

REQUEST FOR PROPOSALS (RFP)

Issued by



For
**Direct Child Care Services Management
For Workforce Solutions of the Coastal Bend**

Key Dates

RFP Released: February 17, 2021, 2:00 p.m. (CST)

Pre-Proposal Conference: February 24, 2021, 2:00 P.M. (CST)

Applications Due: March 16, 2021, 4:00 P.M. (CST)

Proposals Due: April 19, 2021, 4:00 P.M. (CST)

<https://us02web.zoom.us/j/89191506340?pwd=U2V5M2MxeeklIQWY0dTRVUUUpPNVFadz09>

Request/Submit Applications and Proposals to:

Workforce Solutions of the Coastal Bend
Attention: Robert Ramirez, Contracts and Procurement Officer

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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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Workforce Solutions of the Coastal Bend Request for Proposals for Child Care Services Management

Introduction

The Coastal Bend Workforce Development Board (Board), d.b.a. Workforce Solutions of the Coastal Bend (WFSCB) is a non-profit, tax-exempt organization that oversees workforce development programs in the eleven (11) county Coastal Bend workforce development area (WDA). These programs serve employers and job seekers in an effort to match job seeker skills with the employer's hiring needs. WFSCB's operating budget is approximately \$32,000,000. The WFSCB's Local Board is comprised of up to thirty-four (34) Board members, of whom the majority represent private sector businesses in the region. The remainder of the WFSCB's Local Board's membership is comprised of representatives from educational agencies, literacy organizations, organized labor, rehabilitation services, community-based organizations, economic development agencies, the state human service agencies, and the public employment service. The WFSCB Local Board is responsible for the planning, evaluation and oversight of workforce development programs in the region. WFSCB receives funding primarily from the United States Department of Labor (DOL) through the Texas Workforce Commission (TWC).

Mission

Workforce Solutions of the Coastal Bend (WFSCB) invests in our region's economic success through access to jobs, training, and employer services. The mission of the Coastal Bend Workforce Board is to build a better workforce. To accomplish this mission the Board has adopted the following strategies:

- Collaborate with industry, education, economic development and labor to develop a comprehensive regional workforce strategic plan;
- Develop a trainable and available workforce;
- Provide workforce-relevant educational and training opportunities for youth.

The Workforce Board has determined that the best way to serve job seekers is to provide employer-driven workforce development services. These services focus on the employers need for a knowledgeable and skilled workforce to help businesses become productive and competitive both locally and in the global market. As a result of increased employer participation in the workforce system and an increase in employment opportunities, job seekers benefit from this perspective as more employment opportunities become available to them through the region's business success and growth.

Value Statements

Accountability

We address our customers and co-workers in a positive manner that elevates their spirit and creates a professional, supportive workplace for staff, job seekers, and employers.

Teamwork

We combine our individual talents for the benefit of the mission and common goals leveraging our unique abilities and contributions.

Trust

We consistently deliver on our commitments to our customers and co-workers to establish strong, sustainable relationships.

Integrity

We are honest, supportive, candid in addressing difficult issues, and willing to share success to demonstrate respect and consideration for our customers and co-workers.

Tenacity

We resist giving up when the going gets tough and support our customers and co-workers in seeing that issues are resolved and the job gets done.

Understanding We are serious and passionate about delivering our services with compassion and empathy.

Dignity

We interact with customers and co-workers professionally regardless of their backgrounds, experience, and circumstances to reflect our commitment as public servants.

Enthusiasm

We recognize the importance and value of our work and know that every day we have the opportunity to help build the economic success of our regional economy.

Board Goals

Goal 1 – Establish and strengthen partnerships Strategies:

- Assess & Leverage Relationships and Identify Gaps in Services
- Cultivate One-on-One Relationships with Strategic Partners and Businesses

- Provide Seamless Information Pipeline Between Career Center Service Professionals
- Track of Key Community Relationships
- Expand Organizational Relationships to Support Special Initiatives

Goal 2 - Rural Support Strategies:

- Ensure Service Delivery meets Rural needs/demands
- Actively Communicate Services
- Increase Visibility of Workforce Team in Rural Areas
- Link Board Professionals with Professionals in Rural Area

Goal 3 – Increased Workforce Solutions Awareness Strategies:

- Gain visibility for Workforce Activities
- Educate key Workforce Audiences using Outreach Tools and Collaterals
- Leverage resources to maximize value

Goal 4 – Expand Innovative Services to Business Strategies:

- Provide high-quality, skills appropriate training to meet employer needs
- Identify job seekers requiring additional services and support to obtain employment

Goal 5 – Increased Revenue Opportunities Strategies:

- Diversify New Income Sources
- Leverage Existing funding

Goal 6 – Explore Internal Efficiencies Strategies:

- Minimize Organizational Bureaucracy
- Demonstrate Professional Quality Performance System-Wide
- Ensure Efficient and Effective Use of Resources
- Strengthen Relationship with Appointed Board

Goal 7 – Refine Board Culture Strategies:

- Increase awareness of professional resources
- Engage appointed Board of Directors
- Demonstrate Professionalism

Scope of this Request

Workforce Solutions of the Coastal Bend (WFSCB) is releasing a formal procurement under a *Request for Proposals (RFP)* solicitation for direct child

care services for up to four years. The Board is seeking a contractor to manage its Direct Care Child Care Services (CCS) Program. WFSCB seeks a contractor who employs a “client-centered” approach to deliver services and who places emphasis and attention on the child care customer. The contractor selected through this procurement will be required to provide the requested services in an environment of declining federal funding. The Contractor will design a program service delivery system that provides child care services to eligible families in the Coastal Bend region, using a Case Management Service Delivery Model.

Contractor will deliver direct child care services using a case management service delivery model. Although the proposer may design and implement within the scope of guidelines and policy; Board expectation is that each family is assigned a specific case manager to handle their navigation through the eligibility process and the same or another designated staff person for follow-up activities. At all points during the eligibility and case management process families will have a specific case worker assigned to be their advocate to assure the quality of customer service.

Contractor will participate in the on-going development and implementation of the Board’s paperless document and record keeping activities.

Management of services will include the following elements:

Child Care Services (CCS) Program

The CCS program is a vital part of workforce services by assisting eligible families to work or increase their educational abilities and providing employers with a stable workforce. Studies show that child care problems can lead to increased employee tardiness and absenteeism, higher turnover rates, and high recruiting and training costs. The CCS Program helps to mitigate these obstacles to our area’s workforce. Workforce Solutions of the Coastal Bend (WFSCB) realizes that child care is a primary support service that parents may need in order to work or increase skills and opportunity by attending school or participating in job training.

The Contractor will determine eligibility and support care for At-Risk families who need child care to attain or maintain work, or to attend work-related skills development education or training. The Contractor will also provide child care support services for other eligible participants such as: children determined eligible for care by the Department of Family and Protective Services (DFPS’s) Child Protective Services (CPS); referrals from Career Center Contractor staff for Choices; Supplemental Nutrition and Assistance Program (SNAP); Transitional and when funding is available, Workforce Investment Opportunity Act (WIOA) programs.

The selected *Contractor* will help educate and inform eligible families about the full range of child care providers and will determine eligibility, coordinate enrollment, monitor children's attendance, and process attendance and reimbursements for direct care. (The Board Fiscal staff will issue payments to providers.) The *Contractor* will also be responsible for recruiting providers and entering into financial agreements for reimbursements (repayment agreements).

The *Contractor* must possess knowledge of the Child Care Program and its performance requirements. There must be written procedures for maintaining program requirements and attainment of program and local performance measures. The *Contractor* must closely coordinate with WFSCB for successful attainment of state and local performance goals while maintaining the highest quality of service possible to the customers of the Coastal Bend region. The *Contractor* will be a partner who will work energetically and cooperatively with WFSCB staff.

CCS Program Contractor Responsibilities

- A. Management of funds to maximize service units and meet all monthly performance targets.
 - Based upon the direct child care allocations and local match funds, plan and maintain a current Child Care Forecasting Profile.
 - Manage enrollment based upon multiple factors.
 - Meet monthly performance target of units of care.
 - Meet expenditure benchmarks to avoid under or over expenditure in various funding streams.
 - Ensure timely and accurate data entry.
 - Meet regularly with Workforce Solutions Career Center Contractor to coordinate delivery of services assistance at the career centers.
 - **Manage a Wait List when fully enrolled.**
 - Actively outreach eligible parents to maintain a wait list back log sufficient to feed program performance goals.
 - Maintain and support provider agreements (manages provider agreements).
 - Manage, maintain, and notify Board staff of all recoupment of over payments.

- B. Pursuant to guidance from Local Board staff, and in accordance with Texas Workforce Commission (TWC) Commissioner-approved policies, the *Contractor* will abide by and adhere to the *Chapter 809 Child Care Services* rules, *Subchapter C. Eligibility for Child Care Services, §809.52 (adopted on November 2020)* regarding intake, eligibility, and ongoing management

of services for parents and self-arranged providers applying for child care services.

- a. Determine and document customer eligibility for child care services.
 - b. Determine and document eligibility for self-arranged child care providers.
 - c. Comply with all state and federal eligibility rules in the determination and verification of customer and provider eligibility for child care services.
 - d. Offer low-income families an expanded choice of accessible child care arrangements.
 - e. Perform intake services in a customer friendly environment that includes walk-in interviews, by phone, fax, and on-site Center appointments.
- C. Resource for low-income families that promote self-sufficiency through activities such as higher wages, training, or education that will enable them to become self-sufficient.
- a. Establish systems to ensure referrals to other Workforce Solutions Career Center services to assist in seeking better wages, training, or education.
 - b. Document and track referrals for services to other Workforce Solutions Career Center contractors.
- D. Provide resources for consumer education information.
- a. Provide families with an identifiable source of child care information and assistance.
 - b. Promote parental choice and informed decision-making through consumer education materials, an orientation, and consumer educational packet for parent and providers.
- E. Provide local communities a focal point for the coordination of services to families and children.
- a. Collaborate with community partners in identifying child care resources needed to support economic development.
 - b. Coordinate with the state and local workforce training programs, community agencies, 2-11, Workforce Solutions Career Centers, and with local staff of Children's Protective Services of the Texas Department of Family and Protective Services to ensure that child care services are provided to eligible individuals.
 - c. Refer customers to other appropriate services.
 - d. Provide community partners with opportunities to access customers.

