



REQUEST FOR QUALIFICATIONS (RFQ)

For

PROPOSAL READING SERVICES

ISSUE DATE: March 16, 2021, 2:00 p.m. (CST)

SUBMISSION OF RESPONSES: Open Until Selection Process is Complete

Response Submission to:

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

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

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

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

PART I. GENERAL INFORMATION

Background Information

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 region. These programs serve employers and job seekers, in an effort, to match job seeker skills with the employer's hiring needs.

The WFSCB's local board is comprised of (34) Board members, of whom the majority members represent the private sector businesses in the region. The remainder of the WFSCB's local board's membership is comprised of representatives of educational agencies, literacy organizations, organized labor, vocational 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).

Purpose

WFSCB hereby issues a formal solicitation under a Request for Qualifications (RFQ) method for the Direct Child Care Services Management of the Workforce Solutions of the Coastal Bend. The responses to the RFP solicitation for Direct Child Care Services Management are due on April 19, 2021.

Under this proposal reading solicitation, WFSCB will be selecting individuals for the evaluation of the above mention proposal. The evaluation team will be comprised of a minimum of three (3) individuals. Based on the individual's qualifications and other factors, respondents will be considered for the task of reading, evaluating, and rating proposals. In addition, one of the proposal readers for the assigned team will be selected by WFSCB to act as Lead Evaluator.

The evaluation process will be facilitated by the Lead Evaluator under the direction of WFSCB. The Lead Evaluator will be responsible for developing the evaluation instrument, briefing and instructing selected independent evaluators on the process for the evaluation and scoring of the proposals and the coordination and documentation of the evaluation results. Additionally, the Lead Evaluator will be responsible for presenting the evaluation team's results to the WFSCB Board Committee(s) and Board of Directors meetings scheduled in May 2021. Due to the continuation of the health pandemic, these meetings may be conducted virtually.

PART II. SERVICES REQUESTED

Services To Be Provided

The RFQ solicitation seeks to secure individuals with expertise in various workforce areas of operations to effectively review proposals submitted as a result of the WFSCB procurement of the Direct Child Care Services Management. Selected respondents will be responsible for reading the proposals assigned and evaluating and scoring each one. The evaluation will include at a minimum: evaluating and scoring of the proposals, providing written comments on each of the proposals (i.e., strengths and weaknesses), and assisting in crafting team final recommendations in a format that ranks all assigned proposals.

The Readers will be selected based on their qualifications, credentials, and availability. The duties and responsibilities are as follows:

- Read, evaluate and score the proposals for the Direct Child Care Services Management of the Workforce Solutions of the Coastal Bend; and
- Provide written recommendations to the assigned Lead Evaluator and WFSCB management team.

The Lead Evaluator will be selected based on qualifications, credentials, and availability. The responsibilities will include, but not be limited to:

- To read, evaluate, and score the proposals received for the Direct Child Care Services Management of the Coastal Bend.
- Develop in coordination with WFSCB professionals, the evaluation and rating forms.
- Act as point of contact for the team regarding questions on the evaluation and scoring of the proposals.
- Provide status updates to designated workforce board professionals and committees.
- Attend board and/or committee meetings, as requested.
- Coordinate with independent readers to evaluate all proposals submitted.
- Facilitate the team's evaluation reviews.
- Work with WFSCB professionals.
- Submit and present written rankings of all prospective awardees to WFSCB professionals, and/or the WFSCB designated committee and Board of Directors for their respective review.
- Submit and present written evaluation results to Committees or Board members, as requested.
- Develop Independent Evaluation Team Report.
- Complete any assignments as requested or directed by Board management to ensure procurement compliance with all State and federal guidelines and laws.

