



**REQUEST FOR QUALIFICATIONS
FOR
TEXAS RISING STAR ASSESSOR
SERVICES**

Release Date: March 18, 2015

An Open Procurement Process

Submission of Proposals: Open Procurement beginning March 18, 2015

Golden Crescent Workforce Development Board, Inc.
dba Workforce Solutions Golden Crescent
www.gcworkforce.org
120 South Main Street, Suite 501
Victoria, Texas 77901

**Workforce Solutions Golden Crescent is an Equal Opportunity Employer/Program. Auxiliary aids are available upon request to individuals with disabilities.
Relay Texas: Telecommunication Device for the Deaf (TDD)**

INTRODUCTION

The Golden Crescent Workforce Development Board is a 501(c)(3), a not-for-profit corporation in the State of Texas. It is governed by a 27 member Board of Directors appointed by the local Chief Elected Officials in accordance with the provisions of Texas Senate Bill 642, Texas House Bill 1863 and the Federal Workforce Investment Act of 1998.

The Board of Directors represent a partnership of private sector, organized labor, community based organizations (CBOs), education, public employment service (TWC), vocational rehabilitation, public assistance, economic development, local literacy councils and adult education. The Board administers and acts as fiscal agent for programs consolidated at the local level and is responsible and accountable for the management of all workforce development funds made available to the local workforce development area. Grants are received from the Texas Workforce Commission and may include state funds, and federal funds from the U. S. Departments of Labor, Health and Human Services, and Agriculture. Please see the Board's website for additional information on the workforce programs and locations of the local workforce centers within the Golden Crescent service delivery area (www.gcworkforce.org).

The Workforce Board is the oversight entity and fiscal agent for workforce development services and administers the procurement of goods and services that meets compliance with federal/state regulations. The primary responsibility of the Workforce Board is to identify the workforce needs and issues of the Workforce Board area and, provide policy and program guidance and evaluation of workforce development programs and services that affect area employers, residents and job seekers.

REQUEST FOR QUALIFICATIONS

The Golden Crescent Workforce Development Board (Board) is soliciting proposals from qualified organizations and/or individuals to provide assessor services to current Texas Rising Stars (TRS) providers and to child care providers who may be seeking TRS certification in the Golden Crescent Area. Request for Qualifications (RFQ) # PY15-RFQ- 0001 may be requested in writing or picked up in person on and after 10:00 AM CST, Monday, March 16, 2015, at the Board offices located at 120 S. Main, Suite 120, Victoria, TX 79901. The RFQ will also be available on the Board's website (www.gcworkforce.org) on and after the above date and time.

No Proposer's Conference will be held for this procurement because this is an open procurement. However, questions may be submitted to josetroncoso@gcworkforce.org on or before Monday March 23, 2015 and every Monday thereafter. All questions and answers will be posted on the Board's website

Responses to this RFQ for the first Month of services must be physically received by the Procurement Manager at the Board Offices no later than 5:00 PM CST, March 27, 2015.

Workforce Solutions Golden Crescent is an Equal Opportunity Employer/Program. Auxiliary aids are available upon request to individuals with disabilities. Relay Texas: Telecommunication Device for the Deaf (TDD)

PURPOSE OF REQUEST FOR QUALIFICATIONS (RFQ)

The Workforce Board represents a public/private partnership that serves as a catalyst for building a workforce development system that meets the needs of local employers and job seekers. The Workforce Board area consists of Gonzales, Lavaca, Dewitt, Goliad, Calhoun, Jackson and Victoria counties.

This Request for Qualifications (RFQ) provides potential respondents with vital background information and describes the desired services, guidelines for submitting a response, and the selection process. Potential respondents are strongly encouraged to:

- 1) Read the RFQ carefully; and
- 2) Provide all necessary information and ask questions or seek technical assistance on points or concepts that are unclear.

The purpose of this RFQ is to solicit for qualified professionals to provide assessor services to current Texas Rising Star (TRS) providers and to child care providers who may be seeking TRS certification in the Golden Crescent Area. Workforce Solutions Golden Crescent is responsible for the development and delivery of child care quality improvement within our respective counties: Gonzales, Lavaca, Dewitt, Goliad, Calhoun, Jackson and Victoria counties. Workforce Solutions Golden Crescent provides subsidized services to an average of 800 children per day.

