

REQUEST FOR APPLICATION

August 17, 2009



workforce
SOLUTIONS
a TALENT for BUSINESS

Child Care Local Match FY 2009-2010

Issued by
Workforce Solutions
3101 W. Expressway 83
McAllen, Texas 78501

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1-800-735-2989 (TDD) and 1-800-735-2988 (Voice) www.wfsolutions.com
09-RFA-01-300

Tentative Time-Line of Events

August 17, 2009	Publication of RFA notice
August 17, 2009	10:00 a.m. CST RFA made available to public
September 15, 2009	Initial Deadline, 4:00 p.m. CST
September 16-20, 2009	Review process
September 21, 2009	Agreement Negotiations/Preparations
September 22, 2009	Send TWC for approval
October 1, 2009	Local Match Start-up
January 10, 2010	4:00 p.m. CST Final Deadline (Applications received after the January 10 th date may be considered for subsequent rounds of awards based on availability of funds).

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PART I BACKGROUND AND MISSION STATEMENT

BACKGROUND

Workforce Solutions is the administrative entity for workforce development programs in Hidalgo, Starr, and Willacy Counties, Texas including the Workforce Investment Act (WIA), Child Care Services, Food Stamp Employment and Training, TANF/Choices, and Wagner-Peyser Employment Services. The Board is a volunteer board appointed by the Chief Elected Officials of the Lower Rio Grande Valley Workforce Development Area. The Board is composed of a majority of representatives of private sector employers, along with representatives of labor, education, childcare, social services, community based organizations, rehabilitation agencies and other local interests.

Workforce Solutions was formed in response to state welfare reform legislation, and is charged with planning, administering, and overseeing a consolidated workforce development system for Hidalgo, Willacy, and Starr counties. In this role, Workforce Solutions procures and contracts with organizations to provide employment and training services to residents through several different federal job training programs. Workforce Solutions is responsible for administering Workforce Investment Act (WIA) programs, childcare programs included in the Child Care Services (CCS) system, and related Local Initiatives; Food Stamp Employment and Training (FSE&T); the Temporary Assistance for Needy Families (TANF) Choices program; under the Budget Reconciliation Act of 1997. Workforce Solutions is also responsible for planning and overseeing the Wagner-Peyser Employment Services (ES) program.

Workforce Solution's primary goal is the implementation and development of workforce-related activities and programs in the Lower Rio Grande Valley region. Workforce Solutions contracted effective June 2009 with Arbor Education & Training, L.L.C. to administer child care services. Workforce Solutions retains planning and oversight responsibilities for these programs.

MISSION STATEMENT

The mission of Workforce Solutions is to build a partnership with employers and job seekers that will be a catalyst for economic growth in the Hidalgo/Willacy/Starr workforce development area.

PART II SCOPE OF SERVICES

Workforce Solutions is soliciting applications from entities interested in donating/transferring funds, or certifying expenditures in order to draw down unmatched federal funds allocated to Hidalgo, Starr and Willacy Counties. The Texas Workforce Commission initiated the local match effort to improve the quality, affordability, and availability of child care. TWC and the local workforce boards, through agreements with

local entities, combines local and federal matching funds to purchase child care services in a local community. Child care services are provided to eligible low-income families to create and promote long term self-sufficiency. Workforce Solutions markets and obtains pledges for the local match funds.

PART III APPLICATION SUBMISSION INSTRUCTIONS

A. SUBMITTING AN APPLICATION

All applications must be typed, single-spaced, and single-sided, in 12 point font on 8 ½" x 11" white paper with margins of at least one inch. Applications must be securely stapled in the upper left hand corner or bound (i.e. binder clip), with all pages sequentially numbered. It is strongly recommended that the applicant's name be typed at the top of each page. The applicant will be liable for the loss of any document not properly identified. One (1) original of the application must be submitted to constitute a complete application. The application must have original SIGNATURES written in BLUE INK.

The format of the RFA including all forms and attachments to this RFA must be used and must be in the proper order in the final application. ***Failure to adhere to all of the procedures identified above will result in your application being deemed non-responsive and rejected from consideration.***

The application must be time and date stamped received, either by mail, in person or fax, by **4:00 p.m. CST on September 15, 2009** at the **Board's Administration Office, located at 3101 W. Business 83, McAllen, Texas 78501 to be considered for the first round.** Applications received after this deadline may be considered for subsequent rounds of awards based on availability of funds. All responses must be submitted by **January 10, 2010, 4:00 p.m. CST** to be considered.

B. APPLICATION CONTENT SPECIFICATIONS

1. Request for Application (Form Provided)

All items on the Request for Application form must be completed. **The application Contact Person** is the person Workforce Solutions can contact regarding the application. The **Agreement Signature Authority** is the person with the legal authority to negotiate and sign an agreement on behalf of the proposing organization. This person's signature should also be on all certification forms submitted with this application. **Historically Underutilized Businesses (HUBs)** are encouraged to apply and must indicate the HUB certification number.

2. Certification of Bidder (Form Provided)

Read, complete and have the Contract Signature Authority sign this form.

C. SERVICES NEEDED

Proposed Services

The Texas Workforce Commission initiated the local match effort to improve the quality, affordability and availability of child care. TWC, through Board contracts with local entities, combines local and federal matching funds to purchase child care services in a local community. Local Match target for fiscal year 2009 (October 1, 2009 to September 30, 2010) is an estimated \$1,133,360.00. **NOTE: For Program Year 08/09 (October 1, 2008 through September 30, 2009) the Board exceeded its required match amount and anticipates (based on historical participation and amounts certified) to exceed the required amount for Program Year 09/10, therefore negotiations should be expected in terms of reduction of amounts submitted for matching to remain within match requirements.**

Most entities/contributors are:

1. Independent School Districts providing after school care to low-income children and children of teen parents,
2. For and not-for-profit organizations,
3. Public or private entities providing services that increase the quality of child care, and
4. Local governmental entities that provide child care services.

