



**Request for Qualifications For  
Building Construction Consultant/Owner's Representative to Assist the  
Workforce Solutions for South Texas Workforce Center Lease**

**Release Date: December 12, 2018**

**Pre-Proposal Tele-Conference: December 19, 2018 at 10 a.m. (CST)**

**Submission Deadline: January 14, 2019 by 12:00 Noon (CST)**

**Issued by:  
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## **Introduction and Background**

The Workforce Solutions for South Texas (WSST) Board serves as the leadership and governing body for the Jim Hogg, Webb and Zapata Counties. The WSST Board of Directors represents business, education, labor, economic development, community-based organizations, and public entities.

The WSST Board Members are appointed by the Chief Elected Officials of each of the three counties of the Workforce Solutions for South Texas Workforce Development Area (WSST WDA), in accordance with the Workforce Innovation and Opportunity Act and the Texas Workforce and Economic Competitiveness Act (HB 1863 and SB642). The WSST Board is organized as a non-profit corporation in the State of Texas, with tax-exempt status under IRS code 501(c)3. The WSST Board is one of the 28 workforce boards established by the Texas Legislature in 1995.

The WSST Board is responsible for the strategic and operational planning, oversight and evaluation of federal and state workforce programs in the region including employment, training funds, child care and related support services.

The WSST Board serves as the designated grant recipient and administrative entity for workforce development program funds allocated to the Workforce Solutions for South Texas workforce development area.

## **Building Construction Consultant/Owner's Representative**

**In anticipation of a Release for Proposal for Workforce Center Lease Space**, the Workforce Solutions for South Texas (WSST) is seeking a qualified individual to serve as a Building Construction Consultant to WSST. The Building Construction Consultant will act as an Owner's Representative with the selected lease space vendor. It is anticipated that the lease space will range from 20,000 – 25,000 square feet and will require an office build-out. The Building Construction Consultant/Owner's Representative will provide the following services:

- Represent WSST and review specifications to determine if office construction proposed meets established workforce center expectations.
- Interpret and explain building plans to WSST staff.
- Confer with WSST staff and owner's architect, or design professionals to discuss and resolve matters involving office design for workforce center office and customer flow optimization.
- Work with owners' contractors to plan the office build out of facility in alignment with negotiated Agreement and deadlines.
- Review project to monitor compliance with established workforce center requirements between WSST and the selected contractor.
- Prepare and submit progress, or tracking reports.
- Inspect or review projects to monitor compliance with American with Disabilities Act (ADA) regulations.
- Assist in negotiating revisions to contractual agreements with selected vendor.
- Oversee craft work, such as painting, and interior design.

## **Pre-Proposal Tele-Conference**

A pre-proposal tele-conference for prospective proposers to learn more about this RFQ and to ask questions will be conducted on December 19, 2018 at 10 a.m. – to receive call-in number, a proposer must make a request by e-mailing Bertha Millan at [bertha.millan@southtexasworkforce.org](mailto:bertha.millan@southtexasworkforce.org)

The pre-proposal tele-conference offers potential proposers the opportunity to obtain guidance on the scope and nature of the work required or to ask technical questions.

Prospective proposers may submit written questions beginning December 12, 2018. Questions may be faxed, e-mailed, or mailed to Bertha Millan. The Questions and Answers (Q&A) will be sent via e-mail to all proposers that request the tele-conference number and it will be posted on the WSST website on **December 20, 2018**.

Board members, Board staff, and associated parties are precluded from entertaining any questions outside the pre-proposal conference and/or the written question process described above. Potential proposers are asked to respect these conditions by not making personal requests for assistance. No unauthorized methods or sources of responses or clarification are considered valid. Any violation of this process may disqualify an applicant.

To ensure that all prospective proposers have access to the most current RFP addenda, questions and answers, and other pertinent information updates will be posted to the Board's website during the procurement period, at [www.southtexasworkforce.org](http://www.southtexasworkforce.org).

