



**REQUEST FOR PROPOSAL**

*Issued by*

**HEART OF TEXAS WORKFORCE DEVELOPMENT BOARD, INC.**

*For*

**NETWORK SERVICES**

**RFP #13220501**

**Bids to be Submitted to the:  
Heart of Texas Workforce Development Board, Inc.  
801 Washington Avenue, Suite 700  
Waco, TX 76701  
[www.hotworkforce.com](http://www.hotworkforce.com)**

**Issue Date: August 26, 2022  
Deadline for Questions: September 5, 2022  
Questions and Answers Published: September 9, 2022  
Proposals Due: September 15, 2022, 1:00 PM  
Evaluation Period: September 15 – September 22, 2022  
Notice of Award: September 23, 2022  
Contract Start Date: October 1, 2022**

The Heart of Texas Workforce Board, Inc. is an equal opportunity employer/programs and auxiliary aids and services are available upon request to include individuals with disabilities.

TTY/TDD via RELAY Texas service at 711 or (TDD) 1-800-735-2989/ 1-800-735-2988 (voice).

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## GENERAL INFORMATION

### Sites

- Workforce Solutions for the Heart of Texas (the Board), dba Heart of Texas Workforce Development Board, Inc, 801 Washington Ave. Waco, TX 76701
- McLennan County Workforce Solutions Center, 1416 S. New Road, Waco, TX
- Hill County Workforce Solutions Center, 233 E. Elm Street, Hillsboro, TX
- Freestone County Workforce Solutions Center, 517 E. Main Street, Teague, TX
- Falls County Workforce Solutions Center, 230 Coleman Street, Marlin, TX

### IT Help Desk Services

The Board has two full-time technicians who provide all IT Help Desk Services internally, including supporting desktop computers and associated Operating Systems, all desktop applications, proprietary software and/or programs. The Board is **not** seeking IT Help Desk services. **Please do not include these services in your proposal.**

### Network

The Board has two sites in the city of Waco and three rural sites. These sites cover McLennan, Hill, Freestone, and Falls counties. The Board's Waco sites are currently connected by Time Warner Cable fiber. Each rural site uses AT&T fiber to connect back to the Waco LAN and internet access. There is also a Time Warner fiber connection to the Texas Workforce Commission. All network equipment is Cisco hardware. Wireless internet access is managed through Cisco Meraki.

### Servers

The Board utilizes Intel based servers (approximately 20) using Windows Server 2016 in a Microsoft Active Directory domain. There is a file server, print server, & some application servers. The Board is 95% virtualized in a Microsoft Hyper-V environment. The Board utilizes Microsoft 365 for email. The Board also uses Mimecast, ForcePoint, Arctic Wolf, Nutanix Frame and MS Defender ATP products. The Board uses Cisco Unity/Cisco Call Manager for the phone system.

## PROPOSAL GUIDELINES

### Purpose

The Board is soliciting proposals from a firm and/or individual(s) qualified to assist with the support of in-house server/network solutions and Information Technology issues as they arise. The network services required are summarized into the following four categories

- 1) Assessment,
- 2) Installation,
- 3) Network Planning, and
- 4) Oversight/Technical Assistance.

Through this procurement, the Board will identify a Service Provider meeting the qualifications to provide needed network services within defined time periods.

Due to the nature of the maintenance required, procurement of a Network Services Contractor must be accomplished in advance of actual maintenance needs in order to identify a specific network maintenance provider and begin service within the necessary time constraints. The final product of this RFP will be a Contractor, whose bid has been evaluated and found to meet the minimum requirements for services involving our network needs. This will serve as a tool to expedite the actual agreement when a need arises for Network Services.

Services to be provided by the vendor under this RFP are to be stand-alone components and available for contracting in part or appropriate to the need presented by the specific network need.

