

# **REQUEST FOR PROPOSALS**

For

## **Independent Financial Monitoring Services Provided by a Certified Public Accountant**

For the

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**  
*P.O. Drawer 4128*  
*Bryan, Texas 77805*  
*(979) 595-2800*

**ISSUE DATE: May 14, 2013**

**RESPONSE DEADLINE: 4:00 PM June 4, 2013**

Workforce Solutions Brazos Valley is an equal opportunity employer & provides equal opportunity programs and services. Auxiliary aids are available upon request to disabled individuals. Texas Relay [\(800\) 735-2989](tel:8007352989) TDD [\(800\) 735-2988](tel:8007352988) Voice TTY [\(979\) 595-2819](tel:9795952819).

## **PART A - Request for Proposals**

### **I. PURPOSE OF THIS REQUEST FOR PROPOSAL (RFP)**

The Workforce Solutions Brazos Valley Board (WSBVB) is soliciting proposals for independent financial monitoring services for the Brazos Valley Workforce Development Area. Monitoring Services must be conducted by qualified individuals with extensive workforce financial monitoring experience and must be a certified public accountant (CPA).

### **II. ACTIVITIES AND SERVICES SOLICITED IN THIS RFP**

The selected contractor will conduct financial monitoring of the Brazos Valley Council of Governments and the subcontractors, programs and services funded through Workforce Solutions Brazos Valley Board to ensure the fiscal integrity of programs, to review fiscal performance, assess compliance with applicable laws and regulations and identify successful methods and practices that serve to enhance the fiscal integrity through continuous improvement.

Monitoring activities will include a review of financial management, procurement, property management, expenditures, fiscal data reporting of the Workforce Solutions Brazos Valley Board, its subcontractors and subsequent contracts entered into by subcontractors. Monitoring will begin with a risk assessment conducted on a quarterly basis, development of a monitoring plan based on the risk assessment, and quarterly reviews of areas of risk. The contractor will develop a monitoring instrument to be used in monitoring the Board and its subcontractors. The contractor will use the Texas Workforce Commission's current monitoring guide and latest financial manual for grants and contracts and OMB circulars as a basis for the monitoring instrument.

The monitoring process will include desk reviews and on-site reviews, review of fiscal and program policies and procedures, financial reports, contracts, budgets, expenditure data, procurement records, prior audits and monitoring reports.

The contractor will submit a final monitoring report that presents all monitoring findings, non-compliance issues and management observations no later than 30 days after the exit conference for each monitoring. The Board will schedule an exit conference with the contractor to discuss monitoring findings and observations. All work papers and back-up documents pertaining to the monitoring function shall be transferred to and become property of WSBVB.

The contractor will provide technical assistance on deficiency areas identified through monitoring as requested by the WSBVB staff. The contractor will also work with WSBVB staff to resolve any TWC monitoring findings and implement any changes to the monitoring process required by TWC.

The contractor will attend TWC or DOL training sessions, at their own expense, to learn about substantial changes in programs, policies or regulations that pertain to TWC funded programs. Training session expenses may be reimbursed in accordance with contract provisions and Board travel policy.

The contractor will monitor WSBVB subcontractors and review contract close out documents to determine compliance with contracts, plans, TWC rules, federal/state regulations and OMB Circulars. These include the WSBVB Workforce Center system operator, the Child Care Management Services contractor, Blinn College, independent school district contractors, private sector vendors, community based organizations, and faith based organizations, non-profit entities and other government agencies.

The contractor must be completely familiar with, and have experience monitoring, the programs, services, financial and management systems for the following grants and programs:

- Provisions of HB 1863 and SB 642
- Workforce Investment Act programs
- Temporary Assistance to Needy Families
- Supplemental Nutrition Assistance Program (SNAP formerly FSET)
- Employment Service programs

- Child Care Programs
- Veterans Programs
- Trade Adjustment Act programs

The entity selected for contracting will enter into a 12-month contract with the Board. The contract may be extended for an additional year for up to three years pending performance and funding availability.

### III. Procurement Process Information

**Bidder's Conference** - There is no bidders conference scheduled for this procurement.

**Questions Concerning the RFP - Questions** may be submitted by email to Richard Rogers, Board consultant at [richard@swtexas.net](mailto:richard@swtexas.net) or call 512 963-4895. No questions will be accepted after May 27, 2013. Answers to submitted questions will be posted on the Board's web page at [www.bvjobs.org](http://www.bvjobs.org).

