

**LOWER RIO GRANDE VALLEY WORKFORCE DEVELOPMENT BOARD  
(dba)  
Workforce Solutions**

**REQUEST FOR PROPOSALS (RFP)  
FOR  
REGIONAL PLAN**

**PART I - GENERAL INFORMATION**

**BACKGROUND:** Workforce Solutions is a non-profit, tax-exempt 501(c)(3) organization that serves Hidalgo, Starr, and Willacy Counties, in Texas. Workforce Solutions was certified by the Governor of Texas in 1999 and incorporated in 2000. Workforce Solutions is responsible for planning, evaluation, and oversight of workforce development programs/services in the three county region.

**FUNDING:** Funding for the Workforce Solutions operations and programs is provided through annual formula allocations received from the Texas Workforce Commission (TWC) under the Workforce Investment Act (WIA), American Recovery Reinvestment Act (ARRA) and other federal programs.

**PRODUCTS/SERVICES SOLICITED:** Workforce Solutions is soliciting a Request for Proposals (RFP) for A Regional Plan.

**TIME-FRAME:** An RFP packet will be available at 10:00 a.m. CST on November 16, 2009, at the administrative office located at 3101 W. Business 83 McAllen, TX 78501. **The deadline for this RFP is December 16, 2009, at 4:00 p.m. CST.** If you have any questions in regards to this RFP please contact Robert Barbosa CTPM, Procurement Coordinator, at (956) 928-5000. Proposals must be delivered to and received prior to this deadline to the address noted above. There will be no exceptions. **Proposals received after the deadline will not be considered for this procurement. No facsimiles or e-mails will be accepted.**

**PAYMENT TERMS:** Payment will be issued upon review and approval of invoice within 30 days.

**SERVICE PERIOD:** Funding will be for a contract period to begin as early as TBD, 2010 or date of award for one year with an option to extend for two (2) additional one year terms based on need, performance, and availability of funds.

## **PART I**

### **PURPOSE OF REQUEST FOR PROPOSALS**

The Lower Rio Grande Valley Workforce Development Board, dba Workforce Solutions (Workforce Solutions) is a non-profit, tax-exempt organization, overseeing Workforce development programs and services in Hidalgo, Starr and Willacy counties. Workforce Solutions receives Workforce Investment Act (WIA), Temporary Assistance for Needy Families (TANF)/Choices, Food Stamp Employment and Training, and Child Care Development funds, among others. These federal funds pass through the Texas Workforce Commission to Workforce Solutions. Workforce Solutions allocates funds and procures contractors that comprise the local Workforce System. This system provides employment services to the general public and targeted populations, including career counseling, assessment, employability skills development, job readiness and job training, and job placement for area residents whether unemployed or employed. The system also provides placement services for businesses looking to hire skilled, pre-qualified workers, as well as planning services for businesses facing layoffs or plant closures.

### **Project Overview**

In the spring of 2005, Workforce Solutions embarked on an Industry Cluster strategy that would forever change the business of workforce development. An Industry Cluster Analysis (ICA) was conducted to assess the region from an economic development perspective in alignment with workforce development. The purpose of the ICA was to identify industry clusters and occupations that represent the greatest potential for contributing to the local economy and to serve as a guide for all future investment decisions. The application of target industry methodology to workforce investment places Workforce Solutions as the region's leader of talent development.

Among the findings, six (6) targeted industry clusters were identified (Manufacturing & Related Activities, Healthcare, Retail & Hospitality, Business & Professional Services, Homeland Security & Law Enforcement, and Construction). Within these industries, the demand occupations, skills & knowledge areas by rank, and the human resource challenges were identified.

Key among the identified human resource challenges was the lack of access to local labor market information that was up to date. This prompted the development of a Workforce Business Intelligence System to assist with focused investment in areas with the greatest impact.

As a result, Workforce Solutions has re-invented itself and has implemented a stronger business oriented approach to talent development. All services have been re-aligned to meet the demand as shaped by the ICA and Workforce Solutions is committed to maintaining this business driven strategy.