*Please note: The need to utilize the contractor may not present itself.*

### Scope of Work Solicited

The scope of work may include but not be limited to the following tasks and deliverables:

1. The Board wishes to contract network support as needed externally. Maintenance of a virtualization platform, Cisco router, firewall and switch, and Cisco Call Manager & Unity backup solution. Cybersecurity product implementation, virtualization, server, firewall, and switch upgrades are tentative projects over the time of the project.
2. Ongoing support is to include the following:

A. Assessment

- a. Scheduled system analysis and tweaking of the network.
- b. Recommend upgrades for software and hardware as needed for optimum performance of server(s).
- c. Diagnose and troubleshoot individual problems as they arise and provide options to resolve.
- d. Coordinate the selection of hardware and reparation of malfunctioning equipment.
- e. Configure all routers and hubs.
- f. Maintain Internet connections.
- g. Conduct data back-up, restore, and contingency planning functions for all local data.

B. Installation

- a. Obtain and install local network software and license upgrades.
- b. Install and configure hardware to server or nodes as needed.
- c. Install and configure software to server or nodes as needed.
- d. Install and update virus protection on network and applicable nodes.
- e. Reinstall applications if necessary.
- f. Install, maintain, monitor, and support LANS and WANS.

C. Network Planning

- a. Provide software upgrade schedule.
- b. Provide consultation for future changes or additions to network.
- c. Provide specifications to purchase and review bids.
- d. Provide cost projection for the purchase of new equipment.
- e. Provide telephone technical support.

D. Oversight/Technical Assistance

- a. Maintain and back up of the phone system.
- b. Maintain Texas Workforce Commission (TWC) internet access for VPN to state network for off location access to TWC communications and local servers.
- c. Provide technical assistance and training to essential personnel.
- d. Create, update, maintain system documentation and make available for all staff in case of a DR situation.
- e. Cross-train on new solutions when requested.

3. The Contractor may be required to meet periodically in person or via conference call

with designated Board staff.

## **Contract**

The Board's intent is to execute a contract based on a contractor quote for an hourly rate. Allowable expenses for travel will be on a cost reimbursement basis with supporting documentation. The period of performance for any contract resulting from this solicitation is anticipated to begin October 1, 2022, and end on September 31, 2023. The Board reserves the right to review annually and renew for up to a total of five years.

## **Submission of Proposal**

### Instructions for Preparing Proposals

Please provide the following information in your proposal.

- Narrative detailing knowledge base for all areas listed in the Proposal Guidelines and Scope of Work Solicited. (Limit this section to 10 pages).
- Budget that defines time units and various service costs.
- Name(s) and contact information of the person(s) authorized to represent your firm.
- Resumes detailing experience for each person(s) proposed to work on this project. Identify who will be the project lead, secondary, etc. and specify the percentage of their time that will be dedicated to this project.
- Completed and signed Proposal Cover Sheet.
- Signed Attachments A – I.

Submit bid proposal in the following order, bids must include Attachments and the Exhibits to be considered responsive.

- PROPOSAL COVER SHEET
- RESPONSE TO PROPOSAL GUIDELINS AND SCOPE OF WORK SOLICITED
- BUDGET
- NAMES AND CONTACT INFORMATION
- RESUMES
- SIGNED ATTACHMENTS A – I

### Deadline for Proposal Submission

The deadline for submission in response to this Request for Proposal (RFP) is **September 15, 2022 (Thursday) by 1:00 PM**. All responses must be received by that date and time to be considered on time. Bids received after the indicated date and time will not be accepted

or considered for award. Timely delivery of bids to Board is the sole responsibility of the offeror. One Original and three (3) copies (paper printed) of each bid must be received no later than 1:00 PM, CST. In addition to the paper copies bidders must also submit an electronic version of their bid via email. The electronic copy must also be received no later than 1:00 PM, CST on September 1st in order to be considered. Bids received after the indicated date and time will not be accepted or considered for award. Timely delivery of bids is the sole responsibility of the offeror. No exceptions will be made. Completed proposals must be submitted by mail or delivered in person to:

Heart of Texas Workforce Development Board, Inc.

