



REQUEST FOR PROPOSALS

FOR

Workforce Center Lease Space Located in Laredo, Texas

Release Date: February 25, 2019

Bidder's Tele-Conference: March 5, 2019

Submission Deadline: April 30, 2019 by 12:00 PM (CST)

Issued by:

**Rogelio Treviño, Executive Director
Workforce Solutions for South Texas
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Relay Texas: (800)735-2989 (TDD) or (800)735-2988(Voice) or 711

PURPOSE AND BACKGROUND INFORMATION

Purpose

The Workforce Solutions for South Texas (WSST) is soliciting proposals for lease space for a workforce center to be located in Laredo, Texas (current site is located at 2389 E. Saunders, Laredo, Texas 78041). The purpose of this Request for Proposal is to identify the best lease site to provide workforce service programs.

This Request for Proposal is being done in compliance with the Texas Workforce Commission's Financial Manual for Grants and Contracts (FMGC), federal, and state requirements that apply to recipients of TWC funds. The method of procurement is the Competitive Proposal Method (see TWC FMGC, Chapter 14 Procurement). Proposals will be rated by a minimum of three evaluators that will utilize the criteria found later in this document, recommendation for selection to the WSST Board will be made based on the criteria points awarded to each proposer. Rating points will be aggregated and divided by the number of evaluators to establish a ranking order. The WSST Board will take action on the procurement results, if recommendation of ranking is approved, negotiations will begin with the top ranked bidder. A bidder may submit separate bids on different locations. Each bid must conform and be responsive to the specifications that follow. The contract executed as a result of this RFP will be a fixed priced contract based on square footage.

WSST Board reserves the right to reject any and all proposal bids or to waive any irregularities in any proposal bids or in the procurement document, and to be the sole judge of the merit and qualifications of products and services offered and may accept whatever proposal bid is deemed to be in the best interest of the WSST Board.

Background

WSST serves as the administrative entity for federal and state workforce programs and funds allocated to the three-county WSST workforce development area – Jim Hogg, Webb and Zapata. WSST is organized as a non-profit corporation in the State of Texas and maintains a 501(c)(3) tax-exempt status from the IRS. WSST's primary responsibility is to provide policy and program guidance and to exercise independent oversight, and evaluation of workforce development programs and services that affect area employers, resident and job seekers. An essential goal of WSST is the development and implementation of coordinated activities among local workforce system programs.

WSST is charged with the development of a workforce system that will provide expanded and improved employment related services to the WSST workforce development area. A key element of the system is a Workforce Solutions Center where all workforce development services are initiated.

Workforce development services under programs administered by WSST are delivered through a network of one-stop job centers, commonly known as workforce solutions centers, that serve as hubs connecting job seekers and employers.

The workforce solutions center customers access an array of services through these centers, including, but not limited to:

- Employers can utilize workforce centers for job interviews, hiring fairs, information about resources to assist in skill development for employees
- Job Seekers have public access to computers, online job sites, copiers, fax machines, telephones, etc. for self-help job seeking services
- Job Fairs
- Job search workshops
- Career and labor market information
- Information on area training programs and providers
- Assistance with unemployment insurance claims
- Career counseling
- Case management
- Job development and placement assistance
- Skill testing and assessment
- Eligibility determination for workforce programs
- Referrals to other community resources
- Financial assistance for education and training
- Supportive services (e.g. child care, transportation, emergency assistance, etc.)
- Each workforce solutions center provides space for staff, public reception area, public resource room, computer labs, classroom space, and storage.

The WSST Workforce Solutions Center maintains hours of operation Monday through Friday - 8am-5pm.

EVALUATION CRITERIA

Proposals will be evaluated according to the following criteria and possible points:

- A. Proposed Facility – 45 Points
- B. Reasonableness of Cost – 45 Points
- C. Other – Value Added – 10 Points
- D. HUB – Points – 5

A minimum aggregate average score of 75 points is required to be considered for selection.

