



REQUEST FOR PROPOSALS (RFP) #22-414

Deep East Texas Local Workforce Development Board, Inc.
dba: Workforce Solutions Deep East Texas
for

Employer of Record for Wage Services for Paid Work Experience

Information necessary to prepare proposals is contained in the Request for Proposals. Prospective proposers should read this package carefully before preparing a proposal.

Written questions will be accepted via email until 5:00 PM Central Daylight Time, May 16, 2022. **This will be the only opportunity for technical assistance.**

Proposals are due no later than **5:00 PM Central Daylight Savings Time on Friday, June 3, 2022**

Late proposals will not be accepted. There will be no exceptions to this deadline.

Proposals to be Submitted by email only to:

Workforce Solutions Deep East Texas
415 S. First Street, Suite 110 B
Lufkin, Texas 75901
Attention: Misty Woodard, Finance Director
procurement@detwork.org

Issue Date:
May 2, 2022

Proposal Deadline:
June 3, 2022

TABLE OF CONTENTS

PART ONE		
Section	Title	Page
1.1	Background	3
1.2	Activities and Services Solicited	3
1.3	Objective of Paid Work Experience Services	3
1.4	Procurement Timeline	3
1.5	RFP Communication and Contact	3
1.6	Written Questions	4
1.7	Submission of Proposals	4
1.8	Scope of Paid Work Experience Services	4
1.9	Employment of Work Responsibility	5
1.10	Documentation and Recordkeeping	5
1.11	Invoicing for Payment	5
1.12	Minimum Standards of Review	5-6
1.13	Criteria for Evaluation of Proposals	6
1.14	Procurement Conditions and General Terms	6-7

PART TWO		
Section	Title	Page
2.1	Responsibilities	8
2.2	Demonstrated Performance/Ability	8-9
2.3	Organizational Design	9
2.4	Cost Reasonableness	9
2.5	Extra Points for Historically Underutilized Business	9
2.6	Insurance Requirements	9

PART THREE		
Section	Title	Page
3.1	Appeals	10-11
3.2	Debriefings	11

PART FOUR		
Section	Title	Page
Attachment A	Proposal Cover Sheet	12
Attachment B	Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, Drug-Free Workplace requirements and Employment of Undocumented Workers	13-14
Attachment C	Certification Regarding Texas Corporate Franchise Tax	15
Attachment D	Conflict of Interest	16-17
Attachment E	Budget Summary	18

Part ONE

1.1 BACKGROUND

The Deep East Texas Local Workforce Development Board, Inc. dba Workforce Solutions Deep East Texas (Board) is a private, non-profit corporation that provides policy planning, oversight and evaluation of a consolidated workforce development system in the Deep East Texas Workforce Development Area. Funding is received from the Texas Workforce Commission (TWC) and Department of Labor (DOL).

1.2 ACTIVITIES AND SERVICES SOLICITED

The Board is seeking proposals from qualified payroll/staffing organizations licensed in the State of Texas to serve as Employer of Record.

Contract period will be from July 1, 2022 to June 30, 2023 with the option of up to four additional one-year renewals.

1.3 OBJECTIVE OF PAID WORK EXPERIENCE SERVICES

Work-based learning is defined as the participation in work activities in a real work setting that are designed to help individuals with disabilities gain soft and hard skills for work, learn about, and experience actual work in possible fields of interest, and provide these individuals with the opportunity to have hands-on exposure to jobs. Paid work experience is an effective strategy for providing work-based learning opportunities to individuals with disabilities, and particularly for students with disabilities.

The objective of the Paid Work Experience Services is to increase work-based learning opportunities for Vocational Rehabilitation (VR) participants who are students with disabilities through Texas' integrated workforce system.

1.4 PROCUREMENT TIMELINE

The procurement timeline is as follows:

- RFP Released: May 2, 2022
- Written Questions Due: May 16, 2022
- Answers Due: May 20, 2022
- Proposals Due: June 3, 2022
- Review/Grading: June 6-10, 2022
- Contract Start Date: July 1, 2022

1.5 RFP COMMUNICATION AND CONTACT

Misty Woodard
Finance Director
415 S. First Street, Suite 110 B
Lufkin, Texas 75901
Voice: (936) 639-8898 ext. 5931
Fax: (936) 633-7491
Email: procurement@detwork.org

1.6 WRITTEN QUESTIONS

Written questions will be accepted through 5:00 PM CDT on May 16, 2022. Questions may be submitted via email to procurement@detwok.org. Submission of written questions will be the ONLY opportunity for bidders to ask questions about this RFP. A question and answer (Q/A) document will be prepared from the written questions and posted on our website www.detwork.org. Questions concerning this procurement will not be accepted outside of this written question process.