Copies of the proposals will be sent to the retained readers via e-mail on or about April 20th. Subsequently, readers will be allowed to evaluate the proposals off site through April 28th. WFSCB expects all readers to be available for scheduled conference calls during the weeks of April 26th and May 3rd. Readers will be expected to submit their evaluation forms and notes to WFSCB prior to the conference calls. During the above weeks, the review team will conference to discuss the proposals and formulate the overall evaluation results including proposal ratings for contract award. It is expected that the conference calls may take up to one to two hours. Additional conference calls with evaluators may also be required for follow-up questions and wrap-up.

The individual selected as the Lead Evaluator, a timeline will be provided which indicates the dates and times in which he/she will need to be available. The Lead Evaluator must be available, to travel to Corpus Christi, Texas, as needed. The Lead Evaluator will also participate in conference calls with the team evaluators and WFSCB professionals, as requested.

WFSCB reserves the right to make any scheduling changes required to accomplish the evaluation process and/or for any subsequent related meetings.

Evaluation Criteria (Respondent Qualifications)

The evaluation of respondent's qualifications will be based on the following factors: (1) years of experience providing similar services; (2) qualifications, education, and credentials; (3) direct knowledge, working with workforce boards and/or programs; and (4) availability to perform services.

PART III. SUBMISSION OF QUESTIONS, RESPONSES AND CONTRACT INFORMATION

Submission of Responses

RFQ Requestor:	Workforce Solutions of the Coastal Bend
Contact Person:	Robert R. Ramirez, Contracts and Procurement Officer
Contact Telephone Number:	(361) 658-9977
Deadline for Questions:	March 23, 5:00 p.m. (CST)
Submit Questions To:	robert.ramirez@workforcesolutionscb.org

The submission of responses will remain open until the WFSCB completes the process for selection of all readers. Once the selection process is completed and a final determination is made, the WFSCB will not consider any additional responses. WFSCB is expected to complete the selection process on or before April 9, 2021. At the conclusion of the selection process, all respondents will be notified of the WFSCB's decision on the selection of readers.

Submission of Responses: Respondents may send their response by e-mail to robert.ramirez@workforcesolutionscb.org. Respondents must make sure their responses are complete with all required signed forms/attachments. E-signatures are required.

When submitting a response, it is required that respondents have the necessary professional experience, prior training and applicable professional judgment to perform the activities proposed as requested by this RFQ.

Procurement Conditions and General Terms

Responses received will become part of WFSCB official files without further obligation to the respondent.

WFSCB is under no legal obligation to execute a contract resulting from this RFQ and intends the materials provided herein only as a means of identifying and considering various contractor alternatives.

WFSCB reserves the right to vary the provisions set forth herein any time prior to the execution of a contract. This RFQ does not commit WFSCB to pay for any costs incurred prior to the execution of the contract.

WFSCB reserves the right to negotiate the final terms of any all contracts with successful respondents. Items that may be negotiated include, but are not limited to, type and scope of activities, implementation schedule, and cost. Contracts negotiated as a result of this RFQ may be extended, modified, or de-obligated in the manner set forth in the contract in order to attain the objectives of WFSCB.

WFSCB reserves the option to renew the agreements for one additional year. Contract renewals are subject to satisfactory performance, successful negotiations of the contract terms and conditions, and availability of funds.

WFSCB will require all selected readers contracted for services sign a Conflict of Interest/Non-Disclosure Statement. The statement will contain specific restrictions and requirements for conflict of interest and confidentiality of information as it pertains to the WFSCB procurement and proposal reading process. Potential respondents must be aware that apparent or potential conflict of interests must be disclosed prior to contracting for services.

Contract Reimbursement Terms

WFSCB follows the State Coordination of Travel rule and the GSA's federal Domestic Maximum Per Diem Rates.

Travel costs may include lodging, meals, airfare, car rentals, and mileage, as appropriate. Travel reimbursements will not exceed the current State travel rates. Reimbursement requests for lodging, airfare, and car rentals will include receipts for actual cost.