## Evaluation Criteria

### Evaluation Criteria Point Value

Selection of the Contractor shall be in accordance with federal procurement principles and the TWC Financial Manual for Grants and Contracts, which requires "full and open competition", fair and equal treatment and "arms-length" relationships with all potential applicants. Evaluators will award points for specific criteria with the highest possible total being 105 points. WSST will select the Building Construction Consultant/Owner's Representative based on the following criteria:

1) Demonstrated Knowledge, Qualifications	35 points
2) Years of Experience	35 points
3) Cost	30 points
4) HUB	<u>5 points</u>
TOTAL	105 points

## Evaluation Process

The proposal review process will include: evaluation, rating, and ranking of proposals by qualified staff using the general criteria specified above. Workforce Solutions for South Texas assigns professional staff or qualified outside evaluators to read and evaluate each proposal. Each reader will score proposals independently; final scores will be the average of the independent scores of all readers. The results of the evaluation will be presented to the WSST Board Committee for their recommendation to the WSST Board.

- a. Evaluators' scores for each proposal will be averaged and those with a minimum average score of 75 points or higher will be ranked highest points to lowest points.
- b. The result of the evaluation will be presented to the assigned WSST Board Committee for review and consideration. A recommendation will be made to the full WSST Board on January 24, 2019.

## Response

The deadline for submitting a response to this RFQ is **January 14, 2019 by 12:00 Noon (CST)**. Interested parties should submit their qualifications that addresses the Criteria Information along with a **resume** detailing relevant experience by e-mail to Bertha Millan: [bertha.millan@southtexasworkforce.org](mailto:bertha.millan@southtexasworkforce.org), or mail to:

**Workforce Solutions for South Texas**  
500 E Mann Road, Suite B5  
Laredo, TX 78041  
(956) 722-3973

Proposals received after the due date and time will not be accepted or considered for award. Timely delivery of Proposals to the Board is the sole responsibility of the applicant. Please note that it is the responsibility of the sender to verify receipt of submitted information. A copy of the RFQ is available from the WSST's website at: [www.southtexasworkforce.org](http://www.southtexasworkforce.org)

### **Minimum Standards of Determining Responsiveness of Proposals**

A proposal must meet minimum standards before being considered for further evaluation:

- a. Submitted by the deadline;
- b. Submitted in the required format;
- c. Contains all required elements, required signatures;
- d. Format complies with proposal instructions;
- e. Contains no evidence of conflict of interest.

### **Services Contract Term Period**

Subject to the availability of funding, the contract term period is anticipated to begin February 1, 2019 to January 31, 2020, WSST reserves the right to extend the Agreement for one additional year.

### **Nature of agreement - Type of contract**

Contracts will be cost reimbursement; WSST will reimburse the selected contractor for costs incurred in accordance with Board policy and procedures.

### **Solicitation Process**

This RFQ document and procurement process complies with all applicable Federal, State and local policies governing procurement under the grant funds to be contracted as a result of this process (see TWC Financial Manual for Grants and Contracts [www.twc.state.tx.us/business/fmgc/financial-manual-grants-contracts.html](http://www.twc.state.tx.us/business/fmgc/financial-manual-grants-contracts.html)) This is not a purchase agreement, contract, or commitment to purchase the solicited services, nor does it commit the Board to pay for any costs incurred in preparation of a response to this RFQ.

### **Solicitation Schedule**

<b>ISSUANCE DATE:</b>	<b>December 12, 2018</b>
<b>PRE-PROPOSAL TELE-CONFERENCE</b>	<b>December 19, 2018 at 10:00 AM (CST)</b>
<b>QUESTION/ANSWER RELEASE</b>	<b>December 20, 2018</b>
<b>PROPOSAL DUE:</b>	<b><u>January 14, 2019 by 12:00 Noon (CST)</u></b>
<b>EVALUATION PERIOD</b>	<b>January 15 – January 24, 2019</b>
<b>CONTRACT NEGOTIATIONS BEGIN:</b>	<b>January 25, 2019</b>

## **Proposer Debrief and Appeals Process**

Proposers not selected by this procurement process may submit within ten (10) days of the receipt of notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was submitted and scored. The WSST Board shall acknowledge receipt of the Request for Debriefing in writing within ten (10) days of receipt. The Debriefing shall be scheduled as soon as possible and no later than ten (10) days from the receipt of the Request for Debriefing. A debriefing is offered as a courtesy to any bidder or proposer who is not selected for funding. 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.