Answers to Questions will be posted on the website at www.detwork.org no later than May 20, 2022 at 5:00 PM CDT.

1.7 SUBMISSION OF PROPOSALS

Proposals are due no later than 5:00 p.m. (CDT), Friday, June 3, 2022, and must be submitted via email to the contact person listed in Section 1.5. The Board will not accept proposals transmitted by fax or mail. Proposals that are received after the deadline will not be accepted. There will be no exceptions.

Any proprietary information should be clearly marked as proprietary.

- Number of Copies – One complete copy with Original Signatures required on the proposal and required attachments must be submitted. The bidder is responsible for ensuring that the submission contains all of the required elements of the proposals.
- Proposal Cover Sheet - All items on the Proposal Cover Sheet must be completed. Identify a liaison or primary contact person as well as the Signatory Authority (a person with the legal authority to negotiate and sign a contract on behalf of the proposing organization). The Signatory Authority must sign the various certification forms.
- Sequence of Submission – Proposal must be submitted with elements in the following order:
 - a. Transmittal letter
 - b. Attachment A – Proposal Cover Sheet
 - c. Cost (See Part 2.1)
 - d. Attachment B - CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS, DRUG-FREE WORKPLACE REQUIREMENTS AND EMPLOYMENT OF UNDOCUMENTED WORKERS
 - e. Attachment C - CERTIFICATION REGARDING TEXAS CORPORATE FRANCHISE TAX
 - f. Attachment D – CONFLICT OF INTEREST CERTIFICATION
 - g. Attachment E – BUDGET SUMMARY
 - h. Insurance Requirements (See Part 2.6)

1.8 SCOPE OF PAID WORK EXPERIENCE SERVICES

Through Paid Work Experience Services, the wages of VR Participants are paid for time worked on a job site, thereby enabling Participants to receive wages as they develop work skills that improve their career preparation and increase their employability.

Paid work experience assignments will not exceed 12 weeks per Participant per worksite assignment. Paid work experience assignments will not exceed 20 hours per week per Participant. A VR Participant may participate in more than one paid work experience assignment, where the VR counselor determines that additional assignments will assist the Participant with career exploration and development of work readiness skills.

1.9 EMPLOYMENT OF WORK RESPONSIBILITY

Wages must be paid in a timely manner and include other costs associated with payroll, including Federal income tax withholding, Federal Insurance Contributions Act (FICA) expenses, workers' compensation insurance, and any fees associated with payroll processing.

An hourly wage rate for the paid work experience component that is consistent with or based on the hourly wage the Board uses for paid work experience under the WIOA Title I formula youth program.

- Employer of Record must notify the Board of the minimum hourly wage rate changes that will be paid to VR participants in paid work experience within thirty (30) days of contract execution. Employer of Record must include in their notification to the Board a description of the other costs associated with payroll as described: Hourly wage paid to the participant, which includes Federal income tax withholding and Federal Insurance Contributions Act (FICA, also referred to as Social Security) expenses,
- Federal Unemployment Tax Act (FUTA) and State Unemployment Tax Authority (SUTA),
- Fees associated with Affordable Care Act (ACA),
- Workers' compensation insurance,
- Employer of Record set-up and payroll processing fee, and
- Employer of Record invoice processing fee.

Thereafter, Employer of Record must notify Board thirty (30) days in advance of changes in the hourly wage rate or other payroll costs. If such changes are made, the hourly wage rate for a VR participant must not be reduced during the participant's paid work experience assignment.

1.10 DOCUMENTATION AND RECORDKEEPING

Employer of Record will maintain records of the participants, wages paid, and associated fees for Paid Work Experience Services to include documenting wages and associated fees for each participant and invoicing. These records are considered supplemental information needed by the Board and its subcontractors, if any, for administrative, operational and invoicing purposes. The Employer of Record will retain these records in accordance with the Board's records retention schedule which is the length of five (5) years after the Participant's last employment termination date.

