



REQUEST FOR PROPOSALS

For

FINANCIAL MONITORING SERVICES

Release Date: February 25, 2019

Submission Deadline: March 21, 2019 by 12:00 PM (CST)

Issued by:

Workforce Solutions for South Texas
Rogelio Trevino, Executive Director
500 E. Mann Rd. Suite B5
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Auxiliary aids and services are available upon request to individuals with disabilities.
Relay Texas: (800)735-2989 (TDD) or (800)735-2988(Voice) or 711

PART ONE - INTRODUCTION

Background

The Workforce Solutions for South Texas (Board) is one of the 28 workforce boards established by the Texas Legislature in 1995. In accordance with the Workforce Investment Act and the Texas Workforce Legislation, the Board is a volunteer body appointed by the Chief Elected Officials of each of the counties served in the South Texas Workforce Development Area (South Texas WDA). As the grant recipient and administrative entity for South Texas WDA, the 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 Board oversees workforce services provided in Jim Hogg, Webb and Zapata Counties for the current, emerging and transitional workforce.

The Board's spectrum of responsibility also includes accountability, monitoring, and oversight functions of all training services, policy and program guidance, performance evaluations and the procurement and selection of service providers.

Purpose of this Request for Proposals (RFP)

The purpose of this RFP is to solicit proposals from qualified organizations/firms to perform independent financial monitoring services of the Board and its subcontractors, primarily the operators of Workforce Center Programs and Child Care Services Program. In addition, the financial monitor shall perform other related reviews and consultation of program related functions of the Board as deemed necessary to ensure compliance and fiscal integrity.

Board Area Information

Below is a listing of major Board contractors. The Board may include into the monitoring plan and schedule additional special programs, other funding sources, non-financial partners, training providers, and other partners.

Contractor
SERCO of Texas, Inc.
SERCO of Texas, Inc.

PART TWO-GENERAL INFORMATION

2.1 Contract Information

A. TYPE OF CONTRACT-The Board intends to negotiate a Fixed Price contract with a successful proposer.

B. TERM OF CONTRACT-The contract resulting from this procurement will be negotiated for one (1) year, April 1, 2019 to March 31, 2020. The contract may be renewed up to three (3) times in one year increments at the Boards discretion based on performance of independent monitor services and the Boards availability of funding. Below are the contract periods:

Initial Contract Period:	April 1, 2019 to March 31, 2020
Second Year Period:	April 1, 2020 to March 31, 2021
Third Year Period:	April 1, 2021 to March 31, 2022
Fourth Year Period:	April 1, 2022 to March 31, 2023

The Board may extend the contract for an additional year (fifth year) or on a month-to-month basis, contingent to non-resolved audit or monitoring reviews or other unforeseen circumstances that require an extension. Otherwise, the term of the contract will remain as described above.

C. FUNDS AVAILABLE-No specific amount of contract award has been prescribed. The actual amount of the contract award will be based on the proposed/approved budget, as well as Board standards for use of public funds (i.e., costs be reasonable, allowable and allocable to the proper grant/cost categories).

2.2 Authorized RFP Contact

Bertha Millan
Workforce Solutions for South Texas
500 E. Mann Rd. Suite B5
Laredo, Texas 78041
(956) 722-3973 - Phone
(956) 725-2341 – Fax
bertha.millan@southtexasworkforce.org

2.3 Schedule of Events

RFP Release Date:	February 25, 2019
Bidders' Conference:	None
Bidders' Q&A Due:	February 28, 2019
Bidders' Q&A Released:	March 1, 2019
Proposal Submission Date:	March 21, 2019 by 12:00 PM (CST)
Proposal Evaluation:	March 21 - 26, 2019
Board Approval:	March 28, 2019
Contract Start Date:	April 1, 2019

2.4 RFP Submission Information and Proposal Due Date

The response deadline is **12:00 P.M. (CST) on March 21, 2019**. Proposals must be officially received by this deadline. Official receipt of proposals will be entered on a receipt log, and a receipt form will be issued by the Board, if it is requested by the bidder. Bidders 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.**

Submission Information

Proposers may mail proposals or hand deliver:

Mail:

Bertha Millan
Workforce Solutions for South Texas
P. O. Box 1757
Laredo, Texas 78044-1757

Hand Deliver:

Bertha Millan
Workforce Solutions for South Texas
500 E. Mann Rd. Suite B5
Laredo, Texas 78041

Proposal Content

Proposer must submit one (1) original and three (3) copies of the completed proposal. The bidder is responsible for ensuring that the copies contain all of the required elements of the proposal. Incomplete copies may result in the bidder being deemed nonresponsive to the RFP. Any proprietary information should be clearly marked as confidential. All proposals and their accompanying attachments will become the property of WSST Board after submission and will not be returned. The proposal must be in the exact order as follows:

- 1. Cover Page**
- 2. Statement of Work**
- 3. Budget**
- 4. Certifications**
- 5. Attachments**

Submit one (1) electronic copy of the Proposal on a USB Drive.