The Texas Rising Star program is a Texas Workforce Commission accreditation program that is administered by each Board at the local level. The Texas Rising Star program is a voluntary process where a child care provider can choose to have an outside entity come in and evaluate their program. The evaluation will consist of a standard set of criteria that exceeds the minimum standards required by child care licensing for health and safety, group size, child/staff ratios, caregiver training, and age-appropriate curricula and activities. Child Care providers who choose to become accredited as a Texas Rising Star are evaluated annually to ensure they continue to meet accreditation standards. The Texas Rising Star certification system offers three certification levels in center-based care (2-star, 3-star and 4-star) and two levels in home-based care (provisional or full) to encourage providers to attain progressively higher certification requirements. Each star reflects a higher level of quality that has been achieved by the provider. A Four Star provider has met the highest quality standards for this accreditation. Texas Rising Star certification is available for licensed child care center, licensed child care home, and registered child care home providers who meet the certification criteria.

SERVICES SOLICITED IN THIS RFQ

This Request for Qualifications (RFQ) provides a uniform method for the procurement of these services. It contains the necessary background, requirements, instructions, and information corresponding to this RFQ. Services solicited in this RFQ for Texas Rising Star Assessor Services are to ensure that current TRS providers have met State requirements to remain at the current TRS level or to attain a higher level of TRS certification, and that non TRS providers have met State requirements to attain a TRS status in a Workforce Solutions Golden Crescent area. The Texas Rising Star Assessor will be responsible for performing effective assessments for the current Texas Rising Star providers and potential providers interested in the Texas Rising Star program. The Assessor will be responsible for coordinating and implementing TRS assessment related activities, including:

- Conducting scheduled and un-announced TRS provider assessments (or re-certifications) as determined by the Board;
- Conducting observations in support of completing a TRS provider assessment process provided in WD Letter 08-14 <http://www.twc.state.tx.us/boards/workforce-policy-and-guidance.html#childcare>;
- Submitting written detailed reports summarizing findings and justification for assessment scores; and
- Coordinating TRS schedules and maintaining contact with each Board's contact person regarding work load and required expectations of the Assessor.

Respondents **must** meet the following qualifications presented for Texas Rising Star (TRS) Assessor:

Minimum Education

- Bachelor's degree from an accredited four-year college or university in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science;
- Bachelor's degree from an accredited four-year college or university with at least 18 credit hours in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with at least 12 credit hours in child development; or
- Associate's degree in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with two years of experience as a director in an early childhood program, with preference given for required experience with a provider that is accredited or TRS certified.

Minimum Work Experience

- One year of full-time early childhood classroom experience in a child care, Early Head Start, Head Start, or prekindergarten through third grade school program

Demonstrated Knowledge

- Best practices in early childhood education
- Understanding of early childhood evaluations, observations, and assessments for both teachers and children
- ITERS, ECERS-R, FCERS, TBRIS, CLASS, or other assessment tools

Other Preferred Knowledge

- Understanding of TRS Certification Guidelines and the minimum standards of Texas child care licensing
- Bilingual (English and Spanish speaker)
- Ability to relate to individuals from culturally diverse backgrounds
- Microsoft Word and Excel, Internet, and comfortable using e-mail and entering data on a PC tablet
- Detail oriented with strong oral and written communication skills
- Basic administrative skills, including recordkeeping and use of a computer for data management and professional communication

Required Continuing Education and Professional Development

- Participation in required annual professional development and continuing education which meets or exceeds child care licensing minimum-training requirements for a center director must be satisfied on an annual basis.
- Must successfully complete training period before engaging in an action under this grant.
- Must be available to attend required training as mandated by TWC. Training may require travel within Texas and participation may total 3 or more days.
- TWC mandated TRS Assessor Trainings and travel costs are allowable and shall be reimbursed by the board

For Texas Department of Family and Protective Services Child Care Licensing regulations on required center director professional development and continuing education requirements, see Section 746.1311 at http://www.dfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/746_Centers.pdf.

The purpose of the **Texas Rising Star Program** is to offer quality care that exceeds the State's Minimum Licensing Standards for health and safety, group size, child/staff ratios, caregiver training, and age-appropriate curricula and activities.

Objectives for **Texas Rising Star Certification** are:

- To improve the quality of child care offered by providing high quality child care options;
- To ensure that children are offered care that promotes their social, emotional, physical and intellectual development; and
- To promote early physical, emotional, social and intellectual development of children who are the state's future workforce.

