

REQUEST FOR PROPOSALS
FOR
ADMINISTRATIVE LAW LEGAL SERVICES
FOR
WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD

Issued by
Workforce Solutions Brazos Valley Board
P.O. Box 4128
Bryan, Texas 77805
(979) 595-2800
<http://www.bvjobs.org/>

August 22, 2011

Proposal Deadline: 11AM CST, September 19, 2011

Contact Person: Richard Rogers, Board Consultant
richard@swtexas.net 512 963-4895

Workforce Solutions Brazos Valley is an equal opportunity employer & provides equal opportunity employment programs. Auxiliary aids are available upon request to disabled individuals. Texas Relay (800) 735-2989 TDD (800) 735-2988 voice

PART ONE – INFORMATION

Background

The Workforce Solutions Brazos Valley Board (WSBVB) is a volunteer body instituted in accordance with the Texas Workforce Act (HI3 1863 and S 642). The primary responsibility of the WSBVB is to provide policy and program guidance, to plan regionally for Workforce programs, and to exercise independent oversight of local workforce activities in partnership with local government. WSBVB is responsible for the effective and efficient delivery of services and that all program outcomes are consistent with the needs, goals, objectives and performance standards of the region and the state. The Brazos Valley Council of Governments (BVCOG) is the administrative and fiscal agent for the WSBVB. The WSBVB has an Integrated Plan on file with TWC which describes the operational and planning goals for the region. This Integrated Plan is carried through via Operating Policies and Procedures implemented in accordance with the goals.

The Workforce Solutions Brazos Valley Board (WSBVB) is a partnership between regional representatives of private industry, community-based organizations, education, public interest groups, organized labor, and human services that are committed to the planning, policy-making and evaluation of all workforce related programs in the Brazos Valley region. Representatives of the private sector constitute a majority of the Board membership. Members from Brazos, Burleson, Grimes, Leon, Madison, Robertson and Washington Counties are selected by the region's seven county judges (chief elected officials), to serve on the board. The Brazos Valley Council of Governments (BVCOG), a consortium of local governments in Brazos, Burleson, Grimes, Leon, Madison, Robertson, and Washington Counties, is the administrative and fiscal agent for the WSBVB.

The Workforce Solutions Brazos Valley Board, through its Fiscal Agent and Administrative Entity, the Brazos Valley Council of Governments, subcontracts with vendors to provide job readiness training to residents of the region.

Workforce Solutions Brazos Valley Board Goals

Goal 1: Increase the number of employers utilizing Workforce Solutions Brazos Valley Services.

Goal 2: Increase the support of economic development across Brazos Valley region.

Goal 3: Align Board funds and activities to increase skills training in targeted high growth/high wage industry clusters in the Brazos Valley

Goal 4: Increase and extend resources.

Purpose of this Procurement

Workforce Solutions Brazos Valley (Board) is soliciting proposals from state certified administrative law attorneys to facilitate the negotiation between the Board and the Texas Workforce Commission and provide legal advice for workforce development programs and administration. All services must be consistent with the rules set forth in the Workforce and Economic Competitiveness Act (Title 10, Chapter 2308, et seq.) Texas Senate Bill 642, Texas House Bill 1863, Texas Government Code, and the Job Training Partnership Act (JTPA) -- Public Law 97-300. This Request for Proposals (RFP) provides a uniform method for the procurement of services. It contains the necessary background, requirements, instructions, and information for responding to this RFP.

Requested Services

1. The successful proposer will assist the Board in developing strategies for negotiations with the Texas Workforce Commission (TWC) and other governmental bodies, as needed.
2. The successful proposer will provide legal representation to the Board throughout the entire contract relationship with the Texas Workforce Commission, or for other Board related legal matters.
3. The successful proposer will assist the Board Staff by providing counsel regarding various issues affecting the Board.
4. The successful proposer will interact with the Executive Director of the Board as necessary to develop a thorough understanding of the position of the Board in order to facilitate the negotiation process.

Contract Information

A. TYPE OF CONTRACT- The contract obtained through this procurement will be a cost reimbursable contract. The contractor may submit billing documents on a monthly basis for the prior month's activities. The resulting contract will establish a subcontractor relationship which involves fiscal, administrative, and programmatic responsibilities.