STATEMENT OF NEED

This section provides an explanation of facility lease needs, requirements and specifications. Costs associated with preparing the facility (build-out, renovations, wiring, etc.) will be the responsibility of the building owner/landlord, with costs being built into and amortized over the period of the lease. Building owner/landlord shall be responsible for contracting and managing all aspects of building renovations in consultation with WSST.

Criteria A – Proposed Facility

Location:

Office space is to be located within Laredo, Texas and shall be in a location that is properly zoned to allow workforce center service usage and shall comply with all local, state, and national codes, ordinances and regulations governing the particular class of facility, as interpreted by the inspecting authority (ies).

Facility must be proximate to a major thoroughfare with easy access and must be served by major public transportation.

Specifications and Requirements:

- Facility will be ready for occupancy, with all site requirements, on or about January 2020, or a reasonable negotiated time following award of lease agreement.
- Approximately 30,000 square feet in a location that is appropriately zoned for office usage.
- The preferred property design would ensure maximum utilization of space, optimal customer flow, and minimization of on-going maintenance and utility costs.
- Heating and air conditioning systems should allow for independent operation for zones within property to eliminate unnecessary heating/cooling, when only a portion of the property is in use. Operation and metering of utilities must be separate, if the property is part of a multi-unit property.

Exterior of Facility must have the following:

- If applicable, shrubs, grass, landscaping, and automatic irrigation system shall be provided and maintained by the builder/owner.
- Site must have a designated dumpster location.
- Paved, off-street parking. Parking area must have sufficient curb cuts and ramps in the parking and drop-off areas as required by Texas Accessibility Standards (TAS 4.7.1).
- Compliance with the American Disabilities Act (ADA); to make all necessary required accommodations for persons with disabilities i.e. ramps, doors, signage, restrooms, etc. ADA requirements may be downloaded from the following website address: <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards>
- Adequate accessible entrances as required by Texas Accessibility Standards (TAS) 4.13 and 4.14.1 and 4.13.11.
- Exterior of the building should be attractive, quality construction with brick veneer or an alternative acceptable to the Board.
- Sign indicating Workforce Solutions Center location must be visible to the general public.

Interior of Facility must have the following:

- Interior finishes provided (carpet, resilient flooring, ceramic tile, cove base, vinyl wall coverings, paint, ceiling systems, and interior sign) shall be commercial quality and be recently updated.
- Office/Cubicles must be provided.
- Office/Cubicle/Computer Labs must be wired to accommodate computer stations, and telephones.
- Storage Rooms for computer server & related equipment must have temperature control.

- Facility must be asbestos-free, or an asbestos-managed environment in compliance with the Texas Department of Health, and must be in compliance with Fire Codes, and ADA.

CRITERIA B - REASONABLENESS OF COST – 45 POINTS

Base lease/rent amount per square foot (includes landscaping, and maintaining grass and shrubs, repair and maintenance of plumbing, electrical, HVAC, roof, foundation, flooring, elevators, doors, corridors and windows and other structures or equipment serving the facility, annual inspections of fire alarms and fire extinguishers, pest control, security, and any items considered long-lived assets. Such costs shall not be the responsibility of WSST), plus one of two options:

Option 1 – WSST pays all utilities or

Option 2 – Landlord provides and pays for all utilities (except telephones)

- WSST is willing to enter into a five (5) year lease (one-year lease terms, renewed annually), with the option to renew for an additional five (5) year period.
- Lease provisions will include an early termination clause (without penalty) should WSST suffer a loss of its public funding.
- Facility will be ready for occupancy, with all site requirements, on or about January 2020 or a reasonable negotiated time following award of lease agreement.
- Restrictions the landlord will require for the tenant – (submit draft copy of proposed lease)

CRITERIA C - OTHER - VALUE ADDED – 10 POINTS

- Qualifications/experience of key management and professional personnel.
- Value over specifications
- Additional information or other amenities believed to be an asset of this location.