In 2008, Workforce Solutions conducted an Employer Survey as a follow up to the Industry Cluster Analysis, as Workforce Solutions found it necessary to enhance our knowledge of what current and forecasted training is needed to improve the employers' of Hidalgo, Starr, and Willacy counties ability to recruit, hire, and retain talent. The results of the Employer Survey were released in the spring of 2009. This business intelligence gathered is being used as a guide for all future talent development investments and service strategies to ensure that the current and emerging workforce pool is appropriately tooled, talented and in place on a timely basis for the three county area.

### **Project Goals**

In November of 2009, Workforce Solutions in partnership with Workforce Solutions Cameron (workforce board serving Cameron County), South Texas College, Texas State Technical College, the University of Texas at Brownsville/Texas Southmost College, Rio South Texas Economic Council ([www.riosouthtexas.com](http://www.riosouthtexas.com)), SOL Technologies, and Baryonyx Corporation, submitted a proposal to the Texas Workforce Commission in response to a Regional Cooperation Capacity Building for Target Industries Program Request for Proposals. The Rio South Texas Regional Cooperation Project (Regional Project) will produce a **regional plan** to identify available resources, including those available through the American Recovery and Reinvestment Act of 2009 (ARRA), and a coordinated action plan to access these funds. The Regional Project will continue its work on gathering data to validate employer needs in targeted and emerging occupations to determine the current and future occupations and skills needs of employers. The data collected from employers will help us identify the training and curricula needs based on the employer survey and determine if such curricula are available or if the curricula must be developed. Any new or revised curricula will be shared with all regional partners in the Rio Grande Valley, as well as the state and nation. Estimated budget for the development of the regional plan is \$175,000.

### **Scope of Services**

Vendor Responsibility

Workforce Solutions is seeking bids from qualified research organizations to conduct research which may include providing survey services, tabulating and analyzing results and serving as the Project Management Firm to the Regional Partnership.

The project may involve conducting quantitative and qualitative research, surveying of small, medium, and large employers within the counties of Cameron, Hidalgo, Starr and Willacy, and interviews (one on one or small group). The awarded firm will collaborate with the Regional Project Team providing critical areas of expertise in the areas of quantitative and qualitative research, survey instrument design and administration, survey methodology, data collection, survey results analysis, and reporting.

### **Workforce Solutions' Responsibility**

Workforce Solutions will negotiate a contract for procured services. Workforce Solutions, at its sole discretion, reserves the right to negotiate a one year contract with two, one year renewal options based on the selected firm's performance, need, and funding availability.

### **Performance Requirements**

The selected firm will follow methods that have been developed and proven over the years to complete this analysis, provide additional emphasis on findings that will contribute to both cluster strategy and globalization, as follows:

#### **Deliverables**

1. Master Timeline – Five (5) days after a contract is awarded, the contractor will submit a timeline outlining activity schedule for approval. The work should be completed in 180 days/six months.
2. Stakeholders Kickoff Meeting within first 30 days.
3. Conduct Regional Assessment on
  - Labor force strengths/weakness (human resource challenges)
  - Local economies strengths/weakness
  - Demographics strengths/weakness
  - Review of past regional studies completed
4. Regional Cluster Analysis

- Identify export industries within the region
- Conduct Location Quotient analyses with emphasis on emerging and targeted core industries
- Evaluate Cluster Growth Patterns for identified industry clusters
- Identify Cluster Growth Prospects and identify competitive position from a regional, national and global industrial growth-outlook
- Develop a set of critical success factors that the region should put into place to build competitive advantages for this region.
- Identify regional research and development strengths and weaknesses in each area
- Identify available (or unavailable) training/curricula within the region tied to target industries and occupations and emerging industries and occupations

#### 5. Implementation Strategy/Regional Plan

The final product will be one comprehensive regional plan that includes both a vision and goals for the region of Cameron, Hidalgo, Starr and Willacy counties. This product will be used as a guide for the region as it furthers its regional economic development strategies.

All text should be prepared or converted to Microsoft Word Software for PC compatible computers. Numerical or classification data should be presented in graphical and tabular formats. Final illustration and graphics will be made available in easily reproducible formats.