Attn: Erin Doshier, Procurement Officer

801 Washington Avenue, Suite 700

Waco, TX 76701

Email the electronic version to:

[erin.doshier@hotworkforce.com](mailto:erin.doshier@hotworkforce.com)

All documents must be legible, complete, and fully assembled. Please mark the outside of the envelope with the number of this RFP #13220501 – Network Services. Unless requested by the Board, no additional information will be accepted from a bidder after the deadline for submission of proposals. (Note: All proposals will become the property of the Board).

#### Withdrawal of Proposals

The applicant or his/her authorized representative identified in Attachment A and the Cover Sheet may withdraw proposals prior to scheduled closing time of receipt of bids.

#### **Questions and Answers**

Questions, concerning this solicitation may be sent through September 5, 2022. Questions may be submitted prior to the question deadline by email to [erin.doshier@hotworkforce.com](mailto:erin.doshier@hotworkforce.com). Only written questions will be accepted. A question-and-answer document will be prepared and provided to all RFP requestors by September 9, 2022. The Q/A document will also be available on the Board's website at [www.hotworkforce.com](http://www.hotworkforce.com).

Board staff may not provide individual assistance in writing proposals; only technical questions will be answered. Board members, Board staff, and associated parties are precluded from entertaining any questions outside the written question process described above. Potential applicants are asked to respect these conditions by not making personal requests for assistance. No unauthorized methods or sources of responses or clarification are considered valid. Any violation of this process may disqualify an applicant.



## **Proposal Evaluation Criteria**

Proposals will be evaluated according to the following criteria and possible points:

- A. Demonstrated Performance of Bidder – 25 Points
- B. Experience of Key Personnel – 35 Points
- C. Comprehensiveness of Proposed Services – 20 Points
- D. Cost Reasonableness – 20 Points
- E. HUB – 5 Points

The maximum possible points to be earned is 105. A minimum aggregate average score of 75 points is required to be considered for selection.

### A. Demonstrated Performance of Bidder – 25 Points

Demonstrated Performance refers to the company and/or individual(s) and any extensively used subcontractors' prior experience in related projects and in providing services similar to those requested in this RFP. Qualification of the company and/or individual(s) to provide services with minimal interaction from the Board must be demonstrated. These criteria examine the demonstrated ability of the company to correctly perform network services in a timely manner. Three references where like services have been performed will be required. References must include organization name, address, phone number, and contact person.

### B. Experience of Key Personnel – 35 Points

Documentation of the relevant experiences, qualifications and abilities of proposed project personnel must be included. The description of the services to be provided by the bidder should document the availability of qualified, staff to perform the desired tasks, with attention given to special skills needed. At least three (3) references should be submitted. In addition, resumes indicating qualifications of person(s) completing network services/labor work should be submitted.

### C. Comprehensiveness of Proposed Services – 20 Points

This criterion emphasizes the extent to which the company has performed work that relates to the items listed in the Statement of Work. Points will be awarded on several factors, including quality of and approach to service delivery and proposed work schedules. Descriptions should include proposed work schedules to address the items listed in the Statement of Work.

### D. Cost Reasonableness – 20 Points

Bidders are to submit cost quotations for the items found in the Statement of Work Section of this RFP. Final costs will be negotiated at the time of contract execution. Cost reasonableness is determined by relating the cost of services proposed to the market rate of

such service being proposed. Additional cost consideration should be provided relative to the rapidity of service delivery and diversity of services proposed.

#### E. HUB – 5 Points

Proposer must attach copy of the State of Texas Comptroller of Public Accounts' Certification as a Historically Underutilized Business.

### **Method of Proposal Evaluation**

The activities requested in this RFP will be procured competitively based on responsiveness to the RFP and reasonableness of costs. This will include review and evaluation of proposals by a designated independent review team.

