



REQUEST FOR PROPOSALS
FOR
MANAGEMENT AND OPERATION OF THE
WORKFORCE SOLUTIONS FOR SOUTH TEXAS (WSST)
CHILD CARE SERVICES (CCS) PROGRAM
JIM HOGG, WEBB AND ZAPATA COUNTIES

Release Date: May 9, 2022

Bidder's Conference: May 19, 2022 at 10:00 A.M. (CST)

Submission Deadline: June 23, 2022 by 12:00 P.M. (CST)

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Request for Proposal for Operation of the Workforce Child Care Services (CCS)

PART 1 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. The WSST Board has established three workforce centers located in Jim Hogg, Webb, and Zapata Counties.

Vision: The vision of the WSST Board is to establish and enhance a workforce development center that creatively changes and adapts to serve the needs of employers, job seekers and the general public with efficient and effective services by promoting awareness amongst stake holders, creating partnerships with other community organizations, encouraging harmony of political focus on workforce issues in the market place.

Mission: The mission of the WSST Board is to build a workforce system that will meet the needs of economic development and prepare the workforce to compete in a changing global economy.

Goals and Objectives: Some of the WSST Board Goals and Objectives for workforce development in the region include:

Focus on Employers

WSST Goal: Develop a dynamic and integrated workforce development system that meets the needs of job seekers and employers.

- Expand and improve business-driven workforce development system where employers and job seekers have access to a network of information and services.
- Strengthen and improve service delivery system throughout the workforce development area.
- Facilitate marketing strategies for employer input and develop new and innovate systems for educating South Texans.
- Ensure that local labor market information resources are available electronically.

Engage in Partnerships

WSST Goal: Develop initiatives to address workforce skills development that would enable clients to attain marketable skills in demand occupations, which will promote earnings gain and self-sufficiency.

- Partner with literacy and education agencies.
- Dropout prevention is a priority.
- Create partnerships with independent school districts and post-secondary institutions to develop programs for youth by providing post-secondary career path opportunities and training.

Align System Elements

WSST Goal: Ensure access to literacy, education, and workplace skills training.

- Develop strong partnerships with literacy and education agencies through Memoranda of Understanding.
- Set priorities of service for specific targeted populations, including job seekers with basic skill deficiencies and employment barriers.
- Provide training and technical assistance to education institutions on the changing needs of job seekers and employers.

Basic Operating Standards and Expectations for Child Care Services

The Board expects the Contractor to manage and operate the Child Care Services (CCS) program in manner that is consistent with the following standards and expectations:

- Support and contribute to the achievement of the Board's mission, vision, and goals.
- Comply with applicable laws, rules, regulations, directives, policies, plans, and contract terms.
- Implement a customer-driven system for accessing services.
- Implement timely and efficient eligibility determination, re-certification, referral and enrollment process.
- Implement continuous outreach processes.
- Provide reasonable accommodation and accessibility services to individuals with disabilities.
- Provide appropriate language accommodation for individuals with limited English proficiency.
- Work to continuously improve the quality of services and the efficiency and effectiveness of program operations.
- Maintain regular and open communications with Board staff and other contractors and partners of the Board.

- Coordinate and collaborate with other community partners to enhance and expand services and leverage resources.
- Establish a system to ensure the protection of data integrity.

PART 2 General Information

2.1 Purpose of the Request for Proposal (RFP)

WSST Board is soliciting proposals from eligible, qualified and experienced entities for the management and operation of the Child Care Services (CCS) program in the Workforce Solutions for South Texas (WSST) workforce development area. WSST Board expects to enter into a contractual relationship with a single contractor for the operation and management of the CCS program as a result of this RFP.

The WSST Board's intent by this solicitation is to obtain a qualified entity that will provide Child Care services in a manner that will enhance performance and improve the quality of customer service. Services will include:

Child Care Client Services – offer child care to eligible families and improve the quality, availability and affordability of child care in the WSST WDA;

Provider Management – recruit eligible child care providers in the three counties – Jim Hogg, Webb and Zapata to outreach and expand the availability of child care within the WSST WDA and to improve the quality of child care services provided;

Financial Management – provide financial management services for Child Care Client Services and Operations and Child Care Provider Management.

In addition, the CCS contractor will:

- Focus on providing Child Care Services that are aligned with the WSST Board's Mission, Vision and Goals;
- Work to continuously improve the performance of the CCS program, the experience of customers, and the quality of services provided including excellent customer service;
- Increase the awareness and use of Child Care Services by employers and community residents throughout the region;
- Expand and enhance existing partnerships and create new ones with other community organizations to leverage resources, and increase services and opportunities for customers;
- Meet or exceed contracted performance measures;
- Demonstrate innovation in addressing quality childcare and early childhood development;
- Comply with applicable laws, rules, regulations, directives, policies, plans and contract terms;
- Provide timely and efficient eligibility determination and referral process;
- Provide reasonable accommodation and accessibility services to individuals with disabilities;

- Provide appropriate language accommodation for individuals with limited English proficiency;
- Perform with the highest level of professionalism, integrity and business ethics.

2.2 Procurement Compliance

This RFP provides a uniform method for the procurement of specified services, providing for full and open competition. It contains the necessary background, information, requirements, and instructions for responding to this RFP. This procurement is conducted in accordance OMB Circular A-122, A-110, or applicable OMB Circular, supplemented by the final rules promulgated by the Office of the Texas Governor under the Uniform Grants Management Standards, and the Texas Workforce Commission's (TWC) Financial Manual for Grants and Contracts (FMGC). Services solicited under this RFP shall be procured under the competitive negotiation method of procurement.

2.3 Allowable and Applicable Contract Authorities

Proposers are responsible for being knowledgeable of all applicable laws, rules, regulations, directives, and policies of the funding sources identified in this RFP. Many of the contract authority items can be found on-line at: www.twc.state.tx.us or www.hhs.gov and the WSST Board's website: www.southtexasworkforce.org. The operation of the Child Care Services program includes, **but is not limited to**, the provision of allowable services and activities under the following authorities and Acts:

- Child Care and Development Block Grant Act of 1990, 42 U.S.C. §§9858 et seq.;
- Social Security Act, 42 U.S.C. §§603-619, as amended;
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. §§601 et. seq.;
- Balanced Budget Act of 1997, Public Law 105-33;
- Federal regulations for Child Care Development Fund (CCDF) at 45 C.F.R. §98 and §99;
- Federal regulations issued by U.S. Department of Health and Human Services at 45 CFR Parts 270 through 275, inclusive, for services funded by TANF; federal regulations issued 45 CFR Part 260, et al.;
- Federal laws and regulations concerning nondiscrimination and equal opportunity; Federal labor and employment laws;
- State and federal guidelines and regulations on Financial Management including appropriate OMB circulars, Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (hereafter known as "Uniform Administrative Requirements"), found in 2 CFR 200;
- Consolidated Appropriations Act of 2005, Public Law 108-447;
- Approved State Plan for CCDF;
- Approved Local Workforce Development Board Plan, including modifications and amendments;
- Texas Human Resources Code, Chapters 31, 34 and 44;
- Texas Labor Code, Chapter 302;

- 40 Texas Administrative Code (TAC), Chapters 800, 801, 802, 809, and 811;
- Rules, policies and other directives of the Texas Workforce Commission (TWC) and the WSST Board.

2.4 Coordination with Community Partners and State agencies

The selected contractor will be expected to coordinate and facilitate important partnerships between educational and economic development entities, industries, small businesses, and community and faith-based organizations that depend upon and interact with the workforce.

2.5 RFP Schedule of Procurement Process

The following schedule of events is subject to change at the discretion of the WSST Board. All requestors of this RFP will be notified of any and all changes. All times shown in the RFP are Central Standard Time (CST).

RFP Release Date	May 9, 2022
Bidder's Conference	May 19, 2022 at 10:00 A.M. (CST)
Deadline for Submitting Bidder's Questions	May 24, 2022 by 12:00 P.M. (CST)
Questions and Answer Release	May 26, 2022
Courtesy Letter of Intent to Submit Proposal	May 27, 2022
Proposal Submission Due Date	June 23, 2022 by 12:00 P.M. (CST)
Review Period (Evaluation Phase One)	June 27 – July 22, 2022
WSST Board Subcommittee Review	July 26, 2022
WSST Board Approval	July 28, 2022
Fiscal Review/Contract Negotiation Begins	August 1, 2022
Contract Start Date	October 1, 2022

2.6 RFP Release

The Request for Proposal (RFP) is available on the WSST Board's website at www.southtexasworkforce.org (click the About tab to view procurement). Copies of the RFP may be requested by sending an e-mail to bertha.millan@southtexasworkforce.org Request must include the name of the organization, contact person, mailing address, phone number and e-mail address.

2.7 Bidders Conference and Question Answer Period

A conference call for potential proposers to learn more about the proposal content and to ask questions concerning the scope and nature of the work required in this RFP will be conducted on **May 19, 2022 at 10:00 A.M.** to obtain call in information send an e-mail request to bertha.millan@southtexasworkforce.org Attendance is not mandatory but highly recommended.

Questions posed during the conference call will be answered to the extent possible and allowable at that time. Potential proposers may submit written questions via e-mail to bertha.millan@southtexasworkforce.org, Subject Line: RFP CCS Questions. Questions concerning this procurement will not be accepted after **12:00 P.M. (CST) on May 24, 2022**. Answers to all questions received during the conference call and/or via e-mail will be documented

in a question and answer document that will be uploaded at: www.southtexasworkforce.org (click the About tab to view procurement) on **May 26, 2022**.

As a courtesy to WSST, please submit a Letter of Intent to Submit Proposal (Attachment M) by 5:00 PM (CST) on **May 27, 2022** to allow evaluation phase planning.

The WSST Board members, WSST Board staff, and associated parties are precluded from entertaining any questions outside the bidders' conference and/or the written question process described above. Potential applicants 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 procurement updates, WSST Board will post all updates to the WSST Board's website: www.southtexasworkforce.org. In addition, all procurement updates will be sent directly to all proposers who submit the Courtesy Letter of Intent to Submit Proposal Form.

