



## **Request for Quotes**

### **WORKFORCE INNOVATION AND OPPORTUNITY ACT**

## **For**

## **OhioMeansJobs Centers One-Stop Operator**

**Issued December 12, 2022**

**Deadline for Submission: January 31, 2023, 2:00 p.m.**

*BCW/Workforce reserves the right to modify the specifications as needed*

Pursuant to the Steven's Amendment  
Consolidated Appropriations Act of 2018, Pub. L. No. 115- 141, 132 Stat. 348, div. H, Title V, Sec. 505  
(Mar. 23, 2018)

1. The percentage of the total costs of the program or project which will be financed with Federal money is 100 percent.
2. The dollar amount of Federal funds for the project or program is \$ 1,860,000.00
3. The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources is 0 percent

## INTRODUCTION

The State of OHIO has designated Butler Clermont and Warren Counties, as a workforce development area in accordance with provisions of the Workforce Innovation and Opportunity Act of 2014 (WIOA). P.L 113 – 128, 29 U.S.C. 32.

The chief elected officials of the three counties entered into an inter-local government agreement and appointed the Workforce Development Board called the BCW/Workforce.

The BCW/Workforce includes representatives from the private sector, education, labor, economic development, community-based, and other organizations in its membership roster. The consortium of elected officials and BCW/Workforce are responsible for setting policy, determining the vision and mission of the workforce system, developing a strategic plan, and selecting a one-stop operator in accordance with WIOA.

There are 3 American Job Centers (AJC) also referred to as the OhioMeansJobs (OMJ) Career Centers or One-Stop (OS) Centers OSO where residents and citizens of the workforce development area can access a variety of career services.

The Career Centers provide access to services to the below listed programs and one-stop partners:

<b>ONE STOP PARTNERS</b>
WIOA Title I Adult and Dislocated Worker programs
Wagner-Peyser Employment Services – National Labor Exchange
Local Veterans' Employment Programs
Disabled Veterans' Outreach Program
Trade Adjustment Assistance Programs
Unemployment Compensation Programs
Temporary Assistance for Needy Families (TANF)
Family Literacy and Adult Education Act
Vocational Rehabilitation
Career and Technical Education (Perkins Act)
Community Services Block Grant
Second Chance Act
YouthBuild
Senior Community Service Employment Program
Supplemental Nutrition Assistance Program
Discretionary grants

## **Location of the OMJ Career Centers**

There is an OMJ Career Center in each of the counties that comprise the workforce development area. For purposes of compliance with WIOA, BCW/Workforce has identified the Butler OMJ Center as its comprehensive center.

OMJ Center	Address
Butler County	4631 Dixie Highway (Route 4) Fairfield, OH 45014
Clermont County	2400 Clermont Center Drive Batavia, OH 45103
Warren County	300 Silver Street Lebanon, OH 45036

WIOA requires that each local workforce development board procure a One-stop Operator (OSO) whose responsibility it will be to coordinate among the one-stop partner programs.

## **Role of the OSO**

The BCW/Workforce governing boards' vision is:

“To be a valued and respected leader in the provision of workforce resources and solutions.”

The BCW/Workforce board of directors has adopted the following guiding principles to support the achievement of its goals and to carry out its mission:

- Meet the workforce needs of the area's businesses and employers
- Operate as a single area, within a regional entity
- Implement innovative workforce solutions
- Align partners proven to build a strong workforce
- Continuously improve resident's education and training options
- Deliver services with professionalism, honesty, solutions and integrity
- Ensure the continuous engagement and cross-communication of partners
- Regularly advocate, inform and update the area about workforce issues

- Earn and maintain the reputation of being a resourceful and responsive partner

It is intended that the One-stop Operator employ the BCW/Workforce vision and guiding principles to facilitate innovation, accountability efficiency and effective utilization of resources across the OMJ Centers in the workforce area and among the one-stop partners.

The OSO will be expected to develop an OS Strategic Plan with the OS partners to further the goals of the OS system as set forth in WIOA. The Strategic Plan should be aligned with the BCW/Workforce vision and guiding principles.

Job seekers and employers comprise the customers entering the system through various partner programs. Through assessment and the sharing of information participants can be provided with access to programs, services and support by the appropriate program funding streams.

During the initial years of WIOA implementation it was the responsibility of the OSO to encourage the OS partners to work toward an integrated service delivery system which would streamline services and reduce duplication. During the three-year period covered by this RFP the OSO will be tasked with working with the OS partners to identify the steps and actions needed to better streamline services and avoid duplication. The OSO will also be expected to work with the OS partners to implement policies and procedures which will result in streamlined and integrated services.

As technology continues to advance the OSO will be expected to collect and share information with the OS partners related to technological solutions being employed which can help to further integrate services among the partners and also improve services for job seekers and employers.

The OSO will report to the BCW/Workforce Executive Director.

## **DESCRIPTION OF OSO RESPONSIBILITIES**

The role and functions of the OSO is that of a facilitator and coordinator. WIOA Title I services are carried out under the direction of the individual counties comprising the BCW/Workforce development area.

To be able to carry out the duties of the OSO, the entity selected should be familiar with WIOA Title I adult and dislocated worker services and with the WIOA legislative OS partner programs.