6. Monthly Progress Report (written and in person): The selected Firm will meet with the Regional Project team and provide current status of the project, significant accomplishments and any problems and recommended solutions.
7. Draft Regional Plan: 50 copies of the draft plan will be submitted with a reproducible master CD containing the full report and raw data. NOTE: the selected firm may include a line item for printing, but if it is determined that it would be more cost effective to print locally then this line item may be renegotiated.
8. Final Report: 50 copies of the final proposed regional plan will be submitted with a reproducible CD. A powerpoint presentation will also be required that is no less than 30 minutes but no more than 1 hour in length. The final report and presentation will include a detailed set of recommendations to build upon existing assets and future growth

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industries. The plan should also include recommendations to grow industry clusters and recruit new industries.

### **Quality Assurance**

The successful bidder will enter into a contract with Workforce Solutions. Workforce Solutions will negotiate performance benchmarks related to proposed outcomes and will utilize those benchmarks to measure the performance and determine allowable expenditure reimbursements. Costs must be documented and justified as indicated on the budget forms by the appropriate cost category.

### **Best and Final Offer (BAFO)**

The Board reserves the right to request a Best and Final Offer from all responsive vendors. A responsive vendor is one whose score totals seventy (70) or more.

**WHO IS ELIGIBLE TO RESPOND:** Vendors who are able to meet the technical specifications for quality and other terms of this proposal package, and who are not debarred and/or suspended from conducting business with federal and state funded agencies are invited to respond. A prospective proposer must affirmatively demonstrate proposer's responsibility. A prospective proposer, by submitting a proposal, represents to the Board that it meets the following requirements:

- Possess or is able to obtain adequate financial resources as required to perform under this RFP;
- Is able to comply with the required or proposed RFP;
- Have a satisfactory record of integrity and ethics; and
- Be otherwise qualified and eligible to receive an award.
- Be in good standing with the applicable national or state associations.

**PROCUREMENT CONDITIONS/GENERAL TERMS:** Procurement of these items shall be in accordance with the Workforce Investment Act, as amended, and the Texas Workforce Commission (TWC) procurement policy and Workforce Solutions procurement policies and general terms as follows:

Workforce Solutions reserves the right to accept, or reject any or all proposals received or to cancel or extend in part or its entirety, this Request for Proposal, or make multiple or partial awards.

Positive efforts shall be made to utilize Historically Underutilized Businesses (HUBs, i.e., minority and female-owned or operated businesses) as vendors, and to allow such organizations maximum feasible opportunity to compete for award.

Award of purchase agreement or contract shall be made only to a responsible bidder(s), i.e., a bidder/vendor who has demonstrated competence to deliver the specified goods/services, a proven record of business integrity and ethics, and the ability to meet the requirements of this RFP

When submitting proposals it is required that the respondent have the necessary professional experience, prior training, and applicable professional judgment to perform the activities or deliver the goods stated in this RFP.

Proposals may be withdrawn only by delivery of a written request to Workforce Solutions prior to the specified deadline time/date stated in the RFP. Such requests must be signed by the authorized signatory.

Proposals received will become a part of the Board's official files without further obligation to the bidders.

The contents of a successful Proposal may become a contractual obligation if selected for funding. Failure of the Proposer to accept these obligations can result in cancellation of an award or purchase agreement. Workforce Solutions reserves the right to withdraw or reduce the amount of an award or to cancel any contract resulting from this procurement if there is misrepresentation or errors in the specifications, pricing, terms, or Bidder's ability to meet the terms and conditions of this RFP or if adequate funding is not received from TWC.

A response does not commit Workforce Solutions to award a purchase agreement or contract or to pay any costs incurred in the preparation of a response, nor to pay for any costs incurred prior to the execution of a formal purchase agreement or contract unless such costs are specifically authorized in writing by Workforce Solutions.

Workforce Solutions reserves the right to contact any individual, agency, or employers listed in the RFP, to contact others who may have experience and/or knowledge of the bidder's goods/supplies, relevant

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performance, qualifications, etc., and to request additional information from any and all proposers.