Evaluation of Proposals – The evaluation process will include the following steps:

- Step 1 –Determination of responsiveness of each proposal received in terms of the requirements and specifications contained in this RFP will be initially done. Proposals deemed as non-responsive will not be considered for review/selection/award.
- Step 2 – Responsive proposals will be evaluated and scored using a standardized instrument listing the criteria contained in this RFP.
- Step 3 – Scores will be totaled, and a rank of proposals will be determined. Proposals not meeting the aggregate minimum of 75 available points are deemed outside the competitive range and not considered for funding.
- Step 4 – Review team will make its recommendation.
- Step 5 – Board staff will notify all proposers of their selection or non-selection through a formal award letter. Negotiations will begin with the top ranked proposal(s).

### **TIMELINE**

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Notice of Award: September 23, 2022

Final Execution of Contract: October 1, 2022

## GENERAL CONDITIONS

1. The only purpose of this Request for Proposal (RFP) is to ensure uniform information in the solicitation of proposals and procurement of services. This RFP is not to be constructed as a purchase agreement or contract or as a commitment of any kind; nor does it commit the Board to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by the Board.
2. The Board reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part or in its entirety.
3. The Board reserves the right to negotiate the final terms of any and all contracts or agreements with bidders selected.
4. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded.
5. Proposer shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the Heart of Texas Workforce Development Board, Inc. for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
6. No employee, officer, member or agent of the Heart of Texas Workforce Development Board, Inc. shall participate in the selection, award or administration of a contract if a conflict of interest, or potential conflict, would be involved.
7. Proposer shall not engage in any activity that restricts or eliminates competition. Violation of this provision may cause a proposer's bid to be rejected. This does not preclude joint ventures or subcontracts.
8. Section 502 of the Workforce Innovation and Opportunity Act (WIOA) states, "(a) Compliance with Buy American Act.—None of the funds made available under title I or II [of WIOA] or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with Sections 8301 through 8303 of Title 41, United States Code (commonly known as the 'Buy American Act'). (b) Sense of Congress; Requirement Regarding Notice.—(1) Purchase of American-Made Equipment and Products.—In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under Title I or II [of WIOA] or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.), it is the sense of Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products. (2) Notice to Recipients of Assistance.—In providing financial assistance using funds made available under Title I or II [of WIOA] or under the Wagner-Peyser Act, the head of each Federal agency shall provide to each recipient of the assistance a notice describing the statement made in paragraph (1) by Congress."
9. 2 CFR 200.216 prohibits subrecipients from obligating or expending loan or grant funds to: procure or obtain; extend or renew a contract to procure or obtain; or enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or

essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, Section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities). The prohibition also covers the following:

- For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
- Telecommunications or video surveillance services provided by such entities or using such equipment.
- Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

10. 2 CFR § 200.323 of the UG requires that a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 CFR Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines. Refer to E.4 Procurement of Recovered Materials, in the FMGC Supplement on Procurement, for related information.
11. Any bidder may withdraw his/her bid either in person or by written request by a duly authorized representative at any time prior to the scheduled closing time for receipt of bids.
12. All contracts are contingent upon availability of funds from the U.S, Department of Labor and/or Texas Workforce Commission.
13. No contract may be awarded until bidder has complied with Executive Order 1254929CRF, Part 98 by submitting to the Board a signed Certification of Debarment, which states that neither the bidders, nor any of its principals, are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in a procurement by any Federal department or agency. (See Attachment B).