Transportation expenses will be reimbursed only for the quickest and most economical means of transportation to reach the desired location. An individual choosing to take another means of transportation will be reimbursed only at the cost of the quickest and least expensive means of transportation. Car rental, taxis, and other forms of ground transportation must comply with this policy of quickest and most economical means. Coordination of travel must occur when two, three, or four authorized travelers travel on the same dates with the same itinerary to conduct the same business. When coordination of travel is required, WFSCB may reimburse only one of the authorized travelers for mileage.

Costs for travel must have prior written approval from Workforce Solutions of the Coastal Bend. Due to unforeseen circumstances, WFSCB may need to re-schedule meetings. Consequently, WFSCB will make every effort to provide prior notice to contractors. However, if applicable, we advise contractors not to purchase non-refundable airfare tickets. WFSCB will not be responsible for reimbursing contractors for any unused non-refundable airfare tickets.

WFSCB will pay the retained readers based on the following payment structure:

Type of Proposal Reader	Cost Per Proposal*	Cost Per On-Site**
Proposal Reader	\$500.00	\$60.00 per hour
Lead Evaluator	\$500.00	\$90.00 per hour***

*Flat cost rate per proposal for off-site reading, evaluation, and scoring.

**Compensation time will only apply to actual hours on-site at the WFSCB administrative office, if needed. However, the Lead Evaluator may receive same hourly pay for work WFSCB may require done off-site, e.g., development of evaluation/rating forms.

***Lead Evaluator may be compensated for additional hours, as needed.

If during the evaluation process, it is determined by the Lead Evaluator that more time is needed to complete the evaluation process; WFSCB will consider increasing the cost per proposal. **Additionally, WFSCB may consider reimbursing selected respondents for travel time to and from the WFSCB offices, as necessary and reasonable.** The reimbursement rate for mileage allowed must comply with the effective State rates. **All costs must be documented when necessary.** All readers working off-site (i.e., not at the WFSCB offices) will be paid a rate of **\$30.00 per hour for conference calls** that are determined to be necessary by WFSCB.

PART IV. RESPONSE FORMAT AND PREPARATION

Responses may be submitted electronically via e-mail or faxed. Each respondent must make sure the response is complete with all required attachments. All forms submitted must be signed and dated, as appropriate.

The Respondents will be required to provide three (3) business references. Reference information will require the following information: name of reference; name of organization/company, address of reference, day-time telephone number, fax number, if available and e-mail address. Attach list of references as Attachment B of your response. References will be checked and verified.

PART V. RULES GOVERNING THIS RFQ PROCUREMENT PROCESS.

Utilizing procurement standards set forth in the Texas Workforce Commission (TWC) Financial Manual for Grants and Contracts (FMGC), the rules promulgated by the Office of the Governor under the Uniform Grant and Contract Management Standards (UGCMS), and the applicable federal and state laws and regulations governing grant funds for this procurement, WFSCB is hereby soliciting responses for Proposal Readers from qualified individuals.

Important Note:

In order to afford all respondents an equal opportunity to respond to this RFQ, other than to obtain a copy of the Request for Qualifications package or submit written questions, communication with WFSCB staff or any WFSCB Board member in reference to this RFQ is prohibited unless prior written approval is obtained from the WFSCB President/CEO. Failure to comply with this provision, may be grounds for disqualification of your response, at the sole discretion of WFSCB.

Respondents shall not, under penalty of law, offer to provide any gratuities, favors, or anything of monetary value to any officer, member, employee or agent of the WFSCB for the purpose of or having the effect of influencing favorable disposition toward their own proposal or any other proposal submitted hereunder.