Workforce Development Area Career Centers

The selected Child Care contractor will provide child care services for eligible families across the 11-county workforce area. Currently all Child Care staff are located at the Workforce Staples Career Center. Applications from families in our outlying counties are submitted via fax and phone. Families may use the fax services and phone services available in our outlying Career Centers and satellite offices. The proposer for these services will propose the best placement of Child Care staff to implement Child Care program services. Information identifying our counties and our office locations follow:

The Coastal Bend Workforce Development Area includes the following eleven counties:

- Nueces
- San Patricio
- Aransas
- Bee
- Live Oak
- Refugio
- Brooks
- Duval
- Jim Wells
- Kenedy
- Kleberg

There are six full service Workforce Solution career centers:

- Alice (Jim Wells County) Coastal Bend College, 704 Coyote Rd.
- Kingsville (Kleberg County) Coastal Bend College, 1814 S. Brahma Blvd.
- Corpus Christi (Nueces County) Staples Center, 520 North Staples
- Corpus Christi (Nueces County) Sunrise Mall Center, 5858 SPID, Ste 1
- Sinton (San Patricio County) 1113 East Sinton
- Beeville (Bee County) Coastal Bend College, 3800 Charco Rd.

There is one limited service site:

- Falfurrias (Brooks County) Brooks County ISD, 221 Calixto Mora Avenue

The Beeville Center is the controlling center for Bee, Live Oak, and Refugio Counties. The Alice Center is the controlling center for Jim Wells and Duval Counties. The Kingsville Center is the controlling center for Kleberg, Brooks and Kenedy Counties. The Sinton Center is the controlling center for San Patricio and Aransas Counties. Corpus Christi/Nueces County is served by two centers: North Staples and Sunrise Mall.

Child Care Customer Service Levels

Customer service levels by County are provided in the table.

County	Case	Client
Aransas	62	85
Bee	245	463
Brooks	13	24
Duval	23	27
Jim Wells	187	279
Kenedy	1	1
Kleberg	109	174
Live Oak	13	19
Nueces	2146	3458
Refugio	6	9
San Patricio	260	413

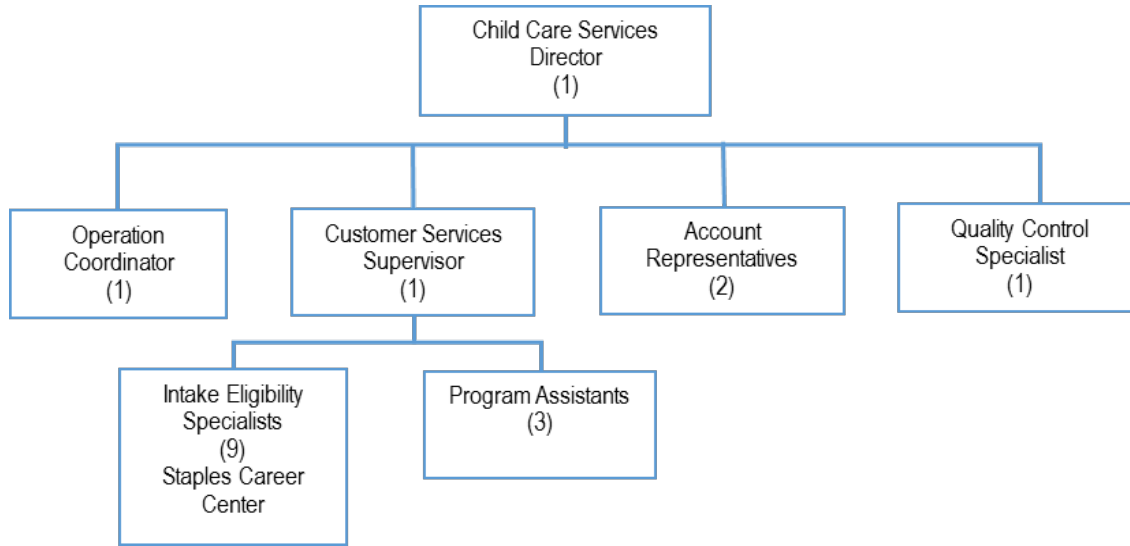
Note: This data represents the unduplicated count of cases and clients served from October 1, 2019 through September 30, 2020.

Performance Measures

The Texas Workforce Commission's (TWC) monthly Child Care Services performance measure for WFSCB is 2,477 average number of children in care per day.

Current Staffing

The current staffing for Direct Child Care Services is provided for reference and not as a requirement.



Funding

Funding for all activities and services under this RFP may be provided under various state and federal funding sources. Funding is contingent on and subject to change based upon the allocation and receipt of such funds by the Board from the Texas Workforce Commission.

All funding obtained as a result of this solicitation shall be in accordance with the Texas Administrative Code, Fiscal Integrity Provisions, Title 40, Part 20, Chapter 801, Subchapter C, Rule 801.54

The actual amount of a contract award will be based on the proposed budgets, availability of funds, and the standards for the use of public funds (i.e. all costs must be reasonable and necessary to carry out the planned functions, allowable, and allocable to the proper grant/cost categories). The proposal(s) most responsive to the Board’s RFP and most advantageous to the Board in terms of quality and cost will be recommended for contract negotiations.

The table below presents the funding levels for FY2021. This information will provide a basis for allocation levels.

Program	Estimated Funds
Child Care	\$15,039,076
Child Care Match	\$1,800,566
Child Care CCP	\$1,448,000
Total	\$18,287,642

Procurement Process

The selection of an entity to enter into negotiations for the management of Direct Child Care Services consists of three phases:

1. Application Process

Interested entities will submit an application for qualification as a Child Care Services management proposer. The application will include an application narrative, and information on the organization's history, experience, performance, and fiscal integrity. Applications will be scored by an evaluation team using a standardized instrument. **Entities with a score of 75 points and above "pass" the application phase and will be eligible to submit a proposal.** The information provided in the application will also be used as a reference by evaluators to gauge demonstrated effectiveness in the proposal evaluation process.

2. Proposal Process

Successful applicants must submit a proposal for Direct Child Care Services management. The proposal will address the Board's goals, child care services management of processes and outcomes, intake, eligibility, and ongoing management of services for parents and self-arranged providers applying for child care services, referrals, consumer education, coordination of services, quality of services, continuous improvement, managing data systems and budgets. Proposals will be reviewed and scored by an independent review team. An independent review team report will be presented to the WFSCB's Executive/Finance Committee. The committee will consider the report and may forward the evaluation results to the Board of Directors with a committee recommendation of selection for contract negotiations. Should those negotiations fail, the next highest scoring proposer will be invited to negotiate a contract.

3. Pre-Award Review of the Selected Entity and Successful Contract Negotiations

A pre-award review will be conducted by Board staff and/or a contracted representative to determine the program and fiscal integrity of the entity and to verify proposal and application elements. Negotiations will be scheduled in Corpus Christi, Texas. Successful negotiations will result in a contract between the Board and the entity. Contract start date will be October 1, 2021.

Within 60 days of the completion of contract negotiations the selected entity will provide the Board with an operational plan that addresses child care services management and operation and the achievement of Board goals.

Proposers not selected for contract consideration may request in writing a debriefing on their proposal's evaluation. The request must be submitted to the Board contact person no later than 30 days after the receipt of the notice of non-selection.

Scoring Criteria

Applications

Application scoring criteria are:

- Financial Capacity 40 points – demonstrates sound organizational structure; lists financial and technical resources; including financial capacity to work without cash advances for operational expenses; ability to pay disallowed costs from non-federal funds; administrative and fiscal accountability; cost allocation and indirect cost policies and procedures; audit issues; pending litigation; claims on insurance; status of question costs.
- Management Capacity and Demonstrated Performance 60 points – includes management and organizational history; organizational chart; child care system management experience; and staff qualifications.

Provides evidence of successful performance in managing comprehensive child care services activities and the ability to meet or exceed contracted (TWC) performance targets as presented in the proposer's most recent contractual agreements; attaining financial benchmarks in previous contracts; listing of historical and current contracts and status of each contract; compliance with program requirements as well as local, state and federal policies and regulations as evidenced by monitoring reports and corrective actions; timely, responsive and successful remedies to corrective action plans, performance improvement plans and sanctions, and monitoring findings.

Applications must receive an overall rating of at least **75** points from the evaluation team to be considered eligible to submit a proposal. Applicants will be notified of the status of their application no later than March 26, 2021.

Proposals

Proposal scoring criteria are:

- Proposed Direct Child Care Services Management 40 points -

Proposals will be evaluated to identify the organization's use of a "client centered" approach to deliver services with an emphasis and attention on the child care customer. The proposer must be familiar with and demonstrate an understanding of the "**Case Management**" service delivery model; design and implement a "**Case Management**" service delivery model into the Direct Child Care Services Program; integration of the Board's vision, mission, philosophy, goals and objectives into the Child Care Services Management System; proposer will explain their design and approach for organizing and staffing the Child Care Services System; and continuous process improvement.

Case Management Service Delivery Model

Contractor will deliver direct child care services using a case management service delivery model. Although the proposer may design and implement within the scope of guidelines and policy; Board expectation is that each family is assigned a specific case manager to handle their navigation through the eligibility process and the same or another designated staff person for follow-up activities. At all points during the eligibility and case management process families will have a specific case worker assigned to be their advocate to assure the quality of customer service.

Contractor will participate in the on-going development and implementation of the Board's paperless document and record keeping activities.

- Program Operations and Service Delivery 30 points - Strategies for delivering the requested programs and services; description of all program components, processes and outcomes; proposed outreach strategies and outcomes for all customers; creative and innovative strategies for improving quality and delivery of program services.
- Budget/Cost 30 points* - Evaluation of proposed costs in terms of relevance to requested services; customer need; cost reasonableness; and budget management; auditable in-kind/cash contributions; allowability; explain how costs are allocated; and accountability and comparison of costs to other proposals; clear budget narrative explaining and justifying all costs; cost allocation plan and error free budget.

*Note: The proposal budget will be required to delineate all costs that are for other staff that are not cost allocated or not located in the centers operated by the Board and paid by other funds. All management and oversight costs must be separate from operational costs and the methodology for allocating those costs based on funding, for example, a percentage of a base or indirect base.