CRITERIA D - HUB – 5 POINTS

- Must submit copy of valid Historically Underutilized Business Certification to receive points.

METHOD OF BID EVALUATION

The activities requested in this RFP will be procured competitively based on responsiveness to the RFP and reasonableness of costs. This will include review and evaluation of proposals by a designated independent review team.

Evaluation of Proposals – The evaluation process will include the following steps:

- Step 1 –Determination of responsiveness of each proposal received in terms of the requirements and specifications contained in this RFP will be initially done. Proposals deemed as non-responsive will not be considered for review/selection/award.
- Step 2 – Responsive proposals will be evaluated and scored using a standardized instrument listing

the criteria contained in this RFP. Independent Reviewers may be taken on coordinated site visits to correlate submitted site and floor plans and for any applicable Q/A.

- Step 3 – Scores will be aggregated and divided by the number of evaluators to determine a rank of proposals. Proposals not meeting the aggregate minimum of 75 available points are deemed outside the competitive range and not considered for funding.
- Step 4 - Review team's recommendation is presented to WSST for a vote.
- Step 5 – Negotiations will begin with the top ranked proposals. WSST Board staff will notify all proposers of their selection or non-selection through a formal award letter.

INFORMATION ABOUT PROCUREMENT PROCESS AND INSTRUCTIONS FOR SUBMITTING PROPOSALS

The attached materials are provided to describe detailed activities, which need to be completed for submission of a proposal. Please submit bid proposal in the following order, bids must include Attachments and the Exhibits to be considered responsive.

PROPOSAL COVER SHEET

APPLICATION – PROPOSAL QUESTIONS

LEASE COPY

SITE/FLOOR PLAN

ATTACHMENT A CERTIFICATION OF PROPOSER

ATTACHMENT B CERTIFICATION REGARDING DEBARMENT, DRUG-FREE WORKPLACE, AND LOBBYING

ATTACHMENT C TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

ATTACHMENT D CERTIFICATION REGARDING CONFLICT OF INTEREST

ATTACHMENT E ASSURANCES AND CERTIFICATIONS

ATTACHMENT F CERTIFICATION OF NON-DISCRIMINATION & EQUAL OPPORTUNITY

The forms may be recreated for ease of word-processing, but failure to follow these instructions can result in disqualification of the proposal if the omission or mistake is material to determining the responsiveness of the proposal. Bidder may request the forms via e-mail or supply diskette for copy. The Request for Proposal will also be posted on WSST's website - <http://www.southtexasworkforce.org>.

PRE-PROPOSAL TELE-CONFERENCE

A pre-proposal tele-conference for prospective proposers to learn more about this RFP and to ask questions will be conducted on March 5, 2019 at 10 a.m. – to receive the call-in number, a proposer must make a request by e-mailing Bertha Millan at 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 February 25, 2019. Questions may be faxed, emailed, or mailed to Bertha Millan. The Questions and Answers (Q&A) will be posted on the Workforce Solutions for South Texas website on March 8, 2019, they will also be sent via e-mail to all proposers that request the tele-conference number. Submit questions to:

Bertha Millan
500 E. Mann Rd. Suite B5
Laredo, Texas 78041
(956) 722-3973 ext. 245

WSST Board staff may not provide individual assistance in writing proposals; only technical questions will be answered. This conference offers potential bidders the only opportunity to obtain guidance on the scope and nature of the RFP or to ask other technical questions concerning this solicitation.