1.11 INVOICING FOR PAYMENT

The Board, through the Employer of Record, will then set up wage payment services for the Participant. The Board will pay the Participant's wages for each period upon receipt of a completed timesheet or payroll record from the designated worksite supervisor or contact person that verifies the hours worked by the Participant. The timesheet or payroll record must be signed or certified by both the designated worksite supervisor or contact person and the Participant.

1.12 MINIMUM STANDARDS OF REVIEW

Minimum Standards of Review – A proposal must meet the following standards to be considered for funding. The proposal must:

- Be received by the deadline
- Be submitted in the required format
- Contain all required elements (Section 1.7) with required signatures

- Not contain evidence of real or apparent conflict of interest

1.13 CRITERIA FOR EVALUATION OF PROPOSALS

- Demonstrated Performance/Ability 35 Points
- Organizational Design 30 Points
- Cost Reasonableness 35 Points
- Positive efforts shall be made to utilize small, minority, female, and/or service-disabled veteran owned or operated organization/business (HUB) in the procurement and provision of these goods. 5 Points
- Total possible points 105

1.14 PROCUREMENT CONDITIONS AND GENERAL TERMS

- The Board reserves the right to accept or reject any or all responses or bids/quotes received or to cancel or extend in part or it's entirely, this solicitation, or to make partial awards.
- The intent of this solicitation is to identify the various contract alternatives and estimates of costs for the items solicited. The Board is under no legal requirement to execute a contract for any bid/application submitted.
- Positive efforts shall be made to utilize Historical Underutilized Businesses (HUBs) as vendors, and to allow such organizations maximum feasible opportunities to compete for awards.
- Respondents/bidders shall not make offers of gratuities or favors to any officer, employee, or Board member of Deep East Texas Local Workforce Development Board (DETLWDB), or any subcontractor employees. Contact for technical assistance is allowed with the solicitation contact person or designated Board staff.
- All responses/bids and their accompanying attachments will become property of the DETLWDB after submission, and materials will not be returned.
- In the interest of maximum free and open competition, All Workforce Solutions members and staff will be prohibited from providing technical assistance or answering questions concerning this solicitation which may be construed as offering a competitive advantage to any respondent/bidder. Potential respondents/bidders are requested to respect these conditions by not making personal requests for assistance.

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the award of federal financial assistance:

- Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Part TWO

2.1 RESPONSIBILITIES

The TWC-VR and Board are responsible for:

TWC-VR staff are responsible for developing paid work experience opportunities and worksites in both the public and private sector for paid work experience placements. TWC-VR staff may directly develop these paid work experience opportunities. TWC-VR staff may work in collaboration with the Board or sub-recipient staff to identify worksites based on the Boards' expertise in the local labor market and established relationships with area employers.

TWC-VR staff or Employment Service Providers (ESPs) will conduct a worksite orientation with the designated worksite supervisor or contact person. The orientation will include:

- An overview of worksite and Participant responsibilities;
- The hourly rate the Participant will be paid as specified by the Board in Section 1.9 of this RFP;
- The maximum number of hours that the Participant may work per week (up to 20);
- The start and end date for the work experience placement (not to exceed 12 weeks); and
- The worksite supervisor's or contact person's responsibility to ensure a complete and accurate timesheet or payroll record is timely provided to the Board or the Board's contractor.

Local TWC-VR staff will issue a Service Authorization to the Board or designated Board contractor, authorizing Board payment of wages for a VR participant. With the Service Authorization, TWC-VR staff will provide information about the participant, worksite, designated worksite supervisor or contact person, maximum number of hours per week and the end date for the Paid Work Experience Services.

TWC-VR staff or, as applicable, ESPs, are responsible for addressing any needs or concerns shared by the worksite supervisor or contact person regarding the Participant's performance at the worksite.

The Employer of Record is responsible for:

- Providing new hire packets for participants
- Performing background checks on participants
- Performing drug tests (if required)
- Providing Workers' Compensation
- Regulatory Compliance
- Paying customers weekly or bi-weekly (Checks, Direct Deposit, etc.)
- Maintain personnel and payroll records (I-9s, W-2s, etc.)
- W-2's - Responsible for providing W-2s of the preceding calendar year by January 30 each year.
- Wage Garnishments - The Employer of Record will administer wage garnishments as required.
- Submit detailed weekly or bi-weekly invoices for reimbursement of client wages and associated fees.