2.8 Submission of Proposals

Proposals are due no later than 12:00 P.M. (CST) on June 23, 2022. Official receipt of proposals will be entered on a receipt log. Faxed or e-mailed proposals are not acceptable. Proposals submitted after the indicated due date and time will not be accepted. There will be no exceptions. Proposals must be sent to the address listed below:

**Workforce Solutions for South Texas
Attention: Bertha Millan
500 E Mann Road, Suite B5
Laredo, TX 78041**

Timely delivery of proposals to the above address is the sole responsibility of the proposer. Proposals submitted via private or public mail carrier services will be considered to be hand-carried and must be submitted by the deadline.

One (1) signed original and three (3) hard copies of the proposal must be submitted. The bidder is responsible for ensuring that the copies contain all of the required elements of the proposal. Incomplete proposals and/or proposals missing required signatures will be deemed non-responsive to the RFP. No additional material may be submitted after the due date and time. Any proprietary information should be clearly marked as confidential. All proposals and their accompanying attachments will become the property of the WSST Board after submission. Materials submitted will not be returned.

Proposals may be withdrawn upon written request. The cost of returning proposals that are withdrawn before the due date shall be the responsibility of the proposer.

2.9 Contract Type and Term Period

The WSST Board intends to negotiate a cost-reimbursement contract as a result of the RFP. The contract will be contingent upon availability of funds from the U.S. Department of Labor and/or Texas Workforce Commission. The contract term period will begin October 1, 2022 and go through September 30, 2023. Thereafter the contract may be renewed up to four (4) times in one-year increments at the WSST Board's discretion based on an annual performance review of the

contractor and availability of funding. A contract closeout will be required at the end of each year. The contract budget will be negotiated annually. No carryover/carry forward of funds will be included in the next year's contract.

The WSST Board reserves the right to increase or decrease the quantities or magnitude of the services requested at the time of award and/or throughout the term of the contract. The WSST Board specifically reserves the right to vary or change the terms of the contract resulting from this RFP, including funding levels, scope of work, performance measures, program design, adding other child care related programs or services, funding sources and provisions where such variance is deemed to be in the best interest of the WSST Board during the course of the contract.

2.10 Eligible Proposers

Entities possessing the capacity and demonstrated ability to perform successfully under the terms and conditions of a contract with the WSST Board are encouraged to respond. Organizations (private for-profit, private non-profit, governmental, or faith-based); individuals or a team of individuals applying in collaboration with the intent of establishing a legal entity are eligible to apply. The types of management that will be considered include but may not be limited to turnkey operations, management teams, joint ventures, and other alternative management models.

Applicants should possess experience and program knowledge necessary to provide high standards of customer service and satisfaction while maintaining and exceeding program performance standards. The successful applicant will demonstrate in the proposal and through a pre-award review the capacity to perform the requested services and manage multiple funds to the WSST Board's expectations.

The WSST Board is prohibited from contracting with any entity debarred, suspended, or otherwise excluded from or ineligible for participation. Accordingly, a contract requires contractors to certify that they are in compliance with the Federal regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98-510, Participant's Responsibilities. The contractor must certify that to the best of its knowledge and belief that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a Federal department or agency. Under Texas House Bill 1863 and the Texas Government Code, the WSST Board is prohibited from entering into a contract for the management and operation of workforce centers with any entity that provides workforce education or workforce training services.

Minority, disadvantaged and women-owned businesses that are certified by the State as Historically Underutilized Businesses are encouraged to respond to this RFP.

PART 3 Governing Provisions and Limitations

The only purpose of this RFP is to ensure uniform information in the solicitation of proposals for the operation and management of the Child Care Services program. This RFP is not to be construed as a purchase agreement of contract or as a commitment of any kind; nor does it commit the WSST Board to pay for costs incurred in the preparation of a response or any other costs incurred prior to the execution of a formal contract, unless such costs are specifically authorized in writing by the WSST Board.

3.1 Governing

The entity selected for contract consideration must meet the requirements of the WSST Board's key control certification system (Attachment G and H) to ensure the financial integrity of the entity or individual prior to contract execution. The WSST Board or its designee will also conduct a pre-award review of the entity to include a financial integrity review prior to awarding a contract resulting from this procurement.

Entities selected through this procurement must comply with all Texas Workforce Commission (TWC) standards of conduct and conflicts of interest provisions.

All funds provided under contracts because of this procurement must be protected through bonds, insurance, escrow accounts, cash on deposit or other methods to secure the funds consistent with TWC rule 801.55. The method of securing funds available shall cover a loss of at least **10 percent of the total funds contracted as well as the value of any assets placed under control of the contractor**. Proposers must demonstrate their financial capacity to safeguard these funds.

The entity selected for contract consideration must take appropriate steps to maintain the separation of the authority between the WSST Board and the contractor consistent with the terms of the contract.

The WSST Board reserves the right to accept or reject any or all proposals submitted. The WSST Board also reserves the right to make no award as a result of this RFP.

The intent of this RFP is to identify the various contract alternatives and estimates of costs for the services (or products) that are being solicited. The WSST Board is under no legal requirement to execute a contract from any proposal submitted.

This is a negotiated procurement utilizing the Request for Proposal method, and as such, the selection and award of contract does not have to be made to the respondent submitting the lowest priced offer, but rather to the respondent submitting the most responsive proposal that satisfies the WSST Board's criteria requirements and is determined to be in the Workforce Solutions for South Texas workforce development area's best interest.

Proposers shall not make contact with, or make offers of gratuities or favors, to any officer, employee or member of the WSST Board or Subcontractors. Violation of this instruction will result in immediate rejection of the proposal.

The contents of a successful proposal will become contractual obligations, if a contract is awarded. Failure of the proposer to accept those obligations may result in the elimination of the proposal from the selection process. The contents and requirements of this RFP may be incorporated into any legally binding and duly negotiated contract between the WSST Board and the selected bidder.

The WSST Board will make payments within 30 days of receipt of invoice from Contractor.

The WSST Board reserves the right to cancel the contract if the Contractor fails to perform as agreed or for convenience if it is in the best interest of the WSST Board.

The WSST Board may request selected proposer(s) to participate in contract negotiations at WSST offices located at 500 E Mann Rd. Suite B5, Laredo, Texas.

The WSST Board reserves the right to contact any individual, agency, employer, or grantees listed in a proposal, to contact others who may have experience and/or knowledge of the bidder's relevant performance and/or qualifications; and to request additional information from any and all

proposers.

The WSST Board reserves the right to correct any error(s) and/or make changes to this solicitation, as it deems necessary. The WSST Board will provide notifications of such changes to all proposers that submit the Mandatory Letter of Intent to Submit Proposal Form.

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

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 WSST Board for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.

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

The WSST Board reserves the rights to clarify, explain or verify any aspect of a response to this RFP, and to require the submission of any price, technical or other revision to the proposal that results from any negotiations conducted.

The WSST Board reserves the right to deem non-responsive or disqualify any proposal that in the WSST Board's sole determination does not comply with or confirm to term, conditions and requirements of this RFP.

3.2 Administrative Requirements

Contractor is solely responsible for the oversight, management, supervision, hiring, discipline, termination, training, evaluation, etc. for its employees. Employees of a contractor are subject to the exclusive control and supervision of the contractor.

Contractors must comply with audit requirements as set forth in the TWC Federal Manual for Grants and Contracts. A copy of the audit report for the last three (3) years, including management letter, must be submitted to the Board. Workforce Solutions reserves the right to conduct or cause to be conducted an independent audit of all funds received under a contract issued by the Board, notwithstanding the afore-mentioned requirement. Such audits will be conducted in accordance with applicable laws, rules, regulations, and established professional standards and practices.

Contractor must agree to comply with all rules, policies, directives and plans issued by the WSST Board and the Texas Workforce Commission and all applicable laws, rules, regulations, policies, and directives governing the programs identified under this RFP.

All contractors are subject to compliance monitoring (fiscal and program). At any time during normal business hours, and as often as deemed necessary, staff of the WSST Board, TWC, the U.S. Department of Labor, other State and Federal agencies, or their duly authorized representatives shall have complete access to any and all records or papers that are related to a contract resulting from this RFP for the purpose of verifying performance and compliance with contractual terms and conditions, and applicable laws, rules, regulations, and policies.

Contractor must have an internal monitoring system and procedures that include quality assurance and fraud prevention. Monitoring Policy and Procedures must include frequency, resolution and provisions to include client services are complying with eligibility requirements. Monitoring will include compliance with waiting list management, parent choice, rights and responsibilities, provider selection, enrollment processes, case monitoring, and The Workforce Information System of Texas (TWIST). Monitoring must comply with the CCS Guidelines, WSST Board and TWC rules and regulations.

Contractors must provide timely reports or information on clients, finances, performance, and program operations as may be requested or required by the Board.

Contractors will be responsible for maintaining the Child Care Services program equipment and furnishings.

Contractors shall be responsible for meeting or exceeding all assigned state, federal and local performance measures associated with programs that are part of this RFP and any resulting contract. Contractors shall also be responsible for any changes in performance measures that may occur during the contract period.

Contractors will be required to prepare and maintain participant and financial records in accordance with policies and instructions issued by the WSST Board. Selected Contractor must be capable of reporting monthly and year to date statistical information by separate program description to include but not limited to: fiscal year allocations, current expenditures, number of clients in care, number of clients funding will cover through current month reporting, number of clients that can be added, estimated annual number of clients current enrollment, estimated number and amount of manual payments, corrections, payments made and estimated surplus/deficit.

All records from a program and/or contract year must be retained for four (4) years from the date closeout reports are submitted and accepted by the WSST Board, unless any litigation, claim, negotiation, audit or other action involving the records has been initiated before the end of the retention period.

Contractors will be required to maintain a case file for each program participant in accordance with standards established by the WSST Board. Such files are considered the property of the WSST Board and must be turned over to the WSST Board upon request or upon the end of the contract.