B. CONTRACT PERIOD – The proposed services negotiated as a result of this procurement will commence no later than October 31, 2011, and will terminate on September 30, 2012. The contract may be renewed for up to four additional years, in one year increments, depending upon successful performance.

C. FUNDING INFORMATION – Actual amounts of a contract award will be based on the proposed budgets, as well as Board standards for use of public funds, i.e., that all costs shall be reasonable and necessary to carry out the planned functions, allowable, and allocable to the proper grant/cost categories. The bid which is most advantageous to the Board in terms of both quality and cost will be selected.

D. CONTRACTOR SELECTION PROCESS - Contractors must have the necessary technical competence, skills in management and administration, and professional experience within their organization to provide the services described herein. Proposers are responsible for being familiar with all applicable regulations and applying them in developing the RFP response. The Board Staff will provide information/clarification on any Board documents/procedures necessary to the selected contractor for the provision of contracted services. The contractor selected will be required to assume full responsibility for all activities and services included in the contract. 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. Selection of providers shall be in accordance with all applicable laws and regulations. Selection criteria are as follows:

- The primary consideration in selecting agencies or organizations to deliver services within a workforce development area shall be the effectiveness of the agency or organization in delivering comparable or related services based on demonstrated performance. Demonstrated performance will include extensive knowledge of applicable legislation and affected workforce Board programs, experience providing the same or similar services, and certification in administrative law.
- The selection of a proposer for contract negotiation shall be made on a competitive basis to the extent practicable, and shall include:
 - (1) A determination of the ability of the bidder to provide requested RFP services, identified herein based on the information provided in the proposal; and
 - (2) Compliance with requirements and conditions of this RFP to include the Board's procurement standards.

E. PRE-AWARD REVIEW – The entity selected through this procurement process may be subject to a pre-award review as a preliminary step to contract negotiations. This review may include

- Verification of the information contained in the proposal
- Review and confirm organization's documents and certifications submitted as part of the response to the Request for Proposal;
- Review the organization's ability to successfully perform services defined in the proposal submitted; and
- Assess the organization's practices with respect to meeting the conditions of the agreement to be awarded.

Conditions and Requirements

WSBVB rules which apply to the selection and award of contracts or services procured under this RFP include:

- All proposals considered must be received on time and be responsive to the RFP. Proposals received after the due date and time will not be reviewed or considered any in way.
- Positive efforts shall be made to utilize HUB (historically underutilized businesses) certified small, minority and/or female owned or operated organizations in the provision of services. These efforts shall allow those sources maximum feasible opportunity to compete for contracts.
- Awards of contracts shall be made only to contractors who have demonstrated competence and qualifications, including: a satisfactory record of past performance; contractor integrity and business ethics; fiscal accountability; financial and technical resources; and ability to meet the requirements of this RFP, state and federal rules and regulations and the WSBVB Procurement Manuals.
- Providers not complying with Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Federal Drug-Free Workplace Act of 1988, and those not prepared to comply with the Americans with Disabilities Act shall not be awarded a contract.
- Contractors are expected to comply with all federal, state and local employment laws including the Naturalization and Immigration Act of 1986 which establishes eligibility to work in the United States.
- To be considered for a contract, the proposal must score an average of 70 points according to the scoring criteria based on the review of proposals by an independent review team.
- WSBVB maintains the right to continue the established contract for up to four years beyond the initial contract based on availability of funding, performance and cost effectiveness.
- Actual amounts of a contract award will be based on the proposed budgets, OMB circular standards guiding the use of public funds, and contract negotiations at the authority of the WSBVB. The bid which is most advantageous to WSBVB in terms of both quality and cost will be selected.
- The contract will be a cost reimbursable contract. The contractor will submit billing documents on a monthly basis for the prior month's activities. The resulting contract will establish a subcontractor relationship which involves fiscal, administrative, and programmatic responsibilities.
- Private and public, for-profit and not-for-profit agencies, Community-based Organizations (CBO's), or other entities are eligible to respond to this RFP and compete for Board funding. Partnerships or consortiums may respond, but details

of which member organization has fiscal responsibilities for any resulting contract and how any such partnership or consortium will function must be worked out in advance, in writing, and included in the proposal. Subcontracting, while not encouraged, may be appropriate where an outside contractor provides specialized expertise or technical resources. Subcontractors must remain consistent with standards of competition and cost principals. All contract provisions or local standards that apply to contractors must be followed by any subcontractors. WSBVB is prohibited from awarding a contract to a party “excluded” from Federal procurement or non-procurement programs” by the U. S. General Services Administration. Contractors must have the necessary technical competence, skills in management and administration, and professional experience within their organization to accomplish the goals and objectives of the services described herein. Proposers are responsible for being familiar with all applicable regulations and applying them in developing the RFP response. WSBVB will provide information/clarification on Board documents/procedures necessary to the contractor selected via this RFP. The contractor selected will be required to assume full responsibility, including all risks and hazards, for all activities and services included in the contract.

