



# **WORKFORCE SOLUTIONS** of the Coastal Bend

**TO:** Interested Parties  
**FROM:** Ken Trevino, President/CEO  
**DATE:** July 7, 2020  
**SUBJECT:** REQUEST FOR QUALIFICATIONS (RFQ) – LEGAL SERVICES

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Workforce Solutions of the Coastal Bend (WFSCB), also known as the Coastal Bend Workforce Development Board, is soliciting responses from qualified individuals or firms to provide general legal services.

The description of the legal services solicited is provided in the attached RFQ. Included in the RFQ are the minimum requirements as it pertains to the qualifications, knowledge, and experience requested.

All inquiries should be directed to Robert Ramirez at: [robert.ramirez@workforcesolutionscb.org](mailto:robert.ramirez@workforcesolutionscb.org). Mailed and hand delivered copies are acceptable. Electronic transmitted copies will also be accepted, as long as respondents are able include all signatures electronically, as required. Faxed copies will not be accepted.

Workforce Solutions of the Coastal Bend is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay Texas: 1-800-735-2989 (TDD) and 1-800-735-2988 or 7-1-1 (Voice). Historically Underutilized Businesses (HUBs) are encouraged to apply.

# REQUEST FOR QUALIFICATIONS



Issued

## **WORKFORCE SOLUTIONS** of the Coastal Bend

For

### **LEGAL SERVICES**

Applications to be submitted to the  
Coastal Bend Workforce Development Board (d.b.a. Workforce Solutions of the Coastal  
Bend) 520 North Staples, Corpus Christi, Texas 78401 (if hand delivered)  
P.O. Box 2568, Corpus Christi, Texas 78403 (if mailed)

**Issue Date: July 7, 2020, 2:00 p.m. (CST)**

**Responses Due: July 24, 2020, 4:00 p.m. (CST)**

Procurement is open and subject to the availability of funds.

A proud partner of the  network

Workforce Solutions of the Coastal Bend is an Equal Opportunity Employer/Program. Auxiliary aids and services are available upon request to individuals with disabilities. Relay Texas: 1-800-735-2989 (TDD) and 1-800-735-2988 or 7-1-1 (Voice). Historically Underutilized Businesses (HUB's) are encouraged to apply.

Important Notice: This document contains vital information about requirements, rights, determinations, and/or responsibilities for accessing workforce system services. Language services, including the interpretation/translation of this document, are available free of charge upon request.

Este documento contiene información importante sobre los requisitos, los derechos, las determinaciones y las responsabilidades del acceso a los servicios del sistema de la fuerza laboral. Hay disponibles servicios de idioma, incluida la interpretación y la traducción de documentos, sin ningún costo y a solicitud.

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**COASTAL BEND WORKFORCE DEVELOPMENT BOARD**  
**(d.b.a.) WORKFORCE SOLUTIONS OF THE COASTAL BEND**  
**REQUEST FOR QUALIFICATIONS (RFQ)**

**LEGAL SERVICES**

**PART I. GENERAL INFORMATION**

**Purpose of Request for Qualifications:**

Using the Request for Qualifications (RFQ) method of procurement, the Coastal Bend Workforce Development Board (d.b.a. Workforce Solutions of the Coastal Bend) is soliciting responses from qualified individuals and firms to provide general legal services to the Board of Directors and Board professional staff. The legal services requested will help the Board and Board professionals to address matters that may require legal advice and/or representation.

**Background:**

The Coastal Bend Workforce Development Board is a volunteer board made up of local area community members representing various employment sectors in a 11-county region. The Board manages, through Workforce Solutions of the Coastal Bend (WFCB), approximately 30 million dollars in workforce development programs, which are administered through WFSCB's Career Centers, performing workforce development activities for area businesses and residents. The primary responsibility of the Board is to provide policy and program guidance and evaluation of workforce development programs and services that effect area employers, residents and job seekers.

The programs that the WFSCB administers include: employment and training programs funded under the Workforce Innovation and Opportunity Act (WIOA), child care programs, welfare reform programs such as Temporary Assistance for Needy Families (TANF) Choices Program and Supplemental Nutrition Assistance Program (SNAP). The Board is also responsible for planning and overseeing the Wagner-Peyser Employment Services (ES).

The 11-county area served by WFSCB includes: Aransas, Bee, Brooks, Duval, Jim Wells, Kenedy, Kleberg, Live Oak, Nueces, Refugio, and San Patricio counties.