DEADLINE FOR PROPOSAL SUBMISSION

The deadline for submission in response to this Request for Proposal (RFP) is **April 30, 2019 by 12 noon.** All responses must be received by that date, regardless of date of postmark in order to be considered on time. One (1) Original and three (3) copies of each bid must be received no later than 12:00 Noon. Bids received after the indicated date and time will not be accepted or considered for award. Timely delivery of bids to Board is the sole responsibility of the offeror. Absolutely No Exceptions Will Be Made! Completed proposals must be submitted by mail or delivered in person to:

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

All documents must be legible, complete and fully assembled. Please mark the outside of the envelope - Lease Space for Workforce Solutions South Texas. Unless requested by the WSST, no additional information will be accepted from a bidder after the deadline for submission of proposals. (Note: All proposals will become the property of WSST).

WITHDRAWAL OF PROPOSALS

The applicant or his/her authorized representative identified in Attachment A and the Cover Sheet may withdraw proposals prior to scheduled closing time of receipt of bids.

TIMELINE FOR RFP PROCESS

- Issue Date: February 25, 2019
- Bidder's Tele-Conference: March 5, 2019 at 10:00 a.m.
- Bid Due Date and Time: April 30, 2019 by 12 PM (CST)
- Evaluation Period with Possible Site Visits: May 1 – May 15, 2019
- Recommendation to WSST Board: May 23, 2019

- Notice of Award: May 28, 2019
- Begin Negotiations and Final Execution of Lease Contract: Upon Notice

GENERAL CONDITIONS

1. The only purpose of this Request for Proposal (RFP) is to ensure uniform information in the solicitation of proposals and procurement of services. This RFP is not to be constructed as a purchase agreement or contract or as a commitment of any kind; nor does it commit WSST to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by WSST.
2. The WSST Board reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part or in its entirety.
3. The WSST Board reserves the right to negotiate the final terms of any and all contracts or agreements with bidders selected.
4. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded.
5. Proposer 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 WSST Board, Inc. for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
6. No employee, officer, member or agent of the WSST Board shall participate in the selection, award or administration of a contract if a conflict of interest, or potential conflict, would be involved.
7. Proposer shall not engage in any activity that restricts or eliminates competition. Violation of this provision may cause a proposer's bid to be rejected. This does not preclude joint ventures or subcontracts.
8. Any bidder may withdraw his/her bid either in person or by written request by a duly authorized representative at any time prior to the scheduled closing time for receipt of bids.
9. All contracts are contingent upon availability of funds from the U.S. Department of Labor and/or Texas Workforce Commission.
10. No contract may be awarded until bidder has complied with Executive Order 1254929CRF, Part 98 by submitting to the Board a signed Certification of Debarment, which states that neither the bidders, nor any of its principals, are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in a procurement by any Federal department or agency. (See Attachment B).
11. Proposal must be manually signed by a person having the authority to bind the organization in a contract. (See Attachment A).
12. Any material that is to be considered as confidential in nature must be clearly marked as such and will be treated as confidential by WSST to the extent allowable in the Public Information Act.
13. The Board is willing to enter into a five (5) year lease (one year lease terms, renewed annually), with the option to renew for an additional five (5) year period.

14. Funding for goods or services requested in this RFP is contingent upon WSST's actual receipt and availability of funds from the Texas Workforce Commission.
15. WSST is an equal opportunity employer and complies fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation and Opportunity Act (WIOA), 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 WIOA Title I- financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis 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.
16. WSST Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. No protest shall be accepted by the grantor (State) until all administrative remedies at the grantee level have been exhausted. This includes, but is not limited to, disputes, claims, protests of selection or non-selection for award, or other matters of a contractual or procurement nature. Matters concerning violation of laws shall be referred to such authority, as may have proper jurisdiction.
17. 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 ranked. 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 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.
18. 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
Laredo, TX 78041

19. 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.

20. 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.
21. 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.
22. 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.