Proposals not selected for funding may be appealed only with respect to any fault or violation of law or regulation regarding the review process. Appeals must be filed within ten (10) calendar days of final WSST Board action with the WSST Workforce Supervisor/EO Officer/504 Coordinator. Final WSST Board action shall be considered to be the WSST Board meeting at which final selection of the proposals is made. Inquiries shall be directed to:

**Bertha Millan**  
**Workforce Supervisor/EO Officer/504 Coordinator**  
**Workforce Solutions for South Texas**  
**500 E Mann Road, Suite B5**  
**P.O. Box 1757**  
**Laredo, TX 78041-1757**  
**(956) 722-3973**

The appeal must indicate the WSST Board action appealed and the violation forming the basis of the appeal, and shall be signed by the appellant organization's authorized representative. Fax and e-mail transmittals will not be accepted. The filing of the appeal within the time frame is a condition precedent. There is no relief accorded appellants for not filing within the published deadlines. Hearings shall be conducted in accordance with existing WSST Board's procedures, which will be provided to the appellant as soon as practicable after the WSST Board receives the appeal.

Request for Debriefing - A debriefing is offered as a courtesy to any bidder or proposer who is not selected for funding. 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. A debriefing is not a forum to address proposer complaints.

Proposers not selected by this procurement process are entitled to no more than one debriefing for each proposal. If two proposals were considered together by the WSST Board in making a decision, proposers are entitled to one debriefing that will address each proposal. To be entitled to a debriefing, a proposer shall submit within ten (10) days of the receipt of WSST Board notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was submitted and ranked. Untimely requests shall not be entitled to a debriefing, unless the Executive Director determines that a justifiable excuse exists.

The WSST Board shall acknowledge receipt of the Request for Debriefing in writing within ten (10) days of receipt, along with the date and time of the scheduled Debriefing. The Debriefing shall be scheduled as soon as possible, but no later than ten (10) days from the receipt of the Request for Debriefing. The Executive Director may exercise his discretion in holding the debriefing conference telephonically. If a proposer is unavailable for a debriefing on the date provided in the notice, the proposer must notify the Executive Director forty-eight (48) hours in advance. Failure to do so may result in cancellation and/or waiver of the proposer's request for a debrief.

During pre-award debriefings, proposers are entitled to receive (1) WSST Board's evaluation of the offeror's proposal and (2) a summary of the rationale for eliminating the offeror from the competition. Proposers **are not** entitled to (1) the number

of offerors, (2) the identity of other offerors, (3) the content of other offeror's proposals, (4) the ranking of other offerors, (5) the evaluation of other offerors, (6) a point by point comparison of the debriefed offeror's proposal with those of other offerors, or (7) any other information that is confidential by law or excepted from public disclosure under the Public Information Act.

## **General Instructions for Submittal**

This Request for Quote (RFQ) provides a uniform method for the procurement of these services. It contains the necessary background, requirements, instructions, and information to prepare a response. This RFQ guides the preparation of a responsive proposal to meet the Board's objectives.

FORMAT – The original proposal must be typed in no smaller than 12 point font and submitted on 8 1/2 x 11 inch paper. Each page of the proposal, with the exception of the coversheet, must be sequentially numbered, including attachments.

COVER SHEET -- All items on the Cover Sheet must be completed. Identify the primary contact person, as well as the Signatory Authority -- the person with the legal authority to negotiate and sign a contract. (This person must sign the certification forms.)

SEQUENCE OF SUBMISSION – The original proposal and proposal copies should be submitted with elements in the following order:

Attachment A Proposal Cover Sheet

Attachment B Proposal for Building Consultant/Owner's Representative – including all required documentation

Attachment C Certifications Regarding Lobbying, Debarment, Suspension, and Other

Responsibility Matters, and Drug Free Workplace Requirement

Attachment D Certification Regarding Texas Corporate Franchise Tax

Attachment E Certification Regarding Conflict of Interest

Attachment F Assurances and Certifications

Attachment G Non- Discrimination Statement/

\*\*\*\*\* All original documents requiring a signature must be signed using blue ink. \*\*\*\*\*

## GOVERNING PROVISIONS AND LIMITATIONS

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### Following are conditions that apply to this RFQ and to any subsequent contract.