- Proposers must have the technical competence, expertise in management and administration, professional staff, and administrative and fiscal management systems to accomplish the goals and objectives stated in this RFP and meet high standards of public service and fiduciary responsibility.
- After evaluation and scoring, successful proposals will be presented to the WSBVB for acceptance, modification, rejection and/or recommendation to the WSBVB for approval. The successful proposals will also be presented to the WSBVB through its review committees for acceptance, modification, rejection and/or approval. Any contracts entered into based on proposal submitted in response to this RFP and any extensions or renewals to such contracts may be subject to acceptance, modification, rejection and/or approval by the WSBVB, or by any applicable committees or subcommittees of the WSBVB.
- The WSBVB and its administrative and fiscal agent, BVCOG, are the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. No protest shall be accepted by the State until all administrative remedies at the WSBVB level have been exhausted. This includes, but is not limited to: disputes, claims, protests of award or non-selection for award, source evaluation, or other matters of a contractual or procurement nature. Matters concerning violation of law shall be deferred to such authority as may have proper jurisdiction.

Texas Workforce 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."
- Proposers must have the resources, technical competence, expertise in management and administration, professional staff, administrative and fiscal management systems and financial strength and stability to accomplish the goals and objectives stated in this RFP and meet high standards of public service and fiduciary responsibility. Proposers may be a partnership or consortium but details of which member organization has fiscal responsibilities for any resulting contract and how any such partnership or consortium will operate must be worked out in advance, in writing, and included in the response to this RFP.

Administration of This Procurement

Procurement Timeline

RFP Release	August 22, 2011
Bidders Conference	August 31, 2011 10 AM CST
Proposal Due	September 19, 2011, 11 AM CST
Proposal Review/Evaluation	September 20 – 27, 2011
Board Action	October 20, 2011
Contract Negotiations	October 21 - 30, 2011
Contract Start Date	October 31, 2011

Bidders Conference

There will be a bidders' conference for this procurement on **August 31 at 10AM CST** at the Board office: 3991 E. 29th in Bryan, Texas. Interested parties who are unable to attend may call in to the bidders' conference at 979-595-2802. A question and answer document pertaining to this procurement will be posted on the Board's web page no later than September 6, 2011.

Proposal Due Date

The response deadline is **11:00 AM CST on September 19, 2011**. Proposals must be officially received by this deadline. Official receipt of proposals will be by entry on a receipt log, and a receipt form issued by the WSBVB, if requested. Proposers who mail a proposal will be sent (or faxed) a copy of this receipt form upon request. **Faxed or e-mailed proposals are not acceptable. Proposals received after the indicated due date and time will not be accepted or considered for award. Proposals may be hand delivered or shipped by courier to:**

**Workforce Solutions Brazos Valley Board
3991 East 29th Street
Bryan, Texas 77802
Attn: Richard Rogers**

Proposals may be mailed to:

**Workforce Solutions Brazos Valley Board
P.O. Drawer 4128
Bryan, Texas 77805-4128
Attn: Richard Rogers**

Proposal Modifications or Amendments

Any modifications or amendments to a proposal must also comply with the requirements in this RFP and the response deadline. Any proposals or amendments delivered/received or post marked after the deadline will not be considered, but will be deemed late and non-responsive to this RFP and procurement process.

Contact Person

The contact person for this RFP is Board Consultant Richard Rogers, 512 963-4895, richard@swtexas.net: Questions concerning this procurement should be sent by email no later than September 1, 2011. Answers will be posted on the www.bvjjobs.org by September 6, 2011.