The WFSCB recognizes that Coastal Bend employers are a priority customer. Resolving the concerns of regional employers has become one of the primary goals of the Board. The Board is charged with providing expanded and improved activities for Coastal Bend employers, which includes identifying key trends and major external treats affecting today's local employers, as well as capitalizing on existing opportunities available in the community.

**Funding:**

Funding for the Board's operations and programs is provided primarily by the Texas Workforce Commission (TWC) under the Workforce Innovation and Opportunity Act (WIOA) and other federal programs. Workforce Solutions is an equal opportunity Employer/Programs and ADA accessible. Auxiliary aids will be provided upon request. Telephone access is available by dialing 1-800-735-0342 (TDD) and 1-800-735-2989 or 7-1-1 (Voice). Historically Underutilized Businesses (HUBs) are encouraged to participate in all procurement of programs and services.

**Time-Frame:**

The deadline for responses is **Friday, July 24, 2020, at 4:00 p.m.** If you have any questions in regard to this solicitation, please contact Robert R. Ramirez, Contract and Procurement Officer via e-mail at: robert.ramirez@workforcesolutionscb.org. **All responses must be received prior to this deadline.** Responses received after the deadline will not be considered.

**PART II. SERVICES REQUESTED**

The WFSCB is soliciting a qualified individual or firm to provide widely diversified general civil practice, legal services, to the Board of Directors and Board professionals. Legal services required by the WFSCB include, but are not limited to, the following:

- Prepare, review, and revise leases/contracts/agreements and other documents involving the WFSCB, as requested by the WFSCB;
- Advise Board members and Board professionals as needed on legal aspects of proposed actions, programs, and concerns;
- Represent the WFSCB in any litigation or administrative proceedings, whether as plaintiff, defendant, or as a third party;
- Attend WFSCB Board meetings, and other meetings as requested, to provide general legal counsel;
- Advise the WFSCB Board concerning legal aspects of its pension plan and/or employee benefit program;
- Advise the WFSCB concerning changes in any laws, whether federal, state, or local which may affect the operations of the WFSCB;
- Advise the WFSCB concerning personnel matters in relation to existing personnel policies, conflicts of interest/code of conduct and ethics, and current employment law, and provide updates to state and federal employment law;
- Advise the WFSCB on items and issues involving the Open Meetings Act, as well as the Freedom of Information Act;
- Advise the WFSCB on private non-profit, non-governmental organizational laws and regulations; and
- Advise the WFSCB on State and Federal grants and contracts.

**PART III. GENERAL REQUIREMENTS AND PROVISIONS****Payment Terms:**

Payment for contracted services will be reimbursed by submitting an invoice with proper documentation by the tenth (10<sup>th</sup>) of each month for costs incurred during the previous month. The invoice will be submitted to the WFSCB's fiscal department for payment. Invoices will be paid within three (3) weeks of receipt of complete and accurate information.

Invoices shall be submitted to the fiscal department via e-mail at: [fiscal@workforcesolutionscb.org](mailto:fiscal@workforcesolutionscb.org).

**Contract Period and Renewal:**

The contract will be awarded for a period not to exceed twelve (12) months. In accordance with written policies and procedures of the Board, this Contract may be extended for three (3) additional one-year contract periods beyond the original acceptance/award for no more than a total of four (4) years. The contract extension is done so at the

discretion of the Board, based upon need, availability of funds, contractor's satisfactory performance, and successful contract negotiations.

**Eligible Respondents:**

Respondents who are able to meet the solicitation specifications regarding qualifications, knowledge, experience, and other terms of the solicitation, and who are not debarred and/or suspended from conducting business with federal and state funded agencies may submit a response. A prospective respondent must affirmatively demonstrate their responsibility. A prospective respondent, by submitting a response, represents to the WFSCB that it meets the following requirements:

- Possess or is able to obtain financial resources as required to perform under this solicitation;
- Is able to comply with the required or proposed solicitation;
- Have a satisfactory record of integrity and ethics;
- Be otherwise qualified and eligible to receive an award; and
- Be in good standing with the applicable national or state professional associations and certification agencies/boards.