Format

Proposals must be typed in no less than 12 point font, double spaced, throughout the document and submitted on 8 1/2 x 11 inch paper. Colored displays and promotional material are discouraged. Emphasis must be placed on addressing all the requirements of this RFP in a clear and concise manner.

2.5 Bidders Conference

A bidders' conference will not be held.

2.6 RFP Questions

Questions regarding this solicitation shall be submitted by email to Bertha Millan at bertha.millan@southtexasworkforce.org. Questions will not be accepted after 5:00 PM (CST) on February 28, 2019. Verbal questions will not be accepted or responded. A question and answer document regarding questions submitted will be posted at: www.southtexasworkforce.org on March 1, 2019.

PART THREE-SCOPE OF WORK

3.1 Scope of Work

Respondents to this solicitation must have extensive knowledge in the following rules and regulations:

- Workforce Innovation and Opportunity Act; federal regulations 20 CFR Parts 652 and 660 through 667;
- Wagner-Peyser Act of 1933, as amended, [29 USCA S. 29 et seq.];
- Portions of the Social Security Act [42 USC §301, et seq.];
- Food Stamp Act of 1977 [7 USC § 2000 et. seq.];
- Personal Responsibility and Work Opportunity and Reconciliation Act of 1996 [Public Law 104-193];
- Title IV-A of the Social Security Act, as amended by the Balanced Budget Act of 1997 [PL 105-33]; federal regulations 20 CFR Part 645 Welfare-to-Work (WtW) Grants; Final Rule; Interim Final Rule; and the Welfare to Work and Child Support Amendments of 1999, contained in Title VIII of H.R. 3424, Consolidated Appropriations Act for FY2000, 42 USC 601 through 619;
- Federal regulations issued by the U.S. Department of Health and Human Services at 45 CFR Parts 270 through 275, inclusive, for services funded by Temporary Assistance to Needy Families; federal regulations issued 45 CFR Part 260, et al.
- Federal regulations issued by the U.S. Department of Agriculture at 7 CFR §271 through 273 Food Stamp employment and training services;
- Federal laws and regulations concerning nondiscrimination and equal opportunity; federal labor laws and standards;
- State legislation Senate Bill 642 as amended by House Bill 1863;
- Sections of the Texas Administrative Code Title 40, Part 20 and the Texas Government Code Chapter 2308, as they pertain to workforce

- center systems, operations and programs;
- Strategic plan and policies of WSST Board related to federal workforce center programs and operation, and
- Other applicable rules, regulations and policies.

For more information, visit the Texas Workforce Commission website at:
www.twc.state.tx.us

In addition, Individuals or firms responding to this RFP will demonstrate:

1. Knowledge of requirements and application of the federal OMB cost and administrative circulars, Texas Uniform Grant Management Standards, and the Texas Workforce Commission's financial manual
2. Knowledge of requirements for auditing public funds
3. Experience in conducting financial audits and reviews, particularly of public funds and organizations, including community-based organizations and public/private colleges and universities
4. Experience in auditing or reviewing large organizations
5. Knowledge and experience in auditing or reviewing organizations operating with federal workforce dollars
6. One or more principals with a license to practice as a Certified Public Accountant in the State of Texas.
7. If proposal is submitted by a firm, the firm must have a current firm license and be registered with the Texas State Board of Public Accountancy.
8. The proposer must be knowledgeable and experience in performing financial reviews in the following areas:
9. Coordination of monitoring plans and activities with Board and contractor staff;
10. Desk and on-site review of contractors;
11. Review, evaluation and testing of contractor's internal control system;
12. Review of fiscal policies and procedures;
13. Review of procurement and contract policies and procedures;
14. Review of personnel policies and procedures to include job descriptions;
15. Review and testing of property and inventory policies and procedures;
16. Review and testing of payroll records;
17. Review and test automation policies and procedures, to include disaster recovery;
18. Review of insurance policies;
19. Review of record's management policies and procedures;
20. Review of internal monitoring policies and procedures;

21. Review of indirect cost rate plans and cost allocation plans;
22. Review of contractor's tax filings;
23. Review of leases and all subcontracts;
24. Review of vendor/provider agreements;
25. Review of contracted performance measures and attainment;
26. Review and testing of financial transactions;
27. Review of budgets and expenditures;
28. Review of financial statements and reports;
29. Review of funds management;
30. Review and testing of certified local matching funds received and expended appropriately;
31. Review of contract and fiscal year closeouts and reconciliation to Board's records;
32. Follow-up on any corrective action plans and/or outstanding audit issues;
33. Review of board minutes and/or ordinances as appropriate;
34. Review of contractor's program income or profit, as applicable;
35. Development of any corrective action plans, as appropriate;
36. Follow-up implementation of corrective action plans;
37. Other related services as requested or required by the Board.