- a. The result of the procurement process is selection of a contractor with whom to negotiate a contract for Building Construction Consultant and Owner Representative Services; however, the WSST Board is under no legal requirement to execute a contract on the basis of any proposal.
- b. The Workforce Solutions South Texas reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is in the best interest of the WSST Board.
- c. Proposals must conform to relevant state and federal laws and regulations governing the use of applicable funds for services and programs.
- d. WSST Board may negotiate a contract for services based on the evaluated proposal. WSST Board reserves the right to require specific modifications before agreeing to contract.
- e. The funding of any proposal is contingent upon receipt by the WSST Board funds from the State of Texas and/or the United States.
- f. Any costs incurred by the proposer prior to the commencement date of a contract will not be paid from contract funds.
- g. WSST staff will not assist any proposer in the preparation of the proposal.
- h. All proposals and any attachments, appendices, or other information submitted as a part of a proposal become the property of the WSST upon submission and may be reprinted, published, or distributed in any manner by the WSST according to open records laws, applicable state and federal policies and procedures, as well as those of the Board. Subject to the Texas Public Information Act, respondents may protect trade and confidential information from release. Trade secrets or other confidential information, submitted as part of a proposal, shall be clearly marked at each page it appears. Such marking shall be in boldface type at least **14 point font**.
- i. No employee, member of the Board of Directors or other governing body, or representative of a proposer who submits a proposal may have any contact outside of the formal review process with any employee or any member of the Board for purposes of discussing or lobbying on behalf of the proposer's proposal. This contact includes written correspondence, email, fax, telephone calls, personal meetings, or other kinds of personal contact. The Board will reject proposals of those proposers who violate this condition.
- j. WSST reserves the right to accept or reject any or all proposals received; to cancel this RFQ in part, or in its entirety; or to reissue the RFQ.
- k. In order to ensure that the needs of the region are adequately met, WSST reserves the right to request additional information and/or negotiate issues prior to making a selection.
- l. WSST reserves the right to waive any defect in this procurement process or to make changes to this solicitation as deemed necessary.
- m. WSST reserves the right to contact any individual, agencies or employers listed in a proposal, to contact others who have experience and/ or knowledge of the proposer's relevant performance and/or qualification and to request additional information from any and all proposers. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of a contract resulting from this procurement.
- n. Solicitation and selection of proposals must conform to relevant State and Federal laws and regulations and local policies governing the procurement of services. Proposers are responsible for familiarizing themselves with these laws and regulations.
- o. Non-Discrimination - As a condition for receipt of federal funds, the proposer must assure, with respect to the operation of the program and all agreements or arrangements to carry out the program, that the proposer is

prohibited from discriminating on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship or participation in programs funded with federal funds.

- p. This is a negotiated procurement utilizing the Request for Quote, and as such, award does not have to be based on the lowest priced offer, but rather to the respondent submitting the most responsive proposal that satisfies the WSST requirements.
- q. WSST reserves the right to conduct credit check, criminal history, drug tests, and other background investigation of the selected proposer and, if a corporation, its directors, shareholders, or partners and managerial and supervisory personnel retained by the proposer for the performance of the contract.
- r. The proposer will comply with conflict of interest requirements contained in TAC Title 40, Part 20, Chapter 801, Subchapter C - The Integrity of the Texas Workforce System.
- s. WSST reserves the right to make unilateral amendments to the ensuing contract if the funding changes and/or if it is in the best interest of the WSST CCS. In such cases, no additional solicitations of proposals are necessary. Such activity will be supported by contract performance.
- t. WSST reserves the right to negotiate the final terms of any and all contracts or agreements with respondent selected and any such terms negotiated as a result of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of the Board's local plan and impose additional requirements and refinements in the terms and conditions, and funding amounts during the course of any agreement.
- u. WSST reserves the right to deem a proposal non-responsive or disqualify any proposal that, in its sole determination, does not comply with or conform to the terms, conditions, and/or requirements of this RFQ.
- v. Selected vendor must comply with Texas Government Code §2264 and WD Letter 07-08 and applicable changes in reference to public subsidies provided to employers.