The types of allowable expenditures include, but are not limited to:

1. Child care for low-income families who are working, training, or participating in educational activities. (who meet Child Care Services eligibility)
2. Purchase of child care equipment and supplies, and
3. Personnel.

The three main goals of the local match effort are to:

1. Expand the availability of full day child care in order to support the participation in employment, training, and educational activities by low-income families,
2. Support and increase the quality and accessibility of child care in Texas, and
3. Maximize opportunities to draw down unmatched federal funds for child care services.

Every dollar invested in direct or quality child care in a local community is matched with the appropriate Federal Medical Assistance Percentage (FMAP) for Texas.

Matching Fund Requirements

Funds from public and private sources are used as the local matching share required for appropriated unmatched federal funds. These funds and resulting federal dollars are used to fund direct child care services and child care quality activities.

1. Public entities may certify allowable child care expenditures to draw unmatched federal funds.
2. Public entities may transfer funds - write a check for the local match share to draw unmatched federal funds.
3. Private entities such as for and not-for-profit organizations, and individuals may donate funds - write a check for the local match share - to draw unmatched federal funds. Donations cannot revert back to the donor.

Types of funding to be used as match

From Public sources:

1. Public entities (primarily cities, counties, housing authorities, community college districts) may certify expenditures of tax dollars that are not used elsewhere as match.
2. Federal Community Development Block Grant (CDBG) funding, as authorized by the funding source, may be used as matching funds.
3. Public schools may use tax dollars and state funds that are not used elsewhere as match. School tax funds and state PEP/Life Skills grant funding are often used by Local Workforce Development Boards as sources of matching dollars. Public Pre-K funds are currently being used as match at the state level.
4. State General Revenue funds appropriated for child care are used as match.
5. Public entities may certify expenses of these types of allowable expenditures or may transfer funds in order to draw unmatched federal funds.

From Private sources:

Private entities/individuals donate cash as the match to draw unmatched federal funding.

Note: As stated in federal regulation, in-kind contributions are not an eligible source of match. Funds donated/transferred/certified cannot be federal funds.

D. ADDITIONAL REQUIRED DOCUMENTATION

1. **Complete and have the authorized signatory sign all enclosed certifications in the Required Forms section and place all forms in the order specified on the Application Checklist form:**

- a. Application Identification
- b. Application Checklist / Table of Contents
- c. Certification of Bidder
- d. Request for Application
- e. Proposed Program Description
- f. Proposed Donation/Transfer payment(s) and/or Certification of Expenditure Schedule
- g. Administrative Management Survey
- h. Fiscal Management Systems Survey
- i. Certification Regarding Debarment, Suspension and other Responsibility Matters
- j. Certification Regarding Lobbying
- k. Certificate Regarding Texas Corporate Franchise Tax
- l. Certification Regarding Drug-Free Workplace
- m. LRGVWDB Disclosure of Interests
- n. State Assessment Certification
- o. Equal Opportunity and Nondiscrimination

PART IV ADMINISTRATION OF THE RFA PROCESS

A. Issuing Agency: This RFA is issued by Workforce Solutions, which is the sole point of contact during the selection process. All successful applicants will have a local match agreement directly with Workforce Solutions. In addition, Workforce Solutions reserves the right to vary the provisions set forth herein any time prior to the execution of a contract.

B. Points of Contact for Questions and Requests: All questions or requests for material related to this RFA process must be submitted in writing to:

Robert Barbosa, CTPM, Procurement Coordinator (procurement/process)
Mel Escamilla, Senior Project Coordinator (program related questions)
3101 W. Business 83
McAllen, TX 78501
Phone: (956) 928-5000
Fax: (956) 664-8987

C. Eligible Applicants: All applicants are expected to have adequate experience and the capability to provide the information outlined in this RFA and must be able to ensure compliance with the ensuing local match agreement.

D. Submission of Application: The original complete and signed application must be submitted to Workforce Solutions by registered mail or delivered in person to:

Robert Barbosa, CTPM, Procurement Coordinator
Workforce Solutions
3101 W. Business 83
McAllen, Texas 78501
Fax: (956) 664-8987

Applications submitted via facsimile or electronic mail will be accepted, but must be followed up with a mailed original application.

E. DEADLINE for Submission: In order to be considered for the first round of awards, the Request for Application must be received by Workforce Solutions **no later than 4:00 p.m. CST, September 15, 2009.** Applications received after this deadline may be considered for subsequent rounds of awards based on availability of funds. All responses must be submitted by **January 10, 2010 4:00 p.m. CST** to be considered. Upon submission all applications and accompanying attachments become the property of Workforce Solutions and will not be returned.

F. Modifications or Withdrawals: Applications may be modified or withdrawn by written notice to Workforce Solutions, addressed to Robert Barbosa, CTPM, Procurement Coordinator, **prior to the deadline for the submission of the application.** Any changes must be initialed by the person(s) signing the application. In no event may an application be modified by the applicant after the submission deadline, unless a modification is requested by Workforce Solutions as a condition of application clarification or through negotiations.

G. Notification of Award: All applicants will be notified in writing of the results. Workforce Solutions may make copies of successful applications available upon request through an open records request.

H. Lower Rio Grande Valley Workforce Development Board Applicant Debriefings and Protests: The Lower Rio Grande Valley Workforce Development Board (the "Board"), is the responsible authority for handling protests regarding the procurement and bid selection process.

Once a procurement decision is made, the Board shall notify each applicant in writing of the results. Unsuccessful applicant shall be advised, in writing, that they have the right to request a debriefing or to request a hearing.

DEBRIEFING

The purpose of a Debriefing is to promote the exchange of information between an applicant and Board staff pertaining to the application process and the application evaluation system. The goal of a Debriefing is to assist an applicant in improving the quality of future applications. The Board will not host a Debriefing to an applicant who has engaged in the Hearing process described below.

A Debriefing shall include an informal exchange of information pertaining to the Board's application process and application evaluation system and shall serve as an educational function for applicants. During a Debriefing the applicant will receive information on how their application was received and ranked. The Board reserves the right to limit the amount of time allocated for a Debriefing.