- Historically Underutilized Businesses (HUBs) - 5 points
Documented certified HUB with completed HUB certification sheet from appropriate state agency will receive 5 points.

Procurement Schedule

RFP Release Date	February 17, 2021
Pre-Proposal Conference	February 24, 2021, 2:00 P.M.
Deadline for RFP Questions	March 3, 2021, 5:00 P.M.
RFQ Q&A Document Posted	March 9, 2021, 5:00 p.m.
Applications Due	March 16, 2021, 4:00 P.M.
Notice of Application Status	March 29, 2021
Proposal Deadline	April 19, 2021, 4:00 P.M.
Proposal Evaluation	April 21 – 29, 2021
Executive/Finance Committee	May 13, 2021
Board of Directors Meeting	May 20, 2021

(Note: Procurement dates are subject to change. Organizations requesting a copy of the RFP will be notified in writing or via e-mail of any changes in the procurement schedule.)

Pre-Proposal Conference

A Pre-Proposal Conference to explain or clarify this RFP and to answer other questions will be held via a zoom meeting scheduled on **February 24, 2021, 2:00 p.m. (CST)**. **Attendance at this conference is not mandatory, but it is strongly recommended.** To register for the tele-conference, click on the link below:

<https://us02web.zoom.us/j/89191506340?pwd=U2V5M2MxekllQWY0dTRVUUpPNVFadz09>

The Pre-Proposal Conference offers potential proposers the opportunity to obtain guidance on the scope and nature of the work required in this RFP or to ask other technical questions concerning this solicitation. Any and all such

questions asked by those participating in this conference will be answered in the presence of all those attending this public forum. The responses to these questions and those asked during the Q&A period will be provided to entities that have requested the RFP and will be posted on the Board's web site.

Question and Answer Period

The Board shall accept written, emailed and faxed questions prior to deadline for written questions. Questions will **not** be accepted after the written question deadline. All questions asked and answered will be provided to all entities that have requested a copy of the RFP or notified Robert Ramirez via email. Questions should be addressed to:

Robert Ramirez, Contracts and Procurement Officer
E-mail: robert.ramirez@workforcesolutionscb.org
Fax: (361) 356-3958

Other than specified above, all members of the Workforce Solutions Board of Directors, Board staff, authorized representatives or agents of the Board are precluded from entertaining or answering questions concerning this RFP or the procurement process. Other than the written questions submitted to the designated Board staff prior to the deadline for written questions, potential proposers are prohibited from making any contact with Board staff, its representatives, the Board of Directors or Chief Elected Officials at any time during this procurement. Violations of this prohibition will result in the automatic disqualification of the offending proposer.

Submission Instructions

Applications: No later than **4:00 P.M. March 16, 2021**. Using the enclosed formats, applicants will submit an Application for Direct Child Care Services Management form and the required attachments in one electronic copy with e-signatures on all required forms including the certifications. The electronic version must contain a single digital file of the entire application and requested materials. Potential proposers will be responsible for the completeness of the digital files. The Application Check List includes all of the required information. Late applications will not be accepted. Proposals will not be accepted from entities whose application is late. Applications must be submitted via e-mail prior to the application deadline. No faxes will be accepted.

Instructions for submitting the application begin on page 33.

Proposals: Entities who have been notified that their application has passed will be allowed to submit a proposal due no later than **4:00 P.M, April 19, 2021**. Proposals must be submitted using the enclosed formats and an electronic version with all elements and e-signatures. The electronic version must

contain a single digital copy of the entire proposal and all requested materials. Proposers will be responsible for the completeness of the digital file. Late proposals will not be accepted. Proposals must be submitted by e-mail prior to the proposal deadline. No faxes will be accepted.

All Applications and Proposals will be received and recorded by the Board no later than the respective deadlines. Official receipt of Applications and Proposals submitted will be by entry of date and time of receipt of e-mail. A receipt form will be issued upon request. The timely delivery of the documents is the sole responsibility of the proposer.

Instructions for submitting the proposal begin on page 56.

Proposal Format and Preparation:

The proposal must be typed, single spaced and completed on 8½ x 11 inch plain white paper, with all pages, except the cover page, sequentially numbered (including attachments). Please do not use less than a 12-font and leave at least a 1 inch margin on all sides. The document must contain e-signatures on all required forms.

The proposal must contain all required attachments and materials in the order shown on the Application and Proposal submission list. Note that during the respective review, documentation regarding submission of all attachments/certifications will be verified; quality of completeness of the submission will be the sole responsibility of the proposer. Points will be deducted during the scoring process for omission of required information.

GENERAL INFORMATION & ADMINISTRATIVE REQUIREMENTS

QUALIFICATIONS OF PROPOSERS

A. ELIGIBLE PROPOSERS

Businesses and organizations that currently provide or have previously provided child care services management are encouraged to respond to this RFP. Organizations possessing the capacity and demonstrated ability to perform successfully under the terms and conditions of a contract with the Board may respond to this RFP. Eligible organizations include but are not limited to private businesses, private for-profit corporations, business organizations, public entities, community-based organizations, faith-based organizations, non-profit organizations, and other qualified providers.

The Board is prohibited from awarding a contract to a party excluded from federal procurement or non-procurement programs by the U.S. General Services Administration.

Minority, disadvantaged and women-owned businesses that are certified as Historically Underutilized Businesses by the Texas State Comptroller of Public Accounts are encouraged to respond to this RFP.

B. CONTRACTOR COMPETENCY

Proposers shall have a working knowledge and experience with all applicable laws, rules, regulations, standards, policies and plans pertaining to the programs and services solicited by this RFP. Proposer may find information regarding WIOA through the U.S. Department of Labor web site at www.doleta.gov and child care through U.S. Department of Health & Human Services at www.hhs.gov. Information on other programs, laws, rules, regulations and policies can be found through the Texas Workforce Commission website at <http://www.twc.state.tx.us>.

The selected contractor is responsible for having the technical, managerial and administrative competencies and capabilities in all areas necessary to ensure programmatic and fiscal management systems are implemented effectively and efficiently to meet and/or exceed all applicable performance outcomes of the program(s) under this RFP. The selected contractor shall be responsible for having the financial resources and stability to meet high standards of public service and fiduciary responsibility.

The contractor will be required to assume full responsibility, including all risks and hazards, for all activities and services in the contract. At least 10% of the funds of the potential contract must be protected through bonds, insurance, escrow accounts, cash on deposit, or other methods to secure the funds consistent with the rule. Such funds should be separate from funds already secured for current contracts and/or other potentials contracts.

C. PROPOSAL LIAISON

Each proposer must designate a responsible person within the proposer's organization as the proposal liaison. This individual must be familiar with the capabilities of the proposing organization, knowledgeable of the response, and have the authority to negotiate contractual terms and conditions on behalf of the proposing organization.

D. ORGANIZATIONAL STRUCTURE

Proposer must have an established organization and structure in place prior to submittal of a proposal. Proposer may be a joint venture (i.e. partnership or consortium). Where two or more entities submit a joint proposal, a lead agency, which is the prime contractor and fiscal agent, for contracting, financial management, and assumption of overall liability must be identified. The commitments, roles and responsibilities of all parties must be established in advance and specified in a written and executed agreement, which must be included in the response to this RFP. The Board reserves the right to have such written agreements reviewed by its legal counsel. Such proposals may be determined non-responsive if legal documents are not presented for review, if they do not pass legal review, and/or they are not legally binding. Any joint venture parties will be required to submit their respective Application Forms 1–13 and Attachments, A through T, as a part of the overall Application.

Entities may propose as a turn-key operation wherein the management, operations and personnel functions are controlled by the organization (i.e. staff will be employees of the contractor) or a managing director/professional employer organization, or employer of record model.

In a managing director/PEO model, the contractor is solely responsible for oversight, management, supervision, criminal background checks, firing, training, promoting, demoting, evaluating, and coordinating all employees' benefits and payroll with a PEO. The human resources function related to staffing shall be conducted by the contracted PEO, who will be the employer of record for all center staff. Management decisions regarding staff shall be at the discretion of the Managing Director. **The Managing Director/PEO partnership must be in place prior to submitting a proposal.**

E. SELF-MONITORING

Proposers must have a system for self-monitoring, including the review of key information on how the organization is functioning (both management and staff functions), and maintaining fiscal and program compliance with applicable laws, rules, regulations and policies, contract terms and conditions, and contracted performance measures.

F. SUBCONTRACTING

Any subcontracting must be specified in the proposal narrative and approval must be granted by the Board prior to the execution of any contract resulting from this RFP. All subcontracting is subject to applicable federal, state and local laws, rules, regulations and policies governing procurement. If a proposer

submits plans to subcontract any of the services and activities to be provided, the proposer must indicate which services and activities will be subcontracted and the rationale behind using subcontractors instead of providing the services directly. The proposer must also describe how subcontractors were (or will be) procured and selected, their qualifications, as well as, the basis for payments. Subcontractors are subject to the same requirements as the proposer under this RFP and resultant contract. All subcontractor parties will be required to submit their respective Application Forms 1–13 and Attachments, A through S. as a part of the overall Application.

G. OUTSTANDING MONITORING, AUDIT OR LEGAL CONCERNS

Proposers must disclose any pending or remedied monitoring and/or audit concerns from any of the proposer's programs prior to receiving a contract resulting from this RFP. Additionally, proposers must disclose whether there are any legal judgments, claims, arbitration proceedings, or suits pending or outstanding against the organization or its officers. **Please submit as Attachment N to the Application for fiscal and legal judgements, and Attachment I for monitoring information.**

CONTRACT INFORMATION

A. TYPE OF CONTRACT

The Board will negotiate a cost reimbursement contract. If the proposer is a for-profit entity, profit targets will be incorporated into the contract. The *Contractor* will report expenditures using the modify accrual method; but will not be reimbursed for accruals. Performance earnings and payments may be negotiated based on federal, state and/or local performance measures and outcomes, and may include performance holdbacks and/or incentives. Profit (for-profit entities only) will be paid based on the attainment of negotiated performance benchmarks over the course of the contract.

