October 6, 2022

Interested Bidders

Request for Quotations (RFQ)

Office Furnishings

*Workforce Solutions Greater Dallas (WFSDallas) is a non-profit organization that administers and acts as fiscal agent for programs consolidated at the local level and is responsible and accountable for the management of all workforce development funds made available to the local workforce development area. WFSDallas administers contracts and activities with a budget of approximately $200M annually. WFSDallas is a tax-exempt organization. Please see our WFSDallas website (*[*www.wfsdallas.com*](http://www.wfsdallas.com)*) to learn more about workforce programs, our governance and Board of Directors, and other pertinent information.*

**Services Solicited**

Workforce Solutions Greater Dallas currently has seven (7) workforce centers, with an additional location being added within the last quarter of 2022. Workforce Solutions Greater Dallas is accepting proposals to work with vendor(s) for design services, space planning services, procurement of new cubicle workstations (in addition to case goods/seating), and installation. **The quantities may change based on actual field/site measures.**

**North Dallas (new location) workforce center, 5757 Alpha Road, Suite 800, Dallas, Texas 75240. New office furnishings to include:**

1. Twenty (26), private offices\*\*. To include one mid-back (ergonomic) employee task chair on casters and two guest chairs with no casters.
2. Thirty-five (35), 6 x 8 sized employee cubicle workstations with a 5’ high enclosure\*. To include one mid-back (ergonomic) employee task chair on casters and one guest chair with no casters.
3. Nine (9), 8 x 8 sized employee cubicle workstations with 5’ high enclosure, set up to allow easy access by a person in a large, motorized wheelchair. To include one mid-back (ergonomic) employee task chair on casters and two guest chairs no casters, and same overhead storage/peds as 6 x 8.
4. Twenty-four (24), 5 x 3 sized telemarketer cubicle stations with data/power above work surface. To include one chair (plastic back/seat) no casters.
5. Twelve (12), 72in x 24 powered tables (daisy chained), include table data/power module, and no casters (table should be stationary). To include twenty-four chairs (plastic back/seat) no casters.
6. Sixteen (16), 72in x 24 nesting table, modesty panel, and casters for moveability within room. To include thirty-two chairs (plastic back/seat) no casters.
7. File room, please appropriate lateral file cabinets to fill room with 5 drawer 36” wide lateral file cabinets. Include in the middle 3 drawer 36” wide laterals with surface top for filing/sorting.

***\*A standard workstation is sized at 6 x 8 total station sized:*** *6 x 6 with an L-shaped work surface and 24 inch to be utilized by guest side chair. In addition, each cubicle should contain rail tile with paper management (three (3) trays), 3-foot overhead storage with locking sliding door (not to exceed height of panel system), data/power should be above work surface and must contain 3 electrical duplexes and one USB plug with 2 inputs, pencil drawer, and two (2) pedestals that contain the following: file/file, and box/box/file. The pedestals must be affixed to the workstation and not moveable or separated from the unit.*

*All total costs on new furnishings should include pricing for grade/tier 2 finishes for fabric, paint, and surface finish.*

***\*\*A standard private office (8 x 8 or 8 x 10) i****ncludes:*

* *4x6 magnetic glass board (installed),*
* *Bullet shaped desk 30 x 72 with a modesty panel, 48-inch bridge, and 72-inch credenza,*
* *A lateral file will be placed under credenza for storage and 24 x 24 wardrobe cabinet (with box/box/file and narrow coat storage).*

**Administration of this Request for Quotations (RFQ)**

The RFQ is issued on **October 6, 2022, at 1:00 p.m. CDT**, and available for download from the Board’s website: <http://www.wfsdallas.com/doing-business>. If you are unable to download the RFQ, please contact: [procurement@wfsdallas.com](mailto:procurement@wfsdallas.com) or (214) 290-1000.

**Intent to Bid for this Request for Quotations (RFQ)**

Please submit an Intent to Bid by **Monday, October 17th at 12:00 p.m. (noon)** CDT to [procurement@wfsdallas.com](mailto:procurement@wfsdallas.com). The Intent to Bid is a required step prior to submitting a formal bid.