**Time Period for Submitting Questions:**

Respondents may submit questions to the WFSCB regarding this solicitation for Legal Services. The questions must be submitted in writing and prior to the deadline stated below. Questions shall be submitted via e-mail. All responses to questions submitted will be provided to all respondents who have expressed an interest in the procurement solicitation and/or requested the RFQ document and have provided their contact information. The time period to submit written questions will be **July 7, 2020 through July 13, 2020, 5:00 p.m. CST.** Questions can be submitted by e-mail to: [robert.ramirez@workforcesolutionscb.org](mailto:robert.ramirez@workforcesolutionscb.org)

**Procurement Conditions and General Terms:**

Procurement of these items shall be accordance with the Texas Workforce Commission (TWC) procurement policies and WFSCB procurement policies and general terms as follows:

- WFSCB reserves the right to accept or reject any or all bids/quotes/responses received or to cancel or extend in part or it's entirely, this solicitation, or to make partial awards.
- WFSCB is exempt by law from payment of Texas Sales Tax and Federal Excise Tax.
- The intent of this solicitation is to identify the various contract alternatives and estimates of costs for the items solicited. WFSCB is under no legal requirement to execute a contract from any bid/quote/response submitted.
- Positive efforts shall be made to utilize Historical 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.
- Award of purchase agreement or contract shall be made only to a responsible respondent/ bidder(s), i.e., a bidder/respondent/vendor who has demonstrated competence to deliver the specified goods/services, a proven record of business integrity and ethics, and the ability to meet the requirements of the solicitation.

- When submitting a response it is required that the respondent have the necessary professional experience, prior training, and applicable professional judgment to perform the services and activities or deliver the goods stated in this RFQ.
- Respondents/bidders shall not make offers of gratuities or favors, to any officer, employee, Board member of WFSCB, or any subcontractor employees of WFSCB. Contact for technical assistance is allowed with the solicitation contact person or designated WFSCB Board staff. Violation of this instruction will result in immediate rejection of the response/bid/application.
- The contents of a successful bid/response may become contractual obligations, if a contract is awarded. Failure of the respondent/bidder to accept those obligations may result in the cancellation of the response/bid/application for selection. The contents and requirements of this solicitation may be incorporated into any legally binding and duly negotiated contract between WFSCB and the selected respondent(s)/bidder(s). The WFSCB 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, pricing, terms, or Respondent's/Bidder's ability to meet the terms and conditions of this solicitation or if adequate funding is not received.
- All responses/bids and their accompanying attachments will become property of the WFSCB after submission and materials will not be return. In addition, all materials that are produced as a result of this solicitation become property of WFSCB.
- WFSCB specifically reserves the right to vary the provisions set herein any time prior to the execution of the contract where such variance is deemed to be in the best interest of WFSCB.
- A response does not commit WFSCB to award a purchase agreement or contract or to pay any costs incurred in the preparation of a response nor pay for any costs incurred prior to the execution of a formal purchase agreement or contract unless such costs are specifically authorized in writing by WFSCB.
- WFSCB reserves the right to contact any individual, agency, or employers listed in the solicitation's response, to contact others who may have experience and/or knowledge of the respondent's/bidder's goods/supplies/services, relevant performance, qualifications, etc. and to request additional information from any and all respondents/bidders.
- No employee, officer, or member of the Board shall participate in the selection, development of a response to this solicitation, award or administration of a contract supported by the solicitation if a conflict of interest, real or apparent, would be involved.
- No purchase agreement or contract may be awarded until respondent/bidder has complied with Executive Order 12549, 29 CFR, Part 98 by submitting a signed Certification of Debarment, which states that neither the vendor, nor any of its principles, are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a procurement by any State or Federal department or agency.
- In the interest of maximum free and open competition, all WFSCB Board members and staff will be prohibited from providing technical assistance or answering questions concerning this solicitation which may be construed as offering a competitive advantage to any respondent/bidder. Potential respondents/bidders are requested to respect these conditions by not making personal requests for assistance.
- WFSCB is an equal opportunity employer and complies fully with the nondiscrimination and equal opportunity provisions of the applicable laws. Each organization or individual that submits a response to a solicitation warrants and assures that it will comply fully with the nondiscrimination and equal opportunity provisions as required by 29 CFR 38.2(1). Each application for financial assistance under Title I of

Workforce Innovation and Opportunity Act (WIOA), as defined in §38.4, must include the following assurance:

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I—financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant applicant also assures that it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

#### **Insurance Requirements:**

The Contractor will be required to maintain insurance coverage for the period of the contract. Contractor must obtain insurance adequate to cover Contractor's employees and against personal and bodily injury and property damage. The following minimum insurance coverage and limitations will be required;

- General liability insurance for personal injury and bodily injury and property damage to a third party. The required minimum coverage shall be \$500,000 per occurrence or \$1,000,000 aggregate.
- Workers Compensation insurance shall be required for all the Contractor's employees that will be working under this contract.