B. CONTRACT PERIOD AND RENEWAL

It is the intent of the Board to execute a contract for the development and delivery of contracted services for the Coastal Bend Workforce Development Area. The initial intended contract period should begin on October 1, 2021 and end on September 30, 2022. The Board may annually opt to extend the term of a contract for up to three (3) additional one-year periods based on availability of funds, evaluation of contractor program and fiscal performance and compliance, and successful contract negotiations. Any annual contract extension shall be at the sole discretion of the Board and shall be based upon the Board's evaluation of contractor's performance and compliance under the terms and conditions of the contract.

WFSCB reserves the right to terminate this contract at any time for reasons including but not limited to, convenience, loss in funding, non-performance, under-performance, and/or non-compliance.

C. ADDITIONAL FUNDING

The Board reserves the right to negotiate the expansion of this or any other contract to include other Workforce programs based on child care needs, services and funding, as the Board deems necessary and appropriate to carry out its mission, even if not specifically mentioned within this RFP.

GOVERNING PROVISIONS AND LIMITATIONS

Violation of any of the following provisions may cause a proposal to be disqualified and rejected from consideration.

- A. The purpose of this RFP is to ensure uniform information in the solicitation of proposals for the procurement of child care services for Workforce programs, i.e. Choices, SNAP E&T, WIOA, etc.
- B. This RFP is not to be construed as a purchase agreement, contract or as a commitment of any kind; nor does it commit the Board to pay for any costs incurred in the preparation of such a response, or prior to the execution of a formal contract unless such costs are specifically authorized in writing by the Board.
- C. The Board reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part, or its entirety.
- D. The Board reserves the right to award a contract(s) for any services solicited in this RFP in any quantity the Board determines is in its best interests.
- E. The Board reserves the right to extend or shorten, increase or decrease any contract awarded as a result of this RFP.
- F. The Board reserves the right to request additional information, clarification of or explanation for any aspect of a response to this RFP, both for the application and/or the proposal.
- G. The Board reserves the right to waive any defect in this procurement process or to correct any error(s) and/or make changes to this solicitation it deems necessary. The Board will

provide notifications of any changes in this RFP to all proposers recorded in the Board's official distribution log and receipts record as having requested or received a copy of this RFP.

- H. The Board reserves the right to negotiate the final terms of any and all contracts or agreements with selected proposer 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 Board and the Coastal Bend Workforce Development Area.
- I. The Board reserves the right to contact any individual, agency, employer or granting agency listed in a proposal, contact others who may have experience and/or knowledge of the proposer's relevant performance and/or qualifications; and to request additional information from any and all proposers.
- J. The Board reserves the right to conduct on-site reviews of records, systems, procedures, including credit and criminal background checks, etc. of any entity selected for funding under this RFP. This may occur either before or after the award of a contract or agreement. Any misrepresentation, intentional omission, or falsification of information regarding the proposer's ability to perform as stated in the RFP response may result in the cancellation of any contract or agreement awarded.
- K. Any entity selected for funding under this RFP may be subject to a pre-award survey. This will include, but not be limited to, a review of the proposer's record keeping procedures, key staffing qualifications, management systems, accounting and administrative systems and procedures. Pre-award surveys may occur prior to contract negotiations.
- L. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this RFP if adequate funding is not received by the Board from the Texas Workforce Commission or other funding sources or due to legislative changes.
- M. Proposers 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.

- N. Proposers shall not attempt in any manner to advocate for, lobby or otherwise attempt to influence any officer, board member, employee, proposal evaluator, or agent of the Board or elected officials for purposes of having an influencing effect on this procurement. Violation of this provision will be grounds for rejection of an application or proposal.
- O. 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.
- P. Proposer shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause a proposer's proposal to be disqualified and rejected. This does not preclude joint ventures or subcontracts.
- Q. All proposals submitted must be an original work product of the proposer. The copying, paraphrasing or other use of substantial portions of the work product of another party if submitted hereunder as original work of the proposer shall not be accepted but deemed non-responsive.
- R. The contents of a successful proposal may become a contractual obligation if selected for the award of a contract. Failure of a proposer to accept this obligation may result in cancellation of an award. No plea of error or mistake shall be available to successful proposers 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 proposer's failure to contract for the proposed services may be recovered from the proposer.
- S. A contract with a selected proposer 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, unresolved financial obligations, or legal issues exist, until such issues are satisfactorily resolved. The Board may withdraw the award of a contract if resolution is not satisfactory to the Board.
- T. The solicitation and selection of proposals must conform to all relevant federal, state and local laws, regulations, rules, and policies governing the procurement of supplies, equipment and

services. Proposers are responsible for familiarizing themselves with such matters.

- U. The Board is exempted by law from payment of Texas Sales Tax and federal Excise Tax.

ADMINISTRATIVE REQUIREMENTS

The Board will provide any training and/or technical assistance necessary for contractors regarding the policies, documents, and procedures that are specific to the awarded contract. Proposers must possess the knowledge, experience, expertise, professional judgment, and capacity within their organization to perform the services and activities requested under this RFP.

- A. Indirect costs may be charged to programs if supported by appropriate documentation demonstrating the benefit to the program for that expenditure, and in accordance with the TWC Financial Manual for Grants and Contracts. All indirect charges are to be fully explained in the budget narrative. Indirect costs will be capped at 20% of operational costs regardless of any approved indirect rate and subject to negotiations.
- B. Profit is an allowable cost. Profit is only available as a budget line item for a for-profit organization. Profit is limited to no more than 10% of direct wages, but in no event shall be excessive. The amount of profit will be tied to the achievement of negotiated performance benchmarks. The payment of profit will be negotiated as a separate item during contract negotiations.
- C. Contractors must have the financial resources or the ability to obtain financial resources sufficient to meet their cash flow needs for a minimum of a four to six week period.
- D. Contractors will be required to procure all insurances required by this RFP and to list the Board as an additional insured on each policy prior to the commencement of any work pursuant to a contract executed as a result of this RFP. Contractors will be required to carry general liability insurance coverage sufficient to cover any liability that may arise from the performance of a contract. General liability must cover bodily injury and property damage to a third party and personal injury; \$500,000 each occurrence or \$1,000,000 aggregate is required. A reasonable deductible is allowed, but not to exceed \$5,000 per occurrence.

Contractors must maintain liability insurance, which covers Directors and Officers of the organization.

Contractors must maintain errors and omissions insurance coverage.

If a contractor or their employees use motor vehicles in conducting business under a contract resulting from this RFP, liability insurance covering bodily injury and property damage must be provided through a commercial insurance policy. Such insurance shall provide a minimum coverage of \$100,000 liability per occurrence; \$300,000 aggregate liability; \$100,000 property damage; personal injury protection; uninsured motorist protection; and a maximum of a \$500 deductible.

If a contractor or their employee use privately owned motor vehicles in conducting business under a contract resulting from this RFP and the contractor has policies and/or procedures that require their employee to provide self-motor vehicle insurance policy, the contractor policy and/or procedures must be submitted. Such insurance and vehicle shall meet or exceed the Texas Minimum Coverage in accordance Texas motor vehicles law and regulations. No participant may be transported in a privately owned vehicle with such insurance. Contractor must maintain records regarding current driver's license and proof of insurance for all staff.

If self-insured, the contractor must warrant that it will maintain coverage sufficient to cover any liability specified above that may arise from performance under a contract resulting from this RFP.

If a contractor warrants that it is a State agency and that it is self-insured, then the contractor must be able to pay any obligation that is incurred under the terms of a contract resulting from this RFP, including any liability, which may arise from performance under a contract.

Contractors must ensure that all employees are covered by Worker's Compensation or an equivalent work-related injury insurance.

The Contractor shall ensure that at least 10% of the funds subject to its control are protected through bonds, insurance, escrow accounts, cash on deposit, or other methods to secure the funds consistent with Texas Workforce Commission (TWC) Contracting Rules, Subsection C Preamble and Rules Adopted by TWC 03-16-04. The Contractor may, consistent with said subsection use any method or combination of methods to meet this requirement. Such funds should be separate from funds already secured for current and/or other potential contracts.

Contractors will be required to provide the Board with copies or originals of all certificates demonstrating proper insurance coverage and letters of credit for each contract held. Contractors must also include the Board as an additional Certificate Holder on all required insurance coverage.

- E. Selected proposers must agree to cooperate with the Board in the development and implementation of collaborative partnerships with community partners in coordinating Child Care services programs for maximization of local resources. This includes cooperation and coordination as may be requested or required by the Board under any Memorandum of Understanding (MOU) or other agreement entered into by and/or for the Board. Submit a current list of other agencies you have developed agreements with as **Attachment T to the Application**.
- F. Contractors will be required to work with the Board on any expansion, change or alteration to the Workforce Solutions Center system or individual centers that may occur during the term of a contract and may affect Child Care Services management.
- G. Contractors must have an annual audit made in accordance with the Single Audit Act of 1984, as amended, and OMB Circular A-133, or in accordance with federal laws and regulations governing programs.

A contractor may arrange for a single, organization-wide audit of its programs that will include a financial and compliance audit of state or federally funded programs under the Board's contract, provided it is consistent with the criteria found in the TWC's Financial Manual for Grants and Contracts, and the Board agrees prior to the audit process.

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. A local government audit staff, a certified public accounting firm, or other auditors that the Board designates may perform the audit. Such audit will be conducted in accordance with applicable federal rules and regulations, contractual guidelines, and established professional standards and practices. The proposer shall submit a copy of their organization's audits for the three most recent fiscal years. Please submit as **Attachment M to the Application**.

- H. Proposers must have a cost allocation plan and method for indirect costs, if applicable, as required by regulations governing multiple funding sources.

- I. Contractors must agree to comply with TWC and the Board's policies, directives, communication and outreach guidelines and plans.
- J. 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.

All workforce-applicable purchases (i.e. office supplies) must be procured by the Contractor in compliance with all applicable federal, state, and local laws, rules, regulations and policies.