## **Certifications**

Contractors are required to meet requirements contained in the Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug Free Workplace.

## **Nondiscrimination and Equal Opportunity**

Contractors must conduct all programs in accordance with provisions of the laws and applicable rules and regulations issued under these laws, as they apply to specific programs or activities:

- Titles VI and VII of the Civil Rights Act of 1964, as amended;
- Section 504 of the Rehabilitation Act of 1973, as amended;
- Title IX of the Education Amendments of 1972, as amended;
- The Age Discrimination Act of 1975, as amended;
- Americans with Disabilities Act of 1990, as amended;
- Non-traditional Employment for Women Act of 1991, as amended;
- Section 188 of the Workforce Investment Act.

Contractor will not deny benefits of any program, activity or service to any person, and are prohibited from discriminating against any employee or applicant for employment, because of race, color, religion, sex, national origin, age, physical or mental disability, temporary medical condition, political affiliation or belief. Contractor will ensure that the evaluation and treatment of customers are free of such discrimination.



## ATTACHMENTS

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Attachment A	Cover Sheet
Attachment B	Proposal Narrative
Attachment C	Certifications Regarding Lobbying, Debarment, Lobby, and Drug Free Workplace
Attachment D	Certification Regarding Texas Corporate Franchise Tax
Attachment E	Certification Regarding Conflict of Interest
Attachment F	Assurances and Certifications
Attachment G	Non-Discrimination Statement

## ATTACHMENT A – PROPOSAL COVER SHEET

<b>Individual/Organization name</b>	
<b>Mailing address</b>	
<b>Physical address (if different from above)</b>	
<b>City/State/Zip</b>	
<b>Contact person</b>	
<b>Contact Person Phone Number</b>	
<b>Contact Person Fax Number</b>	
<b>Contact Person Email Address</b>	
<b>Type of organization</b>	<input type="checkbox"/> Private for-profit <input type="checkbox"/> Private non-profit <input type="checkbox"/> State government agency <input type="checkbox"/> Local government <input type="checkbox"/> Community college district <input type="checkbox"/> Local school district <input type="checkbox"/> Labor Union <input type="checkbox"/> Faith based org. <input type="checkbox"/> Other: _____
<b>Federal Employer ID</b>	
<b>Texas State Comptroller ID</b>	

<b>Typed Name &amp; Title of Authorized Signatory</b>	
<b>Signature &amp; Date</b>	

## ATTACHMENT B

### PROPOSAL NARRATIVE

All proposers should submit a concise Resume, the Resume and Attachments are not included in the page limit. Qualified proposers must address the following criteria, completed responses cannot exceed 6 pages

1) Demonstrated Knowledge, Qualifications	35 points
2) Years of Experience	35 points
3) Cost	30 points
4) HUB	<u>5 points</u>
TOTAL	105 points

#### **Criteria 1): Demonstrated knowledge of building construction as evidenced by past work history**

- Please provide a listing of past work history that represents qualifications to provide consulting on construction aspects involving 20,000 – 25,000 of office build-out

#### **Criteria 2): Prior similar work experience**

- Provide total number of years of experience with building construction

#### **Criteria 3): Cost**

- Provide a per hour rate and any other associated cost

#### **Criteria 4): Historically Underutilized Business (HUB)**

- 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 notice of certification.

## **ATTACHMENT C**

### **CERTIFICATIONS 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 Acts, Title 31 U.S. Code, for the Department of Agriculture (7 CFR part 3018), Department of Labor (20 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned contractor states 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 Congress, or any 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.

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.

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), and Department of Health and Human Services (45 CFR Part 76).

The undersigned contractor certifies that it or its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency

Have not within a three-year period preceding this proposal been convicted 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;

Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and

Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) 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 participant shall attach an explanation to this proposal.