Proposal Review and Selection Process

Minimum standards of review

A proposal must meet the following minimum standards before being reviewed and considered for funding:

1. Timely submission – The original proposal and four (4) complete copies are submitted within the deadline; and
2. Format and completeness – A proposer must comply completely with proposal instructions, submit the required information, present the information in the required format, have no missing elements (i.e. all requested information is provided), and have all required forms and signatures.

Evaluation process

The process for evaluating proposals submitted in response to this RFP includes:

1. review and scoring by a proposal review team;

2. Official action by the Workforce Solutions Brazos Valley Board selecting the proposer(s) for contract negotiations.

Proposals must receive a minimum average score of 70 points out of a possible 100 points to be responsive to this RFP. Proposals receiving less than 70 points will therefore not be considered.

The Board's selection of entities to consider for contract negotiation will be based on final proposal rankings in terms of average score as well as being most advantageous to the Board in terms of quality and cost.

All proposers will be notified in writing of the final outcome of the proposal review process and the names of the entities selected for contract negotiation.

Evaluation Criteria

The following criteria will be used to evaluate all proposals.

1. Demonstrated Performance/ Experience - 30 points

Demonstrated experience in negotiating Texas workforce contracts, sanctions, monitoring findings, Workforce Board appeals with state and federal agencies and contractors, as well as a history of timely and organized reporting

2. Legislative/Programmatic Knowledge - 20 Points

The successful proposer has applicable knowledge of workforce legislation and affected workforce programs. The proposer must describe their level of expertise brought to facilitate contract negotiations between TWC and WSBVB and its subcontractors.

Proposal must explain that the organization has sufficient qualified, experienced staff to successfully provide proposed services. The proposal must also show that the organization itself has a satisfactory record of integrity, business ethics, and fiscal accountability, and the necessary accounting systems, operational controls and financial resources. It is essential for the successful bidder to demonstrate its financial and management capacity to successfully carry out its proposal.

3. Legal Certification - 20 Points

The proposer must include a copy of certification in Administrative Law by the Texas Board of Legal Specialization.

4. Competitive Rates - 30 Points

The successful proposer will present a competitive hourly rate structure for administrative law legal services to the Board.

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 WSBVB 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 WSBVB 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; the 10 day time frame must be adhered to only if a bidder or pro-poser is considering an appeal.)

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 serve as an important educational function for new proposers. Debriefings will help them to improve the quality of future proposals. Additionally, staff hear direct feedback to help improve future procurements.

STEP 3: Written Notice of Appeal - If, after the debriefing, the appealing party wishes to continue with the appeals process, they must submit to the WSBVB 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 WSBVB 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 protest, the WSBVB Chairperson or their designee shall contact the proposer to arrange for an appeals conference to be held within 21 days of the notice of protest. 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 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.

All WSBVB Board Members, Staff, or associated parties are precluded from entertaining questions concerning the proposal or this procurement process. Potential proposers are asked to respect these conditions by not making personal requests for assistance.

General Governing Provisions

Violation of any of the following provisions may cause a proposal to be rejected.

A. The only purpose of this RFP is to ensure uniform information in the solicitation of proposals and procurement of services. This RFP is not to be construed as a purchase agreement or contract or as a commitment of any kind; nor does it commit the WSBVB to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by WSBVB.

B. WSBVB reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part or its entirety or to decline to issue a contract based on this RFP.

C. WSBVB reserves the right to award a contract for any item, services or group of items, services solicited via this RFP in any quantity WSBVB determines is in its best interest.

D. WSBVB reserves the right to correct any error(s) and/or make changes to this solicitation as it deems necessary. WSBVB will provide notifications of such changes to all bidders recorded in the official record (Distribution Log & Receipts Record) as having received or requested an RFP.

E. WSBVB reserves the right to negotiate the final terms of any and all contracts or agreements with bidders selected 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 Workforce Development Area.

F. WSBVB reserves the right to contact any individual, agency employer, or grantees listed in a proposal, to contact others who may have experience and/or knowledge of the bidder's relevant performance and/or qualifications, and to request additional information from any proposer.

G. WSBVB also reserves the right to conduct a review of records, systems, procedures, including credit and criminal background checks, etc. of any entity selected for funding. This may occur prior to or subsequent to the award of a contract or agreement. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded.

H. WSBVB reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other funding sources or due to legislative changes.

I. Proposers shall not under a penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the WSBVB, for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.