2.2 DEMONSTRATED PERFORMANCE/ABILITY (35 Points)

The following elements will be used for grading proposals:

- Demonstrate your ability to provide comprehensive Employer of Record services as outlined in the RFP:
 - a. Payment methods available for clients (Check, Direct Deposit, etc.)
 - b. Tax and compliance filing/reporting to local, state, and federal agencies (new hire, W2, W4, FICA, 940, 941, EEO1, 1095's etc.)
 - c. Reporting/Billing (detailed invoices by customer)
 - d. Workers' Compensation and Wage Garnishment deductions
- Prior Experience:
 - a. Any prior experience you have working with similar programs/agencies.

2.3 ORGANIZATIONAL DESIGN (30 Points)

Submit a written response to each of the following elements:

- Provide a brief background of your organization and qualifications as an Employer of Record.
- Describe your process for new hire documents, status changes, billing, background checks, drug testing, benefits, etc.
- Identify any industry accreditation, licenses or certifications.
- Provide three client references with contact information.

2.4 COST REASONABLENESS (35 Points)

Submit a written response to each of the following elements:

- Provide a complete list of all fees (service fees, background check fees, drug testing fees, and other applicable fees).
- Bidders selected will need to submit a line item budget for all projected costs. (Complete Budget Summary, Attachment E)

2.5 EXTRA POINTS FOR HISTORICALLY UNDERUTILIZED BUSINESS (HUB) (5 Points)

- Positive efforts shall be made to utilize small, minority, female, and/or service-disabled veteran owned or operated organization/business (HUB) in the procurement and provision of these goods.

2.6 INSURANCE REQUIREMENTS

The proposer awarded the Employer of Record must have the required insurance(s): General Liability, Bonding, and Workman Compensation. The Employer of Record must submit copies of the insurances with the submission of the proposal response.

Part THREE

3.1 APPEALS

An Appeal occurs when an unsuccessful respondent 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.

- Step 1: If a respondent wishes to appeal the decision of the Board regarding their bid proposal, the complainant respondent must submit to the Executive Director, an Appeal within fourteen (14) calendar days of respondent's receipt of status notice. The Appeal must be sent by email only to:

Workforce Solutions Deep East Texas
Attn: Executive Director
procurement@detwork.org

Telefax, facsimile, and mailed notices will NOT be accepted.

- Step 2: The Appeal must include the following information:
 - a. The funding decision being appealed (i.e. RFQ, IFB), specific date and the Board's 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, and a citation of the law or regulation allegedly violated that forms the appeal);
 - d. Any written information that respondent believes is relevant to the protest;
 - e. The remedy sought by the respondent; and
 - f. An original signature by the appealing organization's authorized representative.
- Step 3: The Board Executive Director/designee will review the Appeal and issue a determination no later than fifteen (15) business days of receipt of the appeal. Unless the solicitation is for goods/services in excess of \$150,000, this decision is final.
- Step 4: Proposers may resubmit their appeal and/or request a review of the determination for solicitations of goods/services valued in excess of \$150,000. The Board Chair shall be notified by Board staff of any such appeals. The Chair or their designee shall contact the proposer and arrange for an appeals conference to be held at a mutually agreeable date and time at a location designated by the Board Chair or their designee within 21 days of receipt of the resubmitted protest. An Appeals Committee shall be convened for the Appeals conference.
- Step 5: The Appeals Committee shall meet with the protesting party to discuss the specific concerns and the grounds for the protest identified in the Appeal (see Step 2(c) above). Only those issues presented in the Appeal will be addressed at the Appeals conference. The Appeals Committee shall evaluate the appropriate actions which should be taken while abiding by

WSDet funding rules and regulations and which are consistent with WSDet procurement policies.

- Step 6: A determination will be made within ten (10) calendar days from the date of the Appeals conference. Should the Appeals Committee determination result in a different outcome for the respondent, such recommendation shall be presented to the full WSDet Board for consideration and possible action at the next scheduled meeting. However, WSDet is NOT obligated to accept the Appeals Committee determination and/or recommendation.