Contractors will be required to utilize TWIST, and any other automated management information system as may be required by TWC and/or the WSST Board and in accordance with policies and manuals issued by the WSST Board and/or the TWC. Contract must ensure that all data is entered in a timely and accurate manner.

Contractors will be responsible for ensuring the integrity of all data, records and reports and the confidentiality of all client data is maintained in accordance with state and federal law and the WSST Board policy.

Contractor, including all of its employees, must comply with all Information Technology access and user policies and requirements of the WSST Board and/or TWC.

Contractors will be expected to fully cooperate with the WSST Board in planning and implementing any changes to the child care services delivery system.

Contractors will be expected to fully cooperate with the WSST Board in the development and implementation of partnerships and collaborations with other community organizations to maximize resources and services for the benefit of workforce customers. This includes any Memorandum of Understanding (MOU) or other agreement as may be entered into by the WSST Board. This does not preclude the contractor from initiating such partnerships on their own.

Contractors must ensure that Child Care Services are available to the public, at a minimum of Monday through Friday, from 8:00 A.M. to 5:00 P.M. (CST), except for authorized holidays or other authorized closures, and at such other times the WSST Board deems necessary to meet local need for services.

Any and all purchases/procurements of goods and services by a contractor with funds received under a contract issued by the WSST Board must comply with all applicable federal, state and local laws, rules, regulations, and policies, including the requirements specified in the TWC Financial Manual for Grants and Contracts.

The Contractor must ensure that the Child Care Services program is adequately staffed at all times during the duration of the contract to provide required services and activities as specified in this RFP.

Indirect Rates or Management Fees must meet the requirements specified in the TWC Financial Manual for Grants and Contracts. Indirect costs are those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted, without effort disproportionate to the results achieved. If indirect costs or Management Fees will be a part of the budget, detail must be provided with proposal as follows: 1) the methodology used to arrive at the rate including a description of all costs include; 2) the amounts used per line item (i.e. salaries, supplies, etc.) to calculate the rate, and; 3) a description of the process used to reconcile the rate charged to the actual costs incurred; and an approved indirect cost rate from a cognizant agency. The WSST Board will not pay indirect costs or management fees for any direct child care services.

The costs for administration must not exceed five (5) percent of the funds requested for the operation of the child care services program. The amount for administrative costs will be negotiated with the selected entity.

Profit margins will be negotiated only with for-profit organizations. A fair and reasonable profit will be determined with consideration to the following: 1) complexity of work; 2) risk borne by contractor; 3) contractor's investment and; 4) quality of past performance. Under no circumstances shall profits exceed 10% of the contract amount (excluding any customer cost). Profit payments will be paid based upon contract negotiations.

3.3 Insurance

Proof of insurance is not a requirement for the submission of a proposal, but selected proposers will be required to obtain all insurances specified in this RFP and provide the WSST Board with proper certificates or policies prior to commencing work under a contract resulting from this RFP.

The cost of insurance may be included in the proposal budgets with the exception of Errors and Omission Insurance. The WSST Board of Directors must be listed as an additional insured on each policy with waiver of subrogation.

General Liability – The contractor is required to carry a general liability insurance coverage for the institution sufficient to cover any liability that may arise from the performance of this contract.

General liability insurance should cover bodily injury and property damage to a third party and personal injury; \$1,000,000 each occurrence or two million dollars aggregate is required. A reasonable deductible is allowed, not to exceed \$10,000.

The WSST Board provides on-site accident/medical insurance for participants enrolled in activities not covered by worker's compensation.

If the contractor or their employees use motor vehicles in conducting activities under this contract, liability insurance covering bodily injury and property damage must be provided through a commercial insurance policy. Such insurance shall provide a minimum coverage of:

- \$100,000 liability per occurrence
- \$300,000 aggregate liability
- \$100,000 property damage
- Personal Injury Protection
- Uninsured Motorist Protection
- Maximum \$500 Deductible

If self-insured, the contractor warrants that it will maintain coverage sufficient to cover any liability specified above that may arise from the performance of this contract.

If the contractor warrants that it is a State Agency and that it is self-insured, then the contractor must be able to pay any obligation that it incurs under the terms of this agreement including any liability that may arise from the performance of this contract. Additionally, the contractor shall ensure that all employees are covered by Workmen's Compensation insurance.

The portion of the cost of Workmen's Compensation insurance and other coverage that applies to CCS employees should be included under personnel costs-other with detailed on the supporting schedule.

Fidelity Bonding – All sub-recipients with the exception of public colleges and universities and consolidated and independent school districts must obtain a fidelity bond that indemnifies the Agency against loss arising from a fraudulent or dishonest act of the officers and employees holding positions of fiduciary trust; i.e., individuals responsible for receiving or depositing funds or issuing financial documents, checks or other instruments of payment. Contractor must be the insured entity and the WSST Board must be the assigned certificate holder. The fidelity bond must be in an amount that is sufficient to cover the largest cumulative amount of all cash requests submitted on a given day or the cumulative amount of funds on hand at any given point. If the contractor desires to receive an advance of funds, bonding is required. The fidelity bond must be in an amount that is sufficient to cover the largest cumulative amount of all cash requests submitted on a given day or the cumulative amount of funds on hand at any given point. Such amount will be determined based on cumulative amounts drawn during any consecutive three-day period for single or multiple funding sources.

In addition, the Contractor must secure an additional amount of funds against loss as follows: if the amount secured by the Contractor's fidelity bond is sufficient to cover the largest cumulative amount of all cash requests submitted on a given day or the cumulative amount of funds on hand

at any given point, but is less than 10% of the funds subject to its control, the difference must be secured through bond, insurance, escrow accounts, cash on deposit, or other methods in accordance with the Texas Administrative Code, Title 40, Part 20, Rule 801.54 and the requirements of the TWC Financial Manual for Grants and Contracts, Chapter 3.

Errors and Omission Insurance – Contractors must have an Errors and Omission Insurance Policy against acts of dishonesty, forgery or alteration, and computer fraud at \$1,000,000. Deductible may not exceed \$10,000.

3.4 Equal Opportunity and Nondiscrimination - (see Attachment N)

Contractors must conduct all programs and services in accordance with the provisions of the following laws:

- The Age Discrimination Act of 1975, 42 U.S.C. 1681 – 1688, as amended;
- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000f et seq., as amended;
- The Rehabilitation Act of 1973, 504,29 U.S.C. 794, as amended;
- Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 – 1688, as amended;
- The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq., as amended;
- The Women in Apprenticeship and Non-Traditional Act, 29 U.S.C. 2501 et seq, as amended;
- Section 188 of the Workforce Innovation and Opportunity Act; and
- All applicable rules and regulations issued under these laws. Contractors shall not deny the benefits of any program, activity or service to any person, and are prohibited from discriminating against any employee or applicant for employment on the basis of race, color, national origin, sex, sexual preference, religion, age, physical or mental disability, temporary medical condition, political affiliation, belief or any over characteristic covered by state or federal law.

Contractors must comply with the WSST Board's Marketing Standards and Guidelines regarding the use of contractor name and logo on all printed materials, advertising, and marketing.

3.5 Transition Planning

In the event that a new contractor is selected for CCS, the WSST Board may allow a thirty (30 day) transition period to facilitate transition of the services from the current entity to the new contractor. Any expenses incurred during the transition period will be negotiated. All proposers must include a Transition Plan in their proposals, all activities must be completed by September 30, 2022.

3.6 Debriefing and Appeal Process

WSST is the responsible authority for handling complaints, disputes or protest regarding the procurement and proposal selection process at the local level. No protest shall be submitted to the grantor (State) until all administrative remedies at the Grantee (Board) level have been exhausted. This includes, but is not limited to disputes, claims, protest of selection or non-selection for award, source evaluation or other matters of a contractual or procurement nature. Matters concerning

violations of law shall be referred to such authority as may have proper jurisdiction. All proposers will be notified by email of the final results of the procurement process within ten (10) business days following the final decision of WSST.

Issues Subject to Appeal – Vendors/proposers/bidders affected by procurement actions or decision of Board may appeal pursuant to this policy and procedures as to the following issues:

- The action or decision of WSST is alleged by the Proposer to be in violation of applicable federal and/or state law, regulation or policy regarding procurement and selection; or
- The action or decision of WSST is alleged by the Proposer to be based upon an error of material and relevant facts; or
- The action or decision of WSST is alleged by the Proposer to be invalid because of an alleged denial or procedural due process.

Issues Not Subject to Appeal – Unless substantiated by material and relevant facts, the scoring and ranking of proposal is not subject to appeal. An appeal cannot be submitted based solely on the belief that the appealing party believes their proposal is better than the one selected for contract negotiations/award.

STEP 1: Request for Debriefing - Proposers not selected by this procurement process may appeal the decision by submitting, within ten (10) business days of the receipt of WSST notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was received and ranked. The Request for Debriefing must be sent by email to:

- Bertha Millan, Workforce Development Supervisor/EO Officer/504 Coordinator
bertha.millan@southtexasworkforce.org
- Subject line: RFP CCS Management and Operations Request for Debriefing [Proposer's Name]

WSST shall acknowledge receipt of the Request for Debriefing within ten (10) business 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) business days from the receipt of the Request for Debriefing.

STEP 2: Debriefing - The purpose of the debriefing is to promote the exchange of information, explain the proposal evaluation system, and help unsuccessful proposers understand why they were not selected. Debriefings serve an important educational function for new proposers. Debriefings will help to improve the quality of future proposals. Additionally, staff receives direct feedback to help improve future procurements.

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.

STEP 3: Written Notice of Appeal – If, after the debriefing, the appealing party wishes to continue with the appeals process, they must submit to WSST a Notice of Appeal.