- K. Contractors are subject to compliance and performance monitoring. At any time during normal business hours, and as often as deemed necessary, the Board, TWC, U.S. Department of Labor, U.S. Department of Health and Human Services 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 program and financial performance and compliance with all applicable laws, rules, regulations and policies.
- L. Contractors are required to input automated data in a timely and accurate manner, and to maintain the accuracy and integrity of said data and reports in accordance with federal, state and local policies and regulations. Contractors are also required to protect client confidentiality and ensure the security of client data in hard copy and/or electronic files.
- M. Contractors secured from this RFP are considered to be sub-recipients as defined in the Governor's Uniform Grant and Contract Management Standards and the TWC Financial Manual for Grants and Contracts. The Board may refer to the agreement between itself and the service organization as a "grant" or "contract", although it will be understood to be a sub-grant for services, and all federal or state requirements applicable to sub-recipients will apply to Board contractors.
- N. Contractors must comply with applicable cost principles and administrative requirements set out in federal OMB Circulars A-21, A-87, A-102, A-122, and 48 CFR Chapter 1, Part 31, as supplemented by final rules promulgated by the Texas Office of the Governor under the Uniform Grants and Contract Management Standards and TWC's Financial Manual for Grants and Contracts.

- O. Contractors will be required to prepare and maintain client and financial records in accordance with instructions provided by TWC and the Board. Contractors will be required to retain all records of a program year for a minimum of three years past the date upon which the Board accepts a grant/contract closeout.
- P. Contractors shall provide reports of various types and scope in the format and frequency as determined by the Board and/or its funding source(s)
- Q. WFSCB is an equal opportunity employer and complies fully with the discrimination and equal opportunity laws. Each organization or individual that submits a response to a solicitation warrants and assures that it will comply fully with the non-discrimination and equal opportunity provisions as required by 29 CFR 37.20(a)(1). Each applicant for financial assistance under Title I of WIOA, as defined in §37.4, must include the following assurance:

As a condition of 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:

Title I of the Workforce Innovation and Opportunity Act of 2014 (WIOA), §2 et seq., Public Law 113-128, 29 United States Code (U.S.C.) §3101 et seq., (replacing the Workforce Investment Act Of 1998 (Public Law 105-200), Section 188), 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 – financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

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

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant respondent/applicant also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA 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.

- R. Private non-profit organizations and agencies of state or local government responding to this RFP must include the following: 1) a resolution from the proposer's governing body or board authorizing the submission of an application and proposal; and 2) a letter of transmittal from the chief executive officer of the proposer's organization. Private for-profit corporations submitting a proposal must include a statement signed by an authorized representative of the corporation authorizing submission of an application and proposal.
- S. Under Texas Government Code sec. 552.003, the Board is subject to the Texas Public Information Act and the information provided in response to this Request for Proposals will be made accessible to the public. If a proposer believes that any information contained in its proposal qualifies for an exception to the Public Information Act, the proposer must indicate in the proposal which information should be exempted from the Act and the grounds for the exemption. If there is a request for this information under the Public Information Act, the Board will make a good faith effort to inform the proposer of the request for access to the information and process said request in accordance with applicable state laws which may include referral to the state Attorney General for determination of compliance with the Texas Public Information Act.

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

Once the Workforce Solutions Board of Directors has agreed upon selection(s), all proposers will be notified in writing of the results within ten (10) working days of the decision.

Debriefing and Appeal Process

STEP 1: Request for Debriefing - Proposers not selected by this procurement process may appeal the decision by submitting, within 10 days of the receipt of notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was received and ranked. The Board shall acknowledge receipt of the Request for Debriefing in writing within 10 days of receipt, along with the date and time of the scheduled Debriefing. The Debriefing shall be scheduled as soon as possible and no later than 10 days from the receipt of the Request for Debriefing. (NOTE: A debriefing is offered as a courtesy to any bidder or proposer who is not selected for funding.)

STEP 2: Debriefing - The purpose of the debriefing is to promote the exchange of information, explain the proposal evaluation system, and help unsuccessful proposers understand why they were not selected. Debriefings are provided to help the proposer improve any future proposal submissions. The debriefing will consist of a review of the proposer's proposal evaluation and an explanation for the score received in the proposal review process.

STEP 3: Written Notice of Appeal - If, after the debriefing, the proposer wishes to continue file an appeal, they must submit to the Board a Notice of Appeal. This written notice must clearly state that it is an appeal and identify the decision being appealed; the name, address, phone and fax number of appealing party; and the grounds of the appeal. The Notice of Appeal must be received by the Board Director within 15 days of receipt of the notice of the status of their proposal.

STEP 4: Formal Hearing - Upon receipt of the letter of appeal, the Board Chairperson or their designee shall contact the proposer to arrange for an appeals conference to be held within 30 days of the notice of appeal. The appeals conference shall be held at a designated place and at a date and time to be mutually acceptable to both parties. An Appeals Committee shall conduct the Appeals Conference and shall consist of the Board Chairperson (or designee) who shall chair the committee, the Council Board Vice Chairpersons (or designees) and two staff persons appointed by the Board Chairperson. If, after a full review, a simple majority of the Committee votes to have the Board reconsider, the issue will appear on the agenda at the next regularly scheduled Board meeting.

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

Please note that TWC Financial Manual for Grants and Contracts, Chapter 15, Section 15.09, provides for limited appeals of any Board decisions:

"The Commission shall accept no protest or dispute appeal until all administrative remedies at the contractor level have been exhausted. Commission appeal review is limited to the following:

- *Violations of federal law and regulations,*
- *Violations of State or local law shall be under the jurisdiction of State or local authorities, and*
- *Violations of contractor's protest/dispute procedures or failure to review a protest or dispute shall be referred to such authority as may have proper jurisdiction."*

Authority

As applicable, contracts awarded as a result of this RFP shall fully comply with all federal, state and local laws, rules, regulations and policies including those identified below:

Title I of the Workforce Innovation and Opportunity Act (WIOA), §2 et seq., Public Law 113-128; 29 United States Code (U.S.C.) §3101 et seq., (replaces Workforce Investment Act (WIA) of 1998, Public Law 105-220, 29 U.S.C. §2801 et seq., and its Final Rules at 20 CFR Parts 652 et al);

- Portions of the Social Security Act [42USCA §301, et seq.];
- The Food Stamp Act of 1977 [7 USC §2000 et seq.]; federal regulations 7 CFR 271 through 273;
- Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 (PRWORA) [Public Law 104-193];
- Wagner-Peyser Act of 1933, as amended;
- 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 45 CFR Part 260 through 265;
- Federal regulations issued by the U.S. Department of Agriculture at 7 CFR 271 through 273, Food Stamp Employment Training services;
- Federal and state laws and regulations concerning nondiscrimination and equal opportunity;
- Federal and state labor laws and standards;
- Non-traditional Employment for Women Act of 1991, as amended;

- Titles VI and VII of the Civil Rights Act of 1964, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended;
- The Age Discrimination Act of 1975, as amended;
- Title IX of the Education Amendments of 1972, as amended;
- Americans with Disabilities Act of 1990, as amended;
- Texas Senate Bill 642 and House Bill 1863;
- 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;
- Childcare 45 CFR Parts 98 and 99;
- 29 Code of Federal Regulations 37.35 and 37.8, Implementation of the Nondiscrimination and equal Opportunity Provision of the WIA, revised July 1, 2000;
- TWC WD Letter 18-07;
- Department of Health and Human Services Office of Civil Rights, Policy Guidance, entitled “Title VI’s Prohibition Against National Origin Discrimination as it Affects Limited English Proficiency Persons” and issued August 29, 2000;
- Department of Labor, Civil Rights Center, Policy Guidance entitled “Enforcement of Title VI of the Civil Rights Act of 1964; Policy Guidance on the Prohibition Against National Origin Discrimination as it Affects Persons with Limited English Proficiency,” and issued January 17, 2001;
- Department of Health and Human Services Office of Civil Rights, Summary of Policy Guidance, entitled “Prohibition Against Discrimination on the Basis of Disability in the Administration of Temporary Assistance for Needy Families,” and issued January 19, 2001;
- Department of Health and Human Services Office of Civil Rights, Decision Against Massachusetts Department of Transitional Assistance regarding Office of Civil Rights Complaint Number 01-983055, and issued January 19, 2001;
- TWC WD Letter 24-01, Prohibition Against Discrimination Based on Disability or Limited English Proficiency in the Administration of Workforce Services; and
- Rules, policies, and plans of the Texas Workforce Commission (TWC) and the Board related to workforce center systems, operations and programs.

Many of the above items can be found on-line at either www.twc.state.tx.us or www.hhs.gov. Workforce Solutions policies and plans are available upon request. Proposers are expected and presumed to be knowledgeable of all applicable federal, state and local laws, rules, regulations, and policies.

APPLICATION INSTRUCTIONS

Workforce Solutions of the Coastal Bend Application for Direct Child Care Services Management

Due Date: March 16, 2021 by 4:00 P.M. (CST)

This application for Direct Child Care Services Management for Workforce Solutions Coastal Bend is intended to be a process whereby qualified entities are identified and determined to have the expertise and experience to operate a Child Care Services system. Entities successfully completing the application phase of the procurement process will be invited to submit a proposal for Direct Child Care Services management.

Important: Late applications will not be accepted. Proposals will not be accepted from entities whose application is late. Applications must be submitted electronically by e-mail prior to the deadline. No faxes will be accepted.

Instructions: Submit one complete electronic copy of the application (with e-signatures) containing the forms information listed below. The electronic copy must contain a single digital file of the complete application and attachments. Note: Joint venture partners must each submit all forms and requested materials pertaining to their organization or company as part of the single digital file.