3.2 DEBRIEFINGS

The purpose of a Debriefing is to promote the exchange of information between a respondent and the Board staff pertaining to the proposal process and the bid evaluation system. The goal of a Debriefing is to assist a respondent in improving the quality of future bids. A Debriefing shall include an informal exchange of information pertaining to the Board proposal process and bid evaluation system and shall serve as an educational function for respondents. During a Debriefing, the respondent 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.

A proposer may not request a Debriefing and appeal the Board's decision.

- Step 1: Respondents who desire a Debriefing must submit a written request no later than 30 calendar days of receipt of the Board's notification of the procurement decision. Upon receipt of a Request for Debriefing, the Board shall contact the proposer and set a mutually agreeable date and time to conduct the Debriefing. The Request for Debriefing must be sent by email only to:

Workforce Solutions Deep East Texas
Attn: Executive Director
procurement@detwork.org

Telefax, facsimile, and mailed notices will NOT be accepted.

- Step 2: The Debriefing shall be scheduled at the Board office located at 415 S. First St., Ste. 110 B Lufkin, TX 75901 or by phone no later than ten (10) working days from the date the inquiry is received by the Board.
- Step 3: The Board staff shall meet with the respondent and shall review: 1) the proposal and bid evaluation process; and 2) how the appealing party's proposal/bid was scored and ranked; and 3) suggestions on how to improve future bids (if applicable).

Part FOUR

ATTACHMENT A

COVER SHEET

INFORMATION ABOUT PROPOSER

Organization name	
Mailing address	
Physical address (if different from above)	
City/State/Zip	
Contact person	
Contact Person Phone Number	
Contact Person Fax Number	
Contact Person Email Address	
Type of organization	<input type="checkbox"/> Private for-profit <input type="checkbox"/> Private non-profit <input type="checkbox"/> State government agency <input type="checkbox"/> Local government <input type="checkbox"/> Community college district <input type="checkbox"/> Local school district <input type="checkbox"/> Union <input type="checkbox"/> Faith based organization <input type="checkbox"/> Other: _____
Federal Employer ID	
Texas State Comptroller ID	

INFORMATION ABOUT PROPOSAL

DETWDB, INC. RFP Number	RFP 22-414
Brief description of program	Employer of Record for Wage Services for Paid Work Experience
Total funds requested	
Contract Performance period	From: July 1, 2022 To: June 30, 2023

AUTHORIZATION FOR SUBMISSION

Typed Name & Title of authorized signatory	
Signature & Date	

ATTACHMENT B

CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS, DRUG-FREE WORKPLACE REQUIREMENTS AND EMPLOYMENT OF UNDOCUMENTED WORKERS

Lobbying: This certification is required by the Federal Regulations, implementing Section 1352 of the Program Fraud and Civil Remedies Acts, Title 31 U.S. Code, for the Department of Agriculture (7 CFR part 3018), Department of Labor (20 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned contractor states that:

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 any employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.
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, and officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

* * * * *

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

The undersigned contractor certifies that it or its principals:

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 proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
4. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
5. Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and
6. Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.
7. **Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.**

* * * * *

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

The undersigned contractor certifies that it shall provide a drug-free workplace by:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an on-going drug-free awareness program to inform employees of the dangers of drugs in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Providing each employee with a copy of the Contractor's policy statement.
4. Notifying the employees in the Contractor's policy statement that, as a condition of employment under the grant, employees will abide by the terms of the policy statement and notifying the Contractor in writing within five (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace.
5. Notifying the grantor agency, Deep East Texas Local Workforce Development Board, Inc., in writing, within ten (10) calendar days of the Contractor's receipt of a notice of conviction of an employee.
6. Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or require such employee to participate in a drug abuse assistance or rehabilitation program.

* * * * *

Unlawful Employment of Undocumented Workers

The undersigned contractor certifies that it or its principals:

Pursuant to Texas Government Code § 2264.051, Contractor does not and will not knowingly employ an undocumented worker as defined in Texas Government Code §2264.001(4) and will implement policies and procedures concerning this law.

Contractor will enter into a written agreement with its subcontractors, working on or having an interest in the programs provided by this grant award regarding the unlawful employment of undocumented workers and advising the subcontractors of the penalties that the subcontractors will incur if convicted of the unlawful employment of undocumented workers.