Step 1: Applicants who desire a Debriefing must submit a written request within ten (10) calendar days of receipt of the Board's notification of the procurement decision. The Board shall acknowledge receipt of the request for a Debriefing in writing within five (5) working days of receipt, along with the date and time of the scheduled Debriefing.

The Request for a Debriefing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as "Dated Material" and addressed to:

Ms. Yvonne "Bonnie" Gonzalez
Chief Executive Officer
Workforce Solutions Administrative Office
3101 W. Expressway 83
McAllen, Texas 78501

Telefax, facsimile and e-mail requests for a Debriefing will NOT be accepted.

Step 2: The Debriefing shall be scheduled at the Board's Office located at 3101 W. Business 83, McAllen, Texas no later than ten (10) working days from the date the inquiry is received by the Board.

Step 3: Board staff shall meet with the applicant and shall review: 1) the application and application evaluation process; and 2) how the appealing party's application was scored and ranked; suggestions on how to improve future applications (if applicable).

APPEAL/HEARING REQUEST

An Appeal occurs when an unsuccessful applicant believes that they were treated unfairly in the application and award process and that they, rather than the organization selected for the award, deserve the procurement agreement. The Board will not grant a

Hearing to an applicant who has engaged in the Debriefing process described above.

Step 1: If an applicant wishes to appeal the decision of the Board regarding their application, the complainant applicant must submit to the CEO, a written Request for a Hearing within ten (10) calendar days of receipt of the Board's notification of the procurement decision. The Board shall acknowledge receipt of the request for a Hearing in writing within five (5) working days of receipt, along with the date and time of the scheduled Hearing. The Request for a Hearing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as "Dated Material" and addressed to:

Ms. Yvonne "Bonnie" Gonzalez
Chief Executive Officer
Workforce Solutions Administrative Office
3101 W. Business 83
McAllen, Texas 78501

Telefax, facsimile and e-mail notices will NOT be accepted.

Step 2: The written Request for a Hearing sent to the CEO must include the following information:

- a. The funding decision being appealed (i.e. specific date of the RFA and the Board action taken).
- b. Name, address and phone number of the protesting party(ies);
- c. A description of any alleged acts or omissions by the Board that form the basis for the protest (this must include the specific concerns and the specific grounds for the protest).
- d. Any written information the applicant believes is relevant to the protest;
- e. The remedy sought by the applicant.

Step 3: Upon written request, the Board staff shall make available to the applicant all requested documents not exempted from disclosure under state or federal law. The Board will provide copies of these documents upon payment of the standard fees for record duplication.

Step 4: A Hearing shall be scheduled at the Board Offices at a mutually agreed time and date but no later than twenty (20) calendar days from the date the request for a Hearing is received by the Board.

Step 5: The CEO or his/her designee shall act as the Hearing Officer. The CEO shall also appoint a Committee of either Board members and/or Workforce Solutions staff to serve as the Hearings Committee. Such committee shall consist of the Hearing Officer and either two (2) or four (4) additional committee

members.

Step 6: The Hearings Committee shall meet with the protesting party to discuss the specific concerns and the specific grounds for the protest identified in the Request for a Hearing (see Step 2(c) above). Only those issues presented in the Request for a Hearing will be addressed at the Hearing. The Hearings Committee shall evaluate the appropriate actions which should be taken while abiding by Workforce Solutions funding rules and regulations and which are consistent with the Board's procurement policies.

Step 7: A determination will be made within ten (10) business days from the date of the Hearing. Should the Hearings Committee determination result in a different outcome for the applicant, such recommendation shall be presented to the full Board for consideration and possible action at the next scheduled meeting. However, the Board is NOT obligated to accept the Hearings Committee determination and/or recommendations.

If the Hearing Committee's determination does not result in a different outcome to the applicant, such information need not be presented to the Board and the applicant shall be informed in writing by the Hearings Officer of the Hearing outcome.

APPEAL TO TEXAS WORKFORCE COMMISSION

Texas Workforce Commission (the "TWC") will not review any protest from an applicant until all administrative remedies at the local Board level have been exhausted. TWC appeal review is limited to:

- Violations of federal laws and regulations (Violations of state and local laws shall be under the jurisdiction of state and local authorities).
- Violations of the Board's protest/dispute procedures or failure to review a protest or dispute.

I. APPLICATION EVALUATION CRITERIA:

Compliance Review

Upon receipt of the applications, Workforce Solutions staff will review for completeness with the terms and conditions of the RFA and evaluate to ensure the proposed program adheres to the allowable activities/matching fund requirements for Child Care Local Match identified in this Request for Application. Incomplete Applications clearly found to be inconsistent with legal, regulatory, or RFA requirements will be eliminated and returned to sender. Funding will be determined on the program description, proposed matching funds, number of applications received and amount of funds available, and successful negotiations with the applicants. **NOTE: For Program Year 08/09 (October 1, 2008 through September 30, 2009) Workforce Solutions exceeded its required match amount and anticipates (based on historical participation and amounts**

certified) to exceed the required amount for Program Year 09/10, therefore negotiations should be expected in terms of reduction of amounts submitted for matching to remain within match requirements.

Programs may begin on or after **October 1, 2009** and will conclude by **September 30, 2010**. The period of performance and funding for these projects are subject to Workforce Solutions receiving Child Care Local Match funds from TWC to fund the program.

Evaluation Criteria

Workforce Solutions staff or Independent evaluators or a combination of both will score and rank all application with respect to the stated criteria. Evaluators will consider the following criteria in their selection:

Completeness

30 Total Points

All forms and certifications were submitted.

Allowable Activities/Matching Fund Requirements

40 Total Points

Entity demonstrates that their program adheres to allowable activities/matching fund requirements for Child Care Local Match identified in this RFA. Application (s) meets or exceeds specifications. If utilizing PEP/Life Skills Grant please attach copy grant budget.

Impact of Investment

30 Total Points

Entity demonstrates that their program will impact the community by expanding the availability of full day child care in order to support the participation in employment, training, and educational activities by low-income families.