The written notice must clearly state that it is an appeal and identify the decision being appealed and include the name, address, and phone number of appealing party and the grounds of the appeal. The notice of appeal must be received by the WSST Executive Director within ten (10) business days of the date of the debriefing. The Notice of Appeal must be sent via e-mail to:

- Rogelio Trevino, Executive Director rogelio.trevino@southtexasworkforce.org
- Subject line: RFP CCS Management and Operations Notice of Appeal [Proposer's Name]

STEP 4: Formal Hearing - Upon receipt of the Notice of Appeal, the WSST Executive Director will contact the proposer to arrange for a Formal Hearing to be held within ten (10) business days of receipt of the Notice to Appeal. The Formal hearing will be held either virtually or at a designated place and a date and time to be mutually acceptable to both parties. The WSST Executive Director shall issue a written final decision resulting from the Formal Hearing within 30 calendar days of receipt of the Notice to Appeal.

STEP 5: Appeal to State – If the appeal is not resolved at the WSST Formal Hearing, the proposer may appeal to the Texas Workforce Commission within 14 calendar days of the date of the WSST Executive Director's final decision.

PART 4 Scope of Work

4.1 Program Overview

The WSST Board is seeking a single contractor for the operation of the Child Care Services (CCS) Program. Service providers will offer child care to eligible families and to improve the quality, availability and affordability of child care in the South Texas. The selected contractor will perform a wide-array of functions and assume a variety of responsibilities related to the areas of child care client and operation services, provider management, and financial management.

4.2 Child Care Client Services and Operation

CCS client service tasks include interviewing and consulting with applicants, determining and documenting client eligibility, verifying information, and notifying the applicant of the availability of subsidized child care. CCS client services tasks also include managing waiting lists of eligible children awaiting the availability of funding or waiting for space available at a preferred CCS provider site, authorizing child care for eligible families, and giving parents information that will help them choose child care arrangements that meet their needs and the needs of their children. Timely data entry is a must upon enrollment. Other tasks include explaining self-arranged child care to eligible parents and authorizing self-arranged child care with eligible child care providers when parents choose it.

Child Care Client Services and Operation providers must offer services that include but are not limited to:

Provide child care to eligible families and improve the quality, availability and affordability of child

care in the Workforce Solutions for South Texas WDA. Services must include:

- 4.2.1 Ensuring that parents are allowed the right to select a provider of their choice to care for their child(ren) from all eligible childcare providers.
- 4.2.2 Manage funds to maximize service units and meet monthly fund utilization targets.
- 4.2.3 Provide intake, eligibility, and ongoing management of services for parents and caregivers applying for child care services.
- 4.2.4 Offers low-income families an expanded choice of accessible child care arrangements.
- 4.2.5 That offers low-income families an opportunity to work, obtain training, or receive an education enabling them to become self-sufficient.
- 4.2.6 That offers families an identifiable source of child care information and assistance.
- 4.2.7 That promotes parental choice and informed decision-making through consumer education materials, an orientation and consumer educational packet for parent and caregivers in accordance with the WSST Board guidelines. The information will contain, at minimum, information on "how to select a child care provider", and a "Consumer Guide to Child Care Services" created in accordance with the WSST Board guidelines. Orientation should include but not be limited to Quality Improvement materials, appeals process, and program requirements.
- 4.2.8 Offers all services evaluated through a "Customer Satisfaction Survey". The awarded Contractor must be capable of preparing, conducting and reporting the findings of this survey. The contractor will make changes according to the findings of this survey.
- 4.2.9 Provides CCS client services based on measurable objectives. Measurable objectives and outcomes will be reported on a monthly basis, or as requested by the Board. Monthly report must include accurate monthly and year-to-date non-duplicated statistics broken down into individual counties (i.e. # of children served, # of children on waiting list, dollars expended).
- 4.2.10 Complies with all TWC, state and federal eligibility rules in the determination and verification of eligibility for child care services.
- 4.2.11 Coordinates with State and local workforce and training programs, community agencies, WSST Board Workforce Centers, and with local staff of Children's Protective Services of the Texas Department of Family and Protective Services to assure that Child Care Services are provided to eligible individuals.
- 4.2.12 Internal Monitoring Policy and Procedures must show quality assurance and fraud prevention. Monitoring Policy and Procedures must include frequency and the responsible entity of review and utilize the WSST Board contracted monitoring tool and risk assessment. Monthly reporting and monitoring policy and procedures must include a

- resolution policy. Monitor provision must include client services to assure compliance with eligibility requirements, eligibility waiting list management, monitoring of parent choice, rights and responsibilities, providers selection, enrollment processes, case monitoring, TWIST, and other requirements as stipulated in the CCS contract, Contractor Manual, WSST Board Monitor and TWC rules.
- 4.2.13 Hearings and appeals from clients, providers, and the CCS contractor will be in accordance with and guided by the WSST Board policies in accordance with TWC guidelines.
- 4.2.14 Comply with all TWC and WSST Board policies in regard to acquisition, possession and use of automation hardware, software, and interfaces. The CCS contractor must be in compliance with TWC, TWIST and child care management information systems policies and procedures and the WSST Board Property Management System.
- 4.2.15 Develops collaborative and cooperative relationships within the WSST WDA through the following activities: communication and coordination with agencies having responsibility for any services to children and those having regulatory responsibilities for health and safety of children receiving child care services, and monitoring CCS provider compliance with CCS contract requirements.
- 4.2.16 Capable of reporting monthly and year to date statistical information by separate program description to include but not limited to: fiscal year allocations, current expenditures, number of clients in care, number of clients funding will cover through current month reporting, number of clients that can be added, estimated annual number of client's current enrollment, and estimated surplus/deficit.
- 4.2.17 Capable of negotiating and utilizing additional allocated funds received by the WSST Board for CCS client services.
- 4.2.18 Ensures child care services for all programs of the WSST Board. The CCS shall be responsible for the management and payment of child care, including for:
- Choices program participants,
 - Temporary Assistance for Needy Families (TANF) applicants,
 - SNAP E&T participants,
 - Children receiving child protective services,
 - Children of qualified veterans or qualified veteran spouse,
 - Other low-income eligible families.
- 4.2.19 Complies with WSST Board's customer registration and complaint system.
- 4.2.20 Coordinates with WSST Board assigned monitors.
- 4.2.21 Participates in a continuous improvement process.
- 4.2.22 Manage and sustain a waiting list.

- 4.2.23 Determine and document eligibility for child care services.
- 4.2.24 Allow parent choice in selection of childcare providers.
- 4.2.25 Assure opportunities for child care providers to participate in the delivery of CCS referred care.
- 4.2.26 Meet contracted monthly performance measures to meet year to date measures beginning with the first month of the contract.
- 4.2.27 Reports to the WSST Board in the manner prescribed by the WSST Board.
- 4.2.28 Develops community resources to increase child care resources needed to support economic development.

4.3 Provider Management Services

Provider Management is responsible for the recruitment and enrollment of new eligible CCS providers as well as the renewal of existing provider agreements, monitoring and evaluating the provider's compliance with program requirements, and provision of technical assistance.

As defined by the WSST Board, Provider Management Services are to support the efforts of CCS providers to improve the quality and availability of child care services in the South Texas. Services include:

- 4.3.1 Providing for recruitment of eligible CCS providers for child care services.
- 4.3.2 Providing for selection of eligible CCS providers for child care services.
- 4.3.3 Providing for maintenance of CCS providers for child care services.
- 4.3.4 Monitoring compliance of providers and report the outcome of action taken with providers that are out of compliance. Report on the procedure of corrective action, outcome and consequence of providers not in compliance with the terms of the CCS Provider Agreement. If applicable, the contractor must follow-up with Service Improvement Plan components with providers to resolve deficiencies identified.
- 4.3.5 Ensuring every provider of child care services being reimbursed by CCS funding meets applicable state and federal child care health and safety standards.
- 4.3.6 Ensuring that providers with signed agreements understand and are in compliance with the terms of the CCS Provider Agreement.
- 4.3.7 Ensures availability of child care providers to meet the needs of parents, caregivers, and children in the entire WSST WDA. Increase recruitment of child care providers in the rural

areas of the WSST WDA. Increase recruitment of providers for child care service during non-traditional hours of operation (i.e. weekends, evenings, nights).

- 4.3.8 Provider management will be based on measurable objectives. Measurable objectives and outcomes will be reported on a monthly basis, or as requested by the WSST Board.
- 4.3.9 Monitoring Policy and Procedures must demonstrate quality assurance and fraud prevention. Monitoring Policy and Procedures must include frequency and the responsible entity of review and utilize the WSST Board contracted monitoring tool and risk assessment. Monthly reporting and monitoring policy and procedures must include resolution policy. The WSST Board contractor will adhere to meeting the Board's strategic plan, policies and monitoring requirements.
- 4.3.10 Coordinate with the WSST Board assigned monitor, to include use of the appropriate risk assessment tool.
- 4.3.11 Participates in a continuous improvement process.

4.4 Financial Management Services

The Financial Management Services supports the efforts of CCS – Client Services Operations and Provider Management through sound financial management.

Financial Management supports the efforts of CCS the contractor shall:

- 4.4.1 Comply with all of the TWC and the WSST Board's financial and funds management policies and procedures applicable to the CCS Contract. The selected Contractor will agree to follow all policies, guidelines and directives from the TWC and the WSST Board on the management of direct child care funding.
- 4.4.2 Contractor will review any supplemental forms submitted by providers for accuracy and processing of payments.
- 4.4.3 Maintain accounting records that document and properly allocate total allowable CCS operations expenses for each month in the budget period including: types of expense—salaries, fringe and other costs and federal reporting categories — child care administration, systems and program costs.
- 4.4.4 Submit invoices to the WSST Board for the WSST Board's share of CCS operations expenses in a format prescribed and/or approved by the WSST Board for each month in the budget period. Back-up documentation is required.
- 4.4.5 Be accountable for and capable of inputting into TWIST all records for the collection and distribution to the provider of Parent Fees as well as coordinate the collection of parent fees with the child care provider.