3.2 Statement of Work

- Conduct, quarterly comprehensive financial monitoring review of Board's workforce center operator and child care contractor. At a minimum, a comprehensive annual financial monitoring review is required for other contractors.
- Provide additional monitoring as necessary based on the results of a risk assessment, prior monitoring reports, or other available information.
- Development of monitoring tools based on TWC monitoring requirements and Board's contract requirements.
- Development of risk assessment tool for each monitoring activity, program and/or contractor.
- Development of a reporting plan, with timeframe for report submission to Board.
- Development of a follow-up plan to ensure implementation of corrective action plans(s) based on monitoring review(s).
- Development of recommendations for resolving compliance issues.
- Preparation and submission of monitoring reports on each program/contractor, detailing all identified deficiencies and required corrective actions.
- Provide follow-up monitoring reports as necessary or required.
- Board may require special reviews of contractors dependent upon results of monitoring reports, audits, or other information.
- Perform other related reviews and consultation of financial related functions of Board as deemed necessary to ensure fiscal integrity

Monitoring Report Specifications

The contractor will issue a separate report for each Board contractor monitored. The report will consist, but is not be limited to, the following elements:

1. Scope of services of the engagement
2. Description of the documentation and systems that have been reviewed.
3. Findings and/or observations for each service reviewed. Identify strengths and weaknesses of the Board's contractor evaluated.
4. Reasons improvement is needed for each area reviewed.
5. Consequences of identified weaknesses.
6. Recommendations for improvement and development of corrective actions plans, if applicable, for each are reviewed.
7. Draft reports will be forwarded to Board within 30 workings days from contractor exit conference.
8. Final reports will be prepared after approval is received from Board.

PART FOUR - INFORMATION TO BE PROVIDED

A. Organizational Qualification Statement (Total 40 Points)

In a narrative of unspecified length, address the following:

1. How many full-time, permanent employees are in your organization and what are their names and job titles? How many contract employees do you use and in what capacity?
2. Name the principals in your organization and provide their length of service with the organization, titles, and a brief description of their areas of responsibilities. Which principals, if any, would be assigned to the Board project?
3. Who controls the management of your organization?
4. List the project team you would assign to the Board and describe the members' qualifications and work experience, particularly their experience in financial monitoring of federal workforce programs. Describe their professional credentials and provide their resumes.
5. How would the Board liaison work with your organization's management?
6. Will you use subcontractors or contract employees in your Board project? If yes, describe how they will work with your project team to conduct financial monitoring.
7. List clients you have worked for in the past five years that gives your organization comparable experience to that required for this project. Provide reference information (contractor name, contact

name and title, date of services, type of services, address, and telephone number) for these clients so we may contact them.

8. List any of our current contractors that your firm is or has conducted audits for over the past five years.
9. List professional organizations to which principals, members of the proposed Board project team, or the firm belong.
10. Describe your experience in making effective presentations about workforce programs to governing boards, federal and/or state regulators.

B. Proposal for Services (35 Points)

This narrative of no more than 5 pages should detail your company's experience and approach to financial monitoring.

C. Budget (25 Points)

Provide a budget that describes the hourly rate and number of hours proposed to complete scope of services. Also, detail estimates for travel expenses and any other related costs.

D. Historically Underutilized Business (5 Points)

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.

PART FIVE – GOVERNING PROVISIONS

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

- A. The purpose of this RFP is to ensure maximum, open, free competition in the solicitation of 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 obligate the Board to award any contract or to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by the Board.
- B. It is the policy of the Board to encourage and support equal opportunity in the purchase of goods and services. The Board shall comply with all Equal Opportunity requirements in the procurement of all goods and services.
- C. The Board reserves the right to accept or reject any or all proposals received, or to cancel or reissue this RFP in part or its entirety.
- D. The Board reserves the right to award a contract for any services or groups of services solicited via the RFP in any quantity the Board determines is in its best interest. It further reserves the right to make no