**Response Deadline** - **An original and four (4) copies of the proposal must be submitted in writing no later than 4:00 PM CST on June 4, 2013.** Faxes or emailed proposals will not be accepted. Official receipt of written proposal entered on a WSBVB log of proposals received. WSBVB staff, upon request, will issue verification in the form of a receipt. Fax or e-mail responses are not acceptable. Any modifications or amendments to a proposal prior to the deadline must also comply with the above requirements and the response deadline. **Any proposals or amendments received after the deadline will not be considered. WSBVB is not responsible for any errors on the part of the U.S. Postal Service or other carrier regarding timely delivery of responses.**

Mailed responses should be addressed to:

Richard Rogers, Board Consultant  
c/o  
Workforce Solutions Brazos Valley Board  
P.O. Drawer 4128  
Bryan, TX 77805

ATTN: Response to Financial Monitoring RFP

Hand delivered or courier delivered responses should be delivered to:

Richard Rogers, Board Consultant  
c/o  
Workforce Solutions Brazos Valley Board  
3991 East 29th Street  
Bryan, Texas 77802

ATTN: Response to Financial Monitoring RFP

#### **IV. Contractor Selection Process**

Selection of a contractor will be in accordance with all applicable laws and regulations. Selection criteria are as follows:

The primary consideration in selecting an individual or firm to deliver monitoring services shall be experience providing fiscal monitoring for workforce development programs and the demonstrated ability to delivery the services at a reasonable cost to the Board.

An evaluation team will evaluate each proposal. Proposals must score at 70 points according to the scoring criteria and be ranked one of the top three proposals to be considered for contracting.

<u>Scoring Criteria:</u>	Proposed Approach	30 points
	Demonstrated Effectiveness	50 points
	Cost	20 points
	Certified HUB	5 points
	Total	105 points

Proposals achieving a score of 70 points and above will be presented to the WSBVB through its review committees for consideration for contract negotiations. Any contract 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.

## **PART B - GENERAL INFORMATION**

### **I. BACKGROUND ON THE WSBVB**

The WSBVB is a volunteer body instituted in accordance with the Texas Workforce Act (HI3 1863 and S 642). 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 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 hires an independent monitor to conduct program oversight as it evaluates the effectiveness and efficiency of its Workforce Centers and categorical programs providing services throughout the region. The services include workforce training and related services, vocational and technical education programs, and employment services. 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 WSBVB has an Integrated Plan on file with TWC that 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 mission of the Workforce Solutions Brazos Valley Board is to assure to the extent feasible within the appropriated resources, that the residents and employers of the Brazos Valley region of Texas have access to and receive the highest quality of services designed to prepare individuals for productive employment, and to provide employers with a capable and competitive workforce.

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. Up to thirty-six 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.

### **II. GOVERNING PROVISIONS AND LIMITATIONS -**

- 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 re-issue 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. The 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 respondents recorded in the WSBVB official record (Distribution Log & Receipts Record) as having received or requested an RFP.
- e. The WSBVB reserves the right to negotiate the final terms of any contract or agreement with respondents 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. The 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

respondent's relevant performance and/or qualifications, and to request additional information from any respondent.

- g. The 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 respondent's ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded.
- h. The 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. Respondents 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. Respondents shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause a respondent's proposal to be rejected. This does not preclude joint ventures or subcontracts.
- l. All proposals submitted must be an original work product of the respondents. The copying, paraphrasing or otherwise using substantial portions of the work product of others and submitted hereunder as original work of the respondent 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 award. 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(s) as a basis for release of proposed services at stated price / cost. Any damages accruing to the WSBVB as a result of the respondent's failure to contract may be recovered from the respondent.
- 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. All proposals considered must be received on time and be responsive to the RFP.
- p. Positive efforts shall be made to utilize 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.
- q. 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, the ability to meet the requirements of this RFP.
- r. Providers not complying with Section 504 of the Rehabilitation Act of 1973 and the Federal Drug-Free Workplace Act of 1988, and those not prepared to comply with the Americans with Disabilities Act will not be awarded a contract.