The following additional instructions are provided:

1. **Eligible Respondents:** Eligible respondents include qualified individuals, businesses, for-profit organizations, and non-profit organizations, including but not limited to community and faith-based organizations, and nonprofit agencies. The eligible respondents include institutes that have the ability to provide services as described in this RFQ. Historically Underutilized Businesses (HUB's), community-based organizations, minority, disadvantaged, and women's businesses are encouraged to submit responses.
2. **Explanations:** Any explanation or technical assistance desired by a potential respondent regarding the meaning or interpretation of these instructions or any other document in the RFQ must be requested in writing to WFSCB via e-mail or faxed on or before the question and answer deadline. Oral explanations will not be given.
3. **Information Required:** Each respondent shall furnish the information required by the RFQ. The respondent shall complete and sign the Certification by Respondent form and such other forms and certifications as may be required in the RFQ. All the documents submitted by the respondent shall collectively constitute the respondent's proposal.
4. **Submission of Responses:** Respondents must submit their response to WFSCB by e-mail.
5. **Modification or Withdrawal of Responses:** Responses may be modified or withdrawn by written, e-mail or faxed notice received by WFSCB prior to the deadline for submission of responses. A response may also be withdrawn in person by a respondent or his or her authorized representative prior to the deadline for submission, provided that the respondent's identity is made known and he/she signs a receipt for the response. In no event may the respondent modify responses after the submission deadline unless modification is requested by WFSCB as a condition of response clarification or contract consideration/ negotiation.

6. **Deadlines:** Respondents will be required to submit all written requests for explanations or technical assistance and all responses in a timely and correct manner on or before the deadlines set by this RFQ. WFSCB will not assume any responsibility for requests not answered due to postal delays or any other problems encountered in transmitting requests for assistance, nor shall WFSCB be liable for responses not submitted by the deadline due to such delays.
7. **Firm Responses:** An individual authorized to bind the response must sign all responses and the response shall constitute a firm offer for at least 120 days from the deadline for submission of responses. The response must also provide a name, title, address and telephone number of the individuals with authority to negotiate and contractually bind the response.
8. **Property Rights in Responses:** All responses received shall become the property of WFSCB. Any material submitted to WFSCB with responses shall not be returned. Trade secrets or other confidential information that qualifies for an exemption under the Texas Open Record Act must be clearly marked and identified as confidential information through the use of brackets, underlining or other easily recognizable means. Workforce Solutions will act within the limits of the law to maintain the confidentiality of such records.
9. **Texas Open Record Act:** All responses and work products, including but not limited to respondents identity, evaluation instruments and reader comments by the respondent to the Board in connection with any agreement under this procurement are subject to the Texas Open Record Act, also known as Public Information Act.
10. **Evaluation of Responses:** All responses will be evaluated by the WFSCB according to the evaluation criteria specified in the RFQ. The evaluation process will be in accordance with applicable local, state and federal laws and regulations. WFSCB will award the contract based upon the most responsive response satisfying the RFQ evaluation criteria and which is determined to be most advantageous to the WFSCB and other factors considered.
11. **Grievance and Protest Procedures:** WFSCB will notify each respondent of the final selection. If a respondent wants to submit an inquiry or protest the award process, a letter regarding the matter should be forwarded to WFSCB within five (5) working days after notification of the contract award. The letter should be mailed to the attention of the Kenneth A. Trevino, President/CEO, Workforce Solutions of the Coastal Bend, 400 Mann Street, Box 800, Corpus Christi, Texas 78401. Workforce Solutions will take prompt action to respond. A response will be forthcoming from WFSCB within ten (10) working days of the receipt of the inquiry or protest.

The written protest must include the following information:

- a) identification of specific procurement complaint;
 - b) the grounds for the complaint including a list of the acts or omissions by WFSCB which form the basis of the complaint;
 - c) the basis for the respondent's interest in the procurement; and
 - d) the date on which the respondent received notice of the outcome of the procurement.
12. **Pre-Award Interview/Survey:** Respondents may be requested to participate in an interview after submission of their response at the direction of WFSCB. WFSCB may also contact any individuals, agencies or employers listed in the response as references, or contact others with experience or knowledge of the respondent's previous performance and qualifications. If required, respondents selected for award of a contract may be

subject to a pre-award survey. This may include, but is not limited to, site inspection, a review of proposer's record-keeping procedures, management systems, and accounting and administrative systems. By submitting a response to this RFQ, all respondents authorize WFSCB to proceed with a verification of references, pre-award interview and/or survey.