Request/Submit Application Forms and Attachments to:

Robert Ramirez, Contracts and Procurement Officer

Via E-Mail at: robert.ramirez@workforcesolutionscb.org

Forms:

1. Application for Child Care Services Management Form
2. Copy of Certificate for Historically Underutilized Business (if applicable)
3. Completed Application Check List Form
4. Application Narrative
5. Financial Systems Survey
6. Certification By Proposer Form
7. Administrative Management Form
8. Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug Free Workplace Requirements
9. Certification Regarding Conflict of Interest, Disclosure of Interest

10. Texas Corporate Franchise Tax Certification
11. State Assessment Certification
12. Orientation to Complaint Procedures
13. Customer Rights and Compliant Resolution Procedure

Attachments:

- A. Organization Chart for the Applicant Organization
- B. Proposed Organization Chart for Child Care Services Management
- C. Joint Venture Agreement and/or Managing Director/PPO agreement (if applicable).
- D. List of Organization's Board of Directors, Owners or Principals
- E. Resumes for key staff (if employed or known), up-to-date with current positions included; labeled:
(whether full or part time, or in-kind)
 1. Administrative/Management Team
 2. Supervisory Staff for career center on-site supervisory staff only
- F. Job Descriptions and Required Qualifications for each proposed funded position.
- G. Provide a chronologic list of all current or past child care services management contracts for the last 10 years (most recent first). Include the name of the board area, the specific contract title and number, the total amount of the contract awarded, and the percent expended, start and end dates of each.
- H. For each contract listed in G, above, provide a table showing actual performance against contracted performance for the TWC performance measure and each contracted measure by year for the last 5 years.
- I. A copy of original monitoring report from your primary funding source for the last three contract years for each child care services management contract as generated and imposed by any Workforce Board, TWC, State or Federal agency. (No Summaries); In addition, provide any follow-up and final resolution reports for any findings or deficiencies.
- J. A copy of any primary funding source reports regarding Corrective Action Plans as generated and imposed by any Workforce Board, TWC, State, or a Federal agency, over the last three years, and the status of these plans. (No Summaries)
- K. A copy of any primary funding source reports regarding Sanctions as generated and imposed by a Workforce Board, TWC, State, or Federal Agency, over the last three years, and the status of these sanctions. (No Summaries)
- L. A copy of any primary funding source reports regarding Performance Improvement Plans as generated and imposed by

a Workforce Board, TWC, State, or Federal Agency, over the last three years, and the status of these plans. (No Summaries)

- M. Audits with management letters for the last three years, plus a financial statement for the current year.
- N. Provide documentation of any legal judgments, claims, arbitration proceedings, suits pending or outstanding against the organization or its officers.
- O. Cost allocation plan
- P. Indirect cost rate and approval of rate – if applicable
- Q. Certificate of non-profit incorporation – if applicable
- R. IRS Form 990 (for 501 (c) (3) non-profit organizations)
- S. Copy of annual report to shareholders for for-profit companies
- T. List of agencies which have MOUs with your organization.

Cover Page

Application for Direct Child Care Services Management

A. Identification of Proposer: _____

Name of Organization: _____

Address: _____

Contact Person Regarding this Proposal: _____

Telephone Number: _____ Fax: _____

E-Mail Address: _____

B. Name and Title of Person Responsible for:

Contracting Authority: _____ Title: _____

Contracting Negotiations: _____ Title: _____

Liaison to the Board: _____ Title: _____

C. Description of Proposer (Legal/Tax status):

Private, for-profit
Public, non-profit
Private, non-profit
Corporation
Partnership
Sole Ownership
Government entity
Other _____ (Specify)

Turnkey Operation

Managing Director/PEO

State Comptroller ID # _____ Federal Tax ID # _____

D. HUB STATUS

Please check if your firm is a Historically Underutilized Business as defined by the Texas Government Code 407.101.

Yes (If "Yes" provide approved certification.)

No

Signature of person who can commit organization to this application and proposal:

Typed Name of Authorized Representative

Typed Title

Signature

Date

Application Checklist

The items listed below should be submitted in the following order as the Application for Child Care Services Management due March 16, 2021 by 4:00 P.M. (CST) Check each item included in your application.

Forms:

- 1) Application for Child Care Services Management Form
- 2) Copy of Certificate for Historically Underutilized Business (if applicable)
- 3) Completed Application Check List Form
- 4) Application Narrative
- 5) Financial Systems Survey
- 6) Certification by Proposer Form
- 7) Administrative Management Form
- 8) Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug Free Workplace Requirements
- 9) Certification Regarding Conflict of Interest, Disclosure of Interest
- 10) Texas Corporate Franchise Tax Certification
- 11) State Assessment Certification
- 12) Orientation to Complaint Procedures
- 13) Customer Rights and Complaint Resolution Procedure

Attachments:

- A. Organization Chart for the Applicant Organization
- B. Proposed Organization Chart for the Child Care Services Management
- C. Joint Venture Agreement and/or Managing Director/PEO agreement (if applicable).
- D. List of Organization's Board of Directors, Owners or Principals
- E. Resumes for key staff (if employed or known), up-to-date with current positions included; labeled: whether full or part time, or in-kind)
 - (1) Administrative/Management Team
 - (2) Supervisory Staff for career center on-site supervisory staff only
- F. Job Descriptions and Required Qualifications for each proposed funded position.
- G. Provide a chronologic list of all current or past child care management contracts for the last 10 years. Include the name of the board area, the specific contract title and number, the total amount of the contract awarded, and the percent expended, start and end dates of each.

- H. For each contract listed in G, above, provide a table showing actual performance against contracted performance for each TWC performance measure by year for the last five years.
- I. A copy of original monitoring report from your primary funding source for the last three contract years for each child care management services contract as generated and imposed by any Workforce Board, TWC, State or Federal agency. (No Summaries); In addition, provide any follow-up and final resolution reports for any findings or deficiencies.
- J. A copy of any primary funding source reports regarding Corrective Action Plans as generated and imposed by any Workforce Board, TWC, State, or a Federal agency, over the last three years, and the status of these plans. (No Summaries)
- K. A copy of any primary funding source reports regarding Sanctions as generated and imposed by a Workforce Board, TWC, State, or a Federal agency, over the last three years, and the status of these plans. (No Summaries)
- L. A copy of any primary funding source reports regarding Performance Improvement Plans as generated and imposed by a Workforce Board, TWC, State, or Federal Agency, over the last three years, and the status of these sanctions. (No Summaries)
- M. Audits with management letters for the last three years, plus financial a financial statement for the current year.
- N. Provide documentation of any legal judgments, claims, and arbitration proceedings, suits pending or outstanding against the organization or its officers.
- O. Cost allocation plan
- P. Indirect cost rate and approval of rate – if applicable
- Q. Certificate of non-profit incorporation – if applicable
- R. IRS Form 990 (for 501 (c) (3) non-profit organizations)
- S. Copy of annual report to shareholders for for-profit companies
- T. List of agencies which have MOUs with your organization.

 Typed Name of Authorized Representative

 Typed Title

 Signature

 Date

I have verified that all of the requested forms have been made available as a part of this application.

APPLICATION NARRATIVE

Provide brief responses to the questions below (up to 10 pages total).

1. Provide a brief history of your organization's experience operating Child Care Services management systems.
2. Describe your organization's attributes that enhance your ability to provide the requested services.
3. Describe any innovative initiatives your organization developed, procured, or implemented to address child care and child care management issues that demonstrate your expertise in providing these services.
4. Description of Fiscal Management System
 - a. Describe your financial management system including cash management and accrual system, financial capacity and knowledge of staff. Provide the name and qualifications of your organization's chief fiscal officer and the respective staff.
 - b. Describe your payroll, leave and travel, accounting policies in regard to how you will document and maintain related records.
 - c. What procedures and techniques will be used to ensure that there are no disallowed costs? If there are costs determined to be disallowed, from what source will these costs be paid? Please explain in detail how you propose to pay for those funds and the capacity to access those funds.
 - d. Describe how you would be in compliance in reporting to the board in the respected cost category classification for all costs that the contractor is responsible for, (i.e., operational and client costs).
 - e. Describe how expenditures and incurred obligations are tracked to ensure that expenditure levels will be met.
 - f. Describe the organization ability to have sufficient working capital (excess of current assets over current liabilities as indicated in the financial statements) to ensure adequate financial resources for the potential bidder to complete the contractual services. Working capital should normally be at least 10% of the proposed contract. (The proposed contract is to be a cost reimbursement contract and the potential bidder will need to have resources in place or obtain a line of credit if necessary.)

FINANCIAL SYSTEMS SURVEY

[Submit with Application]

PROPOSER: _____

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

Question	Yes	No	N/A
Does your organization follow GAAP?			
1. Does your accounting system:			
a. Provide control and accountability for funds received, property, and other assets;			
b. Provide identification of receipt and expenditures of funds separately for each funding source;			
c. Provide adequate information to prepare monthly financial reports on an accrual basis;			
d. Have the capability to track allow-ability and allocation of costs in accordance with requirements for federal grant programs.			
2. Are state and federal funds which may be advanced to you deposited in a bank with federal insurance oversight?			
3. Has the bank in which you deposit state and federal funds insured the account(s) or put up collateral or both equal to the largest sum of money which would be in such account(s) at any one point in time during the contract period?			
4. Do you reconcile your bank accounts monthly?			
5. Are the bank reconciliations made by the same person who performs recordkeeping for receipts, deposits, and disbursement transactions?			
6. Do you record daily cash receipts and disbursement transactions?			
7. Do you maintain records on all property acquisition, disposition, and transfer?			
8. Do you have written procedures and internal controls established for the procurement of goods and services?			
9. Is a competitive bidding process incorporated into your purchasing procedures for acquisition of subcontractors, major goods and services, equipment, and office space?			
10. Are timesheets kept to support payroll disbursement?			
11. Are records maintained to support authorized employee leave (vacation, sick, etc.)?			
12. Are complete records kept to support travel payments?			

13. Has a formal audit by an outside auditing firm been conducted of your organization's financial records in the past year?			
14. Do you have an indirect cost plan with current approval by a cognizant agency?			
15. Is your organization funded by more than one source?			
16. Does your organization maintain written accounting procedures?			

 Typed Name of Authorized Representative

 Typed Title

 Signature

 Date

CERTIFICATION BY PROPOSER

[Submit with Application]

I hereby certify that the information contained in this application and all attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee, board member, or agent of Workforce Solutions of the Coastal Bend Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the request for proposals and directives in the implementation of this program.

I, _____ certify that I am the _____ of corporation, partnership, or sole proprietorship, or other eligible entity named as Proposer and Respondent herein and that I am legally authorized to sign this application/proposal and submit it to Workforce Solutions of the Coastal Bend, on behalf of said organization by authority of its governing body.