<b>One-Stop Operator Roles and Responsibilities</b>	
1	Develop an OS partner strategic plan aligned with the BCW/Workforce 4 Year strategic plan.
2	Familiarize themselves with the mission and performance measures of all one-stop partners including WIOA Title I and incorporate the information in the cross training to take place during the quarterly one-stop staff and partner meetings.
3	Serve as a coordinator of the public one-stop partners pursuant to the guiding principles of the BCW/Workforce
4	Assure all BCW/Workforce one-stop memoranda of understanding (MOUs) and infrastructure / resource sharing budgets are current.
5	Assist in the development of MOUs with non-mandatory one-stop partners as may be approved by the BCW/Workforce.
6	Familiarize themselves with the Ohio Department of Job and Family Services (ODFS) one-stop certification criteria to assure BCW/Workforce's compliance. (Exhibit 1)
7	Provide or arrange for annual system wide training with a focus on quality customer services to job seekers and employers.
8	Organize and facilitate an annual one-stop partner meeting with the partner "decision makers" to agree on a continuous improvement goals and objectives to be communicated to staff through their quarterly meetings
9	Organize and facilitate quarterly one-stop partner meetings with line staff targeted at continuous improvement of the One-Stop Career Centers and integration of partner services
10	Collect information on the collaborative relationships between the One-Stop partners and develop a report and share best practices at quarterly one-stop partner meetings.
11	Using survey instruments approved by BCW/Workforce evaluation job seeker and employer customer satisfaction directed toward system continuous improvement.
12	Work with the OMJ Centers and One-Stop partners and BCW/Workforce Outreach firm to develop uniform job seekers and employers outreach materials
13	Work with the BCW/Workforce outreach firm OMJ Centers and the One-stop partners to develop a social media presence for the local area.
14	Provide a quarterly report to the BCW/Workforce Executive Director detailing the OSO activities and accomplishments each quarter so that they can be reported to the BCW/Workforce
15	Work with the one-stop partners to identify technological solutions to connect to the partner programs with attention to connecting partners not co-located in the OMJ Centers
16	Assist the partners in the development of partner pages to be added to the BCW/Workforce website that will connect to partner program websites.
17	Observe and make recommendations regarding cross referral of participants and information sharing to be presented to the one-stop partners at their annual meeting
18	Assist in negotiating the Infrastructure Agreements
19	Other duties identified as relevant to local OMJ Center needs.

## CONTRACT TERM

### Contract Term

The contract entered into as a result of this RFQ will be for one year with two additional one-year renewals, as approved by the BCW/Workforce. Renewals will be based on service, outcomes, and performance. The entity selected will be considered a Sub-grant Recipient.

## FUNDS AVAILABLE

Between \$60,000.00 – 90,000.00 is available to fund this initiative depending upon the entity's experience and capability. BCW/Workforce reserves the right to renegotiate the agreement amount based on fund availability for subsequent years.

## OSO QUALIFICATIONS

1. The entity selected must be able to assign staff that can effectively coordinate and facilitate among the agencies designated as OS partners to achieve stated goals and objectives
2. Entities submitting proposals must be able to identify a single individual or designate a position to serve as the OSO and who can be held accountable for accomplishing the deliverables.
3. BCW/Workforce reserves the right to approve the individual selected to serve as the OSO.
4. Entities submitting a response to this RFQ must be capable of carrying out the duties of the OSO as described above and have a history of demonstrated effectiveness.
5. The following entities may respond to this RFQ:
  - a. A public entity such as a governmental entity including a single OS partner listed in WIOA section 121.
  - b. A consortium of three OS partners
  - c. A private for-profit entity.
  - d. A private nonprofit entity.

- e. Another interested organization or entity such as an independent consultant or consulting firm.
  - f. The entity may not be a traditional school system providing elementary or high school education as this is prohibited by WIOA.
6. The entity selected to serve as the OSO should:
- a. Have upper management and supervision experience.
  - b. Be able to identify the individual or position that will serve as the OSO. The individual must have a bachelor's degree or higher in Human Services, Communications, Project Management, Business Operations or a related field with equivalent experience.
  - c. Have facilitation, training, mediation or negotiation experience.
  - d. Have experience with project management and strategic planning.
  - e. Have experience bringing disparate groups together, facilitating agency interactions where the goals and objectives may be similar but do not directly align.

## OSO PROPOSAL APPLICATION INSTRUCTIONS

1. **Dates** – All dates are subject to change by BCW/Workforce.

EVENT	DATE/TIME
RFQ Release	December 12, 2022
Deadline for submitting questions	January 13, 2023
RFQ Due Date	January 31, 2023, 2:00 pm
RFQ Evaluation	February 2023
Selection of Provider	March 2, 2023
Start Date of Agreement	July 1, 2023

### 2. Inquiries, Questions and Updates to the Proposal

All updates or modifications to the RFQ Requirements will be posted at:

<http://www.bcworkforce.com>

Proposers are responsible for checking the website for updates. BCW/Workforce will not send out responses to questions on an individual basis. Questions must be submitted via the “Questions and Answers” link available upon logging in to the RFQ.

Questions are generally answered within two (2) business days or sooner if possible. It is proposer’s responsibility to visit the BCW/Workforce website to access these responses to questions.

3. Responses to the RFQ must be submitted on or before **2:00 p.m., January 31, 2023**, after which date, BCW/Workforce will not accept additional proposal responses. Responses must be submitted electronically in a PDF format and in an MS Word format. Hard copy responses will not be accepted.
4. Responses must be emailed to: [Rebecca.Ehling@jfs.ohio.gov](mailto:Rebecca.Ehling@jfs.ohio.gov) with **the subject line marked: Response to One-Stop Operator Request for Quotes**.

### 5. The RFQ Response Package

- a. Please include a cover letter and a copy of the attached cover sheet.
- b. The RFQ is written in MS Word. Complete the attached Application by responding to all the questions immediately below the question. The space will expand to accept proposer’s response.
- c. Responses must be single-spaced. Complete all responses in Arial pitch, 12-point type. Maintain 1-inch margins.



