



**REQUEST FOR PROPOSALS
FOR
MANAGEMENT AND OPERATION
SUPPLEMENTAL INFORMATION**

Released by

**WORKFORCE SOLUTIONS OF CENTRAL TEXAS
WORKFORCE BOARD**

Issued: January 15, 2021, 5:00 p.m.

Letter of Intent to Bid: January 29, 2021, 5:00 p.m.

Mandatory Bidders Conference Call: February 3, 2021, 2:00 p.m.

Proposals Due: February 26, 2021, 5:00 p.m.

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Belton, Texas 76513
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**Serving the Texas Counties of Bell, Coryell, Lampasas, Milam, Mills,
Hamilton, and San Saba.**

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Table of Contents

Purpose	2
Roles and Responsibilities	2
Values	2
Vision	3
Summary of Services	3
Business and Employer Services	3
Job Seeker Services	4
Follow-Up Services	7
Training Services	7
Support Services	8
Resources	8
Workforce Center Standards	8
Staffing and Departments	9
Workforce Centers and Locations	9
Administrative Requirements and Procedures	10
Legislative Authority	12
Adherence with Program Requirements	15
Outstanding Monitoring, Audit or Legal Concerns	16
General Conditions of Contract	16
Equal Opportunity and Nondiscrimination	17

Purpose

Workforce Solutions of Central Texas (WSCT) creates futures by bringing people and jobs together. Its mission is to provide quality education, training and labor market services which give employers and job seekers of the region competitive advantage in the global economy.

Roles and Responsibilities

- WSCT Workforce Center Contractor: Organization acting in capacity of center management staffing agent responsible for the delivery of workforce services
- WSCT Workforce Centers: Facilities staffed to provide workforce services for local businesses and job seekers.
- WSCT Board: Local not for profit organization acting in capacity of administrative entity to provide planning, oversight, and evaluation of Texas Workforce Commission (TWC) funded workforce programs and services; The Board provides technical assistance and information system support to local Workforce Centers.
- Central Texas Council of Governments: Fiscal agent for WSCT Centers; current staffing agent for the WSCT Workforce Center Contractor.
- Texas Workforce Commission: State agency acting in capacity of fiscal agent and administrative entity to provide technical assistance, oversight and evaluation, and information system support to local, certified Workforce Development Boards.

Values

In all our actions and decisions, WSCT values:

- **Accountability.** We act efficiently, respectfully, and ethically to produce positive results for Central Texas' businesses and job seekers. We are accountable to the system's owners — the taxpayers and our communities. As stewards of the public trust, we take responsibility for accomplishing our organization's mission, vision, and goals.
- **Customer Focus.** We concentrate our efforts on exceeding customer expectations. Recognizing that such a focus is essential to our success, we listen to our customers and work diligently to develop realistic customer-driven solutions. Our systems foster an environment supporting continuous improvement. We are innovators – inspiring rather than limiting those we serve.
- **Integrity.** We choose to operate openly, honestly, and ethically. While representing WSCT, we do not compromise the principles of the organization. We do what is right in all circumstances, take pride in what we do, and set an example for others. We earn the trust of those we serve. We are trustworthy.
- **Quality.** In everything we do, we strive for excellence. We provide high-quality, customer driven workforce services that assist businesses and job seekers in their efforts to be competitive in a global economy. We empower staff to act appropriately and consistently, exceeding customer expectations. We are committed to systematically evaluate our efforts to ensure opportunities for improvement and innovation are identified and implemented.

- Teamwork. We work in teams to achieve common goals. We promote communication, networking and collaboration as the chosen method for problem solving. Working together in cohesive units, we work hand-in-hand to create solutions and implement customer-driven strategies. Common goals and desires are elevated above that of individual team members.