14. Proposal must be manually signed by a person having the authority to bind the organization in a contract. (See Attachment A).
15. Any material that is to be considered as confidential in nature must be clearly marked as such and will be treated as confidential by the Board to the extent allowable in the Public Information Act.
16. The Board reserves the option to execute a contract based on a contractor quote for an hourly rate. Allowable expenses for travel will be on a cost reimbursement basis with supporting documentation. The Board reserves the right to review annually and renew for up to a total of five years. The Board reserves the right to consider longer contract terms based on favorable pricing and contract terms.
17. Funding for goods or services requested in this RFP is contingent upon the Board's actual receipt and availability of funds from the Texas Workforce Commission.
18. Heart of Texas Workforce Board, Inc. is an equal opportunity employer/program and complies fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Investment Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I- financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis 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.
19. The Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. No protest shall be accepted by the grantor (State) until all administrative remedies at the grantee level have been exhausted. This includes, but is not limited to, disputes, claims, protests of selection or non-selection for award, or other matters of a contractual or procurement nature. Matters concerning violation of laws shall be referred to such authority, as may have proper jurisdiction.
20. All proposers will be notified in writing of the final results of the procurement process within ten (10) working days of the decision of the Board. Proposers not selected by this procurement process may appeal the decision by submitting a written Notice of Appeal to the Board within ten (10) working days following the receipt of Board notification of the procurement decision. This written notice must clearly state that it is an appeal and identify (1) the funding decision being appealed; (2) the name, address, phone and fax number (if available) of the appealing party(ies); and (3) the specific grounds of the appeal. The Notice of Appeal must be sent by registered mail or hand delivered (a receipt will be issued) and addressed to:

Aquanetta Brobston  
Quality Assurance/EO Officer  
801 Washington Ave., Suite 700  
Waco, TX 76701  
Dated Material Enclosed

21. Facsimile or email shall not be accepted at any stage of the appeals process. Written acknowledgement of receipt of the Notice of Appeal will be provided to the appealing party within three (3) working days of receipt of the Notice of Appeal. Such acknowledgement will include specific instructions for completing the appeals process and the date, time and place of the next step, the Informal Hearing. The filing of an appeal within the specified time frame and in the manner required is a non-waivable requirement. There is no relief accorded to appellants for not filing within the published deadlines or following instructions. The appeal must indicate the Board action appealed and the violation, which forms the basis for the appeal, and shall be signed by the appellant. Fax and e-mail transmittals will not be accepted. The filing of the appeal within ten business days is a condition precedent. There is no relief accorded appellants for not filing within the deadline. Hearings shall be conducted in accordance with Board procedures.
22. Request for Debriefing: A request for a debriefing may be submitted within fifteen (15) days of the receipt of notification of the procurement decision by any unsuccessful respondent not filing an appeal. The purpose of the debriefing is to promote the exchange of information, explain the procurement process, including proposal evaluation process, and help unsuccessful respondents understand why they were not selected. Debriefings serve an important educational function for proposers, which hopefully will help them to improve the quality of any future proposals. The debriefing shall be scheduled as soon as possible but no later than thirty (30) days from the receipt of the Request for Debriefing.

**PROPOSAL COVER SHEET  
NETWORK SERVICES  
RFP #13220501**

Name of Organization	
Mailing Address	
City/State/Zip Code	
Authorized Representative-Contact	
Telephone Number	
Fax Number	
Email Address	
Federal Employer ID Number	
State Comptroller ID Number	
HUB	<input type="checkbox"/> YES <input type="checkbox"/> NO If YES: Certification No. _____ Certifying Agency: _____ <b>Attach a copy of current certification.</b>
Type of Organization	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Other (describe)
Name & Title of Authorized Signatory	
Signature and Date	

**ATTACHMENT A**  
**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND**  
**VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 20 CFR Part 98. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160-19211).

**(Before completing certification, read the attached instructions which are an integral part of the certification.)**

The prospective recipient of Federal assistance funds certifies, by submission of this quote, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

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 quote.

Name of Applicant Organization: \_\_\_\_\_

Print Name of Authorized Signatory: \_\_\_\_\_

Print Title of Authorized Signatory: \_\_\_\_\_

\_\_\_\_\_  
Signature of Authorized Signatory

\_\_\_\_\_  
Date

**Instructions for Certification**

1. By signing and submitting this quote, the prospective lower tier participant is providing the certification set out below.

2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

3. The prospective lower tier participant shall provide immediate written notice to the person to whom this quote is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.



4. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, quote, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this quote is submitted for assistance in obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this quote that, [[Page 33043]] should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.

6. The prospective lower tier participant further agrees by submitting this quote that it will include this clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension, and/or debarment.