These certifications are a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction.

Company Name

Signature

Date

Title

**CERTIFICATION REGARDING
TEXAS CORPORATE FRANCHISE TAX**

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

The undersigned authorized representative of the entity subcontracting herein certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of subcontract and is grounds for subcontract cancellation.

Indicate the certification that applies to your subcontracting entity:

- The subcontracting entity is a for-profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

- The subcontracting entity is a non-profit corporation or is otherwise not subject to payment of franchise tax to the State of Texas.

Company Name

Name of Authorized Representative & Title

Date

Signature of Authorized Representative

CONFLICT OF INTEREST CERTIFICATION

This certification is required by the Texas Administrative Code:

- Title 40 Social Services and Assistance
- Part 20 Texas Workforce Commission
- Chapter 801 Local Workforce Development Boards
- Subchapter C The Integrity of the Texas Workforce System

The undersigned proposer states that:

By checking (✓) **Agree** below Proposer states they agree with the item as described.

By checking (✓) **Disagree** below Proposer states they disagree with the item as described. Any disagreements must have a written explanation attached stating the exact reasons for the disagreement.

By checking (✓) **N/A** below Proposer states the item as described is not applicable to them.

Agree	Disagree	N/A	#	Description
			1.	Proposer certifies that they comply with federal and state statutes and regulations regarding standards of conduct and conflict of interest provisions including, but not limited to, the following: 29 CFR §97.36(b)(3), which includes requirements from the Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; professional licensing requirements, when applicable; and applicable OMB circular requirements and the Office of the Governor’s Uniform Grant Management Standards.
			2.	Proposer certifies that they avoid any conflict of interest or any appearance of a conflict of interest and that none exist. “Conflict of interest” is defined as a circumstance in which a Board employee, workforce service contractor, or workforce service contractor’s employee is in a decision-making position and has a direct or indirect interest, particularly a substantial financial interest that influences the individual’s ability to perform job duties and fulfill responsibilities. “Appearance of conflict of interest” is defined as a circumstance in which the action of a Board member, Board employee, workforce service contractor, or workforce service contract employee in a decision-making position appears to be influenced by considerations of one or more of the following: gain to the person, entity, or organization for which the person has an employment interest, substantial financial interest, or other interest, whether direct or indirect (other than those consistent with the terms of the contract); or motivated by design to gain improper influence over the Board.

ATTACHMENT D

Agree	Disagree	N/A	#	Description
			3.	Proposer certifies that they will refrain from using nonpublic information gained through a relationship with the Board, Board staff, TWC, or TWC staff, to seek or obtain financial gains that would be a conflict of interest or the appearance of a conflict of interest.
			4.	Proposer certifies that they have promptly disclosed in writing any substantial financial interest that the Proposer, or any of Proposer's employees in decision-making positions, have in a business entity that is a party to any business transaction with a Board member or Board employee who is in a decision-making position. "Substantial financial interest" is defined as an interest in a business entity in which a person owns 10% or more of the stock, shares, fair market value, or other interest in the business entity; owns more than \$5,000 of the fair market value of the business entity; owns real property if the interest is an equitable or legal ownership with a fair market value of \$2,500 or more used for the business entity; receives funds from the business entity that exceed 10% of the person's gross income for the previous year; is a compensated member of the board of directors or other governing board of the business entity; serves as an elected officer of the business entity; or is related to a person in the first degree by consanguinity or affinity, as determined under Chapter 573, Texas Government Code, who has a substantial financial interest in the business entity. First degree of consanguinity or affinity means the person's parent, child, adopted child, or spouse.
			5.	Proposer certifies they have disclosed in writing any and all gifts greater than \$50 in value given to a Board member or Board employee by Proposer or Proposer employees and that written notice was given within 10 days of giving the gift.
			6.	Proposer certifies that they have disclosed any conflict of interest and any appearance of a conflict of interest.

These certifications are a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into a contract with the Board.

The undersigned authorized representative of the entity herein certifies that the above statements are true and correct.

Company Name

Name of Authorized Representative & Title

Date

Signature of Authorized Representative

BUDGET SUMMARY

Provide a detailed budget including a list of costs for services to be performed and fully explain the nature of these charges (i.e. how costs are broken down - per hour rate, associated fees, etc.)