J. No employee, officer, or agent of the WSBVB shall participate in the selection, award or administration of a contract supported by federal and/or state funds if a conflict of interest, or potential conflict, would be involved.

K. Proposers shall not engage in any activity which will restrict or eliminate competition. Violation of this provision may cause a proposer's bid to be rejected. This does not preclude joint ventures or subcontracts.

L. All proposals submitted must be an original work product of the proposers. The copying, paraphrasing or otherwise using of substantial portions of the work product of others and submitted hereunder as original work of the proposer is not permitted. Failure to adhere to this instruction may cause the proposal(s) to be disqualified and rejected.

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

N. A contract with the selected provider may be withheld, at WSBVB's sole discretion, if issues of contract or questions of noncompliance, or questioned/disallowed costs exist, until such issues are satisfactorily resolved. Award of contract may be withdrawn by WSBVB if resolution is not satisfactory to WSBVB.

O. WSBVB reserves the right to extend any contract resulting from this Request for Proposal. Such extensions will be based on vendor performance and funding availability and may be for any period up to 3 years beyond the initial fiscal year.

PART TWO – PROPOSAL SUBMISSION INSTRUCTIONS

- A. Responsiveness** - Proposers must be responsive to the instructions in this RFP. Points will be awarded based on the content of the proposal. No amendment or additions will be accepted after the deadline unless specifically requested in writing by the Board Workforce Director. Selection for possible consideration for further negotiation is competitive and will depend upon the quality of a proposal and the responsiveness to this RFP.
- B. Format** - Proposals must be typed, may be single spaced, and submitted on 8 1/2 x 11 inch plain white paper. Each page of the proposal, with the exception of the cover sheet should be numbered with the name of the bidder on each page.
- C. Number of copies** - One complete original proposal, with executed certificates (i.e. original signatures of the authorized signatory authority), plus **four (4)** exact copies must be submitted. Any proposal lacking sufficient copies will be ruled unresponsive, and will not be considered in this procurement. The proposer is responsible for ensuring that **all** required information is contained in each copy.
- D. Proposal Cover Sheet**

All items on the Proposal Cover Sheet must be completed. Identify a liaison or primary contact person, as well as the Signatory Authority--a person with the legal authority to negotiate and sign a contract on behalf of the proposing organization. Historically Under-utilized Businesses (HUBs) must indicate the HUB certification number and the certifying agency on the cover sheet, and attach a copy of the notice of certification

E. Submission Order

Proposals submitted must contain the requested documentation submitted in the following order:

1. Proposal Cover Sheet
2. Proposal Narrative
3. Proposed Budget and Rates for Services
4. Attachments to be submitted:
 - A. Signed Certification of Bidder
 - B. Signed Certification Regarding Debarment Lobbying Drug-free Work Place
 - C. Signed Certificate Regarding Conflict of Interest
 - D. Certificate of Historically Under-utilized Business, if applicable
 - E. Certification Regarding Texas Corporate Franchise Tax
 - F. General Assurances

PART THREE - PROPOSAL NARRATIVE INSTRUCTIONS

I. Demonstrated Effectiveness

- A. Describe your demonstrated effectiveness in negotiating Texas workforce contracts for publicly funded programs and/or for state and federal agencies.
- B. Provide information demonstrating your history of organized and timely reporting.
- C. Provide the name, address, phone number, and email address of other organizations to which you have provided the same or similar services. Note the types of services provided.

II. Legislative/Programmatic Knowledge

- A. Describe your knowledge of applicable workforce legislation and affected workforce programs.
- B. Describe your level of expertise for facilitating contract negotiations between the Board and the Texas Workforce Commission and subcontractors.
- C. Describe your ability to provide timely and accurate legal advice to the Board.
- D. Provide documentation of your certification in administrative law.
- E. Demonstrate that your organization has a satisfactory record of integrity, business ethics, fiscal accountability, and the necessary accounting systems, operational controls and financial resources to successfully carry out its proposal.

III. Cost Effectiveness/Budget

All proposals will be rated for overall cost effectiveness.

Complete the attached budget form and salary schedule. Please provide an explanation of all proposed costs and how the amounts presented were calculated.