Eligible Providers

- A. Any child care provider that has a current agreement with a Board child care contractor to serve subsidized children and that meets either of the following criteria may apply for Texas Rising Star (TRS) Provider certification:
- Has the appropriate permanent license or registration from, and is in good standing with, the Texas Department of Family and Protective Services (TDFPS); or
 - Is regulated by the military, or
 - Is alternatively accredited by an organization approved by TDFPS as stipulated in Chapter 42, Subchapter E, of the Human Resource Code. Any provider that is on Adverse Action, Corrective Action or Monitoring Plan 1 status with DFPS due to noncompliance with the Child Care Licensing Minimum Standards is not eligible to apply for TRS Provider certification.
- B. Child care providers who are regulated by the military or who have attained one of the following national accreditations may be certified as a TRS Provider without going through the TRS Provider assessment process and are initially enrolled as a Four-Star or fully certified provider:
- National Association for the Education of Young Children (NAEYC)
 - National Early Childhood Program Accreditation (NECPA)
 - National Accreditation Commission for Early Child Care and Education Program (NAC)
 - Association of Christian School International (ACSI)
 - National Association of Family Child Care (NAFCC)
 - National After-School Association (NAA)

The complete Texas Rising Star Provider Certification Guidelines are available at:

<http://www.twc.state.tx.us/svcs/childcare/provcert.html>

ADMINISTRATION OF THIS REQUEST FOR QUALIFICATIONS (RFQ)

The RFQ is issued Monday, March 16, 2015 and available at the Board's offices at 120 South Main, Suite 501, Victoria, Texas 77901 during the normal business hours (Monday through Friday, 8:00 a.m. through 5:00 p.m.) and to download from the Board's website: <http://www.gcworkforce.org>. If you are unable to download the RFQ, please contact: [Jose Troncoso](#) or (361) 576-5872.

The package contains all the necessary information and forms to respond to this RFQ. A response to this RFQ should include one (1) complete original proposal for services with signatures and three (3) exact copies. **This RFQ will be an open procurement process and proposals will be considered on a monthly basis until closed for services. For immediate consideration, any respondent must submit a proposal for services to the Board by 5:00 p.m. CST. on Friday, March 27, 2015.** The Board is not responsible for any errors or omission or otherwise on the part of the U.S. Postal Service or other carrier regarding proof of mailing. **After the initial deadline, the Board will continue accepting proposals for services.**

Proposals must be typed, 12 font, and submitted on materials in accordance with instructions in this RFQ. The information requested may be mailed or hand delivered. **No fax or emailed proposal will be accepted.** Responses must be addressed/externally labeled as follows:

Texas Rising Star Assessor Services
Attn: Jose Troncoso
Golden Crescent Workforce Development Board, Inc.
120 South Main Street, Suite 501 Victoria, Texas 77901

SELECTION AWARDS

Selected Texas Rising Star Assessors will be placed on a vendors' list for availability of assessor services. Vendors will remain on the list until removed for lack of availability of funding and satisfactory performance in accordance with Texas Workforce Commission and Board's requirements. Vendors will be assigned on an as need basis to provide assessor services for child care providers in Dallas and/or Tarrant counties between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday. Dates, times and locations will be provided to selected respondents as assessment is determined for the participating providers.

Individuals selected as an Assessor will be required to undergo a background check prior to conducting any work in a child care facility (center or home) on behalf of the Board. Proof of a background check that has been completed no more than the prior six (6) months of an award will be accepted. Any associated expense related to the required background check will be the responsibility of the contracted Assessor.

SERVICES PERIOD

The anticipated service period for availability on a vendor's list is **April 1, 2015 through October 31, 2015.** Assessor Services may be extended for up to two (2) additional years through October 2017 depending upon performance and availability of resources.

GOVERNING PROVISIONS AND LIMITATIONS

- A. The main purpose of this RFQ is to ensure uniform information in the solicitation of proposals and procurement of the Texas Rising Star Assessor Services. A response to this RFQ is not to be construed as a purchase agreement or contract, or as a commitment of any kind; nor does it commit the Board to pay for costs incurred in the preparation of a response, or any other costs incurred prior to the execution of a formal contract, unless such costs are specifically authorized in writing by the Board.
- B. The Board reserves the right to accept or reject any or all proposals received, to cancel and/or reissue this RFQ in part or its entirety.