In the event you are awarded the contract, the Contractor will be required to submit proof of insurance. A statement of assurance to that effect must be included in your transmittal letter and Statement of Work response.

#### **PART IV. INFORMATION ON EVALUATION AND SELECTION CRITERIA:**

WFSCB will evaluate responses received and select the individual/firm on the basis of the following criteria:

The WFSCB staff reviews the responses received to determine if they are responsive. For responses to be considered responsive and to be evaluated for selection, the following requirements must be met:

1. The responses must have been submitted by the due date and time.
2. The responses with all executed forms must be complete with original signatures.
3. The responses must be for the specific services requested and described in the RFQ packet.
4. The responses must be submitted in the format described in the RFQ Packet.
5. One original (marked original) with all executed (i.e., original signatures) forms and certificates and one (1) electronic copy of your response on flash drive must be submitted for evaluation purposes. Workforce Solutions will base its selection on Qualifications, Knowledge, and Experience, Demonstrated Ability/Effectiveness, Costs, and References/Past Experience.

**(Note: Because of the continued work restrictions due to the health pandemic, we request that you submit an advance copy of your response via e-mail to: [robert.ramirez@workforcesolutionscb.org](mailto:robert.ramirez@workforcesolutionscb.org). The electronic copy must contain all attachments and signatures.)**

All responses will be screened for inclusion of all required information prior to release to the evaluation team. Any differences between the original and the electronic copy are at the liability of the respondent. The original proposal must be marked "**ORIGINAL**" on the Cover Sheet and contain original signatures. The Board staff may exclude from further consideration for contract award any non-responsive response. The evaluation results will be submitted to the Board of Directors for consideration.

The Board may use Board staff, independent evaluators or a combination of both to evaluate and rank proposals.

After evaluation, an award may be made on the basis of the evaluation and ranking, without discussion, clarification or modification, or the WFSCB may enter into negotiations with the highest ranked respondent. If the WFSCB is unable to reach agreement with the highest ranked respondent, the negotiations will terminate and negotiations will begin with the next respondent in the order of the ranking until a contract is reached or the Board has rejected all responses.

**NOTE:** After evaluation, any response with less than a total of 70 points will be considered as non-responsive and will be disqualified from further consideration. Responses receiving a final score of 70 or better are not guaranteed an award.

The WFSCB will make a good faith effort to award contracts to Historically Underutilized Businesses (HUBs).

All respondents will receive notification of proposal/bid/application approval or non-approval. A respondent who wishes to protest the decision will be required to notify the Board's Complaint Officer, in writing, within fifteen (15) days from the date of the notification by letter. The complainant letter must specify the nature of the protest and desired remedies of action. Workforce Solutions reserves the right to determine whether the protest is valid and merits further consideration.



**Proposal Evaluation Criteria:**

The review and selection process will include the following criteria and value system:

**QUALIFICATIONS, KNOWLEDGE, & EXPERIENCE**

**VALUE 45 POINTS**

This criterion examines the qualifications, knowledge and skills of the respondent which been derived from actual work experiences including a minimum of five (5) years of relevant prior experience with non-profit organizations. Respondent's experience should also include knowledge and understanding of federal and state administrative regulations, regulatory requirements, open government and public information issues and policies, and employment, real estate, corporate and contract law and administrative and judicial litigation.

**DEMONSTRATED ABILITY/EFFECTIVENESS**

**VALUE 40 POINTS**

This criterion is a measure of the respondent's proven ability to perform the services requested. Points will be awarded based on: (1) the firm's proven track record in providing same or similar services as those requested in this RFQ, (2) the respondent's plan for delivering such services, and (3) the technical resources available and designated for this contract.

**REFERENCE/PAST EXPERIENCE**

**VALUE 10 POINTS**

The references/past experiences will be evaluated in terms of the amount of experience in dealing with non-profit organizations and workforce development boards, as well as with other local and state government and quasi-government entities. A minimum of three (3) references of active clients for legal services must be provided. The active clients must be current customers at the time of response submission and must be three distinct customers.

**COSTS**

**VALUE 5 POINTS**

This criterion will determine if costs submitted are reasonable and necessary to perform the proposed services. The WSCB will consider a fee structure that best serves WFSCB, in terms of flexibility in pricing and consistency with similar professional fees for legal services.