**ATTACHMENT B**  
**CERTIFICATION REGARDING**  
**DRUG-FREE WORKPLACE REQUIREMENTS**

- A. The grantee certifies that it will continue to provide a drug-free workplace by:
- i. 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.
  - ii. Establishing an ongoing drug-free awareness program to inform employees about:
    1. The dangers of drug abuse in the workplace;
    2. The grantee's policy of maintaining a drug-free workplace;
    3. Any available drug counseling, rehabilitation and employee assistance programs; and
    4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - iii. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
  - iv. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
    1. Abide by the terms of this 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.
  - v. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
  - vi. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted –
    1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    2. Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.
  - vii. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance:

Are there workplaces on file that are not identified here?  Yes  No  N/A

Print Name of Application Organization: \_\_\_\_\_

Print Name and Title of Authorized Signatory: \_\_\_\_\_

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

**ATTACHMENT C  
CERTIFICATION REGARDING  
LOBBYING CERTIFICATION FOR CONTRACTS,  
GRANTS, LOANS AND COOPERATIVE AGREEMENT**

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

- (1) No Federally 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 an agency, a Member of Congress, an Officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making any Federal loan, the entering into 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 Federally appropriated funds have paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the 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 sub-awards at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is 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 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.

Print Name of Applicant Organization: \_\_\_\_\_

Print Name of Authorized Signatory: \_\_\_\_\_

Print Title of Authorized Signatory: \_\_\_\_\_

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

**ATTACHMENT D  
CERTIFICATION REGARDING CONFLICT OF INTEREST**

By signature of this quote, Proposer covenants and affirms that:

- (1) No manager, employee or paid consultant of the Proposer is a member of the Policy Board, the Executive Director, or an employee of Region 12 Education Service Center;
- (2) No manager or paid consultant of the Proposer is married to a member of the Policy Board, the Executive Director, or an employee of Region 12 Education Service Center;
- (3) no member of the Policy Board, the Executive Director or employee of Region 12 Education Service Center owns or controls more than a 10 percent interest in the Proposer;
- (4) No spouse or member of the Policy Board, Executive Director or employee of Region 12 Education Service Center is a manager or paid consultant of the Proposer;
- (5) no member of the Policy Board, the Executive Director or employee of Region 12 Education Service Center receives compensation from Proposer for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- (6) Proposer has disclosed within the Quote any interest, fact or circumstance, which does or may present a potential conflict of interest;
- (7) should Proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with Region12 Education Service Center and shall immediately refund to Region 12 Education Service Center any fees or expenses that may have been paid under the contract and shall further be liable for any other costs incurred or damages sustained by Region 12 Education Service Center relating to that contract.

Disclosure of Potential Conflict of Interest

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Name of Applicant Organization: \_\_\_\_\_

Name of Authorized Signatory: \_\_\_\_\_

Title of Authorized Signatory: \_\_\_\_\_

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

**ATTACHMENT E**  
**ASSURANCES AND CERTIFICATIONS**

Applicant warrants and assures:

The information contained in this quote is true and correct.

The costs described in the budget accurately reflect the cost of providing services.

No employee, member of a government board or board of directors, or any other individual associated with an organization or individual person offering a quote under this Request for Quotes has offered or will offer any gratuities, favors, or anything of monetary value to any member of the Heart of Texas Workforce Development Board, or any employee of the Heart of Texas Workforce Development Board for the purpose of or having the effect of influencing the decisions of the Board with respect to the organization or individual's quote or any other quote.

No employee, member of a governing board or board of directors, or any other individual associated with an organization or individual person offering a quote under this Request for Quotes has engaged or will engage in any activity which may be construed in restricting or eliminating competition for funds available under this Request for Quotes.

The organization or individual possesses the legal authority to offer this quote.

If the applicant is an organization, a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body authorizing the submission of this quote.

No person will be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in the administration of or in connection with any program operated with funds from this Request for Quotes because of race, color, religion, sex, national origin, age, disability, sexual orientation, or political affiliation or belief.

We understand and agree that the Heart of Texas Workforce Development Board (HOTWDB) may utilize information provided outside of this request in evaluating this quote.