PART FOUR – FORMS

The following forms are attached:

- Proposal Cover Sheet
- Budget Sheet
- Certification of Bidder
- Certification Regarding Debarment Lobbying Drug-free Work Place
- Certification Regarding Conflict of Interest
- Certification Regarding Texas Corporate Franchise Tax
- General Assurances

**Proposal for Administrative Legal Services for
Workforce Solutions Brazos Valley Board**

Proposal Cover Sheet

Name of Proposer:	
Mailing address:	
Physical address (if different):	
Phone Number:	Fax Number:
Proposal contact person:	
Title:	
Contract signatory authority:	
Title:	
Amount of Funding Proposed: \$	
Tax/Legal Status: <input type="checkbox"/> Corporation <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Private For Profit <input type="checkbox"/> Partnership <input type="checkbox"/> Other <input type="checkbox"/> Public Non-Profit	
Date Established:	
State Controller Identification Number: (If available)	
Federal Taxpayer I D Number:	
Is proposer certified as a historically underutilized business? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach copy of certification	

PROPOSED BUDGET

PROPOSER: _____

Budget Line Items	Totals
I. PERSONNEL COSTS:	
A. Costs for Services (from Salary Schedule)	
B. Travel	
C. Other (describe)	
D. Other (describe)	
I. SUBTOTAL: PERSONNEL	
II. NON-PERSONNEL COSTS	
A. Printing/copying	
B. Postage/Communication	
C. Other (describe)	
II. SUBTOTAL: NONPERSONNEL	
TOTAL (I Subtotal + II Subtotal)	

SALARY DISTRIBUTION SHEET

PROPOSER: _____

Please list all staff to be paid with Workforce funds under this proposal, and total for the Contract Period.

Salary Schedule				
Staffing Title	# of Staff	Hourly Pay	Total Hours	Total Pay

WORKFORCE SOLUTIONS BRAZOS VALLEY

REQUEST FOR PROPOSAL

CERTIFICATION OF BIDDER

I hereby certify that the information contained in this proposal and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee, board member, or agent of the Workforce Solutions Brazos Valley has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the RFP and that this organization will comply with the procurement standards applicable under this RFP, and any other applicable local, state, and federal regulations and policies. I also certify that I have read and understand the "Governing Provisions and Limitations" section presented in this RFP and will comply with the terms, thereof, and that the WSBVB is authorized to verify references and stated performance data. Furthermore, that:

I, _____ am the _____ of the corporation, partnership, association, public agency or other entity named as Bidder and Respondent herein and that I am legally authorized to sign this proposal and submit it to the Workforce Solutions Brazos Valley on behalf of said organization by authority of its governing body.

ATTEST

Respondent Signature

Printed/Typed Name and Title

Date

Name of Organization Submitting Proposal

CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; INCLUDING DRUG-FREE WORKPLACE REQUIREMENTS AND AMERICANS WITH DISABILITIES ACT/DRUG-FREE WORKPLACE REQUIREMENTS AND AMERICANS WITH DISABILITIES ACT

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 34 CFR Part 85, "Government-wide Debarment and Suspension (Non-procurement and Government-wide Requirements for Drug-Free Workplace (Grants))." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the BVCOG determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 CFR Part 82, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 34 CFR Part 82, Section 82.105 and 82.110, the applicant certifies that:

- (a) 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 any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
- (c) The undersigned shall required that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all subrecipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS

As required by Executive Order 12549, Debarment and Suspension, and implemented at 34 CFR Part 85, for prospective participants in primary covered transactions, as defined at 34 CFR Part 85, Sections 85.105 and 85.110 -

A. The applicant certifies that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application 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;
- (c) Are nor presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- (e) Where the applicant is unable to certify to any of the statements of this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 CFR Part 85, Subpart F, for grantees, as defined at 34 CFR Part 85, Sections 85.605 and 85.610

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about - (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
- (1) Abide by the terms of the statement; and
- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendars days after such a conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title to:
Tom Wilkinson Jr.
BVCOG
P.O. Drawer 4128
3991 East 29th (zip: 77802
Bryan, TX 77805-4128

- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employees to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
 - (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
- B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:
Place of Performance (street address, city, county, state, zip code)

Check _____ if there are work places on file that are not identified here.