Vision

- WSCT represents a regional partnership of business, education, labor and community organizations that provides high-quality information and labor market services to local employers and residents.
- We are the system of choice – we bring people and jobs together for a better regional economy.
- All of our customers have access to the same high-quality labor market information and services regardless of where they are located in the region or how they come in contact with the workforce system.
- Individuals are able to learn and work in their home, in school and on the job to realize their greatest economic potential and individual wellbeing.
- The system is highly valued by both employers and job seekers. It is well known, has a positive image throughout the region, and is widely recognized as the premier local workforce system in Texas.
- The system enjoys a growing and increasingly diversified funding base and is not dependent upon any one source of revenue for its survival.
- By using our services, employers gain the competitive advantage that comes with an adequate supply of educated and highly productive workers, and job seekers of the region find jobs and earn incomes that make them economically self-sufficient, lifelong learners.
- The system creates a well-educated, highly skilled workforce that attracts high-wage employers to the region.

Summary of Services

Business and Employer Services

WSCT recognizes employers (all employers, regardless of size or industry) as the primary customer of the workforce system. It is essential that employers have access to a skilled workforce and other human resource services to maintain a competitive edge in the global economy and to maximize economic development opportunities in Central Texas.

Business services will be provided through a business service team approach. In order to meet the needs of employers, the Contractor is required to provide a full range of services, including (but not limited to):

- Outreach and Recruitment to engage new employers and to expand existing employer relations.

- Employee Recruitment and Placement Services including job matching to identify, pre-screen and refer qualified job applicants to employers; use of Workforce Centers for hiring events and interviewing, and coordination with resources to provide employers with opportunities to participate in both open and customized job/industry specific job fairs and training opportunities.
- Job Order assistance including taking orders and providing information and assistance to employers and establishing and managing accounts in the Work-In-Texas online job matching system.
- Labor Market and other Information Services providing employers with local labor market, economic, demographic, and unemployment information. Provide employers with information and assistance on available worker tax credit programs, labor laws, unemployment insurance claims and appeals, and customized training options and external sources available to employers to help train new hires and incumbent workers.
- Outplacement Services including Rapid Response activities for employers/employees faced with mass layoffs or closings.
- Work Experience Worksites Identification to support program participants.
- Other Services and/or Innovative Enhancements should promote excellence in business/employer services. If additional services are proposed, a complete description should be included in the proposal narrative.

Job Seeker Services

The primary purpose of the Workforce Center is to provide job seekers with easy access to a broad array of services and information to help them get a job, keep a job or get a better job leading to economic self-sufficiency. Services are to be provided through a seamless, integrated system. The mix and intensity of individualized services provided varies based on the needs of individual customer.

WSCT expects the Contractor to implement strategies that further promote integration and streamline services through improved customer flow processes, use of technology, integration of staff, and other innovative solutions to continuously improve the quality of services and customer experiences.

The Workforce Innovation and Opportunity Act of 2014 (WIOA) is the federal legislation that establishes two levels of employment and training services for adults and dislocated workers. The levels are career services and training services.

All Workforce Centers must provide “basic career services” that are made available to all job seekers without regard to program eligibility. Basic career services are predominately self-service and informational and are typically accessed through a Career Center housed within each Workforce Center. Such services can also be made accessible online or by other means of delivery.

Basic Career Services must include provision of all the following as appropriate to meet individual customer needs:

- Determination under Title I of the Workforce Innovation and Opportunity Act of whether the individual is eligible to receive assistance from the adult, dislocated worker programs.
- Outreach and intake, worker profiling, and orientation to information and other services available through the WSCT and/or other programs offered in the Workforce Center.
- Initial assessment of skills levels, including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and support service needs.
- Labor exchange services, including:
 - Job search and placement assistance, and career counseling, including the provision of information on nontraditional employment and in demand industry sectors and occupations; and
 - Recruitment and other business services on behalf of the employers, including information and referrals to specialized business services not traditionally offered through the WSCT.
- Provision of referrals to and coordination of activities with other programs and services, including programs and services within the WSCT and partner organizations.
- Provision of workforce and labor market employment statistics information, including information relating to local, regional and national labor market areas, such as:
 - job vacancy listings in labor market areas;
 - information on job skills necessary to obtain the vacant jobs listed; and
 - information relating to the local Targeted Occupations List and the related earnings skills requirements, and opportunities for advancement in those jobs.
- Provision of performance information and program cost information on eligible providers of training services by program and provider type.
- Provision of information, in usable and understandable formats and languages, about how WSCT is performing on local performance accountability measures, as well as any additional performance information relating to the customer's individual needs.
- Provision of information, in usable and understandable formats and languages, relating to the availability of support services or assistance, and appropriate referrals to those services and assistance, including:
 - Child care,
 - Child support services through the Office of Attorney General,
 - Medical or child health assistance available through the state's Medicaid and Children's Health Insurance Programs,
 - Benefits under the Supplemental Nutrition Assistance Program (SNAP),
 - Assistance through the earned income tax credit,
 - Assistance under the Temporary Assistance for Needy Families (TANF) including other support services and transportation provided through that program;
 - Local housing and shelter options,
 - Local food pantries and food assistance programs,
 - Fidelity Bonding,
 - Adult Education and Literacy Programs,
 - Vocational Rehabilitation Programs, and

- Veterans Employment Services.
- Provision of information and assistance regarding filing claims for unemployment compensation.
- Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.
- Provisions of Individualized Career Services. Such services are based on specific programmatic eligibility and must be made available if determined to be appropriate in order for an individual to obtain or retain employment. Services, as consistent with WIOA requirements and federal cost principles include:
 - Comprehensive and specialized assessments of the skills levels and service needs of adults and dislocated workers using, as examples:
 - diagnostic testing and use of other assessment tools to identify aptitudes, career interest and abilities; and
 - in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals.
 - Development of an Individual Employment Plan using information collected from the comprehensive and specialized assessment process. The plan will identify the participant's educational background, work history, financial needs, barriers to employment, employment goals, achievement objectives, a combination of services for the participant to receive/achieve his or her employment goals, and strategies to address support service needs and barriers to employment. The plan should be used to develop an Individualized Career Pathway for each participant to guide the participant to a successful employment outcome. The Individual Employment Plan must be updated at points of transition during service delivery and as determined by program-specific instructions.
- Case Management and Counseling are provided to ensure the achievement of positive customer outcomes. It is the responsibility of Workforce Center staff to ensure that barriers to program participation and employment are overcome through appropriate services and resources. Regular, personal contact between Workforce Center staff and the customer is essential. Types of counseling may include:
 - Group Counseling;
 - Individual Counseling;
 - And Career Planning;
- Short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct skills to prepare individuals for unsubsidized employment or training;
- Internships and work experience are provided to help customers gain experience in potential careers, including transitional jobs and workforce preparation;
- Financial literacy services, as described in WIOA § 129(b)(2)(D);
- Out-of-area job search is available and relocation is provided to address barriers to employment;
- English language acquisition and integrated education and training programs are available for individuals requiring assistance;

- Coordination with employers, economic development organizations, chambers of commerce, community-based organizations, faith-based organizations, public entities, and other agencies to maximize resources and avoid duplication of service is expected;
- Referrals to appropriate resources – are used to maximize resources and meet customer needs, and appropriate referrals for services, including supportive services, are made to community resource partners.

Follow-Up Services

Follow-up services must be made available, as appropriate for program requirements. Examples include:

- Counseling regarding the workplace for all WIOA youth participants, and
- Counseling for adult customers in all programs whose employment is with a non-Texas Unemployment Insurance reporting employer
- Counseling for adults who may need continued assistance during a 12-month period following exit.

Training Services

Training services are available for eligible job seekers who are unable to find employment at WSCT defined self-sufficiency wage. Training services are provided to assist individuals in entering the workforce and retaining employment. Based upon a comprehensive assessment and the development of an Individual Employment Plan, a customer may be referred to training services. Examples of training services include:

- Occupational skills training*,
- Registered Apprenticeship,
- Incumbent worker training in accordance with WIOA §134(d)(4),
- Workplace training and cooperative education programs,
- Private sector training programs,
- Skills upgrading and retraining,
- entrepreneurial training,
- Job Readiness training provided in combination with other training,
- Adult Education and Literacy activities, including activities of English language acquisition and integrated education and training programs, in combination with training,
- Customized training, and
- Paid and unpaid, experiential training such as Internships, work experience, community service, and subsidized employment opportunities as allowed and as meets the requirements of individual workforce programs.

*Occupational skills training must be provided in a manner that maximizes customer choice and is aligned with WSCT targeted occupations and the Eligible Training Provider System (ETPS). Training services are provided and documented through the issuance of Individual Training Accounts (ITAs). A list of approved targeted occupations for BCY 2021 can be found on the board's website at www.workforcesolutionsctx.com.

Support Services

Supportive Services are provided on a case-by-case basis, as individual need is identified and resources are available. The need for supportive services is discussed at the time of assessment and is reassessed throughout program participation. Support services are intended to assist the customer in participating in program activities and/or employment. Such services include, but are not limited to: child care assistance, transportation assistance, medical assistance, rental assistance, payment of utilities, High School Equivalency testing fees, tools and uniforms, testing for required licensing or certification for employment, and work related expenses.

Resources

The Contractor assumes complete responsibility for the management and operation of local Workforce Centers on August 1, 2021.

Staffing – The Proposer must make an independent analysis and projection of staffing needs. WSCT expects staffing to be organized around functions as opposed to programs or funding streams, to the extent possible and practical.

Workforce Center Standards

WSCT Centers must adhere to the following basic standards:

- Services must be consistent with the requirements of the Workforce Innovation and Opportunity Act, U.S. Department of Labor requirements for one-stop centers, and the Texas Workforce Commission (TWC) rules governing one-stop centers.
- Comply with the requirements of applicable program laws, rules, and policies.
- Comply with and maintain procedures consistent with WSCT developed policies.
- Ensure continuous, effective, and efficient collaboration with Vocational Rehab (VR) and the Texas Veterans Commission (TVC).
- Establish and maintain a visible presence in the employer community as a component of a partner driven effort to provide employer services.
- Be available to employers, job seekers, and students throughout the local workforce development area.
- Provide written information on local demand occupations, projected wage levels upon completion of training programs, and performance information on training providers when requested.
- Implement a customer-driven and flexible process for accessing services.
- Provide understandable service information and orientation to customers.
- Ensure that staff are trained, knowledgeable, and experienced in all required programs and services.
- Implement a timely and efficient referral and follow-up process for employment-related services.
- Provide independent assessment of need, including an assessment of skill levels, for customers.

- Implement a customer-driven service delivery strategy ranging from self-service to specialized, staff-assisted services.
- Maintain a user-friendly Career Center that makes available computerized information systems with access to labor market information, occupations, job opportunities, and education and training opportunities.
- Make services available for WIOA eligible adults, dislocated workers, and youth; a customers served through SNAP E&T; TANF/Choices; Wagner-Peyser Employment Services and other programs as defined by TWC rules.
- Provide reasonable accommodation and accessibility to services in accordance with the Americans with Disabilities Act (ADA) and WIOA.
- Manage the fiscal operations in accordance with the Texas Workforce Commission Financial Manual for Grants and Contracts (FMGC).

Staffing and Departments

The Contractor operates the local Workforce Centers and provides exemplary customer services to Central Texas’s employers, job seekers, and child care customers. The Contractor shall ensure Workforce Centers are open to the public, at a minimum, 8:00 a.m. – 5:00 p.m. Monday – Friday.

Position Title	Location				
	Killeen	Temple	Rockdale	Lampasas	Youth
Workforce Center Administrator	1	1			
Operations Manager	1	1			
Career Center / Business Supervisor	0	1			
Program Specialist	3	2			
Workforce Development Specialist	29	16	2	1	
Workforce Development Staff TWC Staff (Not in Budget)	3		1	2	
Workforce Development Specialist - Business Services	2	2			
Workforce Development Technician	4	2			
Administrative Specialist	1				
Custodian*	2				
Total	45	25	3	3	

*Custodians not included in the budget unless otherwise noted

Workforce Centers and Locations

Workforce Center in Killeen

300 Cheyenne Drive
Killeen, TX 76542
Phone: (254) 200-2000

Workforce Center in Temple

201 Santa Fe Way
Temple, TX 76502
Phone: (254) 742-4400

Workforce Center in Lampasas
523 E 3rd Street
Lampasas, TX 76550
Phone: (512) 556-4055

Workforce Center in Rockdale
313 N. Main
Rockdale, TX 76567
Phone: (512) 446-6440

Administrative Requirements and Procedures

The Contractor is solely responsible for the oversight, management, supervision, hiring, discipline, termination, training, evaluation, etc. for its employees. The Contractor will also have management authority over Texas Workforce Commission (TWC) personnel funded under the Wagner-Peyser Act providing Employment Services. The Contractor will ensure that staff are integrated into the overall delivery of services in the Workforce Centers.

The Contractor must have a single or program audit (depending on annual expenditures) performed annually by an independent auditor in accordance with the Single Audit Act of 1984, as amended; OMB 2 CFR 200; and the requirements set forth in the TWC Financial Manual for Grants and Contracts. A copy of the audit, including management letter, must be submitted to WSCT. WSCT reserves the right to conduct or cause to be conducted an independent audit of all funds received under a contract issued by WSCT, notwithstanding the afore-mentioned requirement. Such audits will be conducted in accordance with applicable laws, rules, regulations, and established professional standards and practices.

The Contractor must agree to comply with all rules, policies, and directives issued by the Board and/or the Texas Workforce Commission.

The Contractor is subject to compliance monitoring (fiscal and program). Therefore, internal monitoring systems/procedures to ensure quality assurance are required. At any time during normal business hours, and as often as deemed necessary by WSCT, TWC, the U.S. Department of Labor, other State and Federal agencies, or their duly authorized representatives shall have complete access to all records or papers that are related to a contract resulting from this RFP for the purpose of verifying performance and compliance with contractual terms and conditions, and applicable laws, rules, regulations, and policies.

The Contractor must provide reports or information on customers, finances, performance, and program operations as may be requested or required by the Board.

The Contractor is responsible for maintaining the physical appearance and condition of Workforce Centers as well as equipment and furnishings.

The Contractor is responsible for meeting or exceeding all assigned state, federal and/or local performance measure targets associated with programs that are part of this RFP and any resulting contract. The Contractor will also be responsible for any changes in performance measures, including targets that may occur during the contract period.

The Contractor will be required to prepare and maintain participant and financial records in accordance with policies and instructions issued by the Board and Texas Workforce Commission (TWC). All records from a program and/or contract year must be retained for three (3) years from the date closeout reports are submitted and accepted by the Board, unless any litigation, claim, negotiation, audit or other action involving the records has been initiated before the end of the retention period. No records shall be disposed of without prior approval of the Board.

The Contractor is required to maintain a case file for each workforce program participant in accordance with standards established by the Board and TWC. Such files are considered the property of the Board and must be turned over to the Board upon request or upon the end of the contract.

The Contractor is required to input customer data into The Workforce Information System of Texas (TWIST), the Work-In-Texas (WIT) system and any other automated management information system as may be required by TWC and/or the Board. The Contractor is responsible for ensuring the integrity of all data, records, and reports. The Contractor must ensure that the input of data is done in a timely and accurate manner and in compliance with the requirements established by TWC and/or the Board.

The Contractor must ensure that the confidentiality of all client data is maintained in accordance with state and federal law. The Contractor will also ensure the security of client data in hard copy and/or electronic files in accordance with Board and/or TWC.

The Contractor, including all of its employees, must comply with all Information Technology access and user policies and requirements of the Board and/or TWC requirements.

The Contractor must fully cooperate with the Board in planning and implementing any changes to the service delivery system, including changes in the number, type and/or configuration of facilities as deemed necessary and appropriate by the Board.

The Contractor must fully cooperate with the Board in the development and implementation of partnerships and collaborations with other community organizations to maximize resources and services for the benefit of Workforce Center customers. This includes any Memorandum of Understanding (MOU) or other agreement as may be entered into by the Board.

Any Contractor, business, or any branch, division, or department of that business, engaged with the Board in a contract for services that involves a public subsidy will not knowingly employ an undocumented worker. If a contractor doing business with the Board is convicted of a violation under 8 USC S.1324a (unlawful employment of undocumented workers) that business shall repay the amount of the public subsidy no later than the 12th day after the business is notified of the violation.

Grant Award funds shall be used in compliance with the Federal requirements against Prohibition on Trafficking persons found in the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. § 7104(g)). WSCT reserves the right to terminate unilaterally

any contracts that do not comply with section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C., subsection 7104(g)).

For the hours Workforce Center(s) are scheduled to be open, the Contractor must ensure that the Centers are adequately staffed at all times during the duration of the contract to provide required services and activities as specified in this RFP.

The Contractor may not charge job seeker customers eligible for workforce programs a fee for any service. However, fee-for-service for non-eligible individuals or outside organizations is permissible. If the proposer intends to offer any fee-for-services, the service and fee structure must be fully described in their proposal and approved by the Board prior to implementation. The Board reserves the right retain all or a portion of any income generated from such activities.

The Contractor with multiple funding sources must have a Cost Allocation Plan and may not double bill for items to be charged to the Board. The Cost Allocation plan is a separate document different than an Approved Indirect Cost Rate Plan.

The Contractor must comply with applicable cost principles and administrative requirements set out in Federal OMB Super Circular 2, CFR Part 200, and 46 CFR Chapter 1, Part 31, as supplemented by final rules promulgated by the Texas Office of the Governor under the Uniform Grants and Contract Management Standards and TWC's Financial Manual for Grants and Contracts.

Proof of insurance is not a requirement for the submission of a proposal, but the selected Contractor will be required to obtain and provide proof for all insurances specified in this RFP and provide the Board with proper certificates or policies prior to commencing work under a contract resulting from this RFP. WSCT Board must be listed as an additional insured on each policy. Policies must remain in full force for the duration of the contract. Any changes in insures, coverage, deductibles, modifications, alterations, or cancellations of coverage during the term of the contract must be immediately communicated to the Board.

The Contractor must ensure that all activities and services provided pursuant to an executed contract comply with the requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, with respect to physical and program accessibility.

The Contractor must comply with the Board's Marketing Standards and Guidelines regarding the use of the Contractor name and logo on all printed materials, advertising, and marketing.

Legislative Authority

This RFP provides a uniform method for the procurement of specified services, providing for full and open competition. It contains the necessary background, information, requirements, and instructions for responding to this RFP. This procurement is conducted in accordance with 2CFR Part 200 of the applicable OMB Circular, supplemented by the final rules promulgated by the Office of the Texas Governor under the Uniform Grants Management Standards, and the Texas

Workforce Commission's Financial Manual for Grants and Contracts. Services solicited under this RFP shall be procured under the competitive negotiation method of procurement.

This RFP is not to be construed as a purchase agreement of contract or as a commitment of any kind, nor does it commit WSCT 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 WSCT.

The Board reserves the right to accept or reject any or all proposals received, to cancel and/or reissue this RFP in part or its entirety.

The Board reserves the right to award a contract for any item/services or group of items/services solicited in this RFP in any quantity the Board determines is in its best interest.

The Board reserves the right to waive any defect in this procurement or to correct any error(s) and/or make changes to this solicitation as it deems necessary. The Board will provide notification of any changes to all bidders that have submitted a Letter of Intent to Bid.

The Board reserves the right to extend, shorten, increase, or decrease any contract awarded as result of this RFP.

The Board reserves the right to negotiate the final terms of any and all contracts or agreements with proposers selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended in order to successfully meet the needs of the Board.

The Board reserves the right to request additional information, clarification, or explanation of any aspect of a proposal submitted in response to this RFP.

This is a negotiated procurement utilizing the Request for Proposal method, and, as such, the selection and award of a contract does not have to be made to the proposer submitting the lowest priced offer, but rather to the proposer submitting the most responsive proposal that satisfies the Board's requirements for providing quality Workforce services.

The Board reserves the right to contact any individual, agency, employer, or grantee listed in a proposal, to contact others who may have experience or knowledge of the proposer's relevant performance and/or qualifications, and to request additional information from any and all proposers.

The Board reserves the right to conduct reviews of records, systems, procedures, credit, and criminal background checks, etc. of any entity selected for funding. This may occur prior to or subsequent to the award of a contract or agreement. Any misrepresentation of a proposer's ability to perform as stated in the proposal may result in the disqualification of the proposer or the cancellation of any contract or agreement awarded as a result of this RFP.

The proposer selected for contract award must meet the requirements of the Boards certification system to ensure the financial integrity of the selected entity prior to the execution of a final

contract (Attachment H – Criteria 4: Financial Management). The Board or its designee will conduct a pre-award review of the selected proposer.

The Board reserves the right to withdraw or reduce the amount of any award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or another specific funding source of WSCT or due to legislative changes.

The Board reserves the right to impose additional requirements and refinements to the terms and conditions, scope of work, performance measures, and funding amounts during the course of any contract.

WSCT reserves the right to extend any contract resulting from this Request for Proposal. Such extension will be based on contractor performance and funding availability and may be for any period up to three (3) years beyond the initial fiscal year.

Proposers must not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any Board member, officer, employee, or authorized agent of WSCT, or elected official for the purpose of having an influencing effect on this procurement.

Proposers must not attempt in any manner to advocate for, lobby, or otherwise attempt to influence any Board member, officer, employee, proposal evaluator, authorized agent of WSCT, or elected official for purpose of having an influencing effect on this procurement.

Proposers must not engage in any activity which would restrict or eliminate competition. Violation of this provision may cause a proposer to be disqualified. This does not preclude partnerships, consortiums, joint ventures, or subcontracts.

No Board member, officer, employee, or agent of WSCT shall participate in the selection, award or administration of a contract supported by Board funds if a conflict of interest, real or apparent, would be involved.

All proposals must be an original work product of the proposing entity. The copying, paraphrasing or otherwise using substantial portions of the work product of others and submitted hereunder as original work of the proposer is not permitted. Failure to adhere to this instruction may cause the proposal to be disqualified and rejected.

All proposals and accompanying attachments will become the property of the Board after submission (unless withdrawn before the submission deadline), and will not be returned.

The contents of a successful proposal may become a contractual obligation and be incorporated into a contract. Proposers must intend to fulfill all of the representations made in their proposal. Failure of a proposer to accept this obligation may result in cancellation of the award. No plea or error or mistake shall be available to a successful proposer as a basis for release of proposed services at stated price/cost. Any damages incurred by WSCT as a result of a successful proposer's failure to contract may be recovered from the proposer.

The Board reserves the right to deem 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 RFP.

A contract with the selected proposer may be withheld, at the Board's sole discretion, if an issue of contract or regulatory compliance, or questioned/disallowed costs, audit or monitoring findings, or legal issues exist, until such issues are resolved to the satisfaction of the Board. The Board may withdraw award of a contract if the resolution is not satisfactory to the Board.

Adherence with Program Requirements

Proposers are expected and presumed to be knowledgeable of all applicable federal, state, and local laws, rules, regulations, and policies. In administering the programs prescribed through this RFP, the selected Contractor shall comply with applicable assurances outlined by the Texas Workforce Commission and WSCT. The selected Proposer will be responsible for complying with Board guidance/policies and Workforce Development Guidance Letters issued by the Texas Workforce Commission. Many of the above items can be found online by visiting the Board website was www.workforcesolutionsctx.com, Texas Workforce Commission at: www.texasworkforce.org, or the U.S. Department of Labor at: www.doleta.gov. WSCT Board policies are available upon request.

The proposer must be knowledgeable of the statutes, rules, regulations, and policies of the funding streams administered under this contract. Financial rules, program rules, and laws may be found at the following websites:

- TAC/TWC Rules - <http://www.twc.state.tx.us/partners/texas-workforce-commission-rules>
- TWC Program and Service Overviews - <http://www.twc.state.tx.us/programs>
- Laws, Statutes and Rules - <http://www.twc.state.tx.us/partners/laws-rules>
- TWC Workforce Policy and Guidance - <https://twc.texas.gov/agency/workforce-policy-guidance>
- Workforce Innovation and Opportunity Act - <https://twc.texas.gov/partners/workforce-innovation-opportunity-act-wioa>
- WIOA Guide - <https://twc.texas.gov/files/jobseekers/wioa-guidelines-twc.pdf>
- RESEA Guide - <https://twc.texas.gov/files/partners/resea-program-guide-twc.pdf>
- Choices Guide - <https://twc.texas.gov/files/partners/choices-guide-twc.pdf>
- SNAP Guide - <https://twc.texas.gov/files/partners/snap-et-guide-twc.pdf>
- Employment Services Guide – <https://twc.texas.gov/files/jobseekers/employment-service-guide-twc.pdf>
- TWC Financial Manual for Grants and Contracts
<http://www.twc.state.tx.us/partners/financial-manual-grants-contracts>
- Texas Uniform Grant Management Standards
<https://comptroller.texas.gov/purchasing/docs/ugms.pdf>

- Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards (OMB Uniform Guidance (UG), 2 Code of Federal Regulations (C.F.R.) Part 200)

For more information, see the Texas Workforce Commission web page at:
<http://www.twc.state.tx.us/customers/rpm/rpmsub1.html>

Definitions and limitations associated with eligible providers are described in detail in the DOL TEGL 15-16, https://wdr.doleta.gov/directives/corr_doc.cfm?docn=8116

Outstanding Monitoring, Audit or Legal Concerns

Bidders must disclose and satisfactorily resolve any and all outstanding monitoring and/or audit concerns from any of the bidder's other contracts prior to receiving a contract resulting from this RFP. Additionally, bidders must disclose any legal judgments, claims, arbitration proceedings, lawsuits or other legal proceedings pending or outstanding (unresolved) against the organization, its owners, officers, and/or principals.

General Conditions of Contract

As described in the Staffing and Departments section, WSCT is a quality organization that supports its staff. Therefore, WSCT encourages a stable staffing structure that gives preference to current Workforce Center staff including, as one example of staff stability, the opportunity to retain employment during the initial six-month probationary period of the contract with their current salaries and benefits.

Any contract initiated from this procurement will be contingent upon the receipt of sufficient funding from the Texas Workforce Commission, and upon the outcome and timing of contract negotiations between the WSCT Board and the selected contractor. The final contract amount will be contingent on the actual funding received and subject to any changes in legislation, regulations, or policies from TWC, and/or pertinent federal agencies. WSCT may vary the programs, change, and/or extend the contract periods as deemed necessary.

The Board will use a cost-reimbursement contract, unless it is determined that a different type of contract is more cost effective or appropriate for the selected contractor.

For-profit entities may include a profit in their proposal budget. Profit amounts and their attainment will be negotiated based on the contractor attaining negotiated performance benchmarks over the course of the contract. To establish a fair and reasonable profit, consideration will be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of contracting, the quality of its past performance record, industry profit rates in the surrounding geographical area for similar work and market conditions.

Equal Opportunity and Nondiscrimination

According to the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status and gender identity), 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;
- Titles VI and VII 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;
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
- The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- Americans with Disabilities Act of 1990, as amended;
- Non-Traditional Employment for Women Act of 1991, as amended;
- All applicable rules and regulations issued under these laws.

The Contractor must assure that it will comply with 29 CFR Part 38 and all other regulations implementing the laws listed above. This assurance applies to the Contractor's operation of the WIOA Title I financially assisted program or activity, and to all agreements the Contractor makes to carry out the WIOA Title I financially assisted program or activity. The Contractor must understand that the United States has the right to seek judicial enforcement of this assurance.