We understand and agree that we may be subject to an on-site review and must be able and willing to provide documentation of information in the quote at the request of the HOTWDB prior to execution of a contract.

We understand and agree that the HOTWDB has the right to reject any and all quotes and negotiate outside of the terms of this quote.

We understand and agree that the HOTWDB is not required to select the lowest cost quote.

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

Applicant will abide by the rules of the laws, acts, codes, etc. and all applicable rules and regulations promulgated there under, as a condition to award of contract from the Heart of Texas Workforce Development Board with respect to operation of programs or activities and all agreements or arrangements to carry out Board funded programs or activities.

By signing I acknowledge that I agree to these assurances and certifications and that I am authorized to bind the organization I represent to these requirements should this quote be accepted for funding.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Proposing Organization

\_\_\_\_\_  
Typed Name and Title

\_\_\_\_\_  
Date

**ATTACHMENT F  
CERTIFICATION REGARDING TEXAS CORPORATE  
FRANCHISE TAX**

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

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

Indicate the certification that applies to your subcontracting entity:

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

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

\_\_\_\_\_  
Name of Applicant/Organization

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

\_\_\_\_\_  
Signature of Authorized Representative/ Date



**ATTACHMENT G**  
**CERTIFICATION OF PROPOSER**  
**NON-DISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS**

I acknowledge that I have read and understand the following nondiscrimination and equal opportunity provisions Section 188 of the Workforce Innovation and Opportunity Act (WIOA) signed on July 22, 2014, and will comply with applicable local, state and federal regulations and directives implementing these provisions as they apply to programs and activities under the WIOA.

“As a condition to the award of financial assistance from the Department of Labor, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the WIOA, which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity;

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

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

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

I \_\_\_\_\_, certify that I am the \_\_\_\_\_

(Typed Name)

(Typed Title)

of the corporation, partnership, organization, or other entity named as Respondent herein and that I am authorized to sign this quote and submit it to the Heart of Texas Workforce Development Board, Inc. on behalf of said organization by authority of its governing body.

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(Signature)

(Address)

(Phone)

**ATTACHMENT H  
CERTIFICATION REGARDING  
DRUG-FREE WORKPLACE REQUIREMENTS**

- C. The grantee certifies that it will continue to provide a drug-free workplace by:
- i. 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.
  - ii. Establishing an ongoing drug-free awareness program to inform employees about:
    1. The dangers of drug abuse in the workplace;
    2. The grantee's policy of maintaining a drug-free workplace;
    3. Any available drug counseling, rehabilitation and employee assistance programs; and
    4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - iii. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
  - iv. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
    1. Abide by the terms of this 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.
  - v. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
  - vi. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted
    1. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
    2. Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement or other appropriate agency.
  - vii. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).

D. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance:

Are there workplaces on file that are not identified here?  Yes  No  N/A

Print Name of Application Organization: \_\_\_\_\_

Print Name and Title of Authorized Signatory: \_\_\_\_\_

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

**ATTACHMENT I**  
**CERTIFICATION OF PROPOSER**

I hereby certify that the information contained in this proposal and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided and the administrative, management and financial systems of this organization. I certify that no employee of the Heart of Texas Workforce Development Board, Inc. has assisted in the preparation of this proposal.

I acknowledge that I have read and understand the requirements and provisions of the RFP and that the organization will comply with applicable local, state and federal regulations and directives in the implementation of the program. I also certify that I have read and understand the Governing Provisions and Limitations section presented in this RFP and will comply with the terms.

This proposal is a firm offer for a minimum of 90 days.

I \_\_\_\_\_, certify that I am the \_\_\_\_\_  
*(Typed Name)* *(Typed Title)*  
of the corporation, partnership, organization, or other entity named as Respondent herein and that I am authorized to sign this proposal and submit it to the Heart of Texas Workforce Development Board, Inc. on behalf of said organization by authority of its governing body.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Address)

\_\_\_\_\_  
(Phone)