**HUB**

**VALUE 5 POINTS**

Historically Underutilized Business as certified by the State of Texas.

**PART V. SUBMISSION INSTRUCTIONS**

**How To Submit a Response:**

Responses must be submitted **prior** to the deadline and must clearly indicate externally the Respondent's name and mailed or hand deliver to the following address:

**Robert R. Ramirez, Procurement and Contracts  
Workforce Solutions of the Coastal Bend  
Street Address: 520 North Staples, Corpus Christi, TX 78401  
Mailing Address: P.O. Box 2568, Corpus Christi, TX 78403**

(361) 885-3013

**(Note: Because of the continued work restrictions due to the health pandemic, we request that you submit an advance copy of your response via e-mail to: robert.ramirez@workforcesolutionscb.org. The electronic copy must contain all attachments and signatures.)**

**Proposal Format and Preparation:**

Each respondent must submit one (1) ORIGINAL, and one (1) electronic copy of their response on flash drive. The hard copy (with forms and certificates) must be marked “ORIGINAL”, and contain original signatures.

All responses must be typed and completed on 8 1/2” x 11” paper, with all pages sequentially numbered and bound. Each response must contain Attachments/Certifications A through J in the order as shown below.

Response packages should be organized in the manner specified below:

- Proposals should be prepared in a concise manner. Clarity of content and completeness are essential.
- Use the Certification by Respondent form (Attachment A) of the RFQ as the cover sheet.
- Each response must include a written narrative which addresses the questions regarding the respondent’s proposed activities under the Statement of Work response (Attachment B) of this RFQ.

**ATTACHMENTS TO BE COMPLETED AND RETURNED WITH EACH RESPONSE:**

The attachments listed below are required. All forms must be signed, dated, and completed.

- Attachment A - Certification By Bidder/Applicant
- Attachment B - Statement of Work/Your Response
- Attachment C - Certification Regarding Lobbying and Debarment
- Attachment D - Certification Regarding Texas Corporate Franchise Tax
- Attachment E - State Assessment Certification
- Attachment F - Workforce Solutions Disclosure of Interests
- Attachment G – Undocumented Worker Certification
- Attachment H – Customer Rights & Complaint Resolution Procedure
- Attachment I – Other Attachments (Resumes of staff providing services or other materials requested or referred to in the narrative should be labeled and included here. Additionally, if your firm is certified as a HUB by the State of Texas, please attach a copy of the certification.)
- Attachment J – References Form

Mail or deliver in person the hard copy (original document) and flash drive of the bid/application/response to the WFSCB’s administrative offices. All responses must contain original signatures (on hard copy) and electronic signatures (on electronically transmitted copies, e.g., using DocuSign).

**PART VI – SPECIFICATIONS (STATEMENT OF WORK)**

Specifications should be considered minimum requirements. Addendum items may be inserted into the solicitation specifications should they arise during the solicitation process, which will be made available to all respondents in writing.

In the order specified below, please provide as part of **Attachment B**, a written response to each of the following questions. Be sure to cover all important points and, at the same time, be as concise as possible. **If you make a**

**reference to an attachment(s), you MUST indicate the section and page number(s) where the item may be found in your response.** (Note: points will be deducted for questions not answered or for not appropriately referencing attachment(s)).

### Service Approach

1. Describe the specific legal services your firm proposes to provide to meet the requirements of the RFQ. (Note: The specific services should address and demonstrate your understanding of the type of services requested.)
2. Describe your approach in providing paid legal services to non-profit organizations and workforce development boards, as well as governmental or quasi-governmental entities.
3. Describe the resources your firm will dedicate to this contract and your ability to perform legal work in a timely manner.
4. Describe your firm's research capabilities.
5. Describe your firm's current staffing and their legal expertise/credentials. Does your firm intend to subcontract any work out to other individuals or firms? If your response is **YES**, please state what work would be subcontracted, the reasons for subcontracting, and to whom.

### Proposer's Qualifications

Identify the responsible person(s) from your firm that will be assuming the lead role(s) in this contract. Resumes for each individual should be included, and specific governmental, non-profit experience, and workforce development experience should be indicated as well as their respective credentials. Other staff assisting in the contract should also be identified.