- C. The Board reserve the right to correct any error(s) and/or make changes to this solicitation as it deems necessary.
- D. The Board reserves the right to negotiate the final terms of any and all contracts or agreements for placement on the vendors' list with respondents selected and any such terms negotiated as a result of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of the Board's local plan and impose additional requirements and refinements in the terms and conditions, proposal for assessor services, performance measures, and funding amounts during the course of any agreement.
- E. All Board Directors, officers, and staff, or any agents of the Board are precluded from entertaining questions concerning the proposal or this procurement process outside the confines of the formal Questions and Answers process. Potential respondents, respondents and contractors are asked to respect these conditions by not making personal requests for assistance. No employee, member of a Board of Directors or other governing body, or representative of a respondent who submits a proposal under this RFQ may have any contact outside of the formal review process with any employee of The Board, or any member of the Board of Directors for purposes of discussing or lobbying on behalf of respondent's proposal. This contact includes written correspondence, telephone calls, personal meetings, e-mail messages, or other kinds of personal contact. The Board will reject proposals of those respondents who violate this condition.
- F. The Board reserves the right to contact any individual, agency employer, or grantees listed in a proposal, to contact others who may have experience and/or knowledge of the respondent's relevant performance and/or qualifications; and to request additional information from any and all respondents.
- G. The Board or its designee will conduct a review of records, systems, procedures, etc. of any entity selected for funding. This may occur prior to, or subsequent to, the award of a contract or agreement. Misrepresentation of the respondent's ability to perform as stated in the proposal(s) may result in cancellation of any contract or agreement for services on the vendors' list that is awarded.
- H. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other specific funding source.
- I. **Respondents 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 Board, for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
- J. The Board reserves the right to deem a proposal non-responsive or disqualify any proposal that, in its sole determination, does not comply with or conform to the terms, conditions, and/or requirements of this RFQ.
- K. Selected vendor must comply with Texas Government Code §2264 and WD Letter 07-08 and applicable changes in reference to public subsidies provided to employers.

SELECTION PROCESS

- Selection of vendor(s) shall be in accordance with the principles stated in the Board's plan and State plans, as well as other applicable laws, regulations and policy issuances from Federal, State, and Local entities.
- A. A consideration in selecting vendors or organizations to deliver services shall be the demonstrated performance of the vendor or organization in delivering comparable or related services. Performance in this or similar activities shall be considered when awarding points for past performance. Other performance with this Board will be considered in evaluation for proposals received in response to this RFQ.
 - B. Funds provided under this RFQ shall not be used to duplicate facilities or services available in the area (with or without reimbursement) from the Federal, State or local sources, unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the local workforce development area's performance goals.
 - C. The proposal review process will include: evaluation, rating, and ranking of proposals by qualified staff using the general criteria specified in "**EVALUATION CRITERIA/POINT VALUE**" below. The proposal review process

will also include review, approval to negotiate and selection for award of vendor services by the Board.

EVALUATION PROCESS

Responsive proposals submitted by the deadline are evaluated using the objective criteria below. The Board assigns professional staff or qualified outside evaluators to read and evaluate each proposal. Parts of the scoring are scored independently by each reader; the final scores for those parts will be the average of the independent scores of all readers. All references are validated and scores included in the evaluation process. In selecting proposals for award of contract or agreement for vendor services, the Board reserves the right to depart from the strict ranking by evaluation scores, whenever it deems such departure will better serve the best interests of the Board, and its constituents.

EVALUATION CRITERIA/POINT VALUE

Responsive proposals submitted by the deadline will be evaluated using the following criteria:

Responsiveness to RFQ	10
The extent to which the requirements of the RFQ have been complied with, including certifications, good business ethics, and commitment to non-discrimination.	
Qualifications	30
The respondent must meet the qualifications specified in the "Services Solicited" section of this RFQ. Provide a resume, transcripts, and copies of certifications.	
Demonstrated Experience/References	35
Include specific experience demonstrating technical competence in providing evaluations/assessments of child care providers within the last 2 years. Relevant experience must include the dates of services, description and the organizations for which the services were provided, contact names and phone numbers, and contract amount. Also, provide three references including contact name, phone number and email address.	
Cost	25
Cost reasonable, necessary, allocable, and allowable. Hourly rate should be inclusive of necessary expenses including mileage. An estimated number of hours per evaluation/assessment should be identified by facility type. All proposed costs are significant competitive variables in this procurement.	
TOTAL POSSIBLE POINTS	100