**Deadline for Quotations/Submission**

The bid proposal must be officially **received to** [**procurement@wfsdallas.com**](mailto:procurement@wfsdallas.com) **no later than 12:00 p.m. (noon) CDT, October 27, 2022.** **Any bid proposals or amendments received after the deadline will not be considered and will be deemed non-responsive to this RFQ and procurement process**. **Late bid proposals or amendments will be returned without review**. **WFSDallas is not responsible for technology issues.**

**Bidders’ Conference**

There will be no Bidders’ Conference to respond to questions on the RFQ. Respondents may pose any questions to the e-mail link at: [procurement@wfsdallas.com](mailto:procurement@wfsdallas.com). A formal question/answer, clarifications or amendments will be posted at the Board’s website: <http://www.wfsdallas.com/doing-business> All questions must be submitted by October 17th by noon CDT. Q&A will be posted on Monday, October 17th by close of business.

**Please contact** [**procurement@wfsdallas.com**](mailto:procurement@wfsdallas.com) **to schedule site visits.**

**Funding**

All funding is conditional upon the availability of grant funds from the U. S. Departments of Labor, Health, Education and Agriculture, and the Texas Workforce Commission.

**Agreement Type/Service Period**

The executed agreement, as a result of this RFQ process, will be a vendor agreement unless another type is determined by the WFSDallas to be more advantageous.

**Method of Procurement**

The products and/or services solicited under this RFQ shall be procured exercising the competitive proposals method of procurement as described in the Texas Workforce Commission (TWC) Financial Manual for Grants and Contracts (FMGC), and Board policy.

**Eligible Respondents**

Proprietorships or organizations with the capability to provide items described within this RFQ and with the professional experience, a record of integrity and good business ethics (i.e., not debarred from doing business with state, federal or local government), are invited to respond.