- d. Respond to every question asked. Do not omit any questions. If a question asks for a yes or no answer, place the yes/no response at the beginning of your answer and provide the narrative information requested on the next line.
- e. Do not reorder the question numbers as the rating sheet is keyed to the question numbers. Do not respond to a question by cross-referencing to another question.
- f. Include a resume (or job description) for the individual (or position) who will serve as the OSO.
- g. Number each page of the response sequentially. The page number should be in the footer with the name of the organization submitting the response, and OSO RFQ. Footers should be printed in a font size 8. Page numbers should be consecutive from beginning to end. Proposals are not to be paginated by sections. The order of the RFQ response is as follows:
  - I. Cover Letter on Company or Firm Letterhead
  - II. The Cover Sheet
  - III. The application for **the BCW/Workforce OSO**
  - IV. The Cost Schedule
  - V. A project management schedule showing when various activities including performance will occur for the first year of the agreement.
  - VI. The resume of the one-stop operator and/or job description.
  - VII. If proposer has more than one employee in proposer's organization, proposer must include an organizational chart showing the chain of command for the individual who will serve as the one-stop operator.
  - VIII. If proposer received more than \$750,000 through grants from the federal government in the past year a copy of their most recent Audit Report must be included.
  - IX. Reference Form

6. It is BCW/Workforce's intention to award a contract as a result of this RFQ to one entity. Contracts will be cost reimbursement. There will be no advances. Proposer will be considered a sub-recipient pursuant to 2 CFR 200 et al. and will be required to execute required federal forms as a part of the contracting process.

## **7. Cure Process**

BCW/Workforce has established a discretionary cure process to cure minor omissions in submitted proposals. BCW/Workforce will use the proposer's contact named in the application for notification via e-mail in the event a cure is needed to the proposal submitted. The proposer must respond within forty-eight (48) hours of notification via email. Failure to provide the requested information within the allotted time shall result in a "fatal flaw." This process is provided by BCW/Workforce as a courtesy, and as such, BCW/Workforce is not responsible for notification or any omissions or errors in any documentation submitted by the applicant agency in response to the RFQ.

All applying entities are solely responsible for contact availability via e-mail during this cure period and failure to receive BCW/Workforce's notification of cure issues is not subject to appeal.

Minor inconsistencies or revisions may be addressed during the negotiation process, at the sole and complete discretion of BCW/Workforce.

## **8. Selection Criteria**

- a. All proposals submitted will be evaluated against all other proposals using the rating criteria, which is a part of this RFQ package. Proposals will be rated and then ranked by an RFQ Review Committee appointed by the BCW/Workforce Board Chair.
- b. Proposals may not be funded at the funding level requested.
- c. The highest-ranking numerical score does not assure a funding recommendation. Other factors which may be considered include, but are not limited to: a risk assessment, cost, the likelihood of the proposed services resulting in successful outcomes of proposal deliverables, relevant experience and qualifications, references, financial viability and stability of the agency.
- d. BCW/Workforce reserves the right, at its sole and complete discretion, to invite proposer(s) to make a presentation to the RFQ Review Committee as a step in the selection process.
- e. Proposals will be reviewed for responsiveness and substance by BCW/Workforce staff.

- f. Proposer(s) are advised not to contact BCW/Workforce employees, board members or elected officials charged with oversight of these programs during the review process to avoid conflicts, the appearance of conflicts, or undue influence over the process. This could result in the disqualification of the proposal response submitted.

## **9. Administrative Requirements**

### **a. Cost**

- i. If the entity responding is a for-profit entity, profit must be separately identified in the proposal Cost Section. Profit may only be earned by for-profit entities and is capped at 10% percent.
- ii. Professional organizations charging an hourly rate should be prepared for their rate to be compared to other entities' usual and customary rates in the community for purposes of determining reasonableness.
- iii. All organizations funded whether public or private, commercial or not-for-profit, receiving at least \$750,000.00 annually through federal grants regardless of the funding source will be required to conduct and submit an annual audit.

- b. Insurance Requirements - The proposer will be required to submit Certificates of Insurance applicable to the project, including all required endorsements to BCW/Workforce and Consortium of Elected Officials prior to the provision of services under this RFQ.

Governmental entities may elect to self-insure for the insurance coverage required for this agreement. The required insurance shall be determined at contract negotiation. The types of insurance which may be requested include:

<b><u>Coverage</u></b>	<b><u>Minimum Limits</u></b>
Commercial General Liability to include a Broad Form Property Damage Endorsement and Contractual Liability	\$1,000,000 combined single limit per occurrence \$2,000,000 Aggregate
Automobile Liability including all owned and non-owned and hired vehicles	\$1,000,000 combined single limit per occurrence
Workers' Compensation	Statutory
Employer's Practices Liability	\$1,000,000 per occurrence
Professional Liability	\$1,000,000 per claims made
Intellectual Property	To cover any patent, copyright or trademark infringement claims including the cost of the defense of any action brought against BCW/WORKFORCE, its governing Boards and Contractor

- c. This RFQ does not commit or obligate BCW/Workforce to pay for any costs incurred in the preparation of a response or in advance of the execution of a contract.
- d. In the event of a conflict or ambiguity between the rules, terms, and conditions set forth in the RFQ and the statutes, laws, ODJFS policies and regulations shall prevail. BCW/Workforce shall be responsible for making all determinations in this regard.
- e. Proposer(s) will assure that all records pertaining to this agreement, including financial, statistical, property, and supporting documentation, shall be retained for a period of five (5) years from the date of: 1) final payment under their agreement, and/or 2) when all audits and/or litigation are complete and resolved.
- f. Any and all work performed or expenses involved in the preparation and submission of proposals shall be borne by the applicant(s). No payment will be made for any efforts or expenses prior to commencement of work as defined by a fully executed contract.

## **10. Subcontracts**

This RFQ does not allow for subcontractors.

## **11. Grievance and Procedures**

In the event a proposer wishes to file a grievance in connection with the process, a grievance procedure is available and may be obtained from BCW/Workforce staff.

## **12. Conflict of Interest**

All applicants must disclose the name of any officer, director or employee who is a member of the BCW/Workforce governing boards. All applicants must disclose the name of any BCW/Workforce employee who owns, directly or indirectly, any interest in the applicants' business or any of its branches.

### **13. Interference with the Procurement Process**

Applicants are hereby advised that, BCW/Workforce will not award funding to an organization, person, or entity which has hired a person, whether directly or indirectly, or consented to or acquiesced in the employment of a person, whose principal responsibility is to lobby a member of the BCW/Workforce members, or the Consortium Elected Officials on behalf of the organization, person, or entity which seeks funding from the BCW/Workforce.