Proposers shall not, under penalty of law, offer any gratuities, favors, or anything of monetary value to any officer or employee of Workforce Solutions, or to any consultant, employee, or member of the Lower Rio Grande Valley Workforce Development Board for the purpose of or having the effect of influencing favorable disposition toward their own proposal or any other bid submitted hereunder.

No employee, officer or member of the Board shall participate in the selection, Development of a response to this RFP, award or administration of a contract supported by the RFP if a conflict of interest, real or apparent, would be involved.

Proposers shall not engage in any activity that will restrict or eliminate competition. This does not preclude joint ventures or subcontracts. Violation of this provision may cause a bidder's response to be rejected.

No purchase agreement or contract may be awarded until the proposer has complied with Executive Order 12549, 29 CFR, Part 98 by submitting a signed Certification of Debarment, which states that neither the vendor, nor any of its principles, are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a procurement by any Federal department or agency.

Prior to award of any purchase agreement or contract, a Proposer must sign a Certification Regarding Conflict of Interest stating adherence to Workforce Solutions policy regarding free and open competition and conflicts of interest.

## **Lower Rio Grande Valley Workforce Development Board Bidder 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 bidder in writing of the results. Unsuccessful bidder 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 a bidder and Board staff pertaining to the proposal process and the bid evaluation system. The goal of a Debriefing is to assist a bidder in improving the quality of future bids. The Board will not host a Debriefing to a bidder who has engaged in the Hearing process described below.

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

**Step 1:** Bidders 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. Business 83  
McAllen, TX 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 and the independent evaluators of the specific bid proposal shall meet with the bidder and shall review: 1) the proposal and bid evaluation process; and 2) how the appealing party's proposal/bid was scored and ranked; suggestions on how to improve future bids (if applicable).

## **APPEAL/HEARING REQUEST**

An Appeal occurs when an unsuccessful bidder believes that they were treated unfairly in the bid proposal and award process and that they, rather than the organization selected for the award, deserve the procurement contract. The Board will not grant a Hearing to a bidder who has engaged in the Debriefing process described above.

**Step 1:** If a bidder wishes to appeal the decision of the Board regarding their bid proposal, the complainant bidder 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, TX 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 RFP/IFB 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 bidder believes is relevant to the protest;
- e. The remedy sought by the bidder.

**Step 3:** Upon written request, the Board staff shall make available to the bidder all requested documents not exempted from disclosure under state

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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 bidder, 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 bidder, such information need not be presented to the Board and the bidder 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 a bidder 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).

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Violations of the Board's protest/dispute procedures or failure to review a protest or dispute.

## **SELECTION CRITERIA**

Workforce Solutions will evaluate proposals and select vendor(s) on the basis of the following criteria:

### **Responsive/Responsible Vendors:**

The Board staff reviews the proposals received to determine if they are responsive. For proposals to be considered responsive and to be evaluated for selection, the following requirements must be met:

1. The proposals must have been submitted by the due date.
2. The proposals must be complete with the original signatures.
3. The proposals must be for the specific services requested and described in the RFP Packet.
4. The proposals must be submitted in the format described in the RFP Packet.
5. One original (in blue ink and marked original) and four copies must be submitted.

All proposals will be screened for inclusion of all required information prior to release to the evaluation team. The Board staff may exclude from further consideration for contract award any non-responsive proposal or portion of a proposal.

The Board may use Board staff, independent evaluators or a combination of both to evaluate and rank proposals.

After evaluation, an award may be made on the basis of the evaluation and ranking, without discussion, clarification or modification, or the Board may enter into negotiations with the highest ranked vendor. If the Board is unable to reach agreement with the highest ranked vendor, the negotiations will terminate and negotiations will begin with the next vendor in the order of the ranking until a contract is reached or the Board has rejected all proposals.