**Governing Provisions and Limitations**

* + 1. The main purpose of this RFQ is to ensure uniform information in the competitive solicitation of procurement of Office Furnishings. This RFQ is not to be construed as a purchase agreement or contract, or as a commitment of any kind; nor does it commit the Dallas County Local Workforce Development Board, Inc. to pay for costs incurred in the preparation of a response, or any other costs incurred prior to the execution of a formal contract, unless such costs are specifically authorized in writing by the Board.
    2. WFSDallas reserves the right to accept or reject any or all quotes received, to cancel and/or reissue this Request for Quotations in part or its entirety.
    3. ***Public Disclosure of Proposal Information*** - this is a negotiated procurement utilizing the request for quotations method, and as such, the selection and award of a vendor agreement unless another type is determined by the WFSDallas to be more advantageous, does not have to be made to the respondent(s) submitting the lowest priced offer, but rather to the respondent(s) submitting the most responsive bid proposal that satisfies the Board’s requirements and is determined to be in the best interest of the Board.
    4. Workforce Solutions Greater Dallas is a State of Texas appointed Local Workforce Development Board. Proposals submitted will not be returned and are subject to the Texas Public Information Act located in Chapter 552 of the Texas Government Code (the “PIA”) and may be disclosed to the public upon request. Subject to the PIA, bidders may protect trade secret, proprietary and confidential information from public release. If a bidder does not desire proprietary or confidential information in its proposal to be disclosed, bidder is required to identify all proprietary or confidential information in its proposal. This identification must be done by individually marking each page with the words "Confidential Information" on which such proprietary or confidential information is found. If the bidder fails to identify confidential information, bidder agrees that, by submission of its proposal, those sections shall be deemed non-confidential and made available in response to any public request.
    5. Bidders are advised that Workforce Solutions Greater Dallas, to the extent permitted by law, will protect the confidentiality of submitted proposals. However, bidders shall consider the implications of the PIA, particularly after the request for quotations process has ceased and the agreement award has occurred. While provisions in the PIA may apply to protect confidential information, bidders are further advised that a determination on whether those standards have been met will not be made by Workforce Solutions Greater Dallas but must be decided by the Office of the Attorney General of the State of Texas. In the event a request for public information is made, Workforce Solutions Greater Dallas will notify the bidder and the bidder may then request an opinion from the Attorney General pursuant to Section 552.305 of the Texas Government Code. Workforce Solutions Greater Dallas will not make a request for an opinion from the Texas Attorney General. Copyrighted proposals are unacceptable and are subject to disqualification as non-responsive.
    6. The Board reserves the right to correct any error(s), omission(s) and/or make changes to this solicitation as it deems necessary.
    7. The Board reserves the right to negotiate the final terms of all contracts or agreements with bidders selected and any such terms negotiated because of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of the Board's local plan and impose additional requirements and refinements in the terms and conditions, scope of work, performance measures, and funding amounts during the course of any contract.
    8. **All Board Directors, officers, and staff of the Board are precluded from entertaining questions concerning the proposal or this procurement process. Potential bidders, bidders and contractors are asked to respect these conditions by not making personal requests for assistance. No employee, member of a Board of Directors or other governing body, or representative of a bidder who submits a proposal under this RFQ may have any contact outside of the formal review process with any employee of WFSDallas, or any member of the Board of Directors for purposes of discussing or lobbying on behalf of bidder’s proposal. This contact includes written correspondence, telephone calls, personal meetings, email messages, or other kinds of personal contact. WFSDallas will reject proposals of those bidders who violate this condition.**
    9. The Board reserves the right to contact any individual, agency employer, or grantees listed in a proposal, and to contact others who may have experience and/or knowledge of the bidder's relevant performance and/or qualifications; and to request additional information from all bidders.
    10. The Board or its designee will conduct a review of records, systems, procedures, etc. of any entity selected for funding. This may occur prior to, or after, the award of a contract or agreement. Misrepresentation of the bidder's ability to perform as stated in the proposal(s) may result in cancellation of any contract or agreement awarded.
    11. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other specific funding source.
    12. **Bidders shall not under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any** officer, member, employee of the Board, for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
    13. **No** **Board Director, officer, or employee of the Board shall participate in the selection, award or administration of a contract supported by Board funds if a conflict of interest, real or apparent, would be involved**.
    14. **Bidders shall not engage in any activity which will restrict or eliminate competition.** Violation of this provision may cause a bidder to be disqualified. This does not preclude joint ventures or subcontracts.
    15. All proposals submitted must be an original work product of the bidder. The copying, paraphrasing or otherwise using of substantial portions of the work product of others and submitted hereunder as original work of the bidder is not permitted. Failure to adhere to this instruction may cause the proposal(s) to be disqualified and rejected.
    16. The contents of a successful proposal may become a contractual obligation and be incorporated by reference if selected for award of a contract. Bidders must intend to fulfill all the representations made in this proposal. Failure of the bidder to accept this obligation may result in cancellation of the award. **No plea of error or mistake shall be available to successful proposer(s) as a basis for release of proposed services at stated price/cost.** Any damages accruing to the Board because of the bidder's failure to contract may be recovered from the bidder.
    17. A contract/agreement with the selected provider may be withheld, at the Board's sole discretion. If issues of contract or regulatory compliance, or questioned/disallowed costs exist, a contract may be withheld until such issues are satisfactorily resolved. Award of contract may be withdrawn if resolution is not satisfactory to the Board.
    18. Subcontracting, while not encouraged, may be appropriate where an outside subcontractor provides specialized expertise or technical resources not otherwise available to the proposing organization. However, any subcontractors must be specified in the proposal narrative, selection must be consistent with Board standards for competitive procurement, and all costs in compliance with applicable cost principles of the specific funding source. All contract provisions and federal, state, or Board standards that apply to Contractors must be followed by all subcontractors.
    19. All contractors/vendors shall be in accordance with Texas Administrative Code, Title 40, Part 20, Chapter 802 by: maintaining fiscal integrity; maintaining appropriate insurance requirements; comply with all federal, state, and regulations regarding conflict of interest; refrain from using nonpublic information gained through a relationship with the Commission, TWC employee, Board or Board employee to seek or obtain financial gains that would result in a conflict of interest or appearance of a conflict of interest; promptly disclose in writing any conflict of interest; not employ/compensate a former board employee who was in a decision making position and was employed or compensated by the Board anytime during the last twelve (12) months.