### Proposer's Profile

Provide a clear description of each of the following:

1. Organizational type, size, and whether local, regional, or national in scope of operations.
2. Location of business headquarters, location of office that would provide services to the WFSCB and the number of professional staff by staff level at that office or any office (with proposed billing rates for each), which would provide services.
3. Range of services performed by the office (where work is to be done) such as employment, contract, real estate, and corporate law.

### Experience

Describe most recent legal experiences similar to type requested.

1. Describe your firm's experience working with non-profit organizations and workforce development boards, as well as governmental or quasi-governmental entities.
2. List the experience that key personnel have in the legal profession and experience in the type of work that the RFQ entails.
3. Provide a minimum of three (3) references for legal services performed in the last 5 years, including the names, addresses, and telephone numbers of client officials. Please complete **Attachment J**. If you are currently representing WFSCB, please do not include WFSCB as one of the references.
4. If a member of your team that is depended upon to perform a significant portion of the work on this contract can no longer perform the work, how would you handle the change and notify the Board of the change in key assignments.

## Fee for Services

Please provide a fee structure for all billing for legal services to the Board. The fee schedule can be monthly retainer, hourly or based on a fee structure that allows for a separate rate per meeting or per month and for additional work.

The fee structure should include billings for:

- Partner time (per hour):
- Associates and Managers (per hour):
- Senior (per hour):
- Paralegal and Intern Staff (per hour):

List the minimum charges, if any, for the following:

- File review:
- Attendance at monthly Committee and Board meetings (per meeting or hour as request by the WFSCB):
- Consultation meetings with WFSCB Board members and staff:
- Copying charges:
- Telephone/facsimile charges (local and long distance):
- Mileage (per firm's policy):
- Any other applicable related charges (please specify):

**(Note: If your intent is not to charge for some of the services listed above, please note this in the "Fee for Services" section of your response.)**

**ATTACHMENT A**  
**CERTIFICATION BY PROPOSER**  
**for**  
**LEGAL SERVICES**

**I. IDENTIFICATION OF RESPONDENT**

Name of Individual Responding: \_\_\_\_\_

Name of Firm (if applicable): \_\_\_\_\_

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

City/State/Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email address: \_\_\_\_\_

How many years has your firm been providing similar services. \_\_\_\_\_

How many years of direct knowledge working with non-profit organizations or Workforce Development Boards. \_\_\_\_\_

How many years of experience do you have working with government or quasi-government entities. \_\_\_\_\_

Is your firm registered with the state General Services Commission as a HUB. \_\_\_\_\_

If response is **YES**, include the certification as part of Attachment I.

Provide a brief description of your organizations, legal status, size, and whether it is local regional, or national in operation

## ATTACHMENT A

### CERTIFICATION BY PROPOSER

#### II. DESCRIPTION OF SERVICES PROVIDED

What types of services can you provide?

When can you/ will you be available to perform services. \_\_\_\_\_

#### III. SIGNATURE

**Respondent 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 WFSCB will be notified. I certify that the contents of this document are true and correct.**

Signature of Respondent: \_\_\_\_\_

Date Form Submitted: \_\_\_\_\_

Note: The deadline for the receipt of proposals is **Friday, July 24, 2020, 4:00 p.m. (CST)**.

Responses received after the deadline will not be considered.

Responses should be mailed or delivered to:

**Workforce Solutions of the Coastal Bend**

**Attention: Robert R. Ramirez**

**(if hand delivered) 520 North Staples Street, Corpus Christi, TX, 78401 or**

**(if mailed) P.O. Box 2568, Corpus Christi, TX 78403**

**Phone # (361) 885-3013**

**ATTACHMENT B**

**STATEMENT OF WORK/ YOUR RESPONSE**

## ATTACHMENT C

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

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Lobbying: This certification is required by the Federal Regulations, implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code, for the Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

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The undersigned contractor certifies that:

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying”, in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

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The undersigned contractor certifies that neither it nor its principals:



- (1) Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- (2) Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State or Local) transaction or contract under a public transaction, violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (3) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in Paragraph (2) of this certification; and,
- (4) Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

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

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

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

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

- (c) Providing each employee with a copy of the Contractor's policy statement;
- (d) Notifying the employees in the Contractor's policy statement that as a condition of employment under this contract, employees shall abide by the terms of the policy statement and notifying the Contractor in writing within five days after any conviction for a violation by the employee of a criminal drug statute in the workplace;
- (e) Notifying the Commission within ten days of Contractor's receipt of a notice of a conviction of an employee; and,
- (f) 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.