\* \* \* \* \*

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 contractor certifies that it shall 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 work place and specifying the actions that will be taken against employees for violation of such prohibition.

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

Providing each employee with a copy of the Contractor's policy statement.

Notifying the employees in the Contractor's policy statement that, as a condition of employment under the grant, employees will abide by the terms of the policy statement and notifying the Contractor in writing within five (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace.

Notifying the grantor agency, South Texas Workforce Development Board in writing, within ten (10) calendar days of the Contractor's receipt of a notice of conviction of an employee.

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.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**ATTACHMENT D**  
**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 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 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 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 tax to the State of Texas.

\_\_\_\_\_  
Name of Applicant/Organization

\_\_\_\_\_  
Name and Title of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative/ Date

**ATTACHMENT E**  
**CERTIFICATION REGARDING CONFLICT OF INTEREST**

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

- (1) No manager, employee or paid consultant of the Applicant is a member of the Board, or a manager of the Board;
- (2) No manager or paid consultant of the Applicant is a spouse to a member of the Board or a manager of the Board;
- (3) No member of the Board or an employee of the Board owns or controls more than ten percent (10%) in the Applicant;
- (4) No spouse of a member of the Board or employee of the Board is a manager or paid consultant of the Applicant;
- (5) No member of the Board, President, or employee of the Board receives compensation from Applicant for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;
- (6) Applicant has disclosed within the Proposal any interest, fact or circumstance that does or may present a potential conflict of interest;
- (7) Should applicant fail to abide by the foregoing covenants and affirmations regarding conflict of interest. Applicant shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with the Board and shall immediately refund to the Board 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 Board relating to that contract.

Name of Applicant: \_\_\_\_\_

Name/Title of Authorized Signatory: \_\_\_\_\_

Signature: \_\_\_\_\_

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

**ATTACHMENT F**  
**ASSURANCES AND CERTIFICATIONS**

Applicant warrants and assures the information contained in this proposal is true and correct and the costs described accurately reflect the cost of providing services.

No employee, member of a government board or board of directors, or any other individual associated with an organization or individual person offering a proposal under this Request for Quote has offered or will offer any gratuities, favors, or anything of monetary value to any member of the South Texas Workforce Development Board, or any employee of the WSST Workforce Development Board for the purpose of or having the effect of influencing the decisions of the Board with respect to the organization or individual's proposal or any other proposal.

No employee, member of a governing board or board of directors, or any other individual associated with an organization or individual person offering a proposal under this Request for Quote has engaged or will engage in any activity which may be construed in restricting or eliminating competition for funds available under this Request for Quote.

The organization or individual possesses the legal authority to offer this proposal.

If the applicant is an organization, a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the submission of this proposal.

No person will be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in the administration of or in connection with any program operated with funds from this Request for Quote because of race, color, religion, sex, national origin, age, disability, sexual orientation, or political affiliation or belief.

We understand and agree that the WSST 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 WSST prior to execution of a contract.

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

We understand and agree that the WSST 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.

Applicant will abide by the rules of the laws, acts, codes, etc. and all applicable rules and regulations promulgated there under, as a condition to award of contract from the South Texas Workforce Board with respect to operation of programs or activities and all agreements or arrangements to carry out Board funded programs or activities.

By signing I acknowledge that I agree to these assurances and certifications and that I am authorized to bind the organization I represent to these requirements should this proposal be accepted for funding.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Proposing Organization Authority

\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date



## ATTACHMENT G

### Certification of Non-Discrimination & Equal Opportunity Provisions of the Workforce Investment Act of 1998 (WIA)

#### 29 CFR PART 37—IMPLEMENTATION OF THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE WORKFORCE INVESTMENT ACT OF 1998 (WIA)

(a)(1) Each application for financial assistance under Title I of WIA, as defined in §37.4, must include the following assurance:

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

Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I—financially assisted program or activity;

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

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

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

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

The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Applicant's signature below indicates organization is agreeing to comply fully with the assurance and certifications as part of its responsibilities as a successful contractor.

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Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

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Printed Name and Title \_\_\_\_\_