***Selection Process***

Selection shall be in accordance with the principles stated in the Board's plan and State plans, as well as other applicable laws, regulations and policy issuances from Federal, State, and Local entities.

1. We will make an effort to utilize small, minority and female-owned or operated businesses, as vendors, and to allow such organizations maximum feasible opportunity to compete for award.
2. The Board reserves the right to accept, or reject any or all Quotations received, or to cancel in part or its entirety this Request for Quotations.
3. No contract/purchase agreement may be awarded until the bidder has complied with Executive Order 12549, 29CFR, Part 98 by submitting to the Board a signed Certification of Debarment, which states that neither the Vendor, nor any of its principals, are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a procurement by any Federal department or agency.
4. Bidders shall not, under penalty of law, offer any gratuities, favors, or anything of monetary value to any officer, member, employee or agent of the Board, for the purpose of or having an influencing effect toward their own proposal or any other proposal submitted hereunder.
5. Bidders shall not engage in any activity that will restrict or eliminate competition. This does not preclude joint ventures or subcontracts.
6. Prior to award of any contract/purchase agreement, a Bidder must sign a “Certification Regarding Conflict of Interest” stating adherence to the Board policy regarding free and open competition and conflicts of interest.
7. Contents of a successful bid can become a contractual obligation if selected for funding. Failure of the bidder to accept these obligations can result in cancellation of the award for contract/purchase agreement. The Board reserves the right to withdraw or reduce the amount of an award if there is misrepresentation of the bidder’s ability to perform as stated in the bid.
8. Board reserves the right to deem a proposal non-responsive or disqualify any proposal that, in its sole determination, does not comply with or conform to the terms, conditions, and/or requirements of this RFQ.

***Selection of Vendor(s)***

The selection of vendor(s) to provide products and/or services will be based on quality of products and/or services and best cost.

***Proposal Evaluation Process and Criteria***

WFSDallas assigns professional staff or qualified outside evaluators to read and evaluate each bid. WFSDallas will evaluate quotations based on best cost and quality of the proposed products and/or services. Quotations will be evaluated based on:

* Responsiveness to the RFQ/Quality of Products and/or Services (40 points)
* Reasonableness of Cost (60 points)

***Proposer Inquiry and Appeal Process***

The Dallas County Local Workforce Development Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process, and has established the following process for handling appeals of any procurement decisions:

**Step1**. **Request for Debriefing** -- Bidders not selected by this procurement process may appeal the decision by submitting, within 10 days of the receipt of Board notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was received and ranked. The Board shall acknowledge receipt of the Request for Debriefing in writing within 10 days of receipt, along with the date and time of the scheduled briefing. The briefing shall be scheduled, as soon as possible, and no later than 10 days from the receipt of the Request for Debriefing. (NOTE: The Board extends the courtesy of offering a briefing to any bidder who is not selected for funding; the 10-day time frame must be adhered to only if a bidder is considering an appeal.)

**Step2. Debriefing** -- The purpose of the debriefing is to promote the exchange of information, explain the proposal evaluation system, and help unsuccessful bidders understand why they were not selected. Debriefings serve an important educational function for new proposers, which hopefully, will help them to improve the quality of any future proposals. Materials provided in the debriefing include a blank copy of the proposal scoring sheet used by readers, spread sheet of rankings provided to the Board of Directors, and a summary of proposal scores. (Bidders who are selected for contract negotiations are offered similar feedback during contract negotiations.) Board staff will meet with the appealing party and review (a) the proposal evaluation process or the criteria for selection of sealed bids under RFPs, RFQs or IFBs, and (b) how the appealing party's proposal or bid was scored or ranked. Bidders can gain a better understanding of the procurement process and how to improve their bids or proposals, while staff gets direct feedback to help improve future procurements.