NOTE: After evaluation, any proposal with a total score less than 70 points will be considered as nonresponsive and will be disqualified from further consideration. Proposals receiving a final score of 70 or better are not guaranteed an award. **The Board reserves the right to request Best and Final Offers (BAFO) from all responsive vendors.**

The evaluation criteria and the relative weights for scoring are provided in the proposal format for the respective grants in part II of this RFP. The evaluation team will consider the following elements in the evaluation process.

**Evaluation Criteria**

<b>Criteria</b>	<b>Points</b>
Description of Approach /Methodology for Surveys	35
Timeline for completion of project	10
Demonstrated Effectiveness	35
Cost Reasonableness	20
<b>Total</b>	<b>100</b>

**HOW TO SUBMIT A PROPOSAL:**

All proposals must clearly indicate externally the Proposers’s name and the following address **(it is very important to include RFP #)**.

Robert Barbosa CTPM, Procurement Coordinator  
Workforce Solutions  
3101 W. Business 83  
McAllen, TX 78501  
(956) 928-5000

**Attn: RFP #09-RFP-03-100**

**PART II. PROPOSAL FORMAT**

**A. TITLE PAGE**

Offerors must complete the Title Page on the following page and include it as the cover sheet for proposals submitted in response to this RFP

**REGIONAL COOPERATION PLAN**

**A Proposal Submitted in Response to  
Workforce Solutions  
Request for Proposals #09-RFP-03-100**

**Submitted By:**

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**(Full Legal Name of Proposer)**

**On:**

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**(Date of Proposal Submission)**

**B. RFP RESPONSE FORMAT AND CONTENT**

1. Page/Items to return/include.

- Title Page
- Table of Contents
- Business Identification
- Additional Requirements
- HUB Certification, if applicable
- Proposed Services
- Demonstrated Effectiveness/References
- Cost

2. Documentation must be complete. A proposer’s written response shall be the sole means of presenting the service.

**C. PROPOSER IDENTIFICATION**

Enter the Proposer’s firm’s name and address below.

- 1. Name of Firm \_\_\_\_\_
- 2. Street Address \_\_\_\_\_
- 3. City, State & Zip Code \_\_\_\_\_
- 4. Federal ID# or Social Security Number \_\_\_\_\_

**D. ADDITIONAL REQUIREMENTS**

1. Ownership: Proposal must include name and Social Security Number of each person with at least 25% ownership of the business entity submitting the qualifications.

**NAME:** \_\_\_\_\_ **SSN:** \_\_\_\_\_

**NAME:** \_\_\_\_\_ **SSN:** \_\_\_\_\_

2. HUB Certification – Historically Underutilized Business (HUB's) may attach a notice of certification.

**E. Description of Approach /Methodology for Surveys (35 Points)**

Does the proposal describe in detail the approach that will be used in providing the services? Is the approach acceptable? Does the approach include resumes of key staff?

**F. Timeline for Completion of Project (10 Points)**

Is a timeline included with the proposal? Is the timeline reasonable and does it provide sufficient detail?

**G. Demonstrated Effectiveness (35 Points)**

Does the proposal describe in detail the type of services provided for other organizations? Does the proposal list at least three of these organizations, along with contact information?

**H. Cost Reasonableness (20 Points)**

Does the proposal provide the cost for the services? Is the cost necessary, reasonable, and customary for the services provided?

I. After evaluation, an award may be made on the basis of the evaluation and ranking, without discussion, clarification or modification, or the Board may enter into negotiations with the highest ranked vendor. If the Board is unable to reach agreement with the highest ranked vendor, the negotiations will terminate and negotiations will begin with the next vendor in the order of the ranking until a contract is reached or the Board has rejected all proposals.

**Attachments:** The attachments listed below are required. Attachment D is required to ensure that no potential conflicts of interest exist with Board or staff members. **All forms must be signed and completed.**

1. Reference Sheet
  - A. Attachment A - Certification of Bidder
  - B. Attachment B - Certification Regarding Debarment
  - C. Attachment C - Certification Regarding Conflict of Interest
  - D. Attachment D - LRGVWDB Disclosure of Interests
  - E. Attachment E - Certification Regarding Drug-Free Workplace

- F. Attachment F - Certification Regarding Lobbying
- G. Attachment G - Certification Regarding Texas Corporate Franchise Tax
- H. Attachment H - State Assessment Certification
- I. Attachment I - Equal Opportunity and Nondiscrimination

**REFERENCE SHEET**

**Note: Bidder must submit at least three (3) responsive business references.**  
*(References from past projects for same or similar goods/services.)*

Customer Agency	Contact Person	Telephone #	Address
1.			
2.			
3.			
4.			
5.			
6.			