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

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Name of Authorized Representative

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Title of Authorized Representative

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Signature

## ATTACHMENT D

### TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

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Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for profit corporation that are delinquent in making state franchise tax payments. The following certification that the corporation entering into this contract is current in its franchise taxes must be signed by the individual on Form 203, Corporate Board of Directors Resolution, to sign the contract for the corporation.

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

Indicate the certification that applies to your corporation:

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

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

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Title of Authorized Representative

\_\_\_\_\_  
Signature

**ATTACHMENT E**

**STATE ASSESSMENT CERTIFICATION**

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

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.

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Title of Authorized Representative

\_\_\_\_\_  
Signature

# ATTACHMENT F

## Coastal Bend Workforce Development Board

### DISCLOSURE OF INTEREST

It is the fiscal policy of the Workforce Solutions of the Coastal Bend ("the Board") that all persons or firms seeking to do business with the Board to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA".

FIRM NAME: \_\_\_\_\_

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

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

FIRM IS:

Corporation     Partnership     Sole Owner     Association     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 Workforce Solutions of the Coastal Bend having an "ownership interest" constituting 5% or more or the ownership in the above named "firm" or who is an officer, director, employee, or consultant employed or associated with your organization:

<i>Name</i>	<i>Job Title and Section (if known)</i>

2. State the names of each "managerial employee" of Workforce Solutions of the Coastal Bend having an "ownership interest" constituting 5% or more of the ownership in the above named "firm" or who is an officer, director, employee, or consultant employed or associated with your organization:

<i>Name</i>	<i>Title</i>

3. State the names of each "board member" of Workforce Solutions of the Coastal Bend having an "ownership interest" constituting 5% or more of the ownership in the above named "firm" or who is an officer, director, employee, or consultant employed or associated with your organization:

<i>Name</i>	<i>Board, Commission, or Committee</i>

4. State the names of each employee or officer of a “consultant” of Workforce Solutions of the Coastal Bend who worked on any matter related to the subject of this contract and has an “ownership interest” constituting 5% or more of the ownership in the above named “firm” or is an officer, director, employee, or consultant employed or associated with your organization:

<b>Name</b>

<b>Consultant</b>

**CERTIFICATE**

I certify that all information provided is true and correct as of the date of this Statement, that I have not knowingly withheld disclosure of any information request; and that supplemental statement will be promptly submitted to the Board, as changes occur.

\_\_\_\_\_  
*Certifying Person*

\_\_\_\_\_  
 Title:

\_\_\_\_\_  
 Signature of Certifying Person:

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

# ATTACHMENT G

## Coastal Bend Workforce Development Board

### UNDOCUMENTED WORKER CERTIFICATION

Effective September 1, 2007, HB 1196 amended Subtitle F, Title 10, of the Texas Government Code to add Subsection 2264. Chapter 2264 directs public agencies, state or local taxing jurisdictions, and economic development corporations (public entities) to require that any business submitting an application to receive public subsidies include in the application a statement certifying that the business, or branch, division or department of the business does not and will not knowingly employ an undocumented worker.

In the event that a business grantee is found in violation of 8U.S.C. subsection 1324a(f), consistent with the requirements of Texas Government Code subsection 2264, Boards are permitted to bring a civil action to recover any amounts owed, as well as court costs and reasonable attorney's fees.

Penalties incurred by business grantees shall be assessed damages at a rate of 20% of contract award. Said damages shall be made payable to the Board within 120 days of receiving the notice of violation.

### DEFINITION OF TERMS

**Public Subsidy** – is broadly defined Texas Government Code §2264.001 (3) as a public program or public benefit or assistance of any type that is designed to stimulate the economic development of a corporation, industry, or sector of the state's economy or to create or retain jobs in Texas. The term includes, among other things, bonds, grants, loans, loan guarantees, benefits relating to an enterprise or empowerment zone, infrastructure development and improvements designed to principally benefit a single business or defined group of businesses, and matching funds. The Commission's Office of General Counsel has found that HB 1196 does not apply to the acquisition of goods and services.

**Undocumented Worker** – is defined as an individual who, at the time of employment, is not lawfully admitted for permanent residence in the United States, or is not authorized under law to be employed in that manner in the United States.

### CERTIFICATION

Contractor certifies that no undocumented workers will be employed during the execution of this contract. By the signature indicated below, the contractor verifies their understanding of the terms and conditions of this requirement.