- s. 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.
- t. Programs and activities solicited via this RFP are governed by the Health and Human Services (HHSC), Department of Labor (DOL) Office Of Management and Budget (OMB), Texas Workforce Commission, Welfare to Work, TANF, Food Stamp E&T, and WIA legislation, the rules set forth in the Workforce and Economic Competitiveness Act (Title 10, Chapter 23 08, et seq.), Texas Senate Bill 642, Texas House Bill 1863, Texas Government Code, and WSBVB and BVCOG operating policies and procedures. The WSBVB Integrated Plan on file with TWC Texas Workforce Legislation and can be viewed at [www.bvjobs.org](http://www.bvjobs.org).
- u. Subcontracting, while not encouraged, may be appropriate where an outside contractor provides specialized expertise or technical resources, and must be included in the responding proposal. 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, partners and sub-contractors must have the necessary technical competence, skills in management and administration, and professional experience within their organization to provide the services requested.
- v. The contract will be a unit cost reimbursable contract. The contractor will submit billing documents on a monthly basis for the prior month's activities. Travel expenses will be reimbursed at the approved state rates for mileage, lodging and Per Diem.

## **INQUIRES AND APPEALS**

The WSBVB and its administrative and fiscal agent BVCOG is 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 mediation remedies have been exhausted by the WSBVB or/and BVCOG. 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. The WSBVB reserves the right to withdraw or reduce the amount of the award under this RFP. WSBVB reserves the right 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.

### **Respondent Inquiry and Appeal Process**

**STEP 1: Request for Debriefing** – Respondents 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 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 respondent or respondent who is not selected for funding; the 10-day period must be adhered to only if a respondent 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 respondents understand why they were not selected. Debriefings serve as an important educational function for new respondents. Debriefings will help respondents improve the quality of future proposals. Additionally, staff hears 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 respondent 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.

## **PART C. Proposal Submission Requirements**

### **I. General Instructions**

Proposers must use these instructions to submit a proposal. Failure to follow instructions may cause the proposal to be considered non-responsive.

**FORMAT** – Proposals must be typed, pages numbered with the proposing entity’s name on each page, and submitted on 8 ½ x 11 inch paper. Fancy bindings and notebooks are not required.

**EXAMPLES OF PREVIOUS WORK** - Proposers will submit a copy of a previous workforce monitoring report as an example of their monitoring work and writing skills.

**NUMBER OF COPIES** – Respondents will submit **one complete original**, with executed certificates (i.e. original signatures of the authorized signatory authority), plus **four (4) exact copies of the proposal with all attachments**.

### **II. Submission Order**

The proposal document must be presented in this order. Failure to follow these instructions may cause a proposal to be deemed unresponsive.

- Cover Sheet**
- Proposal Narrative**
- Cost Information**
- Sample Monitoring Report**
- HUB Certification if applicable**
- Required Signed Certifications**
  - **Certification of Bidder**
  - **Certification Regarding Debarment**
  - **Certification Regarding Lobbying**
  - **Certification Regarding Drug-Free Workplace**
  - **Certification Regarding Conflict of Interest**
  - **Non-Discrimination Statement**

### **III. 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 respondent organization and who is also the person who must sign the various certification forms).

**Historically Underutilized Businesses (HUBs) must indicate their HUB certification number and the certifying agency on the cover sheet and attach a copy of the notice of certification to the proposal.**

#### **IV. Proposal Narrative**

##### **A. Demonstrated Performance/Experience**

- 1. Provide a brief history of your organization. For individuals, describe your education and work experience.**
- 2. Provide evidence of your status as a certified public accountant.**
- 3. Attach a resume(s) of the individual(s) who will be conducting the monitoring activities.**
- 4. Provide at least three references for which monitoring services have been provided. Please include the name, address, phone number, email address, dates and description of services provided.**
- 5. Describe your experience and qualifications for monitoring workforce development programs listed in the RFP and monitoring the administrative and financial systems required to manage and operate these programs.**
- 6. Describe your abilities to communicate effectively with subcontractors staff and present fiscal information both orally and in writing. Submit a sample of a previous monitoring report you have written. Mark confidential elements as appropriate.**
- 7. Describe your experience with and understanding of U.S. Department of Labor regulations, Office Of Management and Budget (OMB) Circulars, Texas Workforce Commission (TWC) financial manual for grants and contracts, TWC Workforce Development Letters, and TWC Rules.**

##### **B. Monitoring Approach**

###### **1. Describe your approach to the following monitoring tasks:**

- a. Risk assessment
- b. Developing a monitoring plan
- c. Desk review
- d. Monitoring instruments
- e. On-site monitoring
- f. Entry and exit conferences
- g. Initial and final reports
- h. Technical assistance

###### **2. Describe how you will monitor each of these fiscal monitoring elements:**

- a. Cash Management
- b. Fiscal policies/procedures
- c. Reconciliation of Receipts
- d. Accrual Accounting
- e. Internal Controls
- f. Participant support service payments
- g. Reporting Requirements
- h. Cost Allocation
- i. Indirect cost plans
- j. Budgets
- k. Staff Travel
- l. Allowable Costs
- m. Record Retention