- 4.4.6 Be capable of negotiating and utilizing additional allocated funds received by the WSST Board for financial management.
- 4.4.7 Ensure Financial Management will be based on measurable objectives. Measurable objectives and outcomes will be reported on a monthly basis.
- 4.4.8 Ensure Internal Financial Monitoring Policy and Procedures must show quality assurance and fraud prevention. Monitoring Policy and Procedures must include frequency and the responsible entity of review and utilize the WSST Board contracted monitoring tool and risk assessment. Monthly reporting and monitoring policy and procedures must include resolution policy.
- 4.4.9 Ensure to coordinate with the WSST Board contracted monitor, including use of the risk assessment tool.
- 4.4.10 Participate in a continuous improvement process

4.5 Current Child Care Services

Child Care Statistics	
Monthly average number of child in care (all counties)	2,671
Average caseload per case worker (all counties)	250
Webb County	
Licensed Child Care facilities	90
Licensed Child Care Homes	16
Registered Child Care Homes	2
Jim Hogg County	
Licensed Child Care facilities	2
Licensed Child Care Homes	0
Registered Child Care Homes	1
Zapata County	
Licensed Child Care facilities	2
Licensed Child Care Homes	0
Registered Child Care Homes	0

4.6 Monthly Children in Care Performance Target for BCY 2022 = 2671

4.7 Number of Texas Rising Star Centers = 25 (5)2 Star Level, (6)3 Star Level, (14)4 Star Level

4.8 Funding

The estimated funding for direct childcare services is \$13,338,389, local match is \$1,432,170 and \$1,100,000 is estimated for operational costs. The bidder will present a line item budget for Client Services and Operations, Provider Management and Financial Management.

The amount of profit may not exceed 8% of the total operational budget not including direct child care expenses. Contract budget amounts will be negotiated and be based on funds available.

Funding for CCS comes from state and federal sources allocated according to the number of eligible children living within each WDA. Funding levels are set by contract at the beginning of the State of Texas fiscal year; however, additional funding can become available at any point during the fiscal year. The Contractor must be prepared to incorporate such funding and place additional children in care as necessary. CCS is the child care service delivery system which assists families to become self-sufficient by providing direct services to children. Target clients and related funding sources are as follows:

- Choices/TANF — Funded by the Child Care Development Fund. Clients participating in the Choices Program are eligible for these funds.
- Transitional — Funded by the Child Care Development Fund. Clients that have been denied TANF benefits because of earned income are eligible for these funds.
- Supplemental Nutrition Assistance Program — Funded by Supplemental Nutrition Assistance Program. Clients participating in the Supplemental Nutrition Assistance Program are eligible for these funds.
- Texas Department of Family and Protective Services — Foster Care — Funded by Title IV — E of Social Services Block Grant — Families that are participating in the Foster Care Program are eligible for these funds.
- At Risk Funding – Funded by the Child Care Development Fund and the Child Care Development Block Grant - The following categories are included in the funding stream: Income Eligible, Former CPS, Children with Disabilities, Teen Parents, and School Age Care
- Workforce Applicant – Funded by the Child Care Development Fund. Clients that receive a job before being put on the Welfare rolls are eligible for this funding.
- WIOA- Workforce Innovation and Opportunity Act – The WSST Board will reimburse the contractor for child care payments to child care provider in accordance with TWC and WSST Board policies and procedures. The WSST Board reserves the right to reallocate funds among funding categories before contract award and throughout the contract period. All allocations of

funds are subject to the availability of state and federal funds.

4.9 Resource Room Management

The CCS contractor will also be responsible for establishing and maintaining a resource library equipped with developmentally appropriate equipment and materials to be used for children through twelve years of age for all providers within the WSST WDA, purchase of adaptive equipment and materials for CCS-referred children with disabilities enrolled at a provider site (contingent upon funding), maintaining an inventory control/property management system, and planning of transition of these activities to the new contractor(s).

4.10 Automation

Selected contractor must comply with all TWC, WSST Board in regard to acquisition, possession and use of automation hardware, software, and interfaces. The CCS selected contractor must be in compliance with TWC, TWIST and child care management information systems policies and procedures. The local area network (LAN) that consists of a file server connected to work stations and printers is utilized to operate a software program developed and maintained by TWC to support client services, provider management, and billing and reporting activities. TWIST will assist the CCS in providing efficient determination of applicant eligibility by providing information to assist parents in choosing appropriate child care, by providing for timely billing and payments, and accurate reporting.

4.11 Automation and Transition

The primary capabilities of a CCS include the ability to manage a broad-based human service agency in a highly automated environment with administrative direction provided by the Board. Bidders for the CCS contractor(s) must have sufficient financial assets to provide adequate working capital for operations expenses; have the capacity to perform CCS client services including eligibility determination and documentation, client funding decisions, resource and referral services, and wait list management.

If there is a change in contractor for CCS activities, transition of functions, records, and equipment will be completed by September 30, 2022.

PART 5 Proposal Review and Selection Process

5.1 Minimum Standards of Review for Proposals

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. The selection process used by the WSST Board is intended to help them identify the most qualified and responsive proposal for the WSST Child Care Services program contract negotiation. The process for evaluating proposals submitted in response to this Request is summarized below.

All proposals submitted by the submission deadline will be reviewed for timeliness, responsiveness and compliance with the technical specifications – have no missing elements contained in the RFP. The process for evaluating proposals submitted in response to this Request includes the following steps:

- **Phase One** - All responsive proposals will be subject to review and scoring. WSST Board will procure for qualified independent outside evaluators to review and score each responsive proposal using a standardized instrument provided by the WSST Board. Evaluators will award proposals scores for specific criteria with the highest possible total being 115. Proposals that contain all of the required elements will be deemed responsive if they score at least 81 points based on the evaluation criteria listed below. Proposals will be ranked from highest to lowest average score, those with an average score of 81 or above will be notified to participate in Phase 2 of the evaluation process.

EVALUATION CRITERIA	Points
(1) Organizational Capability and Capacity	10
(2) Demonstrated Experience/Effectiveness	10
(3) Management Design for Program and Performance	20
(4) Management Design for Staffing/Staff Development including Customer Service	15
(5) Quality Assurance – Monitoring and Continuous Improvement	15
(6) Texas Rising Star	15
(7) Financial Management - Experience and Stability	10
(8) Budget/ Cost Effectiveness	15
(9) Historically Underutilized Business (HUB)	5
Total Possible Points – Phase One	115
Total Possible Points – Phase Two	10
Total Possible Combined Points	125

- **Phase Two** - During this phase, responsive proposers meeting the 81 points thresholds will be required to meet with the WSST Program Development Committee. The tentative date for phase two meeting is **July 26, 2022**. Responses to questions asked during Evaluation Phase Two will be scored up to 10 points by the Program Development Committee and will be averaged with the scores from the independent reviewer’s scores (Phase One). The entity with the highest overall average score will be recommended to the Board.
- **Phase Three** – In concurrence with the Program Development Committee recommendation, the full Board will consider the selected entity and either approve or disapprove the recommendation to enter contract negotiations.

5.2 Organizational Capability and Capacity - 10 Points

Capability refers to the organization’s ability to accomplish its work through the knowledge, skills, and abilities of its people directly and indirectly assigned to this Contract (i.e. qualifications and experience of staff). Capacity refers to the organization’s ability to ensure sufficient staffing to cover the amount of time proposed in their proposal, work processes, technology, etc. to successfully deliver proposed services.

Though not discounting the importance of knowledge and experience, the proposer must make clear how they will be an asset to the Board in achieving local goals and objectives through rigorous management, continuous improvement and excellence in the provision of services. Areas for consideration under this category also include demonstrated effectiveness in customer service/customer focus, application of continuous improvement, problem-solving and community involvement strategies.

5.3 Demonstrated Experience/Effectiveness - 10 Points

This criterion includes a review of demonstrated ability to successfully manage and implement planned programs in previously funded Child Care Services contracts. The proposing entity must demonstrate a history of successfully providing the same or similar services to those specified in the RFP, specifically relating to the types of activities, targeted populations, contractual compliance, etc. Experience in utilizing quality principles and customer focus in an effective management system should be demonstrated.

Proposal must demonstrate that the proposer(s) have the required skills and experience to successfully operate and manage the WSST Board's Child Care Services.

Proposal must also demonstrate the organization's ability to accomplish its work through the knowledge, skills, and abilities of its people directly and indirectly assigned to this Contract (i.e. qualifications and experience of management/corporate staff). Effectiveness refers to the organization's ability to ensure sufficient management/corporate staffing to successfully deliver proposed services.

5.4 Management Design for Program and Performance - 20 Points

The proposer must demonstrate understanding of performance measures and the ongoing management of these measures. This area will examine the proposed overall approach, design, strategies, processes, etc. in delivering services and to effectively and efficiently manage and operate the child care services program, in support of the Board's mission, vision, goals, expectations and performance requirements. The successful proposer must demonstrate a thorough understanding of programs and services offered in the Workforce Solutions for South Texas workforce development region, and the needs of employers, job seekers, and partner agencies.

Other areas of review will include customer service strategies, collaboration, participant flow, how customer needs will be identified and matched to appropriate services, monitoring systems, use of data, including customer satisfaction strategies to improve services, outreach and recruitment of targeted populations.

The successful proposer(s) should show that their proposed approach offers sufficient services and activities, as well as coordination of services with other service providers in the WSST workforce region, to meet and exceed performance expectations of the WSST Board. The proposal should demonstrate a comprehensive collaborative approach to using community resources to meet the needs of customers. Proposed collaborative and leverage partnerships should be identified in the proposal.

5.5 Management Design for Staffing/Staff Development including Customer Service - 15 Points

Evaluation for proposers with experience in management of Child Care Services will include a review of proposed staff development and management and professional development and support activities. The successful proposer(s) must present a staffing plan sufficient to implement the program design, and it must offer a high-performance approach to management that will effectively integrate human resources and operational processes that will meet and exceed program performance goals for the WSST region. Proposers must have a comprehensive approach to staff development and enrichment including staff customer service training strategies.

This area will examine the proposed overall approach, design, strategies, processes, etc. in delivering services and to effectively and efficiently manage and operate the Child Care Services program in support of the WSST Board's mission, vision, goals, expectations and performance requirements. The successful proposer must demonstrate a thorough understanding of programs and services offered in the Workforce Solutions for South Texas workforce development area, and the needs of employers, job seekers, and partner agencies. The successful plan design must describe and be based on quality customer and provider service strategies.