13. **Reservation of Rights:** WFSCB expressly reserves the right to:

- a. reject or cancel any or all responses;
- b. waive any defect, irregularity or informality in this procurement process or to make changes to this solicitation;
- c. extend the deadline for submission;
- d. reissue the Request For Qualifications;
- e. negotiate a resulting Contract with one or more of the qualified respondents responding to this RFQ;
- f. vary the provisions of the Contract documents at any time prior to the execution of a contract if such variance is deemed to be in the best interest of WFSCB;
- g. increase or reduce the amount of funding available for the services which is the subject of the RFQ; and
- h. utilize procurement of the services outlined in accordance with federal, state and local policies.

WFSCB shall not be liable to any respondent for the costs incurred or performance rendered before commencement of the contract period or after termination of the contract. All costs directly or indirectly related to the preparation of the response to this RFQ, or any oral or written presentation required to supplement such response, shall be the sole responsibility of the respondent. WFSCB is not under any legal requirement to execute a resulting contract and any award of a contract is expressly contingent upon WFSCB receiving adequate funds from the Texas Workforce Commission and other funding sources for such purpose.

14. **Negotiation of Contract:** WFSCB reserves the right to negotiate the final terms of all contracts with successful respondents. Items that may be negotiated include, but are not limited to, type and scope of activities, implementation schedule and number of responses. Contract(s) negotiated as a result of this RFQ may be extended, modified or obligated in the manner set forth in the Contract General Terms and Conditions in order to attain the program objectives of WFSCB.

The contents of a successful response may become a contractual obligation, if selected for award of a contract. Failure of the respondent to accept this obligation may result in cancellation of the award. No plea of error or mistake shall be available to a successful respondent as a basis for release of proposed services at stated price/cost. Any damages accruing to WFSCB as a result of a respondent's failure to contract may be recovered from the respondent.

A contract with a selected respondent may be withheld, at WFSCB's sole discretion, if issues of contract or compliance, or questioned/disallowed cost exist, until such issues are satisfactorily resolved. WFSCB may withdraw award of a contract if resolution is not satisfactory to WFSCB.

15. **Contract Type/Period:** Any contract(s) that may be awarded as a result of this formal solicitation will be awarded on a cost reimbursement basis (unless otherwise specified in this RFQ). Respondent(s) selected to provide services will be paid on a cost reimbursement basis and will be required to document the dates of and type of services provided, hours worked, and submit a record of actual expenses in accordance with state and federal requirements. This solicitation is for an initial contract period ending September 30, 2021.

16. **Contract Renewal:** Any contract(s) executed as a result of this solicitation may be renewed for one additional year at the discretion of WFSCB.
17. **Contingency of Funding:** Respondents are being requested for activities specified in this RFQ. Funding for these services and activities is contingent upon actual receipt of adequate funds from the Texas Workforce Commission, or other WFSCB sources of funds.
18. **General Terms and Conditions:** Any contract(s) executed as a result of this RFQ will include General Terms and Conditions, which may be obtained by submitting a written request to WFSCB.

Specifications: Respondents are expected to examine the RFQ, specifications, and all forms, attachments and related documents contained in the RFQ. Failure to do so will be at the respondent's risk. Responses submitted on other than WFSCB forms or with different terms or provisions may be considered as non-responsive.

PART VI. ATTACHMENTS TO BE COMPLETED AND RETURNED WITH EACH RESPONSE

- Attachment A. Certification by Respondent (attached your resume to this form to include the information listed on the bottom of Attachment A, Section III)**
- Attachment B. References (*Respondent must use the attached form for listing references*)**
- Attachment C. Certification Regarding Lobbying, Debarment, Suspension, etc.**
- Attachment D. Texas Corporate Franchise Tax Certification**
- Attachment E. State Assessment Certificate**
- Attachment F. Certification Regarding Conflict of Interest/Disclosure of Interests**
- Attachment G. Undocumented Worker Certification**
- Attachment H. Customer Rights and Compliant Resolution Procedure**