Any applicant or lobbyist for an applicant, paid or unpaid, is prohibited from having any private communication concerning any procurement process or any response to a procurement process with any BCW/Workforce staff or rating committee members or the Elected Officials who comprise the Consortium of Elected Officials after the issuance of a funding opportunity and until completion of a contract award. A proposal from any organization will be disqualified if the applicant or a lobbyist for the applicant, paid or unpaid, violates this condition of the procurement process.

### **12. Compliance**

The proposer(s) will fully comply with the applicable requirements of the Acts under which funds are received. It will comply with applicable directives issued by ODJFS and BCW/Workforce. The proposer also assures that it will comply with other federal statutes applicable to this agreement.

### **13. BCW/Workforce Right to Reject or Accept**

BCW/Workforce retains the right to accept, modify, reject entirely, or partially reject any and all proposals if, in its judgment, the work proposed will not accomplish the objectives of this project or does not meet all of the requirements of this RFQ.

## APPLICATION

**Download or paste the application pages into MS Word and respond to each question by entering your response into the box provided or directly under the numbered question, as appropriate.**

**Include this cover sheet and check the boxes below to assure you have included all required sections**

√		
	APPLICATION	INFORMATION SHEET
	APPLICATION	RESPONSES
	ATTACHMENT A	ASSURANCES AND CERTIFICATIONS
	ATTACHMENT B	CONFLICT OF INTEREST
	ATTACHMENT C	ANTI- TOBACCO
	ATTACHMENT D	DRUG FREE CERTIFICATION
	ATTACHMENT E	DEBARMENT & SUSPENSION
	ATTACHMENT F	LOBBYING CERTIFICATION
	ATTACHMENT G	HATCH ACT CERTIFICATION
	ATTACHMENT H	PROPOSER REFERENCES

## PROPOSER ONE-STOP OPERATOR INFORMATION SHEET

Organization Name: \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ FAX \_\_\_\_\_

Cell for Contact Person \_\_\_\_\_

E-mail \_\_\_\_\_ DUNS Number \_\_\_\_\_

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

Total Amount of Funds Requested \$ \_\_\_\_\_

Federal ID # \_\_\_\_\_

Minority Business Owner \_\_\_\_\_

Certifying Agency \_\_\_\_\_

Check the applicable category:

<input type="checkbox"/>	Corporation	<input type="checkbox"/>	Sole Proprietorship
<input type="checkbox"/>	Partnership	<input type="checkbox"/>	For Profit or Professional Org.
<input type="checkbox"/>	State Agency	<input type="checkbox"/>	Other Public Agency (Specify)
<input type="checkbox"/>	Labor Organization	<input type="checkbox"/>	Community-based Organization
<input type="checkbox"/>	Not for Profit	<input type="checkbox"/>	Business Organization
<input type="checkbox"/>	Other	<input type="checkbox"/>	Local government entity

## ONE STOP OPERATOR APPLICATION

### A. Proposer Qualifications

1. Describe proposer's understanding of the intent under WIOA for the establishment of a one stop operator.
2. Describe proposer's experience with respect to:
  - a. Public relations
  - b. Facilitation, Training, Mediation or Negotiation
  - c. Upper-level management responsibility
  - d. Facilitating agency interactions where the goals and objectives may be similar but do not directly align.
  - e. Incorporating social media activities to promote the OS programs
  - f. If selected to be the one stop operator, what role should technology play in coordinating among the partners in the delivery of workforce development activities and services, particularly in the area of cross referral and co-enrollments.
3. Provide the resume or job description of the individual who will serve as the one-stop operator as an attachment to proposer's response. The resume should include the OSO's level of educational attainment and areas of concentration in Human Services, Communications, Project Management, Business Operations or a related field.
4. In 75 words or less explain why your entity and the individual to be assigned is should be selected to serve as the OSO.
5. Provide two (2) examples of proposer's history of demonstrated effectiveness in coordinating among community partners.

### B. One Stop Operator Duties and Responsibilities

1.
  - a. What strategies and methods will be used to familiarize the one-stop partners' line staff with each of the other one-stop partner programs and performance requirements?
  - b. How will proposer measure their success in this regard?
  - c. How will proposer address OMJ Center and partner turnover to assure continued familiarity with all programs?



2. How will the one-stop operator assist in assuring BCW/Workforce is meeting the coordinative intent of WIOA?
3. Describe techniques the proposer will use to further assist one-stop partners joint planning and integration of services.
4. What continuous improvement strategies would be planned for the upcoming contract period?
6. How should consistency in services and program coordination be measured among the BCW/Workforce Career Centers and the One-stop partners?
7. How will proposer assist in the renegotiation of the one-stop MOU and Infrastructure with the one-stop partners?

### **C. One-Stop Certification**

1. ODJFS Certification Criteria are attached to this Request for Quotes as **Exhibit 1**. Describe how proposer will assure that BCW/Workforce meets the State's certification criteria.
2. Describe the process that proposer will put in place to address, succeed and measure the areas of customer service, effective service design, and integrated management and service delivery.
3. In 150 words or less describe what success would look like for the one-stop operator.

## **OSO COST SCHEDULE**

1. Cost Guidelines
  - a. If the entity responding is a for-profit entity, profit must be separately identified in the proposal Cost Section. Profit may only be earned by for-profit entities and is capped at 10 percent.
  - b. Professional organizations charging an hourly rate should be prepared for their rate to be compared to other entities' usual and customary rates in the community for purposes of determining reasonableness.
2. Proposer's Cost:  
\$\_\_\_\_\_.
3. How many hours per week on average will proposer dedicate to this endeavor?