The determination of the successful Applicant will be based upon information supplied by the Applicant in response to this RFA.

Workforce Solutions reserves the right to negotiate with any Applicant after Request for Application for Child Care Local Match are opened, if such action is deemed to be in the best interest of Workforce Solutions. Workforce Solutions reserves the right to reject any application submitted. **NOTE: For Program Year 08/09 (October 1, 2008 through September 30, 2009) Workforce Solutions exceeded its required match amount and anticipates (based on historical participation and amounts certified) to exceed the required amount for Program Year 09/10, therefore negotiations should be expected in terms of reduction of amounts submitted for matching to remain within match requirements.**

Workforce Solutions Board Action

The staff's recommendations will be presented at the Workforce Solutions Planning Committee meeting tentatively scheduled in September 2009. The Committee's

recommendation will be presented at the Board meeting tentatively scheduled in September 2009. These dates are subject to change at Workforce Solutions' discretion.

Applicants are advised that the Workforce Solutions Board of Directors must approve the final selection.

Each application will be individually graded, and the scores will be averaged for a final application score. An application must receive a minimum of 70 points out of 100 for the application to be eligible for consideration. Applications receiving a score of 70 are not guaranteed funding. All applications must meet the following minimum standards to be considered:

- The application must be received by the deadline;
- All required attachments must be included;
- Documents must be presented in the proper format and required order (see Attachment B, Application Checklist); and
- All forms/certifications must be submitted, signed and notarized, as required
- Total amount requested/pledged for certification may be determined on first submitted first approved basis.

The application selection process includes review, evaluation, and rating of applications, funding recommendation to the appropriate Board Committee, and final approval and award of contract by the full Board. The Board reserves the right to enter into a local match agreement that the Board determines is in its best interest.

PART V GOVERNING PROVISIONS

A. PROVISIONS GOVERNING THIS SOLICITATION

- 1) Purpose of Solicitation:** The only purpose of this RFA is to ensure uniform information in the solicitation of matching funds. This RFA is not to be construed as a purchasing agreement or contract, or as a commitment of any kind.
- 2) Right to Make No Awards:** Workforce Solutions is under no legal requirement to execute an agreement. The Workforce Solutions reserves the right to accept or reject any or all applications received, to cancel this RFA in part or in its entirety, to reissue and/or extend the deadline for submission of this RFA. This RFA does not commit Workforce Solutions to pay for costs incurred prior to the execution of a formal agreement unless such costs are specifically authorized in writing by the Workforce Solutions.

The award of any agreement based on applications received in response to this request is contingent upon Workforce Solutions receiving adequate funds for the stated purpose from the Texas Workforce Commission. Workforce Solutions reserves the right to withdraw, or reduce the amount of an award **NOTE: For Program Year 08/09 (October 1, 2008 through September 30, 2009) Workforce Solutions exceeded its required match amount and anticipates (based on historical participation and amounts certified) to exceed the required amount for Program Year 09/10, therefore negotiations should be expected in terms of reduction of amounts submitted for matching to remain within match requirements**, or to cancel any agreements resulting from this solicitation if adequate funding is not received from the Texas Workforce Commission.

- 3) Right to Amend Solicitation:** Workforce Solutions specifically reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is deemed to be in the best interest of Workforce Solutions. Workforce Solutions reserves the right to award an agreement for any services solicited in this RFA in any quantity Workforce Solutions determines is in its best interest.
- 4) Right to Vary or Extend Agreement Period:** Workforce Solutions reserves the right to vary the agreement period as necessary and shall ensure compliance with relevant statutes and regulations in doing so. At its sole discretion, Workforce Solutions may extend the period of agreements awarded under this RFA for up to three (3) additional months based upon the best interests of Workforce Solutions, successful performance of contributor, and receipt of adequate funding.
- 5) Contingency of Awards:** Awards resulting from review and evaluation of applications will be contingent upon successful negotiation of an agreement.

Workforce Solutions reserves the right to negotiate the terms of all or part of any agreement(s) resulting from responses received. Before agreeing to an agreement(s), the Workforce Solutions reserves the right to:

- Request additional information from applicants,
- Waive any defect, irregularity, or informality in any application,
- Place priority on applications submitted for direct child care versus applications submitted for quality improvement activities,
- Retain negotiation right to clarify, or verify any aspect of a submitted application in response to the RFA,
- Negotiate an agreement with one or more of the qualified applicants responding to this RFA,
- Require the submission of any price, technical, or other revision to the application, which results from negotiations conducted.

Workforce Solutions reserves the right to conduct a review of records, systems, procedures, etc., of any entity selected to enter into a local match agreement. This may

occur prior to any agreement award. Misrepresentation of the applicant's ability to perform, as stated in the RFA may result in agreement cancellation.

- 7) Right to Secure Additional Information:** Workforce Solutions reserves the right to contact any individual, agency employer, or grantees listed in a application, to contact others who may have experience and/or knowledge of the applicant's relevant performance and/or qualifications; and to request additional information from any and all applicants.
- 8)** Workforce Solutions reserves the right to negotiate the final terms of any and all agreements with successful applicants. Items that may be negotiated include, but are not limited to, type and scope of activities and certification of expenditure schedule. Any agreement negotiated as a result of this RFA may be extended, modified, or de-obligated in the manner set forth in the agreement in order to attain the objectives of Workforce Solutions.
- 9) Prohibition of Activities Which Restrict Competition:** Applicants shall not engage in any activity, which will restrict or eliminate competition. Violation of this provision may cause an applicant's application to be rejected. This does not preclude joint ventures or sub-contracts.
- 10) Prohibition of Plagiarism:** All applications submitted must be the original work product of the applicants. Copying, paraphrasing, or other use of the work products of others, submitted in response to this request as the original work of the applicants, is not permitted. Failure to adhere to this instruction may cause the application(s) to be disqualified and rejected.
- 11) Resolution of Compliance Issues:** An agreement with the selected applicant may be withheld, at Workforce Solutions' sole discretion, if the applicant currently has outstanding issues of questioned/disallowed costs or non-compliance with relevant statutes, regulations, or contracts, until such issues are satisfactorily resolved. Agreement awards may be withdrawn by the Workforce Solutions if resolution of these issues is not satisfactory to Workforce Solutions.
- 12) General Reporting:** Contributors will provide such reports on certifying allowable expenditures as required by the Workforce Solutions.
- 13) Records:** The contributor will be responsible for submitting all records pertaining to expenditures under the agreement, including program and management records, client records, vendor records, and financial records. Some records must be maintained on a specific form required by Workforce Solutions or the Texas Workforce Commission. Those records will be identified during agreement negotiations.
- 14) Conflict Of Interest/Code of Conduct:** Any Board member, Board officer,