**Step3. Written Notice of Appeal** -- If, after the debriefing, the appealing party wishes to continue with the appeals process they must submit to the Board a Notice of Appeal. This written notice must clearly state that it is an appeal and identify (a) the funding decision being appealed (i.e. specific date of RFP, RFQ or IFB, or the Board action); (b) the name, address, phone and fax number (if available) of the appealing party(ies); and (c) the grounds of the appeal. The Board President must receive the Notice of Appeal within 15 days of the date of the appealing party's debriefing, in Step 2, above. The Notice of Appeal should be emailed to [procurement@wfsdallas.com](mailto:procurement@wfsdallas.com) In the event a bidder must use mail or delivery service, please address to:

Procurement Appeal

Dallas County Local Workforce Development Board, Inc.

Ross Tower

500 N. Akard Street, Suite 3030

Dallas, Texas 75201

Written acknowledgment of receipt of the Notice of Appeal will be provided to the appealing party within five (5) working days of receipt of the Notice of Appeal. Such acknowledgment will include specific instructions for completing the appeals process and the date, time and place of the next step, **The Informal Hearing.**

**Step4. Informal Hearing –** Due to COVID19, an **Informal Hearing** will be held virtually **within 10 days of receipt of the Notice of Appeal.** The Hearings Officer will meet with the appealing party to discuss their concerns and the specific grounds of the appeal. The Hearings Officer may recommend to the Board President any appropriate actions, allowable under applicable rules and regulations and consistent with agency procurement policies, to resolve issues raised at the Informal Hearing. If the appealing party agrees, the appeal may be ended at this point.

**Step5. Request for Formal Hearing --** The appealing party, if not satisfied with the results of the Informal Hearing, must inform the Hearings Officer, in writing, no later than five (5) working days from the date of the Informal Hearing of the intent to proceed with the appeal. Within ten (10) days of receipt of this written request, the Hearings Officer will respond, in writing, to inform the appealing party of the time, date, and place of Step 6, the Formal Hearing.

**Step6. Formal Hearing --** The Formal Hearing shall be conducted within fifteen (15) days of the date of the Request for Formal Hearing. An independent hearing officer will conduct the Formal Hearing of the appeal. This hearing officer will consider the facts presented as grounds for the appeal and remedies requested. The hearing officer and staff or the appealing party may request additional information. After full review, the hearing officer will, at the next Board meeting, make its recommendation to the Board for final determination.

**Step7. The Board Decision --** The Board will render a decision no later than 60 days from the date of the Written Notice of Appeal. The Board decision shall be the final decision and end the appeals process at the local level.

In all instances, information regarding the protest/dispute will be disclosed to TWC. TWC Financial Manual for Grants and Contracts, Chapter 14, provides for limited appeals of any Board decisions:

"The Commission shall accept no protest or dispute appeal until all administrative remedies at the contractor level have been exhausted. Commission appeal review is limited to:

* Violations of federal law and regulations, and procurement standards established by federal regulations,
* Violations of State or local law shall be under the jurisdiction of State or local authorities, and
* Violations of Board's protest/dispute procedures or failure to review a protest or dispute shall be referred to such authority as may have proper jurisdiction."

**INSTRUCTIONS FOR SUBMITTING BID**

Emphasis must be placed on addressing all the requirements of this RFQ in a clear and concise manner.

The interested bidders must provide:

1. **BIDDER INFORMATION AND TOTAL QUOTE AMOUNT**
2. **QUOTE RESPONSE**

**The return documentation from each vendor should include an itemized list of all components and should include the following, pending on your bid:**

**New furnishings**

* **Total cost for project and MUST include part number, quantity, size, color/finish, and price. Please break-out the delivery/installation cost for entire project, cost should include after-hours/weekend rates, as most likely the building will require these times for installation.**
* **2D model of one office typical and 3D model of one office typical.**
* **2D floor plan of entire space to include all new furnishings (including tables/additional content like collaborative areas). PDF format.**
* **3D model of one 6 x 8 sized cubicle.**
* **3D model of one 8 x 8 sized cubicle.**

Bidders interested in receiving a copy of the CAD drawing of the North Dallas location. Please email [procurement@wfsdallas.com](mailto:procurement