- n. Procurement

## **V. Proposed Costs**

### **1. Provide your proposed hourly rate for the following activities:**

- a. Development of risk assessment and monitoring plan
- b. Off-site document review and report writing
- c. On-site monitoring
- d. Presentations to the WSBVB
- e. Technical assistance to Board and subcontractor Staff

### **2. Estimate the travel costs associated with monitoring in the Brazos Valley Region.**

### **3. Estimate any other costs associated with the requested activities if needed [i.e. printing, mail and courier costs, etc.]**

**Workforce Solutions Brazos Valley Board  
FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL  
Cover Sheet**

All items of the Proposal Cover Sheet must be completed and become the first sheet of the proposal to be returned to WSBVB. 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 and who is also the person who must sign the various certification forms). **Historically Underutilized Businesses (HUB's) must indicate the HUB certification number and the certifying agency on the cover sheet and attach a copy of the certificate to the proposal.**

**Name of Business/Organization:** \_\_\_\_\_

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

**City, State, Zip Code:** \_\_\_\_\_

**Physical Address (If Different):** \_\_\_\_\_

**City, State, Zip Code:** \_\_\_\_\_

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

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

**Telephone Number:** (\_\_\_\_) \_\_\_\_\_

**Fax Number:** (\_\_\_\_) \_\_\_\_\_

**E-mail Address:** \_\_\_\_\_

**Contract Signatory Authority:** \_\_\_\_\_

**Signature** \_\_\_\_\_ **Date** \_\_\_\_\_

\_\_\_\_\_  
**Printed/Typed Name**

**General Information**

Tax/Legal Status of Business:

Corporation     Sole Proprietorship     Partnership  
 Public             Not for Profit             Other \_\_\_\_\_

Date business established: \_\_

State Controller ID Number (If available): \_\_

Federal Taxpayer ID Number: \_\_

Is respondent certified as a historically underutilized business?     Yes         No

Certifying Agency: \_\_

(If yes, a copy of the certification notice is required as an attachment.)

**WORKFORCE SOLUTIONS BRAZOS VALLEY**  
**FINANCIAL MONITORING SERVICES 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 of the 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 of the Brazos Valley on behalf of said organization by authority of its governing body.

ATTEST

\_\_\_\_\_  
Respondent Signature

\_\_\_\_\_  
Printed/Typed Name

\_\_\_\_\_  
Printed/Typed Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**  
**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**  
**CERTIFICATION REGARDING DEBARMENT**

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 Workforce Solutions Brazos Valley Board determines to award the covered transaction, grant, or cooperative agreement.

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. 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 not 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.

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**  
**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**  
**CERTIFICATION REGARDING LOBBYING**

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 Workforce Solutions of the Brazos Valley determines to award the covered transaction, grant, or cooperative agreement.

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:

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.;

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;

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

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**  
**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**  
**CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

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 Workforce Solutions of the Brazos Valley determines to award the covered transaction, grant, or cooperative agreement.

**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:

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;
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace; and
- (5) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (A);

C. 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 calendar days after such a conviction;

D. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (C)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position and title to the Executive Director Workforce Solutions Brazos Valley. Notice shall include the identification number(s) of each affected grant.

E. 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:

2013 WSBVB Financial Monitoring RFP

- (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 employee(s) 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;
- F. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D), (E), and (F).
- G. 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)

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Check here , if there are work places on file that are not identified in this certification.

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**

**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**

**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:

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.

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 the Executive Director, Workforce Solutions Brazos Valley.

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS BRAZOS VALLEY BOARD**  
**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**  
**CERTIFICATION REGARDING CONFLICT OF INTEREST**

By signature on this proposal, Respondent covenants and affirms that:

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

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal

**WORKFORCE SOLUTIONS OF THE BRAZOS VALLEY**  
**FINANCIAL MONITORING SERVICES REQUEST FOR PROPOSAL**  
**NON-DISCRIMINATION STATEMENT**

**The undersigned applicant certifies that it shall comply with the non-discrimination provisions outlined by the U.S. Department of Health and Human Services, WIA, the Rehabilitation Act of 1973, and BVCOG and WSBVB policies.**

\_\_\_\_\_  
Signature of Authorized Representative and Date

\_\_\_\_\_  
Printed/Typed Name and Title

\_\_\_\_\_  
Name of Business Submitting Proposal