\_\_\_\_\_  
Signature of Certifying Person

\_\_\_\_\_  
Date

## ATTACHMENT H

### CUSTOMER RIGHTS AND COMPLAINT RESOLUTION PROCEDURE WORKFORCE SOLUTIONS OF THE COASTAL BEND

Participating in workforce services administered by the Texas Workforce Commission (Commission) or Workforce Solutions of the Coastal Bend (Board) grants you the right to file a complaint regarding your workforce services. These rights are guaranteed through the Commission's complaints, hearings and appeals procedures\* at 40 TAC, Chapter 823.

Please be aware that this complaint process does not pertain to matters alleging violations of nondiscrimination or equal opportunity requirements under the Workforce Innovations and Opportunity Act (WIOA) or matters governing job service related complaints.

#### THE COMPLAINT PROCESS

##### What is a complaint?

A complaint is a written statement alleging a violation of any law, regulation, or rule relating to any federal- or state-funded workforce service. If you have received an adverse action or want to file a formal complaint about workforce services you are first encouraged to discuss the adverse action or complaint with Texas Workforce Center staff where the complaint originated.

##### Who may file a complaint?

Texas Workforce Center customers – Individuals who have applied for or are eligible to receive federal- or state-funded workforce funded services administered by the Commission or the Board. These services include:

- Child Care Services
- Temporary Assistance for Needy Families (TANF) / CHOICES
- Supplemental Nutrition Assistance Program (SNAP) Employment & Training
- Workforce Innovations and Opportunity Act (WIOA) - Adult, Dislocated Worker, and Youth
- Eligible Training Providers receiving WIOA funds or other funds for training services.
- Other interested parties affected by the Texas workforce system, including subrecipients. These individuals may be child care or other service providers that have a received a written statement issued by the Board, a Texas Workforce Center, or the Agency relating to an adverse action, or a provider or contractor, related to denial or termination of eligibility, under programs administered by the Agency or the Board.
- Previously employed individuals who believe they have been displaced by a Texas Workforce Center customer participating in work-based services such as subsidized employment, work experience, or workfare.

##### How do I file a complaint?

- Complaints must be in writing using the attached complaint form.
- Complaints must be filed within 180 days of the alleged violation.
- Complaints should be filed at the service level where the complaint originated for optimal and immediate satisfaction.

Board complaint procedures are available upon request.

##### How will the complaint be resolved?

- You will be given the opportunity for an informal resolution to resolve any disputes resulting from either a complaint or an appeal to a determination. An example of an informal resolution may include:
  - Meeting with your immediate case worker to seek a resolution;
  - Meeting with a Texas Workforce Center manager or designated Board staff for a more in-depth discussion related to the circumstances of the complaint and to discuss how the complaint may be resolved.



- If you are not satisfied with the outcome of the informal resolution, you have the right to file a complaint and to have the opportunity for a Board hearing with:

**Workforce Solutions of the Coastal Bend  
520 N. Staples  
Corpus Christi, Texas 78401**

- Once a complaint is filed with the Board, you will be notified in writing of a Board hearing at least (10) ten calendar days prior to the hearing date. The ten-day notice may be shortened with prior written consent of the parties involved.
- A Board decision will be issued within 60 calendar days from the date the complaint is originally filed.

If you do not agree with the decision issued by the Board or if no decision is mailed within 60 calendar days from the date the complaint was originally filed, you may file a written appeal to the Commission. The appeal must be sent within 14 calendar days after the mailing date of the Board's decision or 90 calendar days after the original filing date of the complaint. Appeals to the Commission are mailed to:

**Appeals, Texas Workforce Commission  
101 East 15th St., Room 410  
Austin, Texas 78778-0001**

By my signature below, I certify I have received a copy of the Workforce Customer Rights and Complaint Resolution Procedure.

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Date

**ATTACHMENT I**  
**RESUMES**  
**AND**  
**OTHER RESPONSE MATERIALS**

## ATTACHMENT J

### REFERENCES FORM

#### REFERENCES/PAST EXPERIENCE

Failure to provide and include the following information with your response by the submission date of the bid may result in disqualification from further consideration for an award resulting from this solicitation. Each reference will be contacted for evaluation purposes. Any reference that does not respond in the allotted time provided by the Board will result in a score of zero.

#### REFERENCE #1:

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (how many years provided services (To/From) Dates	

#### REFERENCE #2:

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (how many years provided services (To/From) Dates	

REFERENCE #3:

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (how many years provided services) (To/From) Dates	