5.6 Quality Assurance - Monitoring and Continuous Improvement - 15 Points

The proposer must make clear how they will be an asset to the WSST Board in achieving local goals and objectives through rigorous management, continuous improvement and excellence in the provision of Child Care Services. The successful proposer(s) must demonstrate an understanding of and capability for implementing a comprehensive and rigorous approach for continuous quality improvement strategies for the WSST Board's Child Care Services that focuses on achieving the quality of service expectation in the WSST Board's child care services area.

Consistent with the performance-oriented management approach, the proposing entity must demonstrate a history of successfully providing the same or similar services to those specified in the RFP, specifically relating to performance outcomes (measures/targets), monitoring systems and resolution of monitoring/audit issues. The proposer must demonstrate understanding of performance measures and the ongoing management of these measures. This criterion will evaluate the proposed method of conducting monitoring, corrective actions, implementation and follow-up.

Performance data and monitoring reports submitted with this proposal will be a part of this criteria review.

5.7 Texas Rising Star - 15 Points

The successful proposer will offer innovative educational strategies to promote child care quality standards and increase the number of Texas Rising Star providers. The selected contractor will be required to assist in securing local match partners. Proposers will be evaluated on proposed strategies to increase the number of Texas Rising Star Providers.

5.8 Financial Experience and Organizational Stability - 10 Points

This criterion also relates to the proposer's capability to bring value added tools, processes and resources that are above and beyond and will enhance what is basically required to operate the centers.

This criterion also includes demonstrating effective financial performance under contracts with Workforce Development Boards by meeting all fiscal expenditure goals and benchmarks, the ability to utilize funds to derive organizational strategic objectives (See TWC Rule 801.54).

The proposing entity must demonstrate that it is in sound financial condition and has effective fiscal and administrative management systems, fiscal organizational structures, financial resources, financial capacity, and fiscal knowledge in accordance with federal, state and generally accepted accounting practices.

Financial tracking systems for CCS programs will also be evaluated. The proposer's audits, financial statements, and financial monitoring reports submitted with this proposal will be a part of this review.

5.9 Budget/Cost Effectiveness - 15 Points

All costs must be fully explained and justified in the budget narrative. Budgets will be reviewed to determine that proposed costs are reasonable, necessary, allocable and allowable. Cost reasonableness will be determined by comparing each proposer's proposed cost to other proposals, and to existing market rates paid for management of Child Care Services in Texas with similar budgets. Other areas of review will include: cost allocation methodology, competitive indirect rate or management fees, overhead costs, profit, budget narrative and justification of costs, in-kind or matching funds. As an independent contractor, all associated costs should be included in the proposed budget including CCS staff, all management, quality assurance, indirect costs and profit, if applicable. All overhead costs, corporate and local shall be allocated to the benefitting cost objectives (programs, cost categories, budget line items, etc.) using a direct charge method in lieu of an indirect cost rate. The amounts and allocation methods of all overhead, corporate, direct services, and any other costs directly or indirectly benefitting this project shall be documented in an FMGC Chapter 11 compliant cost allocation plan.

5.10 Historically Underutilized Business (HUB) - 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 6 Instructions for Submitting a Proposal

6.1 General Instructions

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. Information inside of tables and graphics may be single spaced. Questions must be included in the narrative responses in 12-point font and numbered according to the questions found in the RFP, may be single spaced. **Colored displays and promotional material are discouraged.** Budget forms should not be double-spaced; however, the budget narrative explanation of all line items should conform to the double spacing,

font requirements. Attachments, audits and monitoring reports should be submitted as they exist. Emphasis must be placed on addressing all the requirements of this RFP in a clear and concise manner.

Number of Copies - **One (1) complete original plus three (3) hard copies.** Proposals may be submitted in a 3-ring loose-leaf notebook, no plastic coil binding should be used. All documents submitted must be legible, complete and fully assembled. Any proposal lacking required copies will be deemed unresponsive and will not be considered in this procurement. Submit an electronic copy of the Proposal (USB Drive).

Proposal Cover Sheet -- All items on the Proposal Cover Sheet must be completed. Identify a liaison or primary contact person, as well as the Signatory Authority--a person with the legal authority to negotiate and sign a contract on behalf of the proposing organization. (Also, this person must sign the various certification forms.)

Professional References -- Proposer should include at least three (3) professional references, including fax and phone numbers. Indicate the relationship between the proposer and the reference.

Sequence of Submission -- Proposals must be submitted with elements in the following order:

- Proposal cover sheet (Attachment A)
- One-page executive summary
- Proposal Narrative – Criteria Questions
- Budget Pages [Separate Attachment]
- Resumes
- Monitoring Reports – Program and Financial for the three (3) most recent years – either from a grantor agency or from another Workforce Board, reports should include corrective actions implemented to address any findings in the reports.
- Cost allocation plan and/or indirect cost rate approval
- Audits or financial statements for the three most recent years
- Certificate of Historically Under-utilized Business, if applicable
- Signed Certifications
- Attachment B: Debarment
- Attachment C: Conflict of Interest
- Attachment D: Drug Free Work Place
- Attachment E: Lobbying
- Attachment F: Texas Corporate Franchise Tax
- Administrative and Financial Surveys [Attachments G and H]
- Attachment I: Certification of Bidder
- Attachment J: General Assurances
- Attachment K: Public Subsidy Restriction
- Attachment M: Courtesy Letter of Intent to Submit Proposal
- Attachment N - Certification of Non-Discrimination & Equal Opportunity

- Standard Operating Procedures for CCS Operation (may be submitted on USB)
- Program Policy manuals (may be submitted on USB)

Submit an electronic copy of the Proposal (USB Drive).

PART 7 Proposal Narrative Statement of Work

7.1 Instructions for Proposal Narrative Statement of Work

Every question in the Proposal Narrative is required to be answered in a thorough manner that remains focused on the topic in question. Be concise and to the point. In answering the questions avoid the following:

- Imposing responsibilities on any party that has not agreed to those responsibilities in advance. A memorandum of understanding is to be submitted if you assign responsibilities to another party.
- Including promises to perform an activity or provide a service that your organization does not have the capacity to provide or ensure.
- Making assumptions that the readers of your proposal know or understand your organization, its capacity, activities, services or budget assumptions.
- Using jargon and abbreviations that may not be understood outside your organization or industry.

EVALUATION CRITERIA	Points
(1) Organizational Capability and Capacity	10
(2) Demonstrated Experience/Effectiveness	10
(3) Management Design for Program and Performance	20
(4) Management Design for Staffing/Staff Development including Customer Service	15
(5) Quality Assurance – Monitoring and Continuous Improvement	15
(6) Texas Rising Star	15
(7) Financial Management - Experience and Stability	10
(8) Budget/Cost Effectiveness	15
(9) Historically Underutilized Business (HUB)	5
Total Possible Points – Phase One	115
Total Possible Points – Phase Two	10
Total Possible Combined Points	125

(1) Organizational Capability and Capacity

1.1 Provide a brief history of your organization; include year established, location of home/corporate office locations of any regional offices, number of employees other line of business.

- If you are submitting a proposal as a partnership, consortium or joint venture the roles and responsibilities of each party and identify the lead entity. A copy of the partnership, consortium or joint venture agreement must be included as an attachment.
- If you are submitting a proposal using a Managing Director/Professional Employer Organization (PEO) Model a copy of the agreement between the Managing Director and the PEO or staffing agency must be included in the proposal as an attachment.
- If you are subcontracting any services, identify which services will be subcontracted and the rationale behind using a subcontractor rather than providing the services yourself. Describe how subcontracts were or will be procured, their qualifications and the basis for payment.

1.2 Present your proposed organization chart and delineate how the proposed staff positions and lines of responsibility would fit in the corporate organization, include all administrative staff.

1.3 Describe the governance and oversight role of you organization (upper corporate management) to the local staff.

1.4 Provide a brief synopsis of all proposed corporate management staff, by position and major responsibility, include:

- Types and tenure of management roles in the workforce system
- Responsibilities
- Number of staff managed directly and indirectly
- Size of the budget managed

1.5 Describe in detail corporate management communication mechanism for local Project Director on contracted performance compliance measures, monitoring finding observations and repeat finding and follow-up.

1.6 Describe your knowledge, skills, abilities and experience with each of the workforce system programs.

1.7 Describe your demonstrated effectiveness I managing people and systems to address customer focus, customer service and customer satisfaction.

(2) Demonstrated Experience/Effectiveness

Describe the **proposer's organization**. Items to include are:

- 2.1 A history of the organization.
- 2.2 A list of the organization's board of directors, principals, and chief officers.
- 2.3 Discuss the organization's current mission and philosophy as it relates to the operation of the CCS program.
- 2.4 A complete list of the organization's funding sources and the percent of the total each source represents.

- 2.5 An organizational chart depicting how your organization will include the CCS components in its structure. This should include the proposed lines of authority and responsibility.
- 2.6 Previous experience as a CCS contractor, operating each of the components: client services, provider management, financial management, or experience in offering similar services.
- 2.7 In answering the questions below include quantitative measures of effectiveness whenever possible. Accurate evaluation and awarding of available points for effectiveness require that each bidder provide the quantified performance data and organizational information requested below.