employee, or agent involved in the procurement process is prohibited from accepting gifts, favors, or anything of monetary value from existing or potential sub-contractors or parties to sub-agreements. Every reasonable course of action shall be taken in order to maintain the integrity of the expenditure of public funds and to avoid any favoritism or questionable conduct. Any situation, which suggests that a decision was influenced by prejudice, bias, special interest, or personal gain, shall be avoided. Before being awarded a contract, a person may be required to represent, in writing, that such person has not been retained in violation of the ethical standards. Failure to do so constitutes a breach of ethical standards.

If an individual has a conflict of interest, they must declare a conflict on the official record, and abstain from voting on, and/or participating in, the procurement. The following create conflicts of interest and must be avoided by all Board members, officers, employees, or agents of a contractor in procuring goods or services with federal/state funds:

- a. Gratuities -- To solicit, demand, accept, or agree to accept, or to offer, give, or agree to give, from/to another person any economic opportunity, future employment, gift, loan, special discount, trip, favor, or service.
- b. Any individual's participation in the development of procurement documents, review of procurement packages prior to release to potential applicants, acceptance by deadline, initial review of procurement packages, negotiation, selection, discussion, award, or administration of a procurement supported by TWC funds where, to the individual's knowledge, any of the following has a financial or other substantive interest in any organization which may be considered for award:
 1. the individual;
 2. any member of his or her immediate family;
 3. his or her partner; or
 4. any organization in which any of the above has a material financial or other substantive interest.
- c. Contingent Fees -- To solicit or secure an agreement upon agreement or understanding for a commission, percentage, brokerage, or contingent fee except for retention of bona fide employees, or established commercial selling agencies for the purpose of securing business.
- d. Confidentiality and Non-disclosure -- Certain information may not be disclosed until a particular point in the procurement process has been reached. Other information must be kept confidential permanently. No procurement information shall be used by any person for actual or anticipated personal gain, or for the gain of any other person. The following lists some of that information: Information about the funds available, or related data, until that information is made known to all offerors;
 1. The number and names of offerors until the contract is awarded and

- the decision is made public;
2. Technical or cost/price information to anyone not officially involved in the procurement while the procurement is in progress;
 3. Certain technical or application information that the offeror has designated as proprietary or trade secret, even after the award is made and publicized.
- e. Illegal Acts -- Accepting or paying bribes or kickbacks, conspiring to thwart the competitive procurement process; and
- f. Real or Apparent Conflict of Interests -- Conflict of Interest Certification is included in the Required Forms section and must be submitted with the application labeled and positioned in the application as per the Response Checklist. Neither the applicant nor any member of its governing body should presently have any interest, or in the future acquire any interest, which would conflict with the performance of services under this contract.

The applicant agency must establish, or have in place, safeguards to prevent members of its governing body, staff members, sub-contractors, or employees from using their positions for a purpose that is or gives the appearance of being motivated by private gain for themselves or others with whom they have ties. No officer, member, employee of the sub-contractor, or member of its governing body or staff should (a) participate in any decision relating to this contract which affects his personal interest or the interest of any corporation, partnership, or association in which he/she has a direct or indirect interest; (b) have any interest, direct or indirect, in this contract or the proceeds. The sub-contractor cannot hire a person for the proposed program if a member of that person's immediate family is engaged in administration or supervisory capacity for the Board.

15)Confidentiality: If selected, the applicant agency will be required to establish and maintain procedures to secure the confidentiality of all records of participants of any job training program assisted under this process, and other data, in accordance with applicable state and federal laws and regulations. Please see the above section for more information on confidentiality.

16)Record Retention: All records related to contracts resulting from the procurement process must be retained by the contractor for a period of three (3) years and ninety (90) days from the date of submission of the final report. If the contributor is unable to retain the records for this period of time, the contributor must contact Workforce Solutions to make arrangements for storage of the records in a manner, which keeps the records accessible to Workforce Solutions.

17)Regulations: The governing regulations on Workforce Solutions programs can be found in the Child Care Development. A copy of the Child Care Rules and the

regulations can be found at www.usworkforce.org. Program guidelines, laws and regulations are available for the welfare reform programs on-line at www.texasworkforce.org under "Welfare Reform".

- 18) Workforce Solutions reserves the right to waive any defects in this procurement process or to make changes to this solicitation, as it deems necessary. Workforce Solutions will provide notification of such changes to all prospective respondents recorded in the official record (Distribution Log/Receipts Logs) as having received or requested an RFA.
- 19) All applications and any attachments, appendices, or other information submitted as a part of a response becomes the property of Workforce Solutions upon submission and may be printed, published, or distributed in any manner Workforce Solutions deems appropriate, in accordance with Open Records laws, applicable state and federal policies and procedures.
- 20) Applicants shall not engage in any activity, which will restrict or eliminate competition. Violation of this provision may cause an offeror's application to be rejected. This does not preclude joint ventures or subcontracts.
- 21) Standard Agreement Terms and Conditions. A copy of Workforce Solutions' general obligations that will be a part of the final contract may be requested of Workforce Solutions.
- 22) Workforce Solutions reserves the right to negotiate the inclusion of any additional funds, programs, and/or grants into any agreement executed as a result of this solicitation.
- 23) Workforce Solutions reserves the right to terminate any agreement executed as a direct result of this RFA, should the contributor fail to meet agreement obligations.
- 24) **Lobbying activities during the RFA process will not be tolerated.** An applicant (s) who has submitted an RFA will be disqualified, if a determination is made that a applicant(s) has: made telephone calls, sent correspondence, made personal visits, or caused third parties to make telephone calls or personal visits, regarding this application to any of the Workforce Solutions Board members, staff, evaluators, or Chief Elected Officials of the Workforce Development Board.
- 25) The contributor must agree to follow Workforce Solutions' policies. Workforce Solutions may consider comparable policies as long as they meet grant guidelines, include the substance of Workforce Solutions' policies and procedures, and are approved as part of the agreement negotiations.