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**ATTACHMENT A  
CERTIFICATION OF BIDDER**

I, the undersigned, submit this quote/bid and have read the specifications, which are a part of this solicitation. My signature also certifies that I am authorized to submit this quote/bid. Sign as a representative for the firm, and carry out services solicited in this solicitation:

**Signature of Authorized Agent:** \_\_\_\_\_

Printed Name and Title of Agent: \_\_\_\_\_

Name of Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

FAX Number: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Email Address (if applicable): \_\_\_\_\_

Web Site Address (if applicable): \_\_\_\_\_

**Note:** The \_\_\_\_\_ ensures that small, minority, disadvantaged, and women's businesses are utilized as sources for acquisitions whenever possible. Auxiliary aids and services are available upon request to individuals with disabilities.

Please check if your firm is a historically underutilized (disadvantaged) business (HUB), as defined by Texas Government Code 407.101.

Yes \_\_\_\_\_ No \_\_\_\_\_

**If the answer is yes,** is your firm registered with the State General Services Commission and a HUB?

Yes \_\_\_\_\_ No \_\_\_\_\_

**Please submit a copy of HUB Certificate.**

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**ATTACHMENT B  
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, 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 indicated for or otherwise criminally or civilly charged by a government entity with commission of any of the offense 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 C**  
**CERTIFICATION REGARDING CONFLICT OF INTEREST**

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By signature of this bid proposal, Bidder covenants and affirms that:

- X No manager, employee or paid consultant of the Bidder is a member of the Board, or an employee of Workforce Solutions;
- X No manager or paid consultant of the Bidder is married to a member of the Board, the CEO, or an employee of Workforce Solutions;
- X No member of the Board, the CEO or an employee of Workforce Solutions is a manager or paid consultant of the bidder;
- X No member of the Board, the CEO or an employee of Workforce Solutions owns or controls more than 10 percent in the Bidder;
- X No member of the Board, CEO, or employee of Workforce Solutions receives compensation from Bidder for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- X Bidder has disclosed within the Bid any interest, fact or circumstance which does or may present a potential conflict of interest;
- X Should Bidder fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Bidder shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with Workforce Solutions and shall immediately refund to Workforce Solutions any fees or expenses that may have been paid under the contract and shall further be liable for any costs incurred or damages sustained by Workforce Solutions relating to that contract.

\_\_\_\_\_  
Name of Organization/Firm

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
Date

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

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**ATTACHMENT D**  
**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 name "firm"

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Name	Job Title
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- 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 name "firm"

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

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Name	Job Title
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4. State the name 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 name “firm”

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Name	Job Title
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5. Other

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Name	Job Title
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\_\_\_\_\_  
Name of Organization/ Firm

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
Date

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

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**ATTACHMENT E**  
**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:

- 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;
- 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 violations in the workplace;
- Providing each employee with a copy of the subcontractor’s policy statement;
- 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;
- Notifying the Board within ten (10) days of the subcontractor’s receipt of a notice of a conviction of any employee; and,
- 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/Firm

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
Date

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

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**ATTACHMENT F**  
**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/her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of 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.
  
2. 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, and or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying”, in accordance with the instructions.
  
3. 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/Firm

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
Date

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



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**ATTACHMENT H  
STATE ASSESSMENT CERTIFICATION**

The authorized representative of the corporation contracting herein by executing this contract 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 payable to the State of Texas.

\_\_\_\_\_  
Name of Organization/ Firm

\_\_\_\_\_  
**Signature of Authorized Representative**

\_\_\_\_\_  
Date

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

## **ATTACHMENT I 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