List each **Texas** CCS Contract or other human service contract your organization has operated in the last 3 years, beginning with the most recent. Address each item below for each contract:

- 2.7.1 Local Workforce Development Area;
- 2.7.2 Name of entity with whom your organization contracted;
- 2.7.3 Number of counties served;
- 2.7.4 Give the contract total amount, the amounts for operations and administration, and funding sources;
- 2.7.5 Period of the contract (beginning and ending dated);
- 2.7.6 Percent of the contract amount expended;
- 2.7.7 Average number of clients served per month;
- 2.7.8 Types of services provided, and target groups of clients served;
- 2.7.9 Average number of providers recruited and paid each month;
- 2.7.10 Number and types of positive outcomes/results achieved;
- 2.7.11 Any other indicators of successful contract performance you wish to include; and
- 2.7.12 Number of Texas Rising Star providers – number at the beginning and end of each contract year
- 2.8 Identify management staff at the corporate level that will be responsible for providing direct support for the local operations (include name and title).
- 2.9 Describe your management teams' skills and experience as it may relate to the following services:
 - 2.9.1 Financial management of multiple programs, multiple budgets, and fund codes.
 - 2.9.2 Client eligibility determination.
 - 2.9.3 Monitoring for quality assurance and compliance of subcontractors (child care providers).
 - 2.9.4 Provider management services to include recruitment and improvement.
 - 2.9.5 Child developmental materials and equipment for vendors, childcare providers and resource rooms (including services for children with disabilities).

- 2.10 Submit the job descriptions and resumes of administration and management staff as an attachment to your proposal
- 2.11 Provide a copy of the standard CCS operating procedures on a USB. Submit as Attachment.
- 2.12 Submit your organization's **financial monitoring reports** for the last three years for Texas Workforce Contracts.
- 2.13 Submit **Audits or financial statements** for the three most recent years – Non-profits include IRS 990s.

(3) **Management Design and Program Performance**

Describe the **proposer's experience in quality customer and provider services**. Items to include are:

- 3.1 Describe the organization's strategies for recruitment/outreach to increase and sustain enrollment numbers.
- 3.2 Describe how you will collect, analyze and use customer (parents and provider) information to improve the quality of services.
- 3.3 Describe plans for fast, efficient use of sudden, increase or decrease in client funding — include the description of how a sudden change will be addressed.
- 3.4 Describe strategies on how you will offer parents an expanded choice of accessible and affordable child care arrangements while promoting parental choices and empowering parents to make informed choices regarding child care arrangements that meet their needs.
- 3.5 Describe strategies to ensure eligibility determination, referral, and enrollment are completed according to the written policies and procedures and without bias or favoritism.
- 3.6 Describe plans to manage and sustain a child care wait list and ensure priority of services.
- 3.7 Describe strategies for the recruitment of providers who will provide services to disabled children.
- 3.8 Describe the organization's strategies to ensure that **childcare providers** understand the use, responsibilities, and reporting requirements of five (5) consecutive absences and non-payment of parent share of cost (PSOC) on a timely manner.
- 3.9 Describe plans for how client services will be provided when the current provider base does not meet the needs of a client, include how providers will be recruited when a client has an urgent need for child care that is not met by the current provider base. Give proposed methods and time frames.
- 3.10 Describe how proposer will ensure that hearings and appeals from clients, providers, and the provider management contractor will be in accordance with and guided by the Board's policies and in accordance with TWC guidelines.

(4) **Management Design for Staffing/Staff Development including Customer Service**

Describe the **proposer's experience in staffing and professional development training**. Items to include are:

- 4.1 Describe your staffing pattern for all proposed staff. Including all administration, TRS, Child Development Specialists and Mentoring staff.
- 4.2 Describe plans for continuous professional development of staff including cross-training staff across departments, include TRS cross training and strategies when understaffed to ensure continuous service and outreach.
- 4.3 Describe the number of each type of staff proposed and the proposed salary, include the TRS Assessor. Submit a copy of all current and proposed staff resumes and job descriptions with educational requirements for all proposed staff as an attachment to your proposal.
- 4.4 What is your estimated caseload ratio for client services and provider services, provide a break-down by staffing; i.e. TRS, etc.
- 4.5 Describe plans for the fast, efficient dissemination of information to staff.
- 4.6 Describe how the bidder will establish and maintain a CCS provider resource room, which includes developmentally appropriate equipment and materials, how it will be staffed and required staff qualifications.
- 4.7 Describe strategies for the recruitment of new staff, including all benefits.

(5) Quality Assurance – Monitoring and Continuous Improvement

Describe the **proposer's experience in monitoring and continuous improvement and monitoring**. Items to include are:

- 5.1 Describe strategies to forecast expenditures and enrollments to ensure that performance is met, monthly fund utilization targets, and expenditures are correctly reported.
- 5.2 Describe strategies that will be used to track the retention of clients receiving child care services, as well as the reasons children leave care.
- 5.3 Discuss your coordination and continuous improvement strategies for expansion and improvement of the quality of child care in the region.
- 5.4 Describe strategies for monitoring the providers for compliance with CCS rules, policy, and quality of care standards.
- 5.5 Describe strategies to ensure the timely processing of complaints and appeals in accordance with TWC rules and Workforce Solutions policies.
- 5.6 Describe your procedures to identify possible cases of fraud or program abuse and provide for fact finding and investigation of same. Your procedures must include internal controls for the prevention of fraud and abuse.
- 5.7 Describe how staff will be monitored for compliance with CCS rules, policy, quality of services provided, and client satisfaction.
- 5.8 Describe your strategies for monitoring the performance of front-line staff and management? Do you establish performance goals or standards for staff? If so, what are they?

- 5.9 The bidder must demonstrate capabilities in areas essential to the success of any CCS: provider management, client services, and community leadership in child care issues - submit copies of **program monitoring reports** for the last three years.

(6) Texas Rising Star Program

Describe the **proposer's experience in increasing TRS Providers**. Items to include are:

- 6.1 Describe strategies for the on-going recruitment of new providers to include the assessment and monitoring of Texas Rising Star (TRS) providers within the WSST WDA.
- 6.2 Discuss assistance and innovative strategies for sustainability of TRS Providers within the WSST WDA.
- 6.3 Describe strategies on how quality funds will be utilized to enhance and increase the number of TRS Providers.

(7) Financial Experience, Organizational Stability

Describe the **proposer's Financial Experience and Organization Stability**. Items to include are:

- 7.1 Describe the proposer's experience in the financial management of multiple programs, budgets and fund codes.
- 7.2 Describe the proposed time frames for paying child care providers.
- 7.3 Describe the proposed strategies for the accountability of accounting records that document and properly allocate total allowable CCS operations expenses for each month in the budget period in a manner consistent with the Contract for direct child care delivery services, TWC CCS Guidelines, including: types of expense established by TWC rule — salaries, fringe and other costs and Federal reporting categories — child care administration, systems and certificate program costs.
- 7.4 Describe the proposer's plan to submit invoices to the WSST Board for the WSST Board's share of CCS operations expenses in a format prescribed and/or approved by the Board for each month in the budget period; this applies for each invoice for reimbursement.
- 7.5 Describe proposed strategies for the accountability for records for the collection and distribution to the provider of Parent Fees.
- 7.6 Describe your procedures to identify improper payments determine recoupment amounts, and collections from providers and/or parents.
- 7.7 Describe measurable objectives for how the proposer's Financial Management will be based, including expected outcomes proposed for the services requested. (Objectives will be negotiated and reported on a monthly basis).
- 7.8 Describe your experience in developing service improvement techniques in financial management.
- 7.9 Describe strategies for the acquisition and distribution of equipment and materials.
- 7.10 Discuss the bidder's plans to develop and maintain an inventory and property management system on all items purchased.

- 7.11 Describe strategies for the management of tagging WSST Board Property including experience of staff responsible or job description for the function.
- 7.12 Describe the organizations proposed method of tracking expenditures in multiple fund codes to prevent over or under expenditure, include how often the bidder will be able to provide the WSST Board with information on fund code expenditures?
- 7.13 Describe the organization's plan for tracking and billing operations expenditures.
- 7.14 Provide a cost allocation plan, which details how costs are charged across your organization's funding sources and grants.
- 7.15 Describe the types (cash, in-kind) and sources of matching funds and/or leverage services you propose to provide.
- 7.16 Describe your processes to ensure Personally Identifiable Information (PII) is safeguarded as required by TWC.

(8) Budget/Cost Effectiveness

- 8.1 Complete the attached budget sheets and explain all costs. Provide back-up pages that show how the amounts presented were calculated. (Note: successful bidder will not have to purchase either an automation system or a telephone system) Explain all costs.

(9) Historically Underutilized Business (HUB)

- 9.1 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.

Sequence of Submission -- Proposals must be submitted with elements in the following order:

- Proposal cover sheet (Attachment A)
- One-page executive summary
- Proposal Narrative – Criteria Questions
- Budget Pages [Separate Attachment]
- Resumes
- Monitoring Reports – Program and Financial for the three most recent years – either from a grantor agency or from another Workforce Board, reports should include corrective actions implemented to address any findings in the reports.
- Cost allocation plan and/or indirect cost rate approval
- Audits or financial statements for the three most recent years
- Certificate of Historically Under-utilized Business, if applicable
- Signed Certifications
- Attachment B: Debarment
- Attachment C: Conflict of Interest
- Attachment D: Drug Free Work Place
- Attachment E: Lobbying
- Attachment F: Texas Corporate Franchise Tax

- Attachments G and H: Administrative and Financial Surveys
- Attachment I: Certification of Bidder
- Attachment J: General Assurances
- Attachment K: Public Subsidy Restriction
- Attachment M: Courtesy Letter of Intent to Submit Proposal
- Attachment N - Certification of Non-Discrimination & Equal Opportunity
- Standard Operating Procedures for CCS Operation (may be submitted on USB)
- Program Policy manuals (may be submitted on USB)

Submit an electronic copy of the Proposal (USB Drive).

The Executive Summary is a one-page summary of the proposal. It highlights the purpose, goals, major services and activities and outcomes detailed in the proposal.

The Cover page provides the basic information about the proposing organization, program, and budget. The authorized signature of the CEO on the Cover Page attests that the information in the proposal is accurate and true and thus serves as the formal letter of submission by the proposing organization.

A separate cover letter is not necessary with the submission of the proposal.

Attachment B
**Certification Regarding Debarment, Suspension,
Ineligibility and Voluntary Exclusion**

Lower Tier Covered Transaction

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participant's Responsibilities. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160-19211).

(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 statements in this certification, such prospective participants shall attach an explanation to this proposal.