PART VI GLOSSARY OF TERMS

Child Care Services (CCS) - A system providing for centralized administration of funding sources for child care to economically disadvantaged individuals and welfare recipients. The Child Care Development Block Grant of 1990 is the principal funding source.

Quality Improvement – is a type of service that helps pay for equipment, staff training, etc. for the improvement of the quality in a child care facility.

Direct Care – is a type of service that helps pay for subsidized child care for low-income families who meet the CCS eligibility criteria.

Certification – to draw unmatched federal funds public entities (primarily cities, counties, housing authorities, community college districts) may certify expenditures of tax dollars that are not used elsewhere as match. Public schools (ex. Teen parent programs, after-school programs) can also certify expenditures and may use tax dollars, state funds, school tax funds or state PEP/Life Skills grant funds.

Transfer – to draw unmatched federal funds public entities may transfer funds (write a check for the local match share).

Donation – private entities and individuals (such as not-for-profit organizations, businesses, and individuals) may donate funds (cash) – write a check for the local match share – to draw unmatched federal funds.

Board - Refers to The Lower Rio Grande Valley Workforce Development Board.

PART VII REQUIRED FORMS SECTION

ATTACHMENT A

Workforce Solutions APPLICANT IDENTIFICATION

Identification of proposing agent:	
Name of Business: _____	
Legal Name of Parent Organization: _____	
Head of organization: _____	Title: _____
Mailing address: _____	
Physical address (if different): _____	
Phone Number: _____	Fax Number: _____
Application contact person: _____	Title: _____
Contract signatory authority: _____	
Title: _____	Phone Number: _____

Tax/Legal Status:	<input type="checkbox"/> Corporation	<input type="checkbox"/> Sole Ownership	<input type="checkbox"/> Public	<input type="checkbox"/> Profit
	<input type="checkbox"/> Partnership	<input type="checkbox"/> Other	<input type="checkbox"/> Private	<input type="checkbox"/> Not For-Profit
Date Established: _____				
State Controller Identification Number: _____				
Federal Taxpayer Identification Number: _____				
Small Business?	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Is applicant certified as a historically underutilized business?	<input type="checkbox"/> Yes	<input type="checkbox"/> No		
Certifying Agency? _____				
(If yes, a copy of the certification notice is required as an attachment.)				

ATTACHMENT B

APPLICATION CHECKLIST / TABLE OF CONTENTS

Respondents must include the corresponding page numbers for the following items. This page may be reproduced to facilitate additional information provided in the application. The order and labels of the following components may not be changed.

Required Forms

1.	Applicant Identification (Attachment A)	Page_____
2.	Application Checklist/Table of Contents (Attachment B)	Page_____
3.	Notarized Certification by Bidder (Attachment C)	Page_____
4.	Request for Application (Attachment D)	Page_____
5.	Proposed Program Description (Attachment E)	Page_____
6.	Proposed Donation/Transfer payment(s) and/or Certification of Expenditure Schedule (Attachment F)	Page_____
7.	Administrative Management Survey (Attachment G)	Page_____
8.	Fiscal Management Systems Survey (Attachment H)	Page_____
9.	Certification Regarding Debarment, Suspension, & Other Responsibility Matters (Attachment I)	Page_____
10.	Certification Regarding Lobbying (Attachment J)	Page_____
11.	Certification Regarding Texas Corporate Franchise Tax (Attachment K)	Page_____
12.	Certification Regarding Drug-Free Workplace (Attachment L)	Page_____
13.	LRGVWDB Disclosure of Interests (Attachment M)	Page_____
14.	State Assessment Certification (Attachment N)	Page_____
15.	Equal Opportunity and Nondiscrimination (Attachment O)	Page_____
16.	Copies of Applicant's proof of incorporation, corporate resolution or agency Status, and/or HUB certification, if applicable.	Page_____
15.	Include applicant's proof of Certification, proof of accreditation, nonprofit certification, or other recognized certification, and proof that the proposing Agency is in Good Standing with the State of Texas and has met accepted standards.	Page_____

****Please indicate the correct page number for your item as it appears in your application package.***

ATTACHMENT C

CERTIFICATION OF BIDDER

I hereby certify that the information contained in this application and any attachment is true and correct and may be viewed as an accurate representation of the proposed services to be provided by this organization. I certify that no employee, board member, or agent of the Board has assisted in the preparation of this application. I acknowledge that I have read and understood the requirements and provisions of the RFA and that this organization will comply with the procurement standards applicable under this RFA, and any other applicable local, state, and federal regulations and policies. I also certify that I have read and understand the Governing Provisions and Limitations" and "Assurances and Certifications" sections presented in this RFA and will comply with the terms, thereof, and the Board is authorized to verify references and stated performance data and to conduct credit and criminal background checks if needed, and furthermore, that:

I, _____, am the _____
(Authorized Signatory) (Title)

of _____ corporation, partnership, association, public agency or other entity named as Bidder and Respondent herein and that I am legally authorized to sign this application and submit to Lower Rio Grande Valley Workforce Development Board on behalf of said organization by authority of its governing body.

ATTEST:

(Respondent's Signature)

(Witness's Signature)

(Print or type name)

(Print or type name)

(Title)

(Title)

Date

Date

Subscribed and sworn to before me this _____ day of _____, 2009, in
County, State of Texas.

Notary Public in and for _____ County, State of Texas.