4. If proposer is a consultant entity, what is proposer's hourly rate?
5. If proposer is a for profit entity, please (a) separately state proposer's profit rate and the amount of profit budgeted for this project and (b) provide a list of the other line items to be charged against this endeavor on an annual basis.
6. If proposer is a not for profit or governmental entity, please detail all line items to be charged to this project on an annual basis. Profit or excess revenues are not allowable costs.

## PROPOSER REFERENCES

**References are not required for current BCW/WORKFORCE providers**

Provide the following reference information:

	Reference 1 (required)	Reference 2 (required)	Reference 3 (Required)
Organization Name			
Contact Person			
Address 1			
Address 2			
City			
State, Zip Code			
Contact Phone			
Contact E-Mail			
Description of Project or Assignment			

BCW/Workforce staff may contact one or all of the references listed.

## RATING FORM

### REQUEST FOR QUOTES (RFQ) RATING AND EVALUATION FORM

TO

PROVIDE ONE-STOP OPERATOR SERVICES

Proposer	Rater's Name
Proposed Program/Service <b>ONE STOP OPERATOR</b>	Date Rated

### POINTS SUMMARY

RFQ Sections	One-Stop Operator Qualifications	One-Stop Operator Duties & Responsibilities	One-Stop Certification	Cost	TOTAL
Rating					
Possible Points	25	25	25	25	100

TOTAL RFQ POINTS: \_\_\_\_

A. ONE-STOP OPERATOR QUALIFICATIONS AND ADMINISTRATIVE COMPLIANCE	25 POINTS
<p>Proposer's has sufficient qualifications to conduct the scope of services and satisfy these deliverables, so as to fulfill the role of a coordinator among the one-stop partners.</p> <p><u>Considerations:</u></p> <ul style="list-style-type: none"> <li>• Proposer met the following required elements: <ul style="list-style-type: none"> <li>➤ Understands the type of coordination that must be facilitated</li> <li>➤ Is an eligible entity that can respond to the RFQ</li> <li>➤ The resume of the individual who will serve as the one-stop operator is included and indicates the proposed operator has the appropriate background and experience to serve as the one-stop operator</li> <li>➤ Can provide a single staff person that can be identified as the operator and who can be held accountable for accomplishing the outlined deliverables and tasks</li> <li>➤ Individual to be assigned has an appropriate level of education with a concentration in Human Services, Communications, Project Management, Business Operations or a related field</li> <li>➤ Has a history of demonstrated effectiveness and provided 2 examples</li> <li>➤ Has experience in facilitation public relations, mediation, and/or negotiation</li> <li>➤ Has a plan to incorporate social media into the one-stop environment</li> <li>➤ Has a knowledge of WIOA and the other one-stop funding streams</li> <li>➤ Has experience in relationship building and in bringing disparate groups together, facilitating agency interactions where the goals and objectives may be similar, but do not directly align</li> <li>➤ Proposer submitted the proposal with a cover letter on form letterhead</li> <li>➤ Conflict Form is Signed</li> <li>➤ References were provided if required</li> <li>➤ Organizational Chart attached if applicable</li> <li>➤ All required attachments were included</li> </ul> </li> </ul>	Max Pts. 25
RFQ Section: Information Sheet, Qualifications for the One-Stop Operator	Rater's Pts: ____

COMMENTS:

B. ONE-STOP OPERATOR DUTIES AND RESPONSIBILITIES	25 POINTS
<p>Proposer sufficiently addressed how to accomplish their duties and responsibilities.</p> <p><u>Considerations:</u></p> <ul style="list-style-type: none"> <li>• Proposer states how they will accomplish one-stop delivery system duties and responsibilities, which includes the following elements: <ul style="list-style-type: none"> <li>➤ Proposer's strategies for cross training show promise of being effective</li> <li>➤ Proposer's plan to utilize one-stop partner program goals and objectives will lead to more efficient and effective services for job seekers</li> <li>➤ Proposer's plan to engage one-stop partner staff seems reasonable</li> <li>➤ Demonstration of continuous improvement principles</li> <li>➤ Proposer's plans on how to incorporate technology into the one-stop will add to the effectiveness of the one-stop system.</li> </ul> </li> </ul>	<p>Max Pts. 25</p>
<p>RFQ Section : B</p>	<p>Rater's Pts: ____</p>

COMMENTS

C. ONE-STOP OPERATOR CERTIFICATION	25 POINTS
<p>Proposer sufficiently addressed expected one-stop operator deliverables.</p> <p><u>Considerations:</u></p> <ul style="list-style-type: none"> <li>➤ Proposer's plan to meet ODJFS one-stop certification criteria appear reasonable and effective.</li> <li>➤ Proposer's description of success for the one-stop operator is aligned with the BCW/Workforce vision of success</li> </ul>	Max Pts. 25
RFQ Section: Deliverables	Rater's Pts: ____

COMMENTS:

D. ONE-STOP OPERATOR COST	25 POINTS
<p>Proposer's compensation is reasonable, according to their qualifications, such as experience, skills, abilities, and education.</p> <p><u>Considerations:</u></p> <ul style="list-style-type: none"> <li>➤ Proposer's cost seems reasonable</li> <li>➤ The number of hours a week proposer will dedicate to this endeavor is reasonable for the cost proposed</li> <li>➤ If proposer is a for-profit entity, profit is separately stated and does not exceed 10% or Proposer is a Professional organizations charging an hourly rate that compared to other usual and customary rates in the community is reasonable</li> </ul>	Max Pts. 40
RFQ Section: One-Stop Operator Cost	Rater's Pts: ____

STAFF COMMENTS:

RFQ—TOTAL POINTS: \_\_\_\_\_



## ATTACHMENT A ASSURANCES AND CERTIFICATIONS

By executing the foregoing contract, contractor also assures compliance with the following federal requirements:

1. Buy American

Pursuant to P.L. 115-31, Division E, Title VI, Section 606, Contractor agrees that it will comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the "Buy American Act").