ATTACHMENT A

CERTIFICATION BY RESPONDENT

PROPOSAL READING SERVICES

I. IDENTIFICATION OF RESPONDENT

Name of Individual Responding: _____

Name of Firm (if applicable): _____

Mailing Address: _____

City/State/Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Is your firm registered with the state General Services Commission as a HUB: YES _____ NO _____
(if you are registered as a HUB, please attached a copy of the HUB Certification as part of Attachment A)

II. (Please indicate availability)

☐

Will only read and evaluate proposals

☐

Will act as Lead Evaluator

III. QUALIFICATIONS, EDUCATION AND CREDENTIALS

Please submit updated resume with the Attachment A, "Certification by Respondent" Form. The resume must include the name, address and dates of current employers, as well as name, address, and dates of employers for the last five (5) years.

Your resume should include the following information that is related to the services provided only to demonstrate that you are familiar with our industry. The jobs listed on your resume should list: (1) the years you performed the services, (2) a detailed description of the services provided, (3) the specific programs involved in, such as child care, WIA/WIOA youth, etc., (4) if known, the estimated annual program budget of the program, and (5) the service provider under contract for services.

Have you conducted any monitoring and if so, please list the following: workforce development boards, subrecipients, and contractors you have monitored for the last five (5) years. If you have not conducted any monitoring during the last 5 years, please respond "No".

How many years have you or your firm been providing proposal evaluation services? _____

List by year the number of times you and/or your firm have provided proposal evaluation services. Also list the board or company where you have performed proposal evaluation services. Additionally, list information on the role and type of services you evaluated. If you have this information currently listed in a different format, you may submit the information as an attachment. If your intent is to submit the information as an attachment, please note this below.

IV. AVAILABILITY TO PERFORM SERVICE

Will you or your firm be available during the planned proposal review timeframe of April 20, 2021 through April 29 2021?

YES _____ NO _____

V. SIGNATURE

Signature of Respondent: _____

Date: _____

ATTACHMENT B

REFERENCES

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

REFERENCE #1:

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

REFERENCE #2:

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

REFERENCE #3:

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

ATTACHMENT C

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

ATTACHMENT D
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

ATTACHMENT E
STATE ASSESSMENT CERTIFICATION

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

The corporation certifies that:

_____ It is current in Unemployment Insurance taxes, Payday and Child Labor law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.

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

Type Name of Authorized Representative

Type Title

Signature

Date

ATTACHMENT F

Coastal Bend Workforce Development Board

DISCLOSURE OF INTEREST

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

FIRM NAME: _____

P.O. BOX: _____ STREET: _____

CITY: _____ STATE: _____ ZIP: _____

FIRM IS:

☐ Corporation

☐ Partnership

☐ Sole Owner

☐ Association

☐ Other _____

DISCLOSURE QUESTIONS

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

1. State the name of each "non-managerial employee" of Workforce Solutions of the Coastal Bend having an "ownership interest" constituting 5% or more 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>

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:

<i>Name</i>

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:

ATTACHMENT G

Coastal Bend Workforce Development Board

UNDOCUMENTED WORKER CERTIFICATION

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

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

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

DEFINITION OF TERMS

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

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

CERTIFICATION

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

Type Name of Certifying Person

Type Title

Signature of Certifying Person

Date

ATTACHMENT H

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

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

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

THE COMPLAINT PROCESS

What is a complaint?

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

Who may file a complaint?

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

- Child Care Services
- Temporary Assistance for Needy Families (TANF) / CHOICES
- Supplemental Nutrition Assistance Program (SNAP) Employment & Training
- Workforce Innovations and Opportunity Act (WIOA) - Adult, Dislocated Worker, and Youth
- Eligible Training Providers receiving WIOA funds or other funds for training services.
- Other interested parties affected by the Texas workforce system, including subrecipients. These individuals may be child care or other service providers that have 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

Type Title

Signature of Authorized Representative

Date