- award as a result of this solicitation for any services or group of services if in the Board's best interest.
- E. The Board reserves the right to correct any error(s) and/or make any changes to this solicitation as deemed necessary. The Board will provide notification of such changes to all bidders recorded in the Board's Distribution Log & Receipts Record as having received or requested an RFP.
 - F. The Board reserves the right to negotiate the final terms of any contract awarded as a result of this solicitation with the bidder selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended to successfully meet the needs of the Workforce Development Area (WDA).
 - G. The Board reserves the right to contact any individual or entity listed in the proposal that may have knowledge of the proposer's experience, performance and qualifications.
 - H. The Board reserves the right to terminate or cancel this RFP and any contract action if funding is not available.
 - I. Proposers shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee or agent of the Board for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder. In addition, no employee, officer, or agency of the Board shall participate in the selection, award or administration of contract supported by grant funds if a conflict of interest, real or apparent, would be involved.
 - J. Proposers shall not engage in any activity, which will restrict or eliminate competition. Violation of this provision may cause a proposal to be rejected. This does not preclude joint ventures.
 - K. The contents of a successful proposal may become a contractual obligation if selected for award. 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 successful proposer as a basis for release of proposed services at stated price/cost.
 - L. The Board reserves the right to request clarification of, explanation for, or verify any aspect of a response to this RFP, and to require the submission of any price, technical, or other revision to the RFP that results from negotiations conducted.
 - M. The Board reserves the right to award to other than the lowest proposer.
 - N. The Board reserves the right to award without discussion.
 - O. The Board reserves the right to reject any proposal that fails to conform to the essential requirements of the RFP.
 - P. The Board reserves the right to extend, shorten, increase or decrease any contract awarded as a result of this RFP.
 - Q. Proposers shall not contact any Board member or Board staff, with the exception of the RFP contact person, during solicitation or evaluation period.

- R. Proposers may be contacted during the evaluation process to provide clarification on the submission of the proposal.

PART SIX - PROPOSAL EVALUATION AND SELECTION PROCESS

Determination of Responsiveness

All proposals received/delivered by the deadline will be reviewed for responsiveness to the RFP requirements (required number of copies, format, content, order, forms, etc.). Incomplete proposals will not be reviewed or considered in the evaluation process. This includes, but not limited to missing forms, and unsigned certification form(s).

Evaluation Criteria

The process for evaluation proposals includes: (1) review and scoring by Board administrative staff; and (2) review and approval by the Board. All proposals determined to be responsive will be evaluated using the criteria listed below:

A. Organizational Qualifications	40 points
B. Proposal for Services	35 points
C. Budget	25 points
D. HUB (Historically Underutilized Business)	<u>5</u> Bonus Points
Total 105 Points	

Proposal must meet the threshold of 70 point average for consideration.

Debriefing and Appeal 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 Quality Assurance/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 Rd. Suite B5
P.O. Box 1757
Laredo, Texas 78044-1757

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.

**Proposal for Financial Monitoring Services
Workforce Solutions for South Texas**

Proposal Cover Sheet

Name of Bidder:	
Mailing Address:	
Physical Address (if different):	
Phone Number:	Fax Number:
Proposal Contact Person:	
Title:	
Contract Signatory Authority Name:	
Contract Signatory Authority Signature:	
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 bidder certified as a historically underutilized business? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, attach copy of certification	

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

- A. The grantee certifies that it will continue to provide a drug-free workplace by:
- (1) 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.
 - (2) Establishing an ongoing drug-free awareness program to inform employees about:
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
 - (3) Making it a requirement that each employee be engaged in the performance of the grant be given a copy of the statement required by paragraph (1).
 - (4) Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will
 - (a) Abide by the terms of this agreement;
 - (b) 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 conviction;
 - (5) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (4)(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the

convicted employee was working, unless The Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number (s) of each affected grant.

- (6) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4) (b), with respect to any employee who is convicted-
 - (a) Taking appropriate personnel action against an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee 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;
- (7) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6).

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:

Check [] if there are workplaces on file that are not identified here. Not applicable

Name of Applicant Organization: _____

Name of Title of Authorized Signatory: _____

Signature: _____ Date: _____

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations and implementing Executive Order 12549. Debarment and Suspension, 20 CFR Part 98, Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19610-19211).

(Before completing certification, read attached instructions which are an integral part of the certification)

- 1.) The prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
- 2.) 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.

Name and Title of Authorized Representative:

Signature

Date

**CERTIFICATION REGARDING LOBBYING, CERTIFICATION FOR
CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENT**

The undersigned certifies, to the best of his or her knowledge and belief, that:

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

This certification is 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 imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

Name of Applicant Organization:

Name of Title of Authorized Signatory:

Signature: _____ Date: _____

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 Policy Board, the President, or an manager of the STWDB;
- (2) no manager, or paid consultant of the Proposer is a spouse to a member of the Policy Board, the President, or an manager of the STWDB;
- (3) no member of the Policy Board, the President or an employee of the STWDB owns or controls more than a 10 percent of the proposing agency;
- (4) no spouse of a member of the Policy Board, President, or employee of the STWDB is a manager, or paid consultant of the Proposer;
- (5) no member of the Policy Board, President or employee of the STWDB 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 interests;
- (7) should proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with the STWDB and shall immediately refund to the STWDB 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 STWDB relating to that contract.

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____