2. Health Benefits Coverage for Contraceptives

Pursuant to P.L. 115-31, Division E, Title VII, Section 726, Contractor will not use any Federal funds to enter into or renew a contract which includes a provision providing drug coverage unless the contract includes a provision for contraceptive coverage. Exemptions to this requirement apply to contracts with 1) the religious plans of Personal Care's HMO and One-stop Health Plans, Inc. and 2) any existing or future plan if the carrier for the plan objects to such coverage on the basis of religious beliefs. In implementing this section, any plan that enters into or renews a contract may not subject any individual to discrimination on the basis that the individual refuses to prescribe or otherwise provide for contraceptives because such activities would be contrary to the individuals' religious beliefs or moral convictions. Nothing in this term shall be construed to require coverage of abortion or abortion related services.

3. Privacy Act

Pursuant to P.L. 115-31, Division E, Title VII, Section 732, no funds can be used in contravention of the 5 USC 552a (Privacy Act) or implementing regulations implementing of the Privacy Act.

4. Prohibition on Contracting with Corporations with Felony Criminal Convictions

Pursuant to P.L. 115-31, Division E, Title VII, Section 746, Contractor may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that was convicted of a felony criminal violation under any Federal law within the preceding 24 months.

5. Prohibition on Contracting with Corporations with Unpaid Tax Liabilities

Pursuant to P.L. 115-31, Division E, Title VII, Section 745, the recipient may not knowingly enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to, any corporation that has any unpaid Federal tax liability that has been assessed, for

which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting the tax liability.

6. Prohibition on Procuring Goods Obtained Through Child Labor

Pursuant to P.L. 115-31, Division H, Title I, Section 103, no funds may be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries identified by DOL prior to December 18, 2015. DOL has identified these goods and services here: <http://www.dol.gov/agencies/ilab/reports/child-labor/list-of-products/index-ountrv.html>

7. Prohibition on Providing Federal Funds to ACORN

Pursuant to P.L. 115-31, Division H, Title V, Section 522, these funds may not be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations or successors.

8. Reporting of Waste, Fraud and Abuse

Pursuant to P.L. 115-31, Division E, Title VII, Section 743, no entity receiving federal funds may require employees or contractors of such entity seeking to report fraud, waste, or abuse to sign internal confidentiality agreements or statements prohibiting or otherwise restricting such employees or contractors from lawfully reporting such waste, fraud, or abuse to a designated investigative or law enforcement representative of a Federal department or agency authorized to receive such information.

9. Requirement for Blocking Pornography

Pursuant to P.L. 115-31, Division H, Title V, Section 521, no Federal funds may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

10. Requirement to Provide Certain Information in Public Communications

Pursuant to P.L. 115-31, Division H, Title V, Section 505, when issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all non-Federal entities receiving Federal funds shall clearly state: (1) The percentage of the total costs of the program or project which will be financed with Federal money; (2) The dollar amount of Federal funds for the project or program; and (3) The percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources. The requirements of this part are separate from those in the 2 CFR 200 and, when appropriate, both must be complied with.

#### 11. Restriction on Health Benefits Coverage for Abortions

Pursuant to P.L. 115-31, Division H, Title V, Sections 506 and 507, Federal funds may not be expended for health benefits coverage that includes coverage of abortions, except when the abortion due to a pregnancy that is the result of rape or incest, or in the case where a woman suffers from a physical disorder, physical injury, including life-endangering physical conditions caused by or arising from the pregnancy itself that would, as certified by a physician, place the women in danger of death unless an abortion is performed. This restriction does not prohibit any non-Federal entity from providing health benefits coverage for abortions when all funds for that specific benefit do not come from a Federal source. Additionally, no funds made available through this award may be provided to a State or local government if such government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

#### 12. Restriction on the Promotion of Drug Legalization

Pursuant to P.L. 115-31, Division H, Title V, Section 509, no Federal funds shall be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal recognized executive-congressional communications or where the grant agreement provides for such use because there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance.

#### 13. Restriction on Purchase of Sterile Needles or Syringes

Pursuant to P.L. 115-31, Division H, Title V, Section 520, no Federal funds shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug.

#### 14. Salary and Bonus Limitations Pursuant to P.L. 115-31, Division H, Title I, Section 105

no funds shall be used to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. The Executive Level II salary may change yearly and is located on the OPM.gov website (<http://www.opm.gov/policy-data-oversight/pay-l-eave/salaries-wages/2016/executive-senior-level>). The salary and bonus limitation does not apply to contractors (vendors) providing goods and services as defined in 2 CFR 200.330.

#### 15. Coordination with Federal Agencies Federal Emergency Management Agency (FEMA) - In accordance with WIOA Section 170 (d)(1)(A), funds made available for Disaster NDWGs "shall be used in coordination with FEMA, as applicable,..." As a result, in order to ensure non-duplication and maintenance of effort, recipients of NDWG funding must coordinate the activities funded under this grant with those funded by and/or performed under the auspices of FEMA if FEMA has issued an

appropriate declaration. Other Federal Agencies -If another federal agency (outside of FEMA) with authority or jurisdiction over the federal response declares or otherwise recognizes an emergency or disaster that meets the definition at WIOA 170(A)(1)(B), NDWG funds made available for that disaster must be used in coordination with that agency, as applicable in order to ensure non-duplication and maintenance of effort. The grantee must have in place a plan to recover WIOA funds which have been expended for activities or services for which other funds are available. This includes, but is not limited to: FEMA, other federal agencies, public or private insurance, donated time and construction workers employed by private for profit firms where resources are available to provide for such employment.