Person authorized to sign for the Organization

Signature of Individual Attesting Signatory's Signature

Signature

Signature

Typed Name

Typed Name

Typed Title

Typed Title

Typed Date

Typed Date

Subscribed and Sworn to before me on this ____ day of _____, 2021,

In _____, _____, _____.
(City) (County) (State)

Notary Public in and for _____ County, State of _____

Commission expires: _____ SEAL

ADMINISTRATIVE MANAGEMENT SURVEY

[Submit with Application]

PROPOSER: _____

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

Question	Yes	No	N/A
1. Does your organization have current Articles of Incorporation?			
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 of employees to assure high-quality performance;			
d. retaining employees based on the adequacy of their performance, and for making adequate efforts for correcting inadequate performance;			
e. assuring fair treatment of applicants and employees in all aspects of personnel without regard of political affiliation, race, color, national origin, sex, age, disability, religion, or 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 position to influence procurement.			
If your organization does not have the procedures noted above, could your personnel policies be revised expeditiously to include these procedures?			
4. Do your written personnel policies contain a prohibition against nepotism?			
5. Do your written personnel policies contain a prohibition against employees using their positions for private gain for themselves or other parties?			
6. Does your organization have an authorized, written travel policy for employees and authorized agents that provides for reimbursement for mileage and/or per diem at a specified rate?			
7. Does your organization have a written employee complaint procedure used to resolve disputes?			
8. Does your organization have the capacity or staff to produce and maintain records on project participants and/or other customers as well as other management information that may be needed?			
9. If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs to the Board?			
10. Does your organization have a State Comptroller Vendor Number?			
11. Is your organization governed by a Board of Directors, an elected body (city/county ISD council, commission or board) or Council?			

12. Does your organization operate under local rules or by-laws?			
13. Has your Board/Council reviewed and approved this proposal for submission?			
14. Does your organization have a current approved fidelity bond?			
15. Does your organization have an EEO/affirmative action plan?			
16. Does your organization have a complaint or grievance process for customers?			
17. Does your organization have a Complaint Monitor?			

 Typed Name of Authorized Representative

 Typed Title

 Signature

 Date

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

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

The undersigned service provider certifies that:

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

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

The undersigned service provider 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.

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

The undersigned service provider 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 Service provider'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 Service provider's policy statement;
- (d) Notifying the employees in the Service provider'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 Service provider 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 Service provider'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 requires such employee to participate in a drug abuse assistance or rehabilitation program.

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

Type Name of Authorized Representative

Type Title

Signature

Date

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>	Job Title and Section (if known)

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>	Title

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>	Board, Commission, or Committee

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:

Name

Consultant

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:

TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

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.

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.

Type Name of Authorized Representative

Type Title

Signature

Date

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.

Type Name of Authorized Representative

Type Title

Signature

Date

Coastal Bend Workforce Development Board
ORIENTATION TO COMPLAINT PROCEDURES

The policy of Workforce Solutions of the Coastal Bend (the Board) is to resolve complaints in a fair and prompt manner in accordance with the TWC WD Letter 18-07 regarding Discrimination Complaint Procedures. In addition, the Board's administrative directive on GRIEVANCE PROCEDURE establishes the guidelines for the resolution of complaints and requires this orientation sheet be received and acknowledged by all individuals or organizations providing services to the Board under contract or agreement.

Acts of restraint, interference, coercion, discrimination or reprisal towards complainants exercising their rights to a file a grievance under Board policy are prohibited. A complainant is the individual or organization filing a grievance/complaint. A respondent is the individual or organization against whom a grievance/complaint if filed. Inquiries regarding the resolution of grievances should be addressed to:

Workforce Solutions of the Coastal Bend
ATTN: EO Officer
520 North Staples Street
P.O. Box 2568
Corpus Christi, Texas 78403
Telephone: (361) 855-3019

Every effort should be made to resolve your grievance at the optimum management level. The Board's Equal Opportunity Officer is available to assist, as necessary, in the grievance resolution process.

The time limit to file a complaint under the Board's grievance procedure is 30 calendar days from the date of the event that leads to the filing of the grievance. A copy of the Board's Policy and Procedure (Grievance Procedure) is available upon request.

EQUAL OPPORTUNITY IS THE LAW

The Board is prohibited from discriminating on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for beneficiaries only. If you think that you have been subjected to discrimination, you may file a complaint within 180 days from the date of the alleged violation with the Equal Opportunity Officer at the:

TEXAS WORKFORCE COMMISSION
WORKFORCE DEVELOPMENT DIVISION
EQUAL OPPORTUNITY OFFICE
101 E. 15th STREET
AUSTIN, TEXAS 78778
Telephones: (512) 463-2400; (TDD): 1-800-RELAY TX, Voice 1-800-RELAY VV.

or you may file a complaint directly with the:

DIRECTOR, DIRECTORATE OF CIVIL RIGHTS (DCR)
U.S. DEPARTMENT OF LABOR
200 CONSTITUTION AVENUE NW, ROOM N4123
WASHINGTON, D.C. 20210

If you elect to file your complaint with the Texas Workforce Commission (TWC), you must wait until the TWC issues a decision or until 60 days have passed, whichever is sooner, before filing with DCR (see address above). If the TWC has not provided you with a written decision within 60 days of the filing of the complaint, you need not wait for a decision to be issued but may file a complaint with DCR within 30 days of the expiration of the 60 day period. If you are dissatisfied with the TWC's resolution of your complaint, you may file a complaint must be filed within 30 days of the date you received notice of the TWC's proposed resolution.

By my signature below, I acknowledge this orientation to the Board's complaint procedures for services providers and the statement regarding EQUAL OPPORTUNITY IS THE LAW:

Type Name of Contractor's Representative

Type Title

Signature

Date

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

Signature Authorized Representative

PROPOSAL INSTRUCTIONS
Workforce Solutions of the Coastal Bend

Proposal for Direct Child Care Services Management

Due Date: April 19, 2021 by 4:00 P.M. (CST)

The proposal for Direct Child Care Services management for Workforce Solutions Coastal Bend is intended to be the proposing entity's approach to operating Child Care Services in a manner to exceed contracted performance measures, provide exemplary services to customers, be accountable for all compliance requirements, and represent the Workforce Solutions Coastal Bend Board and its goals and objectives for workforce development in the Coastal Bend WDA. Any or all parts of the proposal may become a part of the contract if selected. Therefore, the proposal should be realistic in its portrayal of the proposer's abilities and expertise.

Important: Late proposals will not be accepted. Proposals will not be accepted from entities whose application is late. Proposals must be submitted via e-mail prior to the deadline. No faxes will be accepted.

Instructions: Submit proposal via e-mail containing a single digital file of the complete proposal and requested materials. Proposers will be responsible for the completeness of the digital files. Budget and Certification Forms should be part of the single digital file. The electronic version must contain e-signatures on all required forms. The electronic version of the proposal must be submitted on or prior to the deadline.

Note: Joint venture partners must each submit a signed statement stating they support the proposal and their role in the proposed approach for operation and management of the direct child care services. The signed joint venture statement must be part of the single digital file. The electronic transmitted copy will be used to record and acknowledge receipt of the proposal. Request/Submit the Proposal with Attachments to:

Robert Ramirez, Contracts and Procurement Officer
Workforce Solutions of the Coastal Bend
E-mail: robert.ramirez@workforcesolutionscb.org

COVER PAGE
Proposal for Direct Child Care Services Management

A. Identification of Proposer: _____

Name of Organization: _____

Address: _____

Contact Person Regarding this Proposal: _____

Telephone Number: _____ Fax: _____

E-Mail Address: _____

B. Name and Title of Person Responsible for: _____

Contracting Authority: _____

Contract Negotiations: _____

Liaison to the Board: _____

C. Proposal Summary Data:

Proposed Total Budget Amount: _____

Proposed Cash or In-Kind Contribution: _____

Proposed Total Amount for Staff Salaries and Fringe: _____

Proposed Total Amount for Direct Participant Training/Services: _____

Proposed Total Number of Staff FTEs: _____

Typed Name of Authorized Representative

Title

Signature of person who can commit organization to this proposal:

Signature

Date

PROPOSAL CHECKLIST

The items listed below should be submitted as the proposal for Child Care Services management due **April 19, 2021, 4:00 p.m. (CST)**. Check each item included in your proposal.

Proposer Cover Page (Front Page of Proposal)

Proposal Checklist

Proposal Narrative

Proposal Budget (A, B, C and D)

Attachments

A. Proposed Organization Chart

B. Child Care Staff Training Matrix

C. Customer Flow Chart

Typed Name of Authorized Representative

Title

Signature

Date

I have verified that all of the requested information is contained in this proposal.

PROPOSAL NARRATIVE INSTRUCTIONS

Instructions: In your response, repeat each instruction and provide a thorough response. Exhibits may be referenced in the narrative and provided in the Attachments. Any reference to attachments in the narrative must include the name of the attachments and page number(s).

Proposed Direct Child Care Services Management

A. Board Goals

Describe your proposed contribution to achieving each of the Board's seven goals through your management of Child Care Services. Discuss strategies and projected outcomes of each strategy and its connection to achieving the goal.

B. Management and Staffing

Management is the process of planning, organizing, leading and controlling all phases of business operation in order to achieve the objectives of our organization. Describe the objectives of your organization. Describe your proposed approach for each of the following elements:

- a. Management style
- b. Business objectives in line with the vision of Workforce Solutions
- c. Staff Development, Morale and Support
- d. Staff Accountability
- e. Handling of confidential customer information
- f. Communication
- g. Anticipating and planning for changes in the business environment
- h. Cooperation with partners and grantor agencies

**Managing Director with professional employer organization (PEO) Option:
(If applicable)**

Managing Director Proposers must respond to the following narrative questions as an addition to responding to all the above criteria questions:

- (1) Describe the procurement for the professional employer organization (PEO) or staff leasing company to include dates, proposals received, and the entity selected.

- (2) Describe the PEO's approach to the following functions:
- a. Benefits management
 - b. Payroll services
 - c. Human resources management
 - d. Paid time off
- (3) Provide a description of how the PEO's staff will interact with the Managing Director of the workforce center system. Please provide the name of the single point of contact for these services.

Managing Director's must complete the PEO's section of the proposal Budget **(Attachment A)**.

C. Management Strategies

1. Describe your child care funds management strategies and processes to meet the monthly contracted performance goal. Provide examples of successful outcomes that you had with the process in a current or previous contract.
2. Provide an organization chart depicting all funded child care positions and lines of authority. (Note: All generic positions necessary for operating a Workforce Solutions Career Center such as receptionist, phone operator, file room clerk, security, etc. will be the sole responsibility of the Workforce Solutions Center Contractor not the Child Care Contractor.)
3. Describe the strategies your agency utilizes to identify and leverage available resources needed to serve customers. Provide examples of successful outcomes that you had with the process in a current or previous contract.
4. Describe your agency's strategy for delivering quality customer service. Include in your discussion, meeting the need for child care timely, returning phone calls, resolving customer complaints, etc. What steps are taken to ensure that quality services are delivered to customers?
5. Describe your staff development strategies to support continuous learning and development of child care services staff. Provide a staff development matrix as **Attachment B** that lists your proposed training for staff. Include the source of the training for each topic. Include orientation and training for new staff as well as development of skills of current staff. What steps are taken to ensure that staff understands and applies the concepts and techniques that were the focus of the training activity?