Date Commission Expires: _____

ATTACHMENT D
CHILD CARE LOCAL MATCH
 Request for Application

NAME OF ENTITY REQUESTING	
ENTITY'S ADDRESS	
TYPE OF ENTITY (check one)	Option 1: GOVERNMENT _____ Option 2: FOR PROFIT _____ Option 3: NOT FOR PROFIT, FAITH BASED _____ Option 4: NOT FOR PROFIT, NOT FAITH BASED _____
ENTITY CONTACT	
NAME	
PHONE NUMBER	
FAX NUMBER	
E-MAIL ADDRESS	

SERVICES	
TYPE (check one)	Option 1: QUALITY IMPROVEMENT _____ Option 2: DIRECT CARE _____
CHILD-CARE SERVICE DELIVERY RELATIONSHIP (check one)	Option 1: DIRECT PAYMENT _____ Option 2: CHILD-CARE CONTRACTOR _____

PLEGGED "MATCH" CONTRIBUTION	
TYPE (check one)	Option 1: CERTIFICATION _____ Option 2: TRANSFER _____ Option 3: DONATION _____
AMOUNT	

Note: Federal regulations (45 CFR 98.53) allows the Agency to accept donations from any entity and transfers or certifications of fund availability from public agencies that may be used as match for available federal funds.

ATTACHMENT E

PROPOSED PROGRAM DESCRIPTION

(If utilizing PEP/Life Skills Grant as match, provide copy of budget)

ATTACHMENT F

PROPOSED DONATION/TRANSFER PAYMENT(S) AND/OR CERTIFICATION OF EXPENDITURES SCHEDULE:

1. Donation/Transfer Payment(s) (Local Funds)

	Donation/Transfer Date	Actual Amount
1.		\$0.00
2.		\$0.00
3.		\$0.00
4.		\$0.00
5.		\$0.00
6.		\$0.00
7.		\$0.00
8.		\$0.00
9.		\$0.00
10.		\$0.00
11.		\$0.00
12.		\$0.00
TOTAL		\$0.00

2. Public Entity Certification of Expenditures (Local Funds):

	Certification Period	Reporting Date *	Planned Amount of Expenditures
1.	From to		\$0.00
2.	From to		\$0.00
3.	From to		\$0.00
4.	From to		\$0.00
5.	From to		\$0.00
6.	From to		\$0.00
7.	From to		\$0.00
8.	From to		\$0.00
9.	From to		\$0.00
10.	From to		\$0.00
11.	From to		\$0.00
12.	From to		\$0.00
TOTAL			\$0.00

ATTACHMENT G ADMINISTRATIVE MANAGEMENT SURVEY

Answer the following questions regarding your administrative management system. Additional information may be requested at the time of a pre-award survey. You may submit copies of the documents specifically named but this is optional at this time. If you choose to submit such documents, do so in only one of the required proposed copies.

QUESTION	YES	NO	N/A
1. Is your organization in good standing with the Secretary of the State of Texas?			
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 employees to assure high-quality performance;			
d. retaining employees based on the adequacy of their performance, and making adequate efforts for correcting inadequate performance;			
e. assuring fair treatment of applicants and employees in all aspects of personnel without regard to political affiliation, race, color, national origin, sex, age, physical handicap or religious 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. Can your organization revise its present written personnel policies to include the above 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 per diem at a specified rate?			
8. Does your organization have a written employee grievance procedure used to resolve employment complaints?			

9.	Does your organization have the capacity or staff to produce and maintain participant records and other information as needed by the Board?			
10.	If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs to the Board?			
11.	Does your agency have a State Comptroller Vendor Number?			
12.	Is your organization governed by a Board/Council?			
13.	Does your organization operate under local rules or by-laws?			
14.	Has your Board/Council reviewed and approved this application? (<u>Attachment must be submitted</u>)			
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 Monitor?			

Name of Organization

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT H FISCAL MANAGEMENT SURVEY

Answer the following questions regarding your fiscal management system. Additional information may be requested at the time of a pre-award survey. You may submit copies of the documents specifically named but this is optional at this time. If you choose to submit such documents, do so in only one of the required application copies.

QUESTION	YES	NO	N/A
1. Do you have a copy of the applicable regulations pertaining to the programs?			
2. Do you have a copy of the <u>Uniform Grants and Contract Management Standards</u> ?			
3. Does your accounting system provide you with adequate information to prepare a monthly financial report? (Such report must be derived from a balance sheet and income and expense statements).			
4. Does your accounting system provide control and accountability over all funds received, property, and other assets?			
5. Can your accounting system provide for financial reports on an accrual basis?			
6. Does your accounting system provide for identification of receipt and expenditure of funds separately for each funding source?			
7. Are your accounting records maintained in such a manner as to facilitate the tracking of funds to source documentation of the unit transaction?			
8. Does your accounting system have the capability to develop procedures for determining the allowability and allocation of costs in accordance with the provisions of federal regulations and the Uniform Grants and Contract Management Standards?			
9. Are State and Federal funds advanced to you deposited in a bank with FDIC coverage?			
10. Has the bank in which you deposit State and Federal funds insure the account(s) or put up collateral or both which is equal to the largest sum of money which would be in such bank account(s) at any one point in time?			
11. Do you make monthly reconciliations of your bank account(s)?			
12. Are these reconciliations made by the same person who performs the record keeping for receipt and disbursement transactions?			
13. Do you record daily your cash receipts and disbursement transactions?			

14. Are there individuals or positions in your organization, which have as one of their duties, the receipt, distribution or handling of money covered under bond?			
15. Is there one person who is directly responsible for all fiscal transactions?			
16. Is there a person who is responsible for the receipt of all purchased goods?			
a. Does this person immediately assign upon receipt an inventory number to the required items?			
b. Does this person perform an inventory audit at least once a year?			
c. Do you maintain records on all property acquisition, disposition, and transfers?			
17. Do you have written procedures and internal controls established for the procurement of goods and services?			
18. Is a bid process incorporated in your purchasing procedures for acquisition of major items of equipment and office space?			
19. Is documentation (i.e., Time sheets, etc.) properly kept to support each payroll disbursement?			
20. Are records maintained to support authorized leave (sick, etc.)?			
21. Is proper documentation maintained to support travel disbursement?			
22. Has a formal audit of your organization's financial records been conducted within the past year?			
23. Do you have an indirect cost plan with current approval by a cognizant agency?			
24. Is your organization funded by more than one source?			
25. Does your organization have a written lease agreement for all rented or leased property?			
26. Does your organization have written accounting procedures?			