16. Fish and Wildlife Service (FWS) To ensure compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) and to protect valuable habitats and endangered species, all disaster projects where participants will be entering or impacting natural areas must ensure that activities are not negatively affecting endangered species or their habitats. In accordance with NEPA and ESA Contractor agrees that for this NDWG projects they will either affirm to FWS that there are no endangered species or habitats within the project area, or will consult with FWS to mitigate negative impacts where there are endangered species or protected habitats before beginning any work in those areas. Contact may be made with a local FWS field office ([www.fws.Rov/officesl](http://www.fws.Rov/officesl)).
17. Architectural Barriers Contractor shall comply with the Architectural Barriers Act of 1968, 42 U.S.C. 4151 et seq., as amended, the Property Management Regulations (see 41CFR102-76), and the Uniform Federal Accessibility Standards issued by GSA (see 36 CFR 1191, Appendixes C and D) which set forth requirements to make facilities accessible to, and usable by, the physically handicapped and include minimum design standards. All new facilities designed or constructed with grant support must comply with these requirements.
18. Drug-Free Workplace Contractor shall comply with the Drug-Free Workplace Act of 1988, 41 U.S.C. 702 et seq., and 2 CFR 182 requiring that all organizations receiving grants from any Federal agency maintain a drug-free workplace.
19. Executive Orders Contractor shall take note of the following Executive Orders and comply as appropriate: Pursuant to Executive Order 12928, the recipient is strongly encouraged to provide subcontracting/sub granting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals. 13043: Pursuant to Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles. 13166: As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes

discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency (05/29/2003] Volume 68, Number 103, Page 32289-32305, Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities. For assistance and information regarding your LEP obligations, go to <http://www.leo.gov>. 13513: Pursuant to Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, dated October 1, 2009, recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or GOV, or while driving POV when on official Government business or when performing any work for or on behalf of the Government. Recipients and subrecipients are also encouraged to conduct initiatives of the type described in section 3(a) of this order.

20. Flood Insurance The Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4001 et seq., provides that no Federal financial assistance to acquire, modernize, or construct property may be provided in identified flood-prone communities in the United States, unless the community participates in the National Flood Insurance Program and flood insurance is purchased within 1 year of the identification. The flood insurance purchase requirement applies to both public and private applicants for DOL support. Lists of flood-prone areas that are eligible for flood insurance are published in the Federal Register by FEMA.
21. Hotel-Motel Fire Safety Pursuant to 15 U.S.C. 2225a, all space for conferences, meetings, conventions or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (P.L. 101-391, as amended) and as listed in the Hotel Motel National Master List at <https://apps.usfa.fema.gov/hotel>
22. Prohibition on Trafficking in Persons
  - (1) Trafficking in persons.
    - a. Provisions applicable to a private entity
      1. Contractor's employees, may not
        - i. Engage in severe forms of trafficking in persons during the period of time that the award is in effect;
        - ii. Procure a commercial sex act during the period of time that the award is in effect; or

- iii. Use forced labor in the performance of this contract.
- 2. This Agreement may be unilaterally terminated this award, without penalty, if you or a sub-recipient that is a private entity
  - i. Is determined to have violated a prohibition in paragraph a.1 of this award term; or
  - ii. Has an employee who is determined by the agency official authorized to terminate the award to have violated a prohibition in paragraph a. 1 of this award term through conduct that is either
    - A. Associated with performance under this award; or
    - B. Imputed to you or the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that is provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government wide Debarment and Suspension
- b. Provision applicable to other than private entities. This Agreement may unilaterally terminated if Contractor
  - 1. Is determined to have violated an applicable prohibition in paragraph a.1 of this award term; or
  - 2. Has an employee who is determined to have violated an applicable prohibition in paragraph a.1 of this paragraph through conduct that is either
    - h. Associated with performance under this award; or
    - ii. Imputed to Contractor using the standards and due process for imputing the conduct of an individual to an organization that is provided in 2 CFR part 180, "OMB Guidelines to Agencies on Government-wide Debarment and Suspension.
- c. Contractor agrees to inform BCW/Workforce immediately of any information received from any source alleging a violation of a prohibition in this sub section. The right to terminate unilaterally implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and is in addition to all other remedies for noncompliance that are available to us under this award.
- d. Definitions. For purposes of this award term:
  - 1. "Employee" means either:
    - i. An individual employed by you who is engaged in the performance of the project or program under this award; or

- ii. Another person engaged in the performance of the project or program under this award and not compensated by you including, but not limited to, a volunteer or individual whose services are contributed by a third party as an in-kind contribution toward cost sharing or matching requirements.
  - 2. "Forced labor" means labor obtained by any of the following methods: the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.
  - 3. "Private entity": means any entity other than a State, local government, Indian tribe, or foreign public entity, as those terms are defined in 2 CFR 175.25. including a nonprofit organization, including any nonprofit institution of higher education, hospital, or tribal organization other than one included in the definition of Indian tribe at 2 CFR 175.25(b), and a for-profit organization.
  - 4. "Severe forms of trafficking in persons," "commercial sex act," and "coercion" have the meanings given at section 103 of the TVPA, as amended (22 U.S.C. 7102).
23. Veteran's Priority Provisions Pursuant to The Jobs for Veterans Act (Public Law 107-288) Contractor shall enforce a priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL 20 CFR part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. (Ref. Training and Employment Guidance Letter (TEGL) No. 10-09
24. Davis Bacon Contractor shall comply as applicable with the provisions of the Davis-Bacon Act, as amended (40 U.S.C. 276)
25. Copeland "Anti-Kickback" Act ( 40 U.S.C. 3145), Contractor shall comply with the Copeland Anti-Kickback Act
26. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701- 3708). Contractor shall comply with the Contract Work Hours and Safety Standards Act (40.327-333), regarding labor standards for federally assisted construction sub-agreements.
27. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR § 401.2 (a) and the recipient or

subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.