PROPOSER INQUIRY AND APPEAL PROCESS

The Golden Crescent Workforce Development Board, Inc. dba Workforce Solutions Golden Crescent is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. "The Commission shall accept no protest or dispute appeal until all administrative remedies at the contractor level have been exhausted." These issues include, but not limited to, protests, disputes, and claims." Matters concerning violation of law shall be referred to such authority as may have proper jurisdiction. (TWC Financial Manual for Grants and Contracts, Chapter 14, Procurement, July 1, 2005)

Respondents not selected by this process may appeal the decision by submitting, within 10 days of the Board notification of the procurement decision, a written request for debriefing. A copy of the complete appeal process will be provided upon request. The Request for Debriefing should be sent registered mail or hand delivered (a receipt will be issued), clearly identified externally as "Dated Material" and addressed to:

Henry Guajardo
Golden Crescent Workforce Development Board
120 South Main Street, Suite 501, Victoria, TX 77901.

RESPONSE CHECKLIST AND ORDER OF SUBMISSION

The proposal must be submitted in order as Attachments:

- A. Proposal Cover Sheet
- B. Proposal for TRS Assessor Services
- C. Certification of Bidder
- D. Certificate Regarding Debarment
- E. Certificate Regarding Drug-Free Workplace
- F. Certificate Regarding Lobbying
- G. Certificate Regarding Conflict of Interest
- H. Texas Corporate Franchise Tax Certification
- I. Non-Discrimination Statement/Policy (Please attach this information as Attachment I)



Texas Rising Star Assessor Services RFQ

Cover Sheet

Individual/Organization Name	
Mailing Address	
City, State, Zip	
Physical Address (if different)	
Contact Person & Telephone & Fax number & E-mail	
Type of Organization	<input type="checkbox"/> Private for-profit Corporation <input type="checkbox"/> Private non-profit <input type="checkbox"/> State <input type="checkbox"/> Local <input type="checkbox"/> County <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Partnership <input type="checkbox"/> Community College <input type="checkbox"/> Community-based Organization <input type="checkbox"/> Other, (describe): _____ Small Business <input type="checkbox"/> Yes <input type="checkbox"/> No Historically Under-Utilized Business <input type="checkbox"/> Yes <input type="checkbox"/> No
Date Established	
Federal EIN	
Texas State Comptroller ID Number	

AUTHORIZATION FOR SUBMISSION

I understand that the submission of this proposal does not guarantee an agreement or contract.

Typed Name & Title of Authorized Signatory	
Signature	



Texas Rising Star Assessor Services RFQ Proposal

Proposer Name: _____

QUALIFICATIONS - Check all that applies. Provide supportive documentation such as a resume, transcript and copies of certification.

- Bachelor's degree from an accredited four-year college or university in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science;
- Bachelor's degree from an accredited four-year college or university with at least 18 credit hours in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with at least 12 credit hours in child development; or
- Associate's degree in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with two years of experience as a director in an early childhood program, with preference given for required experience with a provider that is accredited or TRS certified.
- Other

DEMONSTRATED EXPERIENCE/REFERENCES - Check all that applies and provide supporting documentation.

Minimum Work Experience

- One year of full-time early childhood classroom experience in a child care, Early Head Start, Head Start, or prekindergarten through third grade school program

Demonstrated Knowledge

- Best practices in early childhood education
- Understanding of early childhood evaluations, observations, and assessments for both teachers and children
- ITERS, ECERS-R, FCERS, TBRS, CLASS, or other assessment tools

Other Preferred Knowledge

- Understanding of TRS Certification Guidelines and the minimum standards of Texas child care licensing
- Bilingual (English and Spanish speaker)
- Ability to relate to individuals from culturally diverse backgrounds
- Microsoft Word and Excel, Internet, and comfortable using e-mail and entering data on a PC tablet
- Detail oriented with strong oral and written communication skills
- Basic administrative skills, including recordkeeping and use of a computer for data management and professional communication

Provide specific experience demonstrating technical competence in providing evaluations or assessments of child care providers within the last 2 years. Relevant experience must include the dates of services, description and the organizations for which the services were provided, contact names and phone numbers, and contract amount.