Name of Authorized Representative

Title

Signature

Date

Attachment C
Certification Regarding
Conflict of Interest

By signature of this proposal, Proposer affirms that:

- (1) No manager, employee or paid consultant of the Proposer is a member of the WSST Board;
- (2) No manager or paid consultant of the Proposer is a spouse to a member of the WSST Board or Staff of the WSST Board;
- (3) No member of WSST Board or employee of the WSST Board owns or controls more than a 10 percent interest in the Proposer;
- (4) No spouse of a member of the WSST Board or employee of the WSST Board is a manager or paid consultant of the Proposer;
- (5) No member of the WSST Board, or employee of the WSST Board receives compensation from Proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;
- (6) Proposer has disclosed within the Proposal any interest, fact or circumstance that does or may present a potential conflict of interest;
- (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 WSST Board and shall immediately refund to the WSST 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 WSST Board relating to that contract.
- (8) Proposer shall comply with the standards of conduct stated in the Assurances and Certifications, Section 11 Conflict of Interest and be in accordance with Texas Administrative Code, Chapter 801, Title 40, and Part 20.

Name of Proposer: _____

Name and Title of Authorized Signatory: _____

Signature: _____

Date: _____

Attachment D

Certification Regarding Drug-Free Workplace

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

DRUG-FREE WORKPLACE

(GRANTEES OTHER THAN INDIVIDUALS)

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

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

Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

- B. Establishing an on-going drug-free awareness program to inform employees to include:

- (1) The dangers of drug abuse in the workplace;
- (2) The grantee's policy of maintaining a drug-free workplace;
- (3) Any available drug counseling, rehabilitation and employee assistance programs;
- (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace; and
- (5) Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (A);

- C. Notifying the employee in the statement required by paragraph (A) that, as a condition of employment under the grant, the employee will:

- (1) Abide by the terms of the statement; and

- (2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such a conviction;
- D. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (C)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position and title to the Executive Director Workforce Solutions South Texas. Notice shall include the identification number(s) of each affected grant.
- E. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D)(2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (2) Requiring such employee(s) to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- F. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (A), (B), (C), (D) (E) and (F).
- G. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:
Place of Performance (street address, city, county, state, zip code)

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

Signature of Authorized Representative

Date

Printed/Typed Name

Printed/Typed Title

Attachment E Certification Regarding Lobbying

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

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

No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.;

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;

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

Signature of Authorized Representative

Date

Printed/Typed Name

Printed/Typed Title

Attachment F
Certification Regarding Texas Corporate
Franchise Tax

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

The undersigned authorized representative of the entity subcontracting herein certifies that the following indicated statement is true and correct and that the undersigned understands 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 Proposer/Organization

Name and Title of Authorized Representative

Signature of Authorized Representative/ Date

Attachment G

Administrative Management Survey

PROPOSER: _____

Please answer the following questions regarding your administrative management system. Additional information may be requested at the time of a pre-award survey, including copies of documents specifically named.

Question	Yes	No	N/A
1. Does your organization have current Articles of Incorporation?			
2. Does your organization have written personnel policies?			
3. Do your written personnel policies contain procedures for: a. Open employee recruitment, selection and promotional opportunities based on ability, knowledge and skills; b. Providing equitable and adequate compensation; c. Training of employees to assure high-quality performance; d. Retaining employees based on the adequacy of their performance, and for making adequate efforts for correcting inadequate performance; e. Assuring fair treatment of applicants and employers in all aspects of personnel without regard of political affiliation, race, color, national origin, sex, age, disability, religion, or creed, with proper regard for their privacy and constitutional rights as a citizen; and f. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office?			
4. If your organization does not have the procedures noted above, could your personnel policies be revised expeditiously to include these procedures?			
5. Do your written personnel policies contain a prohibition against nepotism?			
6. Do your written personnel policies contain a prohibition against employees using their positions for private gain for themselves or other parties?			
7. Does your organization have an authorized, written travel policy for employees and authorized agents that provides for reimbursement for mileage and/or per diem at a specified rate?			

8. Does your organization have a written employee grievance procedure used to resolve complaints?			
Question	Yes	No	N/A
9. Does your organization have the capacity or staff to produce and maintain records on project participants and/or other customers as well as other management information that may be needed?			
10. If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs to the WSST Board?			
11. Does your organization have a State Comptroller Contractor Number?			
12. Is your organization governed by a Board of Directors, an elected body (city/county ISD council, commission or board) or Council?			
13. Does your organization operate under local rules or by-laws?			
14. Has your Board/Council reviewed and approved this proposal for submission?			
15. Does your organization have a current approved fidelity bond?			
16. Does your organization have an EEO/affirmative action plan?			
17. Does your organization have a complaint or grievance process for customers?			

Name: _____ Signature: _____

Attachment H Financial Systems Survey

PROPOSER: _____

Please answer the following questions regarding your fiscal management system. Additional information may be requested at the time of a pre-award survey, including copies of the documents specifically named.

Question	Yes	No	N/A
Does your organization follow GAAP?			
1. Does your accounting system: <ul style="list-style-type: none"> a. Provide control and accountability for funds received, property, and other assets; b. Provide identification of receipt and expenditures of funds separately for each funding source; c. Provide adequate information to prepare monthly financial reports on an accrual basis; d. Have the capability to track allow ability and allocation of costs in accordance with requirements for federal grant programs; 			
2. Are state and federal funds which may be advanced to you deposited in a bank with federal insurance oversight?			
3. Has the bank in which you deposit state and federal funds insured the account(s) or put up collateral or both equal to the largest sum of money which would be in such account(s) at any one point in time during the contract period?			
4. Do you reconcile your bank accounts monthly?			
5. Are the bank reconciliations made by the same person who performs recordkeeping for receipts, deposits and disbursement transactions?			
6. Do you record daily cash receipts and disbursement transactions?			
7. Are individuals or positions in your organization, which handle the receipt or distribution of money covered by bond? <ul style="list-style-type: none"> a. Is there a person who is responsible for the receipt of all purchased goods? b. Does this person assign, upon receipt, an inventory number for items? c. Does this person perform an inventory audit at least once a year? 			
8. Do you maintain records on all property acquisition, disposition, and transfer			

9. Do you have written procedures and internal controls established for the procurement of goods and services?			
Question	Yes	No	N/A
10. Is a competitive bidding process incorporated into your purchasing procedures for acquisition of subcontractors, major goods and services, equipment, and office space?			
11. Are timesheets kept supporting payroll disbursement? If not, describe how employee time is documented and payroll supported:			
12. Are records maintained to support authorized employee leave (vacation, sick, etc.)?			
13. Are complete records kept supporting travel payments?			
14. Has a formal audit by an outside auditing firm been conducted of your organization's financial record in the past year?			
15. Do you have an indirect cost plan with current approval by a cognizant agency?			
16. Is your organization funded by more than one source?			

Name: _____ Signature: _____

Attachment I

Certification of Bidder

I hereby certify that the information contained in this proposal and all attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee, WSST Board member or agent of the WSST Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the request for proposal and that this organization will comply with all pertinent regulations, WSST Board policies, and other applicable local, state and federal regulations and directives in the implementation of these programs. I certify that I have read and understand the Governing Provisions and Limitations and the Administrative Requirements and Procedures sections of this RFP and will comply with the terms.

I, _____, certify that I am the _____
 (Typed name) (Title)

of the corporation, partnership, or sole proprietorship, or other eligible entity named as a proposer and Respondent herein and that I am legally authorized to sign this proposal and submit it to the WSST Board on behalf of said organization by authority of its governing body.

Person Authorized to sign for the organization:	Board member signature of authorizing Board:
Signature:	Signature:
Typed Name	Typed Name
Typed Title	Typed Title
Date:	Date:

Subscribed and sworn to before me on this _____ day of _____, 2018 in _____ (city), _____ (county), _____ (state).

Notary Public in and for _____ County,

State of _____. Commission expires: _____

[SEAL]

Attachment J
General Assurances

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

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

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

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

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

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

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

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

We understand and agree to submit this proposal in a good faith effort to provide services as outlined in this "RFP" issued by the WSST Board.

Signature _____ Date _____

Printed Name and Title _____

Attachment K
Certification on The Use of Public Subsidy Restriction

Pursuant to Texas Government Code 2264.051, a business that applies to receive a public subsidy from a state agency or state funded agency shall certify that the business, or a branch, division, or department of the business does not and will not knowingly employ an undocumented worker as defined in the Texas Government Code, 2264.001(4).

The undersigned authorized representative of the entity making the offer or application herein understands and certifies that:

- (1) the following indicated statement is true and correct;
- (2) making a false statement is a material breach of contract and grounds Contract cancellation; and
- (3) If, after receiving a public subsidy, the entity is convicted of a violation under 8 United States Code 1324a(f) (relating to the unlawful employment of undocumented workers) the entity shall repay the amount of the public subsidy with interest, at the rate provided under the contract issued pursuant to this offer or application, within 120 days of receiving the notice of violation.”

Name and Title of Authorized Representative

Signature

Attachment L

Budget Forms

Required budget forms are provided as a separate MS Excel file - Budget Forms are also available on the WSST Board's website: www.southtexasworkforce.org

Attachment M
Courtesy Letter of Intent to Submit Proposal
COMPLETE AND FORWARD TO:

Bertha Millan
Bertha.millan@southtexasworkforce.org

**Management and Operation of Workforce Solutions
for South Texas Child Care Services Program**

Company/Agency/Entity: _____

Contact
Person: _____

Address: _____
Street City State Zip

Phone: _____

Fax: _____

Email: _____

I certify that I have received the Request for Proposal (RFP) package for the WSST Board's Operation of the Child Care Services Program, and that I understand this Letter of Intent does not obligate our organization to submit a proposal.

I plan to submit a proposal in response to this RFP.

Signature: _____ Date: _____

Attachment N

Certification of Non-Discrimination & Equal Opportunity Provisions of the WORKFORCE INNOVATION AND OPPORTUNITIES ACT (WIOA)

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

(a)(1) Each application for financial assistance under Title I of WIOA, 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 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 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
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Printed Name and Title