28. Clean Air Act Contractor shall comply with the Clean Air Act ( 42 U.S.C. 7401- 7671q.) and the Federal Water Pollution Control Act ( 33 U.S.C. 1251- 1387), as amended pursuant to the Clean Air Act ( 42 U.S.C. 7401- 7671q) and the Federal Water Pollution Control Act as amended ( 33U.S.C. 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
29. Debarment and Suspension Contractor certifies that they are not on the Federal Debarment and Suspension (Executive Orders 12549 and 12689)
30. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) Contractor certifies that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352.
31. Hatch Act Contractor will comply with the provisions of the Hatch Act (U.S.C. 1501- 1508 and 7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
32. Equal Employment Opportunity Contractor will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. 1681-1683, and 1685-1686), which prohibits discrimination on the basis of handicaps; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. '794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) Sections 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd.3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights act of 1968 (42 U.S.C. 3601 et seq.) as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in



the specific statute(s) under which application for Federal assistance is being made; and U) the requirements of any other non-discrimination statute(s) which may apply to the application.

As a condition to the Grantee the Grantee assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- (1) Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex national origin, age disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I B financially assisted program or activity;
- (2) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
- (3) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- (4) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- (5) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The Grantee also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I - financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I - financially assisted program or activity. The Grantee understands that DEO and the United States have the right to seek judicial enforcement of the assurance.

33. Environmental Standards Contractor shall comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in flood plains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et. seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).

#### 34. Contractor Sub Recipients

- a. Contractors which are sub recipients will cause to be performed the required financial and compliance audits in accordance with the single Audit Act Amendments of 1996 and 2 CFR 200 Part F "Audits of States, Local Governments, and Non-Profit Organizations," and
- b. Will comply with all applicable requirements of all other Federal laws, executive order, regulations and policies governing this program.

## ATTACHMENT B

### CONFLICT OF INTEREST CERTIFICATION

1. Proposer certifies that:

- a. They have not offered or cause to have offered or provided any gratuities, favors, or anything of monetary value to any member or individual employed by the BCW/Workforce for the purpose of influencing the selection of their proposal or any other proposal submitted hereunder.
- c. They have not engaged in any activity to restrict or eliminate competition.
- d. No manager, employee or paid consultant of proposer's company or spouse or child of any manager, employee of paid consultant is a member of the BCW/Workforce **or** Consortium of Elected Officials.
- e. If the answer to any of the above certifications is yes Proposer has disclosed any interest, fact or circumstance which does or may present a potential conflict of interest below:

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2. Violation of this provision may cause a proposer's bid to be rejected. This does not preclude partnerships, consortiums or subcontracts.

I, \_\_\_\_\_ (name), \_\_\_\_\_ (title) of  
\_\_\_\_\_ (name of proposer's entity) am authorized to make the above  
Certifications and to submit this proposal on behalf of  
\_\_\_\_\_ (name of proposer's entity).

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Proposer agrees that their typed name shall serve as their signature.

## ATTACHMENT C

### CERTIFICATION REGARDING ENVIRONMENTAL TOBACCO SMOKE

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994, requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity by signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

Signature and Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

## ATTACHMENT D

### CERTIFICATION REGARDING DRUG-FREE WORKPLACE

Pursuant to the Drug-Free Workplace Act of 1988 and its implementing regulations codified at 29 CFR 98, Subpart, F.I, Tom Gallagher, the undersigned, in representation of the Department of Education, the Contractor, attests and certifies that the Contractor will provide a drug-free workplace by the following actions.

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
- B. Establishing an ongoing drug-free awareness program to inform Employees concerning:
  - 1. The dangers of drug abuse in the workplace.
  - 2. The policy of maintaining a drug-free workplace.
  - 3. Any available drug counseling, rehabilitation and employees assistance programs.
  - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- C. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph A.
- D. Notifying the employee in the statement required by paragraph A that, as a condition of employment under the contract, the employee will:
  - 1. Abide by the terms of the statement.
  - 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
- E. Notifying the agency in writing ten (10) calendar days after receiving notice under subparagraph D.2. from an employee or otherwise receiving actual notice of such conviction. We will provide such notice of convicted employees, including position title, to every Grant officer on whose Grant activity the convicted employee was working. The notice shall include the identification number (s) of each affected contract/Grant.
- F. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph D.2., with respect to any employee who is so convicted.

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973 as amended.
  2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local, health, law enforcement or other appropriate agency.
- G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this entire certification.
- H. Notwithstanding, it is not required to provide the workplace address under the contract. As of today, the specific sites are known and we have decided to provide the specific addresses with the understanding that if any of the identified places change during the performance of the contract, we will inform the agency of the changes. The following are the sites for the performance of work done in connection with the specific contract including street address, city, county, state and zip code:

Check ( ) if there are workplaces on file that are not identified here.

Check ( ) if an additional page was required for the listing of the workplaces.

#### CERTIFICATION

I declare, under penalty of perjury under the laws of the United States and under the penalties set forth by the Drug-Free Workplace Act of 1988, that this certification is true and correct.

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Name and Title of Authorized Representative, Name of Contractor

Signature: \_\_\_\_\_ Date \_\_\_\_\_

Certification Regarding Debarment, Suspension, and Other Responsibility Matters Primary  
Covered Transactions

ATTACHMENT E

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension 20 CFR Part 98, Section 98.510 Participants' responsibilities.

NOTE: PLEASE READ INSTRUCTIONS BEFORE SIGNING CERTIFICATION

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
  - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
  - (b) Have not within a three-year period preceding this proposal 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.
  - (c) Are not presently indicted for otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
  - (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Name and Title of Authorized Representative

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Signature

Date

SIN No. 5100  
03/30/2001

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

**ATTACHMENT F**

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 the Agency, a Member of Congress, an Officer or Employee of Congress, or an Employee or a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any 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 the 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 subrecipients shall certify and disclose accordingly.

This certification is a material representative of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Grantee/Contractor/Organization

Program/Title

\_\_\_\_\_

\_\_\_\_\_

Name of Certifying Official

Date

\_\_\_\_\_

\_\_\_\_\_

Print Name and Sign \_\_\_\_\_

\*Note: In these instances, "all", in the Final Rule is expected to be clarified to show that it applies to covered contract/grant transactions over \$100,000 (per OMB). Lobbying Certification (29 CFR Part 93)