Provide three professional references

Contact Name	Title	Phone Number	Email Address

COST

Provide the hourly rate inclusive of necessary expenses including mileage. An estimated number of hours per evaluation/assessment should be identified by facility type.

ATTACHMENT C

CERTIFICATION OF BIDDER

I hereby certify that the information contained in this quote and any attachments is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee of the Board, director or agent of the Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the RFQ and that this organization will comply with Board policies and other applicable local, state, and federal regulations and directives governing this procurement process. I also certify that I have read and understand the "Governing Provisions and Limitations" of this RFQ and will comply with the terms; and furthermore that

I, _____, certify that I am the _____
(Typed Name) (Title)

of the corporation, committee, commission, association, or public agency named as Bidder and Respondent herein and that I am authorized to sign this bid and submit it to the Dallas County Local Workforce Development Board, Inc. on behalf of said organization by authority of its governing body or owners. I authorize the Board to verify references and stated performance data and to conduct other background checks as it deems necessary.

ATTEST:

(Respondent Signature)

(Typed Name)

(Typed Title)

(Date)

Subscribed and sworn to before me this _____ day of _____, 2014, in _____,
County, _____.

SEAL

Notary Public in and for _____

County, _____ State _____

Date Commission Expires: _____

ATTACHMENT D

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, 29 CFR 98. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

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

- (1) The prospective recipients of Federal assistance funds certifies, by submission of this proposal, 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.
- (2) 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.

Name and Title of Authorized Representative

Signature

Date

INSTRUCTIONS FOR CERTIFICATIONS REGARDING DEBARMENT

Federal Register/Vol. 53, No. 102/Thursday, May 26, 1988/Rules and Regulations 19211

Attachment D - Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transaction

Instructions for Certification

1. By signing and submitting this proposal, 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 which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction," "debarred," "suspended," "ineligible," "lower tier covered transaction," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12449. You may contact the person to which this proposal is submitted for assistance in

obtaining a copy of those regulations.

5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is 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 proposal 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 transaction.

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 debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, 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 participants may, but is not required to, check the Nonprocurements List (To #).

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 is a covered transaction knowingly enters into a lower tier covered transaction with a person who is 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.

Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions.

(1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

[FR Doc. 88-11581 Filed 5-25-88; 8:45 am]

ATTACHMENT E

Certification Regarding
Drug-Free Workplace Requirements

- A. The grantee certifies that it will or will continue to provide a drug-free workplace by:
- (a) 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.
 - (b) 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;
 - (c) 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).
 - (d) 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 calendar days after such conviction;
 - (e) 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;
 - (f) 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 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 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:

Check [] if there are workplaces on file that are not identified here. Not applicable.

Place of Performance: _____

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

ATTACHMENT F

Certification Regarding
Lobbying Certification for Contracts,
Grants, Loans and Cooperative Agreement

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

- (1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, or 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 of 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 local, or cooperative agreement.
- (2) If any funds other than Federal 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 subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients 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.

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

ATTACHMENT G

Certification Regarding Conflict of Interest

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

- (1) no manager, employee or paid consultant of the Proposer is a Director of the Board, the President, or a manager of the Board;
- (2) no manager or paid consultant of the Proposer is a spouse to a Director of the Board, the President, or a manager of the Board;
- (3) no Director of the Board, the President or an employee of the Board owns or controls more than a 10 percent interest in the Proposer;
- (4) no spouse of a Director of the Board, President or manager of the Board is a manager, employee or paid consultant of the Proposer;
- (5) no Director of the Board, President, or employee of the Board receives compensation from Proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;
- (6) Proposer has disclosed within the Proposal 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 the Board and shall immediately refund to the Board 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 the Board relating to that contract.
- (8) Proposer shall comply with the standards of conduct stated in the Assurances and Certifications, Section 11 Conflict of Interest and be in accordance with Texas Administrative Code, Title 40, Part 20, Chapter 802.

Name of Organization Submitting Proposal: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

ATTACHMENT H

TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

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 corporation entering into this contract is current in its franchise taxes must be signed by the individual on Form 2031, Corporate Board of Directors Resolution, to sign the contract for the corporation.

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

Indicate the certification that applies to your corporation:

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

_____ The Corporation is a non-profit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas.

_____ Not applicable – bidder is not a corporation.

Name of Applicant Organization: _____

Typed/Printed Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____