for contract negotiations.

This RFP, any addenda, and the Offeror’s response shall also become part of the contract between Workforce Solutions and the Offeror Workforce Solutions is not responsible for oversights in this RFP that are not brought to the attention of Workforce Solutions prior to starting contract negotiations. The Offeror shall indicate in its Proposal any exceptions that the Offeror takes to the terms and conditions stated herein, or to any of the contents of this RFP. Contract terms required by the Offeror must be included or attached to the Offeror’s Proposal.

Offeror s, by submitting a Proposal(s), warrant that they are not currently involved in litigation or arbitration concerning Offeror’s performance as it relates to the same or similar services to be supplied pursuant to the referenced contract and that no judgments or awards have been made against Offeror on the basis of Offeror’s performance in supplying the same or similar services, unless such fact is disclosed to Workforce Solutions in the Proposal(s). Disclosure will not automatically disqualify the Offeror; however, Workforce Solutions reserves the right to evaluate Proposal(s) on the basis of facts surrounding such litigation or arbitration.

**FUNDING WARRANTY**

Offeror s, by submitting a Proposal(s), warrant that in the preceding three (3) years they have not had one or more public transactions (federal, state, or local) terminated for cause or default.

**WORK FOR HIRE**

Offeror agrees that all intellectual properties created by Offeror while operating the Workforce System under a contract with Workforce Solutions, including without limitation, all patentable, trademarkable and copyrightable inventions and recordings, in every format, are each a “work for hire” and are the sole and exclusive property of Workforce Solutions, whether or not jointly conceived. In the event the Contract Agreement does not qualify as a “work for hire” agreement, in partial consideration for the compensation paid to Offeror pursuant to the contract to operate the Workforce System, Offeror hereby irrevocably assigns to Workforce Solutions, in perpetuity, all forms of intellectual property created by Offeror while under a contract with Workforce Solutions. Offeror agrees to execute any forms of assignment or transfer reasonably requested by Workforce Solutions during or following the term of the contract to evidence the foregoing agreement of the parties.

**RESTRICTIONS ON DISCLOSURE**

Confidential Information: It is the Offerors responsibility to clearly identify any information deemed confidential or proprietary. Such confidential information will be protected and treated with confidentiality only to the extent permitted by state law. Information not protectable by state law will be considered a public record. Any data to be returned should be so marked and will be returned if not essential to the Proposal or contract record.

Request for Proposals for Workforce System Proposals will be received and maintained consistent with the Texas Public Records Act. In general, Request for Proposals for Workforce System Proposals will be exempt from disclosure until the evaluation and selection process has been completed. Offerors should be aware; however, that Workforce Solutions is required by Texas Law to make its records available for public inspection and copying, with certain exceptions.

It is Workforce Solutions’ belief that this legal obligation would NOT require the disclosure of confidential or proprietary information that constitutes a trade secret under Texas law. Workforce Solutions pledges to use its best efforts to resist any effort to compel disclosure of material that any Offeror has reasonably and timely designated as proprietary information.

However, the Offeror, by submission of materials marked proprietary, expressly acknowledges and agrees that Workforce Solutions will have any obligation or liability to the Offeror in the event a court of competent jurisdiction compels the disclosure of these materials. Workforce Solutions operates in the Jurisdiction of Hidalgo County.