Name of Organization

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

**ATTACHMENT I
CERTIFICATION REGARDING
DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

This certification is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 93, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

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

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
2. Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, State or local) transaction or contract under a public transaction, violation of federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted for or otherwise criminally or civilly charged by a government entity with commission of any of the offenses enumerated in Paragraph (2) of this certification; and,
4. Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective recipient shall attach an explanation to this certification form.

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

**ATTACHMENT J
CERTIFICATION REGARDING LOBBYING**

This certification is required by the Federal Regulations Implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code, for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

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

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

Name of Organization

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

**ATTACHMENT K
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 it 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 taxes to the State of Texas.

Name of Business

- Type of Business (if not corporation): Sole proprietor
- Partnership
- Other

I.R.S. Tax Number

Authorized Representative's Printed Name

Signature of Authorized Representative

**ATTACHMENT L
CERTIFICATION REGARDING DRUG-FREE WORKPLACE**

This certification is required by the Federal Regulations Implementing Sections 5151-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned subcontractor certifies it will provide a drug-free workplace by:

1. Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;
2. Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the subcontractor’s policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations in the workplace;
3. Providing each employee with a copy of the subcontractor’s policy statement;
4. Notifying the employees in the subcontractor’s policy statement that as a condition of employment under this subcontract, employees shall abide by the terms of the policy statement and notifying the subcontractor in writing within five days after any conviction for a violation by the employee of a criminal drug abuse statute in the workplace;
5. Notifying the Board within ten (10) days of the subcontractor’s receipt of a notice of a conviction of any employee; and,
6. Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

Name of Organization

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

**ATTACHMENT M
LRGVWDB DISCLOSURE OF INTERESTS**

It is the fiscal policy of the Lower Rio Grande Valley Workforce Development Board (LRGVWDB) that all persons or firms seeking to do business with the Board to provide the following information. Every question must be answered. If the question is not applicable, answer with "NA".

COMPANY NAME: _____

FEDERAL ID#: _____

P.O. BOX: _____

STREET: _____

CITY: _____ STATE: _____ ZIP: _____

FIRM is: 1. Corporation () 2. Partnership () 3. Sole Owner () 4. Association () 5. Other ()

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the name of each "non-managerial employee" of having an "ownership interest" constituting 10% or more of the ownership in the above named "firm".

Name	Job Title
------	-----------

2. State the names of each "managerial employee" of the Board having an "ownership interest" constituting 10% or more of the ownership in the above named "firm".

Name	Job Title
------	-----------

3. State the names of each " member" of the board or Board Staff having an "ownership interest" constituting 10% or more of the ownership in the above named "firm".

Name	Board, Commission, or Committee
------	---------------------------------

4. State the names of each employee or officer of a "consultant" for the Board who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 10% or more of the ownership in the above named "firm".

Name	Consultant

5. Other

Name	Title

Certification of Disclosure of Interests

I certify that all information provided is true and correct as of the date of this statement, that I have not knowingly withheld disclosure of any information requested; and that supplemental statements will be promptly submitted to the President/CEO of the Lower Rio Grande Valley Workforce Development Board, as changes occur.

Signature	Name (Type or Print)

Title (Type or Print)	Date

Signature of Witness	Name (Type or Print)

Title (Type or Print)	Date

**ATTACHMENT N
STATE ASSESSMENT CERTIFICATION**

The undersigned authorized representative of the corporation contracting 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 contract and is grounds for contract cancellation.

The corporation certifies that:

_____ It is current in Unemployment Insurance taxes, Payday and Child Labor law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.

_____ It has no outstanding Unemployment Insurance overpayment balance to the State of Texas.

Name of Organization/Firm

Contract Signature Authority

Date

Print Name and Title of Authorized Representative

ATTACHMENT O EQUAL OPPORTUNITY AND NONDISCRIMINATION

The (Name) promotes employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. Additionally, discrimination is prohibited against any beneficiary of programs funded under Title I of the Workforce Investment Act of 1998, on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any WIA Title I financially assisted program or activity. (Name) conforms to all applicable federal and state laws, rules, guidelines, regulations, and provides equal employment opportunity in all employment and employee relations.

EEO Laws, Rules, Guidelines, Regulations

(Name) provides equal opportunities consistent with applicable federal and state laws, rules, guidelines, regulations, and executive orders. Such regulations include:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination under any program or activity receiving federal financial assistance.
- Title VII of the Civil Rights Act of 1964, as amended, and its implementing regulations at 29 CFR Part 37 which prohibit discrimination based on race, color, religion, sex, or national origin in any term, condition or privilege of employment.
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals because of disability.
- Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination against individuals 40 years of age and older.
- Americans with Disabilities Act of 1990, which prohibits discrimination against qualified individuals with disabilities.
- Age Discrimination Act of 1975, as amended, which prohibits discrimination based on age in programs receiving federal financial assistance.
- Texas Commission on Human Rights Act, as amended, which prohibits discrimination in employment based on race, color, handicap, religion, sex, national origin, or age (40-70).
- Equal Pay Act of 1963, as amended, which requires equal pay for men and women performing equal work.
- Pregnancy Discrimination Act of 1978, which prohibits discrimination against pregnant women.

(Name) is committed to promoting equal employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. (Name) takes positive steps to eliminate any systematic discrimination from personnel practices. (Name) recruits, hires, trains, and promotes into all job levels the most qualified persons without regard to race, color, religion, sex, national origin, age, or disability status.

Staff at all levels is responsible for active program support and personal leadership in establishing, maintaining, and carrying out an effective equal employment opportunity program.

Name of Organization/ Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative