



**Request for Proposals
RFP# WDB 2020-002
Management and Operation of
Workforce Solutions Southeast Texas Child Care Services and
Child Care Quality**

Issuance Date:	Thursday, March 5, 2020, 10a.m. CST
Courtesy Letter of Intent to Submit	Wednesday, March 25, 2020, 5p.m. CDST
Deadline for Email questions:	Friday, April 3, 2020, 5p.m. CDST
Proposal Due:	Tuesday, April 14, 2020, 2p.m. CDST
Evaluation Period:	April 16-28, 2020
Presentation to WSSET Board:	Tuesday, May 5, 2020, 9:30a.m. CDST
Pre-Award/Contract Negotiations begin:	May 21, 2020
Transition	May 21 – September 30, 2020

**Workforce Solutions Southeast Texas Board
P. O. Box 3607
Beaumont, Texas 77704
409-719-4750
<http://www.setworks.org>**

Workforce Solutions of Southeast Texas 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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PART 1 PURPOSE AND BACKGROUND

1.1 Purpose of Solicitation

This Request for Proposals (RFP) solicits proposals for the management and operation of Child Care Services (CCS) and Child Care Quality for the Workforce Solutions Southeast Texas Board (the Board). The Board's intent by this solicitation is to contract with an entity to provide management and operation of CCS in a manner that will enhance the performance as well as provide quality customer service. CCS management and operations include determining client eligibility, provider management, implementation of quality activities and funds management in the three counties for which the Board has jurisdiction: Jefferson, Hardin and Orange counties.

This Request for Proposal (RFP) provides a uniform method for the procurement of these services to promote fair and open competition. It contains the necessary background, requirements, instructions, and information to prepare a response. This RFP guides the preparation of a responsive proposal to meet the Board's objectives.

Subject to the availability of funding, the initial contract period year will be for a two-year period. The Board reserves the right to offer up to two additional one-year (twelve month) extensions of the contract based upon performance, availability of funds and capacity of the contractor to meet new or revised goals, objectives and standards of the Board.

1.2 Background

The Workforce Solutions Southeast Texas Board (herein referred to as the Board) is an organization that administers federal and state funded workforce development and training programs within Hardin, Jefferson and Orange Counties. Marilyn Smith is the Executive Director of the Board. The Southeast Texas Board was formed in accordance with Texas House Bill 1863 on September 11, 1996. The volunteer body is appointed by the Mayor of the City of Beaumont and the County Judges of Jefferson, Orange and Hardin Counties in accordance with SB 642 and HB 1863. All appointments are subject to the approval of the governor. The BOARD is composed of representatives of business and industry, area community colleges, organized labor, community-based organizations, economic development agencies, other educational agencies, the State Employment Service, Texas Department of Human Services, Texas Rehabilitation Commission and public interest groups. Representatives of the private sector constitute a majority of the Board membership. The BOARD is a not-for-profit corporation 501(c)(3). The level of funding received by the BOARD from the Texas Workforce Commission in fiscal year 2020 will be approximately \$20 million. The functional responsibility of the BOARD is to provide policy guidance for and to exercise oversight with respect to the listed activities as well as other workforce development activities in the three county areas. The BOARD conducts primary program operation through three Workforce Centers located in Beaumont, Port Arthur, and Orange. Services are provided in Hardin County at the Silsbee Public Library. The services provided at these locations are through contractors.

For more detailed information on the services provided by Workforce Solutions and its locations, please visit our website at www.setworks.org.

1.3 Contractor Objectives

- a. Manage funds to maximize units of care and meet monthly fund utilization targets;
- b. Design program services to minimize operational and/or administrative costs;
- c. Maintain track, and report expenditures using The Workforce Information System of Texas (TWIST), Child Care Automated Attendance (CCAA) System and internal accounting systems;
- d. Determine and document all eligibility for child care services based upon Board and TWC Rules and policies;
- e. Manage a waiting list of pre-screened families;
- f. Implement an approved quality improvement plan and promote and administer the Texas Rising Star Certification Program and other local and state-wide projects that increase the quality of early care and education
- g. The CCS Operator will work in close collaboration with child care providers and other agencies and individuals concerned with child care and early education issues;
- h. The CCS Operator will promote quality child care and serve as a major community resource for information education, and training on community child care issues.
- i. Prepare budgets and budget amendments as necessary;
- j. Provide an accurate and auditable record of all financial transactions;
- k. Maintain records and report in a manner prescribed by the Board;
- l. Establish internal controls to ensure propriety of information, compliance with established rules, safeguarding of assets, efficient use of resources and accomplishment of established objectives and goals;
- m. Offer low-income families an expanded choice of accessible child care;
- n. Provide child care and parenting information, and resource assistance to families;
- o. Recruit and retain eligible child care providers throughout the region, manage provider agreements, and ensure compliance with all applicable rules, regulations, and policies;
- p. Coordinate services with various State and local child care resources.

1.4 Contractor Responsibilities

The purpose of the program is to increase the availability, affordability, and quality of child care services. Per 45 CFR 98.1, the Board offers funding to:

- Provide eligible low-income families, Workforce program participants, and DFPS families with the financial resources to find and afford child care for their children;
- Enhance the quality of care for all families, including those who receive no direct assistance under CCDF;
- Administer the Child Care Quality program including the promotion and growth of the Texas Rising Star system, through an approved plan of quality improvement activities; and
- Improve the quality of, and coordination among, child care programs and early childhood development programs.

Funding for the CCS program comes from state and federal sources. Funding levels are determined at the beginning of the Texas State fiscal year; however, additional funding can become available at any point during the fiscal year. The Child Care Services contractor must

be prepared to use additional funding for direct care and/quality improvement activities as funds become available.

The Contractor will be responsible for:

- a. Recruiting and hiring an adequate number of qualified staff to meet Board and program objectives, and providing management, direction, opportunities for staff development and training, and benefits and incentives to attract and retain quality staff and foster a commitment to excellence;
- b. Providing client and provider services as described herein;
- c. Complying with laws, regulations, rules, policies and directives governing the program;
- d. Coordinating with the Board to maintain inventory of property and equipment;
- e. Carrying out appropriate self-evaluation monitoring activities and taking prompt corrective action against known violations of the legislation, regulations, applicable policies, contract provisions, and other requirements;
- f. Maintaining the confidentiality of all client information;
- g. Ensuring timely and complete data entry into the TWC TWIST system(s) as required by TWC and the Board;
- h. Meeting or exceeding performance measure/s for CCS;
- i. Provide mentors and promote Texas Rising Star, which is the State's Quality Rating and Improvement System
- j. Implementation of an approved child care quality improvement plan;
- k. Providing consumer education information to parents about the importance of quality child care and the types of child care providers available;
- l. Actively encourage the use of the website's online customer and provider features and participate in ongoing quality improvement and updates to the website;
- m. Establishing, maintaining, and utilizing internal program management procedures to provide for effective management and the prevention of fraud and abuse in all activities funded under the contract, and
- n. Retaining the liability for disallowed costs from the operation and management of CCS and Child Care Quality;
- o. Conducting informal appeal resolutions as appropriate and participating in formal appeal hearings; and
- p. All tasks related to recoupment of improper payments; and
- q. Data management to ensure accuracy of reports, referral fixes and developing and running ad hoc queries;
- r. Utilize the three automated systems developed and maintained by TWC that include: TWIST, CCAA, and PIRTS;
- s. Utilize Workflow2, or a comparable data management system. Workflow2 is a proprietary software that allows staff to determine the status of a case, allows work to be easily moved around in order to balance workloads (including offsite staff) or to customize based on skill sets of staff, and allows management to track work and worker productivity with the dashboards and reports.
- t. Coordinating with other Board contractors and entities with which the Board has Memorandum of Understanding (MOU) or contracts.

PART 2 PROPOSAL CONDITIONS

2.1 Following are conditions that apply to this RFP and to any subsequent contract.

- a. The result of the procurement process is selection of a proposer with whom to negotiate a contract for the management and operation of the Child Care Services; however, the Board is under no legal requirement to execute a contract on the basis of any proposal.
- b. The Board reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is in the best interest of the Board.
- c. Proposals must conform to relevant state and federal laws and regulations governing the use of applicable funds for services and programs.
- d. The Board may negotiate a contract for services based on the evaluated proposal. The Board reserves the right to require specific modifications before agreeing to contract.
- e. The funding of any proposal is contingent upon receipt by Board of funds from the State of Texas and/or the United States.
- f. Any costs incurred by the Proposer prior to the commencement date of a contract will not be paid from contract funds.
- g. All proposals and any attachments, appendices, or other information submitted as a part of a proposal become the property of the Board upon submission and may be reprinted, published, or distributed in any manner by the Board according to open records laws, applicable state and federal policies and procedures, as well as those of the Board. Subject to the Texas Public Information Act, respondents may protect trade and confidential information from release. Trade secrets or other confidential information, submitted as part of a proposal, shall be clearly marked at each page it appears. Such marking shall be in boldface type at least **14-point font**.
- h. No employee, member of the Board of Directors or other governing body, or representative of a proposer who submits a proposal may have any contact outside of the formal review process with any employee or any member of the Board for purposes of discussing or lobbying on behalf of the proposer's proposal. This contact includes written correspondence, email, fax, telephone calls, personal meetings, or other kinds of personal contact. The Board will reject proposals of those proposers who violate this condition.
- i. The Board reserves the right to accept or reject any or all proposals received; to cancel this RFP in part, or in its entirety; or to reissue the RFP.
- j. In order to ensure that the needs of the region are adequately met, the Board reserves the right to request additional information and/or negotiate issues prior to making a selection.
- k. The Board reserves the right to waive any defect in this procurement process or to make changes to this solicitation as deemed necessary.
- l. The Board reserves the right to contact any individual, agencies or employers listed in a proposal, to contact others who have experience and/or knowledge of the proposer's relevant performance and/or qualification and to request additional information from any and all proposers. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of a contract resulting from this procurement.
- m. Indirect costs may be charged if supported by appropriate documentation and in accordance with TWC Financial Manual for Grants and Contracts (FMGC). An indirect cost rate or overhead charge to be levied against the services to be provided under a contract issued pursuant to this RFP must be approved by a cognizant agency. All indirect charges

are to be fully explained in the budget narrative. Indirect costs will be capped at 9% of the operational budget regardless of the approved rate. Indirect costs will be negotiated with the selected contractor.

- n. Profit is an allowable cost. Profit is only available as a budget item for a “for profit” organization. Profit will be capped at 7% of the requested operational budgeted funds. The amount of profit will be tied to the achievement of negotiated performance benchmarks. The payment of profit will be negotiated as a separate item during contract negotiations.
- o. Non-Discrimination - As a condition for receipt of federal funds, the proposer must assure, with respect to the operation of the program and all agreements or arrangements to carry out the program, that the proposer is prohibited from discriminating on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, citizenship or participation in programs funded with federal funds.
- p. This is a negotiated procurement utilizing the Request for Proposal, and as such, award does not have to be based on the lowest priced offer, but rather to the respondent submitting the most responsive proposal that satisfies the Board’s requirements.
- q. The Board reserves the right to conduct credit check, criminal history, drug tests, and other background investigation of the selected proposer and, if a corporation, its directors, shareholders, or partners and managerial and supervisory personnel retained by the proposer for the performance of the contract.
- r. The proposer will comply with conflict of interest requirements contained in TAC Title 40, Part 20, Chapter 801, Subchapter C - The Integrity of the Texas Workforce System.
- s. The Board reserves the right to make unilateral amendments to the ensuing contract if the funding changes and/or if it is in the best interest of the Board. In such cases, no additional solicitations of proposals are necessary. Such activity will be supported by contract performance.
- t. Contractors are subject to compliance monitoring. At any time during normal business hours, and as often as deemed necessary, the Board, TWC, Office of the State Auditor, U.S. Department of Health & Human Services, or any of their duly authorized representatives shall have complete access to any books, invoices, payrolls, time sheets, or any other records or papers which are related to a contract resulting from this RFP for the purpose of verifying contractual, program and financial compliance with all applicable laws, rules, regulations and policies.

PART 3 ELIGIBLE RESPONDENTS, CAPACITY AND SCOPE OF WORK

3.1 Eligible Respondents

Organizations (private for-profit, private non-profit, governmental, or faith-based); individuals or a team of individuals applying in collaboration with the intent of establishing a legal entity; and individuals proposing a personal contract arrangement are all eligible to apply. The types of management that will be considered include but may not be limited to turnkey operations, management teams, joint ventures, and other alternative management models. Applicants should possess experience and program knowledge necessary to provide high standards of customer service and satisfaction while maintaining and exceeding program performance standards. The successful applicant will demonstrate in the proposal and through a pre-award review, the capacity to perform the requested services and manage CCS funds to the Board’s expectations.

The Board is prohibited from contracting with any entity debarred, suspended, or otherwise excluded from or ineligible for participation. Accordingly, a contract requires contractors to certify that they are in compliance with the Federal regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98-510, Participant's Responsibilities. The contractor must certify that to the best of its knowledge and belief that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by a Federal department or agency.

Minority disadvantaged and women-owned businesses that are certified by the State as Historically Underutilized Businesses are encouraged to respond to this RFP.

Faith Based Organization Provisions - In accordance with Governor's Executive Order GWB-96-10, and §2308.303(a)(9), Government Code, a charitable or faith-based organization is eligible to be a contractor on the same basis as any other private organization.

If a charitable or faith-based organization establishes a separate account for the government funds provided through this contract, then only the services and activities provided by those funds will be subject to audit.

Proposers must be knowledgeable of the statutes, regulations, rules and policies for Child Care & Development, Fund, and that of the WIOA, TANF/Choices and SNAP Food Stamp Employment & Training programs as these pertain to child care and must accurately apply them in developing the RFP response. Information on these programs may be found at Texas Workforce Commission web page <http://www.twc.state.tx.us>.

The contractor selected will be required to assume full responsibility, including all risks and hazards, for all activities and services included in the contract.

3.2 Organizational Capacity

Offerors must demonstrate they have the organizational capacity to administer a program in accordance with the requirements of this RFP. The Board reserves the right to conduct a pre-award survey and fiscal integrity evaluation (which may include a review of corporate finances) of any offeror approved from this request. The purpose of the survey and fiscal integrity evaluation is to determine the capacity of the organization to operate the program, meet administrative requirements and maintain an adequate financial system. The Board also reserves the right to deny a contract to any offeror approved for funding that does not make information available and/or make timely changes required by the Board as a result of the pre-award survey or the fiscal integrity evaluation in order to bring its systems into compliance.

Respondents must describe in their proposal a system of self-monitoring, including the review of key elements relating to the organization's compliance with applicable laws, rules, regulations and policies, contract terms and conditions, and contracted performance measures.

Subcontracting must be specified in the proposal narrative and approval must be granted by the Board prior to the execution of a contract resulting from this RFP. All subcontracting is subject to applicable federal, state, and local laws, rules, regulations, and policies governing procurement.

If a proposer intends to subcontract any of the services and activities to be provided, the proposer must identify which services will be subcontracted and the rationale behind using a

subcontractor instead of providing them directly. The proposer must describe how subcontracts were (or will be) procured, selected, the qualifications of the subcontractor, as well as the method and basis for subcontractor payments. Subcontractors are subject to the same requirements as the proposer under this RFP and any resulting contract.

Proposers must disclose and rectify to the satisfaction of the Board any and all outstanding monitoring and/or audit findings from any of the proposer's program contracts prior to receiving a contract resulting from this RFP. Additionally, proposers must disclose whether there are any legal judgments, claims, arbitration proceedings, pending/outstanding lawsuits against the organizations and its officers, or any other potential liability that might affect the ability to perform if a contract is awarded.

3.3 Financial Systems Capacity

The CCS Operator must have a proven fiscal management system and capable staff to maintain the system to perform the necessary fiscal and statistical tracking and reporting. The CCS Operator is responsible for achieving expenditure benchmarks and must be able to effectively adjust to sudden increases and decreases in funding. Contractor must have financial systems that at a minimum meet the following standards.

- a. In accordance with generally accepted accounting principles, the financial system must include:
 - information pertaining to any sub-grant or contract awards, obligations, unobligated balances, assets, expenditures and income;
 - effective internal controls to safeguard assets and assure their proper use;
 - a comparison of actual expenditures with budgeted amounts;
 - source documentation to support accounting records; and
 - proper charging of costs and cost allocation.
- b. Financial systems must be sufficient to:
 - allow preparation of required reports;
 - allow for tracking of funds to a level of expenditure adequate to establish that funds are used in violation of the applicable restrictions for such funds; and
 - permit tracking of program income, potential stand-in costs, and other funds.
- c. The Texas Workforce Commission may impose additional requirements on sub-recipient financial systems. The contractor selected from this RFP will be provided financial requirements for grant management established by the Texas Workforce Commission.

3.4 Scope of Work

The Board seeks a contractor for the operation of Child Care Services (CCS). The Contractor will design a system that provides child care services to eligible families in the Southeast Texas region and seeks to improve the availability of quality early care and education through the implementation of the Texas Rising Star Quality Rating and Improvement System and the approved child care quality improvement plan. The CCS Contractor must be co-located in the Workforce Solutions Southeast Texas locations. Comprehensive services provided to families, providers, and the community must include at a minimum:

- a. Client eligibility for child care services at initial enrollment and redetermination;

- b. Maintenance of a wait list of pre-screened families – to include implementation of TWC and Board priorities for removal from the wait list;
- c. Comprehensive child care resources and information with a broad range of provider choices for families to include recruitment of providers;
- d. Implementation of the Board approved Child Care Quality Improvement Plan that includes: activities that increase the supply of quality child care, increase the professionalism of the child care workforce, supports developmentally appropriate early learning environments, and engages parents and community partners in early learning.
- e. Timely payments to providers using electronic funds transfer and debit card payments.
Note: No payments will be processed by check; however, under exceptional circumstances payments by check may be made with prior Board approval.
- f. Ensure that all providers understand the responsibilities and reporting requirements of the Child Care Attendance Automation (CCAA) system and have access to the CCAA provider portal.
- g. Determination of recoupment amounts, and provider and client collections;
- h. Provision of mentoring services to providers seeking Texas Rising Star certification and star-level increases;
- i. Collaboration with community partners to leverage services to families;
- j. Processing of appeals and informal meetings to resolve complaints and termination of child care or provider services;
- k. Fact finding for suspected fraud or program abuse;
- l. Maintenance of internal procedures for all operational aspects of the program;
- m. Internal monitoring of all contractor functions;
- n. Timely and accurate data entry of all required client and provider information into the Texas Workforce Information System (TWIST) within 5 business days and prior to performance extract;
- o. Forecasting of expenditures and enrollments to ensure that performance is met and expenditures are correctly reported;
- p. Establish systems to ensure referrals to other Workforce Solutions Center services to assist in seeking better wages, training, or education;
- q. Document and track referrals for services to Workforce Solutions contractors or other community-based resources;
- r. Data management, referral fixes, and Ad-hoc reporting including timely provision of requested reports from Board staff;
- s. Provide a focal point for coordination of services to families and children;
- t. Collaborate with the Board and community partners in identifying child care resources to support development of higher quality child care; and
- u. Coordinate with workforce training programs, community agencies, 2-1-1 and with staff of the Texas Department of Family and Protective Services to provide child care services to eligible individuals.

3.5 Current Performance

The Board expects that the CCS contractor will meet the performance measure for child care units served per day. This target is formulated by TWC each year. The measure is met at 5% percent below the target and 5% above the target. The CCS operator is responsible for

managing the number of children served through the CCS program to stay within the direct client services budget. The target for FY 2020 is 2,094 and the anticipated target for 2021 is 1,964. The targets include both discretionary and mandatory.

3.6 Target populations and related funding sources are as follows:

- a. Children placed in foster care. Funded by a combination of state and state matched federal funds from Title IV-E of the Social Services Block Grant;
- b. Children of Choices participants. (Recipients of Temporary Assistance for Needy Families (TANF)), Funded by Child Care and Development Fund (CCDF);
- c. Children of TANF applicants attending a Workforce Orientation. Funded by CCDF;
- d. Children of Food Stamp Employment and Training participants. Funded by SNAP Employment and Training funds;
- e. Children of parents transitioning from public assistance to employment. Funded by CCDF;
- f. Children whose parents are involved with Child Protective Services. Funded by Title 20 of the Social Services Block Grant, and Child Protective Services;
- g. Children of qualified veterans. Funded by CCDF;
- h. Children of teen parents. Funded by CCDF;
- i. Children with disabilities. Funded by CCDF;
- j. Children of WIOA Participants. Funded by Workforce Innovative and Opportunity Act supportive services; and
- k. Children of Income Eligible (Low-wage Working) Families. Funded by CCDF, Child Care Development Block Grant and Title 20;
- l. Child Care Quality, funded by CCDF, Child Care Development Block Grant and Title 20 and;
- m. Quality child care activities under the CCQ grant are limited to allowable CCDF quality improvement activities referenced in 40 TAC § 809.16 and described in Part H of the Child Care Services Guide.

3.6 Matching Funds

The Board does not require the CCS operator to secure the matching funds at this time. Board staff ensure this requirement is met through certifications and donations with local institutions.

PART 4 SUBMISSION PROCEDURAL INFORMATION

4.1 Solicitation Process

This RFP document and procurement process complies with all applicable Federal, State and local policies governing procurements under the grant funds to be contracted. This procurement provides a standardized method of ensuring open, free, maximum competition in the solicitation for management and operation of Child Care Services. This document contains the necessary background, requirements, instructions, specifications for submitting a response to this solicitation, and the proposal evaluation/selection process. This is not a purchase agreement, contract, or commitment to purchase the solicited services, nor does it commit the Board to pay for any costs incurred in preparation of a response to this RFP.

Contractual obligations will be negotiated with the successful proposer. Failure to successfully agree on the terms, conditions, and obligations within 30 days can result in termination of

negotiations for a contract, and the Board reserves the right to open negotiations with the second highest ranked offeror. Additionally, the Board reserves the right to withdraw or reduce the amount of an award if there is misrepresentation of the applicant's ability to perform as stated in the proposal/contract.

4.2 Solicitation Schedule

Issuance Date:	Thursday, March 5, 2020, 10a.m. CST
Courtesy Letter of Intent to Submit	Wednesday, March 25, 2020, 5p.m. CDST
Deadline for Email questions:	Friday, April 3, 2020, 5p.m. CDST
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4.3 Submission of Proposals

All responses to this RFP, regardless of the method of submitting the application –in-person, U .S Postal Service, United Parcel Service, Federal Express, or another delivery service must be received at the address specified below not later than **Tuesday, April 14, 2020 by 2:00 p.m. CDST.**

Faxed or emailed Proposals are not acceptable. Proposals received after the due date and time will not be accepted or considered for award. Timely delivery of Proposals to the Board is the sole responsibility of the applicant. Proposals must be mailed or hand-delivered to:

Workforce Solutions Southeast Texas Board
ATTN: Marilyn Smith
510 Park Street, Suite 500
Beaumont, Texas 77701

Or

Workforce Solutions Southeast Texas Board
ATTN: Marilyn Smith
P. O. Box 3607
Beaumont, Texas 77704

Applicants may submit proposals any time prior to the deadline between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday at the address stated above. Any modifications or amendments to an application must also comply with above requirements and the response deadline. Any amendments received after the deadline will be deemed late and non-responsive to this RFP.

4.4 Questions regarding this procurement

Questions related to this procurement may be emailed to rfp@setworks.org prior to April 3, 2020, at 5:00P.M. CDST.

Responses to emailed questions will be posted on the Board's website www.setworks.org.

Board members, Board staff, and associated parties are precluded from entertaining any questions regarding the procurement. There will not be a bidder's conference. 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.

4.5 Proposer Appeals Process

The Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process. 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.

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(is); 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:

Marilyn Smith, Executive Director
P. O. Box 3607
Beaumont, TX 77704
Dated Material Enclosed

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 organization's authorized representative. 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.

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.

4.6 General Instructions for Submittal

FORMAT – The original proposal must be typed in no smaller than 12-point font and submitted on 8 1/2 x 11-inch paper. Each page of the proposal, with the exception of the coversheet, must be sequentially numbered, including attachments. When responding to each question under the noted criteria, include the question and the corresponding number in the response. Expensive or bulky binding, colored displays and promotional material are not necessary. There are no page limits for the Proposal Narrative Section; however, the responses should be addressed in a concise, clear manner.

NUMBER OF COPIES – Submit one complete and signed in blue ink, and ten complete copies, and an electronic copy on USB drive with all original files in PDF format. A financial audit for the two most recent years must accompany the original of the proposal. The original proposals must be clearly marked "Original" on the Cover Sheet and bear original signatures. Documents submitted must be legible, complete and fully assembled. Any proposal lacking required copies or USB will be deemed unresponsive and will not be evaluated.

COVER SHEET -- All items on the Cover Sheet must be completed. Identify the primary contact person, as well as the Signatory Authority -- the person with the legal authority to negotiate and sign a contract. (This person must sign the certification forms.)

RESUME – Submit Resume of the person who will have day to day oversight of Child Care Services and key management staff. Limit each to 2 pages and inclusive of all education, training, certifications and a sequential history of professional experience beginning with the most recent. Each referenced employer should include names of immediate supervisors and current contact information.

NARRATIVE -- Submit a written response to each of the narrative elements contained in Attachment B. Failure to follow the narrative format may result in a reduced evaluation score.

BUDGET FORM -- Using the RFP budget form (Attachment C) present a line item budget of your proposed costs. Include a budget narrative that describes/explains each cost and how it was calculated. Present a total budget cost for a twelve (12) month period. Should your proposal be selected for consideration this budget will be the basis for negotiating the contract amount. Do not include costs for office space and office equipment within the Workforce Solutions centers as it is provided by the Board.

SEQUENCE OF SUBMISSION – The original proposal and proposal copies should be submitted with elements in the following order in paper format and on a USB drive:

- Attachment A Cover Sheet
- Attachment B Proposal and Narrative Instructions
- Attachment C Budget
- Attachment D Certifications Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters, and Drug Free Workplace Requirement
- Attachment E Certification Regarding Texas Corporate Franchise Tax
- Attachment F Certification Regarding Conflict of Interest
- Attachment G Assurances and Certifications
- Attachment H Administrative Management Survey
- Attachment I Financial Systems Survey
- Attachment J Assurances Regarding Equal Opportunity
- Attachment K Courtesy Letter of Intent to Submit Proposal

***** All original documents requiring a signature must be signed using blue ink. *****

PART 5 SELECTION PROCESS

The selection process used by the Board is intended to help the Board identify the most qualified Child Care Services management and operations organization for contract negotiation.

5.1 Minimum Standards of Determining Responsiveness of Proposals

A proposal must meet minimum standards before being considered for further evaluation:

- a. Submitted by the deadline;
- b. Submitted in the required format;
- c. Contains all required elements, required signatures and required copies and USB drive;
- d. Format complies with proposal instructions, including page restrictions, formatting instructions, narrative instructions, submission order and budget instructions; and,
- e. Contains no evidence of conflict of interest.

5.2 Evaluation Process

Selection of the Contractor shall be in accordance with federal procurement principles and the TWC Financial Manual for Grants and Contracts, which requires “full and open competition”, fair and equal treatment, and “arm’s length” relationships with all potential applicants. The evaluation will include two phases:

- A review and scoring of the responsive submitted proposals will be done by independent reviewers.
- The Child Care committee of the Board meeting will consider the independent evaluator’s reviews in conjunction with their own review to rank the proposals and make a recommendation for contract negotiations.

Evaluators will score the proposals using a criteria-based instrument.

- a. Evaluators will award points for specific criteria with the highest possible total being 110 points.

- b. Evaluators' scores for each proposal will be averaged and those with a minimum average score of 75 points or higher will be ranked by highest points to lowest points.

The proposer with the highest combined averaged score (average proposal evaluation score plus average interview score) will be recommended to the full Board for contract negotiations. on these steps, a recommendation for contract negotiations will be made to the Board at the Workforce Solutions Southeast Texas Board Meeting on Tuesday, May 5, 2020 at 9:30a.m.

5.3 Evaluation Criteria

Proposals that contain all the required elements will be deemed responsive if they score at least seventy-five (75) points based on the total possible available 110 evaluation criteria points. Points will be awarded based on *the thoroughness and consistency of proposal element responses*.

CRITERIA	MAXIMUM POINTS
1. Demonstrated Experience	15
2. Quality/Texas Rising Star	15
3. Client and Provider Services	15
4. Staffing	20
5. Financial Experience	15
6. Budget/Cost Reasonableness	20
7. Value Added	5
8. Certified HUBs shall receive 5 points on the proposal evaluation. HUB Certification must be included with the proposal to receive these points	5
Possible Proposal Points [Point average needed to be ranked - 75]	110

1. **Demonstrated Experience and Performance: 15 Points**

This criterion includes a review of the proposing entity demonstrated history of successfully providing the same or similar services to those specified in the RFP, specifically relating to the types of activities, targeted populations, performance outcomes (measures/targets), and contractual compliance, etc. Experience of assigned corporate staff, oversight role of corporate. Experience with advisory groups, task forces, federal, state, local groups.

2. **Quality/Texas Rising Star: 15 Points**

Evaluation will include proposer's experience with implementing child care quality improvement activities, including Texas Rising Star Provider Certification program and other local or state-wide child care quality improvement programs or projects. The Contractor will be expected to design a system that provides child care services to eligible families in the Southeast Texas region and seeks to improve the availability of quality early care and education through the implementation of the Texas Rising Star Quality Rating and Improvement System and the approved child care quality improvement plan. Proposers will be evaluated on proposed innovative educational strategies to promote child care quality standards and increase the number of Texas Rising Start providers. Staff proposed must include TRS mentors, but not Assessors. Assessors are at the Board level.

3. Client and Provider Services: 15 Points

This criteria area will evaluate the proposed overall approach, design, strategies, processes, etc. in delivering services. The described plan for providing CCS client and provider services is scored on demonstrated knowledge of the child care system/program; coordination with workforce center operation; performance management; client eligibility, enrollment and re-determination; and provider management.

The proposer must make clear how they will be an asset to the Board in achieving local goals and objectives through rigorous management, oversight, continuous improvement and excellence in the provision of childcare services. Includes evaluation and review of monitoring/audit issues and resolutions.

4. Staffing: 20 Points

Evaluation review for this criterion includes the proposed staffing plan and management approach to implement an effective integration of human resources and operational processes to meet Board expectations. This criterion includes a review of the proposed organization chart, management experience and proposed staff qualifications.

Proposers must have a comprehensive approach to staff development and enrichment including staff customer service training, cross training of program regulation and functions within the CCS staff and the workforce center staff.

Proposers must also include their staffing of program and funds oversight according to each area of operation.

5. Financial Experience: 15 Points

The proposing entity must demonstrate that it is in sound financial condition and has effective fiscal and administrative management systems, fiscal organizational structures, financial resources, financial capacity, and fiscal knowledge in accordance with federal, state and generally accepted accounting practices. This criterion also includes demonstrating effective financial performance under contracts with Workforce Development Boards, preferably in Texas, by meeting all fiscal expenditure goals and the ability to utilize funds to derive organizational strategic objectives. Financial tracking systems for payments to providers will also be evaluated.

A proposer must offer proof of effective and successful experience in Child Care Services management and operations as evidenced by monitoring reports and corrective actions, timely, responsive and successful remedies to corrective action plans, performance improvement plans and sanctions, and monitoring findings. This may include demonstrating effective performance under contracts with other Workforce Development Boards by fulfilling all contractual obligations, meeting and exceeding performance and fiscal expenditure benchmarks, and complying with all program requirements as well as local, state and federal policies and regulations. The proposer must demonstrate an understanding of performance measures and the ongoing management of these measures.

6. Budget/Cost Reasonableness: 20 Points

The successful proposer must demonstrate that its costs for providing proposed services are necessary and reasonable by submitting a detailed budget and budget narrative. Cost reasonableness will be determined by comparing each proposer's proposed cost to other proposals, and to existing rates throughout the State paid for management and operations of Child Care Services.

Other areas of review will include: cost allocation methodology, competitive indirect rate or management fees, overhead costs, profit, budget narrative and justification of costs, in-kind or matching funds. As an independent contractor, all associated costs should be included in the proposed budget including all management and childcare staff, quality assurance, indirect costs and profit, if applicable.

The amounts and allocation methods of all overhead, corporate, direct services, and any other costs directly or indirectly benefitting this project shall be documented in accordance to the FMGC compliant cost allocation plan. All costs must be fully explained and justified in the budget narrative.

Proposals that may rank well in program design and effectiveness may not be considered for contract negotiations because of unreasonable, excessive, unexplained or unallowable costs.

7. Value Added: 5 Points

This criterion relates to the proposer's capability to bring value added tools, processes and resources that are above and beyond what is basically required to operate the program. Value added costs should be fully explained and justified in a budget narrative to receive any criteria points.

8. Historically Under-utilized Business: 5 Points

Signed certification for the proposing entity. Pending certifications will not be considered.

PART 6 ADMINISTRATIVE REQUIREMENTS

Following are general administrative requirements that apply to all Board contractors.

6.1 Nature of agreement - Type of contract

The Board will reimburse the selected Child Care Services contractor for costs incurred in accordance with Board policy and procedures. Contracts will be cost reimbursement unless a different type of contract is determined by the Board to be more advantageous. The Board reserves the right to reallocate funds among funding categories before contract award and throughout the contract period. All allocations of funds are subject to the availability of state and federal funding.

6.2 General Rule

Board contractors must comply with cost principles and administrative requirements set out in the federal OMB Circulars A-21, A-87, A-102, A-122, and 48 CFR Chapter 1, Part 31, as supplemented by the final rules promulgated by the Texas Office of the Governor under the Uniform Grants and Contract Management Standards (UGCMS) and the Texas Workforce Commission's Financial Manual for Grants and Contracts.

6.3 Financial systems

- a. General requirements. Board contractors or their fiscal agents must have financial systems that, at a minimum, meet the following standards:
 1. *GAAP*. In accordance with generally accepted accounting principles, financial systems must include: (1) information pertaining to any sub grant or contract awards, obligations, unobligated balances, assets, expenditures, and income, (2) effective internal controls to safeguard assets and assure their proper use, (3) a comparison of actual

expenditures with budgeted amounts, (4) source documentation to support accounting records, and (e) proper charging of costs and cost allocation.

2. *Sufficient system.* Financial systems must be sufficient to (1) permit preparation of required reports, (2) permit the tracking of funds to a level of expenditure adequate to establish that funds are allocated appropriately and have not been (will not be) used in violation of the restrictions on use of such funds, (3) track encumbrances; and (4) permit the tracking of program income, potential stand-in costs, and other funds.
3. *State requirements.* The state of Texas is allowed to impose additional requirements on sub-recipient financial systems. The proposer selected from this RFP will be provided financial requirements for grant management established by the state.

- b. *Financial reports.* Contractors are required to provide financial reports to Board on a regular, monthly basis in such detail and on such forms as required by Board. Failure to make reports on time may result in de-obligation of funds or termination of contract.
- c. *Grant/Contract advances.* Board may authorize contract advances to certain contractors, provided the contractor has and maintains high integrity financial systems and demonstrates the need for advance funds. Advances will not exceed 1/12 of the operations budget and will be liquidated by the end of the contract performance period.

6.4 Audit

- a. *Federal circulars.* A contractor who receives more than five hundred thousand dollars (\$500,000) in Federal funds will have an audit made in accordance with the Single Audit Act of 1984, P.L. 98-502, and OMB Circulars A-128 and A-133, as applicable and in effect at the time costs were incurred, unless the applicable circular provides otherwise, or in accordance with federal laws and regulations governing programs. Audit results will be provided to the Board.
- b. *Organization-wide audit.* A contractor may arrange for a single, organization-wide audit of its programs that will include a financial and compliance audit of state or federally funded programs under the Board's contract, provided it is consistent with criteria found in the Texas Workforce Commission's Financial Manual for Grants and Contracts, and Board agrees prior to the audit process.
- c. *Independent audit.* Board reserves the right to conduct or cause to be conducted an independent audit of all funds received under Board's contract, notwithstanding the requirements above. The audit may be performed by auditors that Board will designate. Such audit will be conducted in accordance with applicable federal rules and regulations, contractual guidelines, and established professional standards and practices and the contractor would be required to cooperate fully.

6.5 Property management standards

Board contractors must maintain, manage, and dispose of any property purchased with workforce funds in accordance with Board's policies. All non-expendable property purchased with funds from the Board is considered the property of the Board, the state, or the federal government and requires prior approval.

6.6 Records and records retention

Contractors are required to prepare and maintain participant and financial records in accordance with instructions from the Board. Contractors are required to retain all records per the Board's Record Retention policy.

6.7 General reporting

Contractors must provide such reports on participants, finances, and program operation as required by the Board.

6.8 Certifications

Contractors are required to meet requirements contained in the Certifications Regarding Lobbying, Debarment, Suspension and Other Responsibility Matters, and Drug Free Workplace.

6.9 Accessibility

Contractors are required to ensure that all facilities and services are in compliance 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.

Contractors are also required to take reasonable steps to ensure meaningful access by Limited English Proficiency (LEP) persons to the information and services they provide.

6.10 Nondiscrimination and Equal Opportunity

Contractor will not deny benefits of any program, activity or service to any person, and are prohibited from discriminating against any employee or applicant for employment, because of race, color, religion, sex, national origin, age, physical or mental disability, temporary medical condition, political affiliation or belief. Contractor will ensure that the evaluation and treatment of employees and applicants for employment are free of such discrimination. Contractors must conduct all programs in accordance with provisions of the laws and applicable rules and regulations issued under these laws, as they apply to specific programs or activities:

- The Age Discrimination Act of 1975, 42 U.S.C. 1681 – 1688, as amended;
- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. 2000f et seq., as amended;
- The Rehabilitation Act of 1973, 504,29 U.S.C. 794, as amended;
- Title IX of the Education Amendments of 1972, 20 U.S.C. 1681 – 1688, as amended;
- The Americans with Disabilities Act of 1990, 42 U.S.C. 12101 et seq., as amended;
- The Women in Apprenticeship and Non-Traditional Act, 29 U.S.C. 2501 et seq., as amended;
- Section 188 of the Workforce Innovation and Opportunity Act; and
- All applicable rules and regulations issued under these laws.

6.11 Insurance and bonding

- a. General liability insurance. Contractor will maintain general liability insurance for all administrative and service locations for personal injury, bodily injury, and property damage in minimum amount of \$500,000 per occurrence or \$1,000,000 aggregate.
- b. Errors and Omission insurance. Maintain errors and omissions coverage and with per incident coverage of no less than \$1,000,000.
- c. Bonding. The Contractor must obtain a bond, insurance, escrow account, cash on deposit, or other methods in accordance with the requirements of 40 TAC §801.54, sufficient to cover the greater of the 1) largest cumulative amount of all cash requests submitted on any given day, or 2) the cumulative amount of funds on hand at any given point. Additionally, if such amount is less than 10% of the funds subject to the control of the Contractor, the difference must also be secured through bonds, insurance, escrow accounts, cash on

deposit, or other methods in accordance with the requirements of 40 TAC §801.54. Under no circumstances shall the Board disburse to the Contractor an amount of cash that exceeds the amount secured under this paragraph. The determination shall be made based on the cumulative amounts drawn by the Contractor during any consecutive three (3) day period for since or multiple sources. Bonding and other methods of securing funds must not be committed to securing funds received by the Contractor from any entity other than the Board.

d. Documentation. Contractor is required to provide the Board with copies of all certificates demonstrating proper insurance coverage.

6.12 Policies for the Child Care Services Program are available on our website: www.setworks.org.

PART 7 RESOURCES

7.1 Definitions

Board -- refers to the Southeast Texas Workforce Development Board, dba Workforce Solutions Southeast Texas.

Workforce Solutions Centers – Public Workforce offices that provide employment related activities. The centers are operated by contractors and partners of the Board.

Child Care Services (CCS) -- The system of delivery used to manage purchased Child Care Services for eligible clients and the Texas Rising Star program and related quality improvement activities.

CCS Providers -- Providers are self-arranged by parents. There are two types of child care:

- Regulated child care with a Provider Agreement
- An eligible relative, which is the only type of unregulated child care for which Child Care and Development Funds may be used

Child Care Services are reimbursed or paid with local, state and/or federal funding for eligible families.

Child Development Associate (CDA) -- The CDA is a credential granted by the Council for Early Childhood Recognition. A candidate is a center-based or family child care practitioner or home visitor who demonstrates knowledge of, and skill in, 8 training content areas, having received 120 hours of documented training. To receive the credential a practitioner's practice with young children is observed and assessed and they participate in an interview. An equivalent credential must include 480 hours of direct care for children with 120 clock hours of training in 8 content areas, a resource file, parent survey, and an observational assessment by a professional.

CPS – Child Protective Services

DFPS – Texas Department of Family and Protective Services

Parent--An individual who is responsible for the care and supervision of a child and is identified as the child's natural parent, adoptive parent, stepparent, legal guardian, or person standing in loco parentis (as determined in accordance with Commission policies and procedures). Unless otherwise indicated, the term applies to a single parent or both parents.

Relative Child Care Providers – CCS contractors reimburse eligible relatives that are listed with DFPS. Relatives shall not reside in the same household as the eligible child (unless the parent is a teen parent), and is the child’s grandparent, great grandparent, aunt, uncle, or sibling.

Texas Rising Star Providers -- CCS providers who volunteer to participate in a plan to improve the quality of their services by meeting program criteria that exceed the minimum standards for licensed child care centers. The criteria require smaller group size, more qualified staff, and program components that address sound practices for the development of children.

7.2 Useful Internet Websites

Web Address	Site
http://ecpa.cpa.state.tx.us/coa/Index.html	Texas Comptroller of Public Accounts -Certificate of Good Standing or Certificate of Account Status
www.twc.state.tx.us	Texas Workforce Commission
www.whitehouse.gov	OMB Circulars
www.capitol.state.tx.us	State legislation and statutes
https://texasrisingstar.org/	Texas Rising Star
https://cliengage.org/public/	Children’s Learning Institute

7.3 Workforce Solutions Southeast Texas Center locations are on our website: www.setworks.org.

PART 8 ATTACHMENTS

- Attachment A Cover Sheet
- Attachment B Proposal Narrative
- Attachment C Budget
- Attachment D Certifications Regarding Lobbying, Debarment, Lobby, and Drug Free Workplace
- Attachment E Certification Regarding Texas Corporate Franchise Tax
- Attachment F Certification Regarding Conflict of Interest
- Attachment G Assurances and Certifications
- Attachment H Administrative Management Survey
- Attachment I Financial Systems Survey
- Attachment J Equal Opportunity Assurance
- Attachment K Courtesy Letter of Intent to Submit Proposal

**ATTACHMENT A
COVERSHEET RFP# WDB 2020-002**

Organization name	
Mailing address	
Physical address (if different from above)	
City/State/Zip	
Contact person	
Contact Person Phone Number	
Contact Person Fax Number	
Contact Person Email Address	
Type of organization	<input type="checkbox"/> Private for-profit <input type="checkbox"/> Private non-profit <input type="checkbox"/> Other: _____
Federal Employer ID	
Texas State Comptroller ID	
Brief description of program	Operation and Management of Child Care Services
Total funds requested	Operation & Mgmt _____

Typed Name & Title of authorized signatory	
Signature & Date	

ATTACHMENT B

Proposal Instructions and Narrative

Proposers should state each RFP criteria section question and then present their response to that question. If applicable, **proposers must identify any proposed sub-contractors and describe the service they will provide, if possible, attach subcontractor resume.** The Proposal Narrative is the proposer’s opportunity to present their responses and descriptions to managing the Workforce Solutions Southeast Texas Child Care Services. Flow charts, organizational charts and other diagrams requested may be attached to the proposal and labeled. Be sure to reference any such attachments in the responses.

CRITERIA	MAXIMUM POINTS
1. Demonstrated Experience	15
2. Quality/Texas Rising Star	15
3. Client and Provider Services	15
4. Staffing	20
5. Financial Experience	15
6. Budget/Cost Reasonableness	20
7. Value Added	5
7. Certified HUBs shall receive 5 points on the proposal evaluation. <u>HUB Certification must be included with the proposal to receive these points</u>	5
Possible Proposal Points [Point average needed to be ranked - 75]	110

Proposal Narrative

The following elements must be addressed in the proposal:

1.0 Demonstrated Experience – 15 Points

- 1.1 Provide a brief history of your organization; include year established, location of home/corporate offices, of any regional offices, number of employees, and other lines of business.
- 1.2 Discuss your current mission and philosophy as it relates to the operation of the Child Care Services program.
- 1.3 Describe your experience managing CCS contracts over the last three years, include the experience of assigned upper management/corporate staff with the delivery of child care service in Texas. Describe past performance and are explain any corrective action plans you are currently under?
- 1.4 Describe the governance and oversight role of your organization (upper management/corporate staff with local staff).
- 1.5 Describe advisory groups, professional organizations, task forces, federal, state, and local groups you have worked with on child care issues and any benefits derived from your association with these groups.

- 1.6 Please use the following Disclosure Matrix Table to address the resolution or current status of any findings, exceptions, or disallowed costs. Proposers must disclose all outstanding monitoring and/or audit concerns from any of the bidder's other contracts. Please respond to the six questions on the Disclosure Table and submit as an attachment you may add columns, if additional are needed.

Disclosure Table			
	Board Area	Board Area	Board Area
1 Have you ever been identified as a "High Risk" contractor or auditee? If so, describe the circumstances.			
2 Are you currently operating under any form of corrective action, technical assistance or performance improvement plan? If so, for what Board and for what purpose and what is your progress?			
3 Are you currently, or within the past two (2) years, been under any form of sanction? If so, describe the sanctioning Board's basis for the sanction and duration.			
4 Identify any contracts that you have "lost" within the past three (3) years – i.e. terminated early or not renewed. Specify the reason(s) for the early termination.			
5 Provide a summary of ALL EEO related complaints you have received during the past two (2) years. Include resolution or current status for each.			
6. In the past two years, has your organization had adverse judgments or findings, such as administrative audit findings, monitoring findings, or sanctions by a court of law? If yes, explain.			

2.0 Quality/Texas Rising Star – 15 Points

- 2.1 Describe your experience with managing child care quality improvement activities, including Texas Rising Star Provider Certification program and other local or state-wide child care quality improvement programs or projects.
- 2.2 Describe your innovative system design strategies to improve the availability of quality early care and education through the implementation of the Texas Rising Star Quality Rating and Improvement System.
- 2.3 Provide detail on the proposed number of quality focused staff assigned to the program.
- 2.4 Describe strategies for recruiting providers to participate in quality improvement activities provided by CCS.

3.0 Client and Provider Services – 15 Points

- 3.1 Describe your plan for the client application process, authorizing child care, maintaining proper documentation, and tracking client attendance. Describe your vision for successful client services.
- 3.2 Describe your plan for developing and maintaining an adequate provider base, including care during non-traditional hours. Describe your vision for successful provider services.

- 3.3 Describe your system for managing quality customer service and your process for managing client complaints.
- 3.4 Describe any experience you have with online applications and requests, include any successes for improving customer service through a website, and successful strategies used for keeping website up-to-date.
- 3.5 Describe your CCS System design components, including your performance forecasting methodology and indicate how often your forecasts are updated.
- 3.6 Discuss your strategy for minimizing risk, detecting, and reporting fraud.
- 3.7 Describe your corrective action processes for addressing deficiencies identified through internal and external monitoring.
- 3.9 Provide as an attachment Program Monitoring Reports for the first and final TWC and Workforce Board staff or contractor monitoring reports for the past 2 years related to child care services contract, monitoring issues cited and how and if they were resolved should be noted in the final reports. List current, and/ the last three (3) years of contracts related to Child Care Services include:
 - a. Reference name, address and contact name
 - b. Contract dates
 - c. Annual operation budget

4.0 Staffing - 20 Points

- 4.1 *Present your proposed organization chart and delineate how Workforce Solutions of Southeast Texas CCS proposed staff positions and lines of responsibility would fit in the corporate organization, include all administrative staff.*
- 4.2 *Provide brief synopsis and attach resumes of all WSSET CCS assigned corporate/upper management and proposed local CCS staff, by position and major responsibility, if not in place provide job description. How do you identify staff performance? Describe your goals and approach to staff development and training.*
- 4.3 Provide a description of cross training of program regulation and functions within the CCS staff and the workforce center staff.
- 4.4 Describe how local operations will be supported by “corporate” office staff in terms of technology, performance review and analysis, policy, and communications.
- 4.5 Provide a description of the proposed staff transition process (transitioning in or out)

5.0 Financial Experience– 15 Points

- 5.1 Describe your fiscal management system (or proposed system), to include a description of the accounting system, audit and audit resolution, budget and cash management, financial reporting, property management and procurement.
- 5.2 Describe how your organization tracks encumbrances and expenditures.
- 5.3 Describe your method for performing self-monitoring for fiscal integrity, accuracy, performance, and compliance.
- 5.4 Describe your experience and plan for managing multiple budgets and fund codes; reviewing billing documents, and paying providers and subcontractors

- 5.5 Describe how the organization disburses payments to providers. Include, at a minimum, your process for confirming attendance received from CCAA, creating payments through TWIST, disbursing payments and how special reimbursements and emergency payments are handled and in what length of time.
- 5.6 Describe how you ensure child care funds are fully expended but allocation amounts are not exceeded.
- 5.7 Describe your experience using large, complex automated computer systems such as the TWIST, CCAA and other systems such as Workflow 2, Infomaker, or others. Specify the types of computer hardware and software.
- 5.8 Describe how your organization will pay disallowed costs, should such costs occur.
- 5.9 Provide a copy of your cost allocation plan detailing how your organization's costs are shared from multiple funding sources.
- 5.10 Explain how your cost allocation plan methodology will be applied in distributing costs among fund sources under this contract.
- 5.11 Provide Audits for the last two years. If the proposer is a not for profit organization [501(c)(3)], provide a copy of the organization's IRS Form 990 for each of the past two years
- 5.12 Provide as an attachment the fiscal first and final TWC and Workforce Board completed monitoring reports within the last 2 years for all CCS contracts. Fiscal monitoring issues should be cited and how and if they were resolved should be noted in the final reports.

6.0 Budget/Cost Reasonableness – 20 Points

- 6.1 Complete the attached CCS budget sheet. Using the RFP budget form (Attachment C)
- 6.2 Should your proposal be selected for consideration this budget will be the basis for negotiating the contract budget. The proposed budget must include all costs associated with annual (12 month) staffing, operations, management, quality assurance, indirect costs and profit, if applicable.
 - A. Line-item budget**

Complete an Operating Budget using the forms provided. Include a budget narrative that describes/explains how costs were calculated.
 - B. Budget Backup: Personnel Salaries**

Use the form provided to account for all staff included in this proposal. Each position must be detailed on a separate line.
 - C. Budget Backup: Personnel Fringe**

Use the form provided to detail the fringe benefit costs for each proposed position. The positions shown on this form will need to correspond to those listed in the personnel salaries detail.
 - D. Budget Backup - All Other Line Items**

In addition to the forms required above, Proposers must provide additional backup to justify the costs proposed and the amount budgeted for all other line items in the proposed budget. Proposers are expected to be clear and thorough in documenting costs in all line items in the budget. Although a specific format for budget backup is not prescribed, the documentation should follow the order of the line-items in the

budget. The backup should provide a level of detail to justify the proposed expenditure and show how the budgeted amount was developed.

A complete explanation and documentation of “overhead costs” and what costs make up overhead costs will be required. Any costs for staff that are not housed at the board facilities should be consider overhead costs

The proposal must identify all direct and indirect personnel costs. If these costs are paid from other non-federal sources the costs should be identified as potential stand-in costs

Any expense for staff and related costs that are not housed in Board facilities will be coded as Indirect or Management Fees and must be reflected accordingly in the budget, to include any payroll related costs which should be broken out in the detailed explanation of your proposed budget.

E. Budgeting Considerations

The Board provides the following to the CCS program staff located within the workforce center offices: office space, facilities, office equipment, some marketing and advertising, telecommunications, computer equipment software, IT and website maintenance or linkage between the contractor’s site with conditions. The budget does not require any budgeting for direct care costs, but the staffing pattern should be enough to meet the projected performance requirements of FY 2021. We currently have 32 TRS providers and hope to have 40 by the time FY 2021 begins. The estimated maximum amount available for operations in FY 2021 is \$910,000, and the estimated amount available for Child Care Quality is \$ 205,000.

1. Equipment and Facilities

Office space, computers, printers, copiers, telephones (not cell phones), fax machines, internet connectivity, and furnishings are supplied for staff located within the workforce centers by the Board. There are a total of 15 FTEs working locally and there are additional staff at the contractor’s corporate office. There are 13 CCS/CCQ staff currently located in the Beaumont location and two staff are located at the Port Arthur location.

Proposers are advised that any budgeted equipment will be and will remain the property of the Board. Equipment purchases must be made following Chapter 14 of the TWC Financial Manual for Grants and Contracts (FMGC): Procurement.

Successful Proposers will be required to receive prior approval and report equipment purchased to the Board. All computer equipment and software purchases will require advance approval of the Board Information Technology Department to ensure that proposed equipment meets the Board's technology standards.

2. Profit

Private for-profit proposers may budget up to 7% of total personnel and operations expenditures in profit. Direct Client expenditures will not be included in the base for profit. Profit payments will be based on the attainment of contracted performance and other benchmarks negotiated.

Profit or performance bonus may not exceed seven (7) percent. The use of an indirect cost rate as the basis to allocate costs will not be allowed. All costs must be identified and direct charged to each cost objective in direct proportion to the benefits received by that cost objective.

3. Benefits

The Proposer must provide cost and coverage information on personnel benefits and must provide the same information on any additional menu of benefits which employees may choose to purchase through payroll deduction. Finally, the Proposer should provide cost and coverage information on other optional benefits they propose to offer to employees in the budget narrative.

- F. The Transition period will be from May 21, - September 30, 2020. Describe the activities and timeline you anticipate will be required of each participating party to transition the CCS program. Describe the assessment process for considering current contractor staff and any applicable probationary period in the process. Please provide a separate transition budget cost, if applicable, for the period May 21, - September 30, 2020. The same budget forms can be used, just label them as such.

7.0 Value Added – 5 Points

Describe any value-added tools, processes or resources that are above and beyond what is basically required to operate the childcare centers. Provide a budget and narrative to fully explain the added value that is proposed.

8.0 HISTORICALLY UNDERUTILIZED BUSINESS – 5 Points

A "Historically Underutilized Business" is an entity with its principal place of business in Texas, that is at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American and/or American woman residing in Texas with a proportionate interest and active participation in the control, operations and management of entity's affairs.

Five bonus points will be awarded to responsive proposals submitted by a HUB certified by the Texas Comptroller of Public Accounts, or other bona fide certifying agency. HUBs must identify their certifying agency on the cover sheet and attach a copy of the notice of certification to be eligible for points awarded under this section. Certifications that are expired or do not meet the criteria specified shall not be considered for the five points.

ATTACHMENT C: BUDGET (Page 1 of 6)
WDB 2020-002 BUDGET FOR OPERATIONS

Proposer Name: _____

Line Item Description	Operations & Mgmt Budget
A. PERSONNEL COSTS	
1	0
2	0
3	0
4	0
Total Personnel	0
B. NON-PERSONNEL COSTS	
1	0
2	0
3	0
4	0
5	0
6	0
7	0
8	0
9	0
10	0
11	0
12	0
13	0
14	0
15	0
Total Non-Personnel	0
TOTAL	0

ATTACHMENT C: BUDGET (Page 3 of 6)
WDB 2020-002 BUDGET FOR CHILD CARE OPERATIONS & MGMT

BUDGET NARRATIVE:

Provide narrative describing and detailing non-personnel budget line item costs and how each was calculated. Additional pages may be added for this purpose.

ATTACHMENT C: BUDGET (Page 4 of 6)
WDB 2020-002 BUDGET FOR CHILD CARE QUALITY

Proposer Name: _____

Line Item Description	CCQ Personnel	Direct Quality Improvement	Total Quality Budget
A. PERSONNEL COSTS			
1			
2			
3			
4			
Total Personnel	0.00	0.00	0.00
B. NON-PERSONNEL			
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
Total Non-Personnel	0.00	0.00	0.00
TOTAL	0.00	0.00	0.00

ATTACHMENT C: BUDGET (Page 6 of 6)
WDB 2020-002 BUDGET FOR CHILD CARE OPERATIONS & MGMT

**BUDGET
NARRATIVE:**

Provide narrative describing and detailing non-personnel budget line item costs and how each was calculated. Additional pages may be added for this purpose.

ATTACHMENT D

CERTIFICATIONS REGARDING LOBBYING, DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS, AND DRUG-FREE WORKPLACE REQUIREMENTS

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

The undersigned contractor states that:

No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or any employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.

If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, and officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

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.

* * * * *

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

The undersigned contractor certifies that it or its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency

Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and

Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default.

Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

* * * * *

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

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

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.

Establishing an on-going drug-free awareness program to inform employees of the dangers of drugs in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed on employees for drug abuse violations occurring in the workplace.

Providing each employee with a copy of the Contractor's policy statement.

Notifying the employees in the Contractor's policy statement that, as a condition of employment under the grant, employees will abide by the terms of the policy statement and notifying the Contractor in writing within five (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace.

Notifying the grantor agency, Workforce Solutions Heart of Texas Board in writing, within ten (10) calendar days of the Contractor's receipt of a notice of conviction of an employee.

Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

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

Signature Date

Title

ATTACHMENT E

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 this subcontract is current in its franchise taxes or is not subject to the payment of franchise taxes to the State of Texas must be signed by the individual authorized to sign the subcontract for the subcontracting entity.

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

Indicate the certification that applies to your subcontracting entity:

The subcontracting entity is a for-profit corporation and certifies that 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 F

CERTIFICATION REGARDING CONFLICT OF INTEREST

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

No manager, employee or paid consultant of the Applicant is a member of the Board, or a manager of the Board;

No manager or paid consultant of the Applicant is a spouse to a member of the Board or a manager of the Board;

No member of the Board or an employee of the Board owns or controls more than ten percent (10%) in the Applicant;

No spouse of a member of the Board or employee of the Board is a manager or paid consultant of the Applicant;

No member of the Board, President, or employee of the Board receives compensation from Applicant for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;

Applicant has disclosed within the Proposal any interest, fact or circumstance that does or may present a potential conflict of interest;

Should applicant fail to abide by the foregoing covenants and affirmations regarding conflict of interest. Applicant 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.

Name of Applicant: _____

Name/Title of Authorized Signatory: _____

Signature: _____

Date: _____

ATTACHMENT G ASSURANCES AND CERTIFICATIONS

Applicant warrants and assures:

The information contained in this proposal 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 proposal under this Request for Proposals has offered or will offer any gratuities, favors, or anything of monetary value to any member of the SET Workforce Development Board, or any employee of the WSSET Board for the purpose of or having the effect of influencing the decisions of the Board with respect to the organization or individual's proposal or any other proposal.

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

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

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 proposal.

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 Proposals because of race, color, religion, sex, national origin, age, disability, sexual orientation, or political affiliation or belief.

We understand and agree that the WSSET may utilize information provided outside of this request in evaluating this proposal.

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 proposal at the request of the WSSET prior to execution of a contract.

We understand and agree that the WSSET has the right to reject any and all proposals and negotiate outside of the terms of this proposal.

We understand and agree that the WSSET is not required to select the lowest cost proposal.

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

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 WSSET 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 proposal be accepted for funding.

**ATTACHMENT G
ASSURANCES AND CERTIFICATIONS**

Signature Proposing Organization Authority

Typed Name and Title Date

ATTACHMENT H

ADMINISTRATIVE MANAGEMENT SURVEY

Proposing Organization: _____

Please answer the following questions regarding your administrative management system.

1. Does your organization have Articles of Incorporation or Charter? Yes No N/A
2. Does your organization have written personnel policies?
Yes No N/A
3. Do your written personnel policies contain procedures for:
 - a. Employee recruitment, selection, and promotion based on ability, knowledge and skills?
 Yes No N/A
 - b. Providing adequate and equitable compensation? Yes No N/A
 - c. Training for employees to ensure high-quality performance?
Yes No N/A
 - d. Retraining employees based on the adequacy of their performance, and for making adequate efforts for correcting inadequate performance?
Yes No N/A
 - e. Assuring fair treatment of applicants and employees without regard to political affiliation, race, color, national origin, sex, age, physical handicap, or religious creed, with proper regard for their privacy and constitutional rights as a citizen?
Yes No N/A
 - f. Assuring that employees are protected against coercion for partisan political purposes and are prohibited from using their official authority for the purpose of interfering with or affecting the result of an election or nomination for office?
Yes No N/A
4. If your organization does not have the procedures noted above, can your personnel policies be revised to include these procedures? Yes No N/A
5. Do your personnel policies contain a prohibition against nepotism? Yes No N/A
6. Do your written personnel policies contain a prohibition against employees using their positions for private gain for themselves or other parties? Yes No N/A
7. Does your organization have a travel policy for employees and authorized agents that provides for reimbursement for mileage and a per diem at a specified rate?
 Yes No N/A
8. Does your organization have a written employee grievance procedure used to resolve employee complaints? Yes No N/A

9. Does your organization have an EEO/Affirmative Action Plan?
Yes No N/A

10. Does your organization have the capacity or staff to produce and maintain customer records and other information? Yes No N/A

11. If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs? Yes No N/A

I certify that the information provided on this form and any accompanying attachments is an accurate and true representation of the administrative management systems of the organization.

Name of Organization

Typed/Printed Name and Title of Authorized Representative

Signature of Authorized Representative Date

ATTACHMENT I

FINANCIAL SYSTEMS SURVEY

Proposing Organization: _____

Please answer the following questions regarding your organization's financial systems.

1. Does your organization follow GAAP? Yes No N/A
2. Does your accounting system:
 - a. Provide adequate control and accountability for all funds received, property, and other assets? Yes No N/A
 - b. Provide for identification of the receipt and expenditure of funds separately for each funding source? Yes No N/A
 - c. Provide adequate information to prepare monthly financial reports on an accrual basis? Yes No N/A
 - d. Have the capability to track the allowability and allocation of costs in accordance with the requirements for federal grant programs? Yes No N/A
3. Does the bank in which you will deposit contract funds insure the account(s) or put up collateral or both equal to the largest sum of money, which would be in such account(s) at any point in time during the contract period? Yes No N/A
4. Do you reconcile your bank accounts monthly? Yes No N/A
5. Are the bank reconciliations made by the same person who performs record keeping for receipts, deposits, and disbursement transactions? Yes No N/A
6. Do you record cash receipts and disbursement transactions on a regular basis?
 Yes No N/A
7. Are the individuals or positions in your organization which hand the receipt or distribution of funds covered by a fidelity bond? Yes No N/A
8. Does your organization perform an inventory audit at least once a year?
 Yes No N/A
9. Does your organization maintain records on all property acquisition, disposition, and transfer?
 Yes No N/A
10. Does your organization have written procedures and controls established for the procurement of goods and services? Yes No N/A

11. Is a competitive bidding process incorporated into your purchasing procedures for the acquisition of subcontractors, major goods and services, equipment, and office space?
 Yes No N/A
12. Are employee time records kept to support payroll disbursement?
 Yes No N/A
13. Are records maintained to support authorized employee leave time? Yes No N/A
14. Are complete records kept to support travel payments to employees or agents of your organization?
 Yes No N/A
15. Does your organization maintain written accounting procedures?
 Yes No N/A
16. Is your accounting system bound by any outside agency such as a local city or county government?
 Yes No N/A
17. Does your organization have the capacity or staff to produce and maintain financial reports and other information as may be needed? Yes No N/A
18. Does your organization undergo an annual audit by an independent firm? Yes No N/A
 Submit copies of audits for the last 2 years as an attachment.
19. Does your organization have or will have in place the insurances required under this RFP?
 Yes No N/A
20. Does your organization have an **indirect cost rate** with current approval by a cognizant agency?
 (Submit copy of plan or cognizant agency letter as an Attachment.) Yes No N/A

I certify that the information provided on this form is an accurate and true representation of the financial systems of this organization.

Name of Organization

Typed/Printed Name and Title of Authorized Representative

Signature of Authorized Signatory

ATTACHMENT J
ASSURANCE REGARDING EQUAL OPPORTUNITY

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it 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, 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 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

The assurance is considered incorporated by operation of law in the grant, cooperative agreement, contract or other arrangement whereby Federal financial assistance under Title I of the WIOA is made available, whether or not it is physically incorporated in such document and whether or not there is a written agreement between the Department and the recipient, between the Department and the Governor, between the Governor and the recipient, or between recipients. The assurance also may be incorporated by reference in such grants, cooperative agreements, contracts, or other arrangements.

Print Name of Applicant Organization:

Print Name and Title of Authorized Signatory:

Signature: _____ Date: _____

ATTACHMENT K

COURTESY NOTICE OF INTENT TO SUBMIT PROPOSAL

**** Due: March 25, 2020, 5 p.m. CDST****

COMPLETE AND FORWARD TO:

rfp@setworks.org

Management and Operation of WSSET Child Care Services

Company/Agency/Entity: _____

Contact Person: _____

Address: _____
Street City State Zip

Phone: _____

Email: _____

I certify that I have received the Request for Proposal (RFP) package for the WSSET Management and Operation of Child Care Services, and that I understand this Notice does not obligate our organization to submit a proposal.

I plan to submit a proposal and I am aware that the proposal in response to this RFP is due to the Board by Tuesday, April 14, 2020.

Signature: _____ **Date:** _____