ATTACHMENT A - PROPOSAL COVERSHEET – RFP WSST WORKFORCE CENTER LEASE SPACE

Individual/Organization name	
Mailing address	
Physical address (if different from above)	
City/State/Zip	
Contact person	
Contact Person Phone Number	
Contact Person Fax Number	
Contact Person Email Address	
Type of organization	<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: _____
Federal Employer ID	
Texas State Comptroller ID	

Typed Name & Title of Authorized Signatory	
Signature & Date	

PROPOSAL QUESTIONS AND CRITERIA

CRITERIA A – FACILITY - 45 POINTS - Bidders should describe/address the following in compliance with requirements described on pages 4 and 5:

(1) Location of Facility –

- 1.1 Does the location have easy access?
- 1.2 Is there major public transportation nearby?
- 1.3 Does the proposed office space comply with the American with Disabilities Act (ADA) requirements? If not, will you provide the required renovations to comply?

(2) Provide information about when the site will become ready for occupancy – include estimated number of days for delivery of facility.

(3) Approximate square feet

(4) Exterior of Facility

- 4.1 Will the proposer provide regular maintenance to the structures during the lease, including but not limited to roof, interior/exterior walls, windows, doors, plumbing, air conditioning?
- 4.2 Will the proposer provide maintenance to the parking lot to ensure it is in usable condition?
- 4.3 Will the proposer provide adequate space and location for signs?

(5) Interior of Facility –

- 5.1 Describe the maximum utilization of space, optimal customer flow, and minimization of on-going maintenance and utility costs.
- 5.2 If necessary will you make modifications to space to meet the workforce center system needs? Please indicate in a floor /site plan the following facility requirements, the number and square footage is based on an estimation:

Minimum Quantity and Square Footage	Description and/or Intended Use
Multi- Use Rooms	
1 @ 1,140	Career/Job Seeker Resource Room/Computer Labs
2 @ 880	Meeting/Training Room
1 @ 620	Assessment Room
1 @ 400	Computer Lab
1 @ 360	Conference Training Room
5 @ 250	Enclosed File Rooms
4 @ 100	Various Use Rooms
2 @ 135	Office Machine Rooms
IT/Mechanical Storage	
1 @ 230	IT Mechanical Room

1 @ 120	Tele/Data Room
6 @ 120	Supply/Storage
2 @ 65	Wash/Janitor Closets
Bathroom/Break Rooms	
3 @ 400	Ladies Room
3 @ 400	Men's Room
2 @ 120	Client Bathrooms
2 @ 300	Employee Breakroom
Offices/Cubicle	
41 @ 100	Cubicles
19 @ 130	Offices
9 @ 170	Offices
5 @ 200	Offices
4 @ 350	Offices
1 @ 410	CSR
1 @ 290	BSR
Reception Area	
1 @ 570	Reception and Waiting Area
1 @ 490	Reception and Waiting Area
1 @ 200	Reception and Waiting Area
Exterior	
1 @ 60	Vestibule or cover area
1	Parking lot – high volume office serving 350 to 450 customers per day

CRITERIA B - REASONABLENESS OF COST – 45 POINTS

- (1) Provide a Base lease/rent amount per square foot - plus one of two options:
 - Option 1 – WSST pays all utilities or
 - Option 2 – Landlord provides and pays for all utilities (except telephones)
- (2) Will the rent remain constant during the term of the lease, if not, do you propose an escalation clause, or do you propose to review the lease rate upon each renewal subject to mutual acceptance?
- (3) Submit draft copy of proposed lease

CRITERIA C - OTHER - VALUE ADDED – 10 POINTS

- (1) Describe the qualifications/experience of assigned key management and professional personnel.
- (2) Describe any offered value over specifications
- (3) Describe additional information or other amenities believed to be an asset of this location.

CRITERIA D - HUB – 5 POINTS

- Must submit copy of valid Historically Underutilized Business Certification to receive points.

ATTACHMENT B
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 C

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 D
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 E
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 F

PART 1 Certification of Non-Discrimination & Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act (WIOA)

29 CFR PART 37—IMPLEMENTATION OF THE NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS OF THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)

(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 WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the WIOA, 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 WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA 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.

Signature

Title

Date

Printed Name and Title