4. DRUG-FREE WORKPLACE (GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and at 34 CFR Part 85, Sections 86.605 and 85.610 -

- A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance in conducting any activity with the grant.
- B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will provide notice of such conviction, in writing, within 10 calendar days of the conviction to:
Tom Wilkinson Jr.
BVCOG
P.O. Drawer 4128
3991 East 29th (zip: 77802
Bryan, TX 77805-4128

5. AMERICANS WITH DISABILITIES ACT

By signing the certification below, the applicant assures that it will comply with the provisions of the Americans with Disabilities Act (ADA) of 1990, and the Rules and regulations promulgated there under, requiring employers to not discriminate against a qualified job applicant or employee because of a disability and ensuring that all existing and new facilities provide easy access for people with disabilities.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

NAME OF APPLICANT:

CONTRACT NUMBER AND/OR PROJECT NAME:

PRINTED NAME AND TITLE OR AUTHORIZED REPRESENTATIVE:

SIGNATURE:

DATE:

Notice shall include the identification number(s) of each affected grant;
(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -

CERTIFICATION REGARDING CONFLICT OF INTEREST

By signature of this proposal, Proposer covenants and affirms that:

1. No manager, employee or paid consultant of the proposer is a member of the Workforce Solutions Brazos Valley Board;
2. No manager or paid consultant of the proposer is a spouse to a member of the policy board, the chairman or a manager of the Workforce Solutions Brazos Valley Board;
3. No member of the policy board, the president or an employee of the Brazos Valley Workforce Development Board owns or controls more than 10 percent in the proposer;
4. No spouse of a member of the policy board, president or employee of the Workforce Solutions Brazos Valley Board is a manager or paid consultant of the proposer;
5. No member of the policy board, president or employee of the Workforce Solutions Brazos Valley Board receives compensation from proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;
6. Proposer has disclosed within the proposal any interest, fact or circumstance which does or may present a potential conflict of interest;
7. Should proposer fail to abide by the forgoing covenants and affirmations regarding conflict of interest, proposer shall not be entitled to recovery of any costs or expenses incurred in relation to any contract with the Workforce Solutions Brazos Valley Board and shall immediately refund to the Workforce Solutions Brazos Valley Board any fees or expenses that may have been paid under the contract and shall further be liable for any costs incurred or damages sustained by the Workforce Solutions Brazos Valley Board relating to that contract.

Name of Organization Submitting Proposal: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

CERTIFICATION REGARDING TEXAS CORPORATE FRANCHISE TAX

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

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

Indicate the certification that applies to your subcontracting entity:

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

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

Name of Business: _____

Type of Business (if not corporation): Sole proprietor

Partnership

Other

IRS Tax Number: _____

Name of Authorized Representative: _____

Signature of Authorized Representative: _____

GENERAL ASSURANCES

We understand and agree that this proposal is not a contract and does not obligate the BVCOG to pay for costs incurred in the preparation of this proposal or costs incurred prior to the execution of a written contract or prior to the receipt of funds designated for this program from the Texas Workforce Commission.

We understand and agree that the contract provisions may vary from the provisions set forth in this request, when deemed necessary by the BVCOG, however, we agree to abide by the contract provisions contained in the proposed contract.

We understand and agree that the BVCOG may utilize information provided outside of this request in evaluating this proposal.

We understand and agree that we may be subject to an on-site review and must be able and willing to provide documentation of information in the proposal at the request of the BVCOG prior to execution of a contract.

We understand and agree that the BVCOG has the right to reject any and all proposals and negotiate outside of the terms of this proposal.

We understand and agree that the BVCOG is not required to select the lowest cost proposal.

We understand and agree that any material misrepresentation or deliberate omission of a fact in this proposal may be justification for rejection of the proposal.

We understand and agree that any material misrepresentation or deliberate omission of a fact in this proposal may be justification for rejection of the proposal.

We understand and agree to abide by all federal, State and local laws, policies and regulations governing the Workforce Investment Act, as amended, and those additional rules which may be promulgated subsequent to the execution of a contract.

We understand and agree that we may be subject to a monitoring review or audit by the U.S. Department of Labor, Texas Workforce Commission, Office of Inspector General, or BVCOG. We also understand that we may be required to provide a copy of the most recent audit as part of the contracting process.

We understand and agree to submit this proposal in a good faith effort to provide services to the benefit of economically disadvantaged individuals eligible for services under the Texas Workforce Commission.

Signature _____ Date _____

Printed Name and Title _____