6. Describe your strategies to ensure an efficient and effective Child Care services delivery system.
7. Describe any innovative projects your agency has successfully executed that improved the service delivery system, customer service, increased the efficiency of services, or improved the quality of child care services.
8. Describe your agency's strategies for resolving any non-compliance issues that resulted in corrective action, performance improvement plans, or sanctions from any regulatory or contracted authority if applicable.
9. Describe your communication procedures (internal and external) to ensure that information is delivered in a timely and efficient manner to all levels of employees, customers, potential customers, and other constituencies.
10. What is your organization's code of conduct for child care services staff?
11. Does your agency agree to assure coordination with Center management regarding a fair sharing of front desk reception duties based on program customer traffic or other negotiated arrangements?
12. Describe how your organization has continued to provide services to customers during the COVID-19 Pandemic.
13. Did any best practices/efficiencies emerge as a result of staff working remotely that your organization will continue when the COVID-19 Pandemic ends? If so, describe them.
14. Describe how your organization will respond to events/circumstances that occur in the **future** that cause staff to work remotely and continue providing services to customers.

D. Direct Child Care

Case Management Service Delivery Model

Contractor will deliver direct child care services using a case management service delivery model. Although the proposer may design and implement within the scope of guidelines and policy; Board expectation is that each family is assigned a specific case manager to handle their navigation through the eligibility process and the same or

another designated staff person for follow-up activities. At all points during the eligibility and case management process families will have a specific case worker assigned to be their advocate to assure the quality of customer service.

Contractor will participate in the on-going development and implementation of the Board's paperless document and record keeping activities.

1. Provide a customer flow chart depicting the process for customer access to child care services, the services provided, and proposed outcomes. **Attach Customer Flow Chart as Attachment C.**
2. Describe your process for conducting Intake/Eligibility efficiently in the Workforce Centers. Include how you will serve walk-in and phone customers.
3. What are your internal procedures for verifying the initial and re-certification of eligibility? Describe the resources used to ensure that the customers are eligible for services. Discuss the eligibility of self-arranged providers.
4. Describe contractor's process for managing provider agreements regarding the participating child care providers.
5. Describe your process for providing off-site customer orientations, eligibility, and assessment, when necessary.
6. Describe how you will assess a customer's needs and coordinate services with the Workforce Career Center Contractor.
7. Describe your process for child care data management. Include in your discussion how you will ensure timely and accurate data and data integrity.
8. The Child Care Attendance Automation tracking system is used to record attendance and pay child care providers. Describe your implementation plan for the Child Care Attendance Automation attendance tracking system.
9. The Workforce Information System of Texas (TWIST) is used to manage all functions of the child care program. Describe your plan for the use of The Workforce Information System of Texas (TWIST) for child care services management.

10. How do you ensure that required documentation is maintained in the case file and in the automated system?
11. Explain your processes to ensure confidentiality of all customer information.
12. Describe the internal controls used for ensuring that child care services are initiated and terminated timely and appropriately.
13. Describe your methodology of forecasting performance and expenditures (step by step) and the role it plays in determining the type(s) of child care funds management strategies and processes that will be used to meet the monthly contracted performance goal. Provide examples of successful outcomes that you have had with these processes in a current or previous contract.
14. Beyond contractual performance established by the Board, what internal organizational benchmarks (management tools), are you going to establish for child care services and how will these benchmarks be measured?
15. Describe your processes in managing allocated and local match funds effectively.
16. Provide examples of assurances for complying with Title III of the ADA. Specifically, address how your organization provides children and parents with disabilities with an equal opportunity to participate in the child care center's programs and services.

E. Outreach/Recruitment

Describe your agency's efforts for coordination and collaboration with community partners. Include the following information:

1. Describe how your agency will actively outreach eligible parents to maintain a wait list backlog sufficient to feed program performance goals.
2. Describe how your agency will inform the community of child care services available through Workforce Solutions of the Coastal Bend.
3. What partnerships with other agencies will your agency use to enhance outreach activities in the region?

4. Describe how your agency will outreach to recruit more child care providers for the child care programs.
5. Describe your agency's strategy for outreaching adults and dislocated workers, TANF/Choices participants, SNAP customers, and long term unemployed.
6. Describe your customer orientation procedures. Include the information to be provided and the manner in which it will be presented.
7. Describe how your agency will coordinate marketing strategies with the Workforce Solutions Career Center Contractor and adhere to the Board's *Strategic Marketing Standards and Guidelines*.
8. How will your agency ensure that Child Care services staff use all available community resources in serving customers?

F. Coordination and Collaboration

Describe your agency's efforts for coordination and collaboration with community partners. Include the following information:

1. Describe how your organization will promote coordination and cooperation among the many social service agencies that are interested in child care for low income customers.
2. Discuss how your agency develops sound collaborations. Provide examples of successful outcomes. Include those partners you have identified within the Coastal Bend 11 county region in your discussion.
3. Describe how your organization will collaborate with the Workforce Solutions One-Stop Contractor Career Center staff in ensuring an effective child care service delivery system that delivers quality customer service. Include communication and outreach strategies in your discussion.
4. Describe how your organization will coordinate communication and outreach strategies with the Workforce Solutions One-Stop Contractor Career Center staff.

G. Quality Assurance and Monitoring

1. Describe your internal and external controls to ensure quality and compliance.
Include your risk management process and your internal monitoring processes.
2. Describe your corrective action processes for addressing any deficiencies identified through internal and external monitoring. Address each of the following
 - a. Internal process for identifying and resolving program and compliance issues.
 - b. Response to internal/external monitoring findings, corrective action plans, performance improvement plans, and/or sanctions.
 - c. Ensure the accuracy and integrity of data and information.
 - d. Evaluate the value of child care services offered to customers
 - e. Use of information and data to support key organization processes and improve performance.
3. Explain your process for resolving issues and trends identified during case file reviews. What processes are taken to ensure staff is aware and patterns are not repeated?
4. What systems do you have in place to ensure fraud prevention within the child care program?
5. Describe your procedures and tools to assess customer satisfaction for CCS services. Include a sample of your sampling instrument.

H. Transition

Discuss your plan for a smooth transition from the current Child Care Services contractor to your organization (or to another organization if you are the current contractor). The transition plan should address the following questions:

1. Develop and implement a reasonable transition plan designed to achieve an efficient transfer of responsibility to another entity, in a timely manner and to cooperate fully throughout the pre- and post-termination period until such transition is complete.
2. Identify *Contractor* staff and activities necessary to ensure a smooth transition process. Describe the activities required of each party to the transition of management of Child Care Services functions and activities.

3. Describe the process for notification of customers and the Workforce Solutions One-Stop Contractor Career Center staff. Include notification of child care providers with agreements and self-arranged providers.
4. What steps will your agency take to minimize the disruption of services to customers and child care providers?
5. Discuss your agency's strategy for assessing current child care staff, any proposed probationary period, recruiting any needed additional staff, and negotiating salaries and benefits.
6. How do you propose to transition case files?
7. Provide a proposed timeline for all transition activities.

I. Proposed Fiscal Approach and Budget

The budgets must delineate all costs that are for other staff that are not cost allocated or not located in the centers operated by the Board and paid by other funds.

All management and oversight cost must be separate from operational costs and the methodology for allocating those costs based on funding (e.g. a percentage of a base or indirect base) must be explained.

1. Describe how your agency will comply with the cost allocation codes in developing your budget and reporting expenditures. Explain in detail the cost that will be allocated for Management and Overhead of the contract (Cost Category) and how your agency will ensure the allocated amount will not exceed the respective percentage in the proposal.
2. Submit your proposed sample budget utilizing the budget information located on page 11 of this child care request for proposal utilizing the forms/spreadsheets provided. Include a budget narrative, which explains all calculations and provides a justification for each expenditure. Please complete the budget using the required forms.
 - Summary budget broken out by Administration vs. Program Costs
 - Budget by line item by funding stream
 - Staffing Budget by FTE by funding stream

3. Submit a budget narrative describing all cost items and their calculation and justification.
4. Describe how your agency will forecast expenditures for direct child care services.
5. Describe any cash or in-kind contributions your agency will offer in your proposal. Please indicate cash or in-kind contributions on the budget forms where appropriate. For in-kind contributions please state the source and how the amount/value was calculated. Describe any stand in costs, in kind and match that the bidder is proposing for this contract.

Submit your proposed budget on the forms/spreadsheets provided.

NOTE: PROPOSAL BUDGET INSTRUCTIONS

Budget forms are contained in a separate MS Excel file. Complete the Budget forms as follows:

- (A) **Summary Budget by Funding Stream-** Please complete the Budget Summary provided.
- (B) **Line Item Budget-** Please list all cost associated with the proposed program and requested from the Board on this Line Item Budget form. Include In-Kind or Cash Costs paid for by your organization or others on the next to last line, and the total costs of proposed program on the bottom line.
- (C) **Line Item Budget by Funding Stream-** Please include information requested on the Budget Backup pages. Each cost element must be reasonable, allowable under regulations, and necessary to operate the proposed program.
- (D) **Staffing Salaries** – Present each proposed staff position and the funding amount in the appropriate fund source column. Positions charged to Code 709 should be budgeted in the appropriate section as indicated on the form.
- (E) **Budget Narrative** – Include a budget narrative explaining all costs to be charged to the contract (including indirect costs) and how these costs were calculated.

- (F) **Budget forms must be submitted as a part of the proposal submission: Submit an electronically transmitted version of the proposal and include the Proposed Fiscal Approach, budget forms and budget narrative. All budget forms must be provided in both PDF and MS Excel formats.**

Note: Budget forms will be available as MS Excel files and can be accessed via Workforce Solutions of the Coastal Bend website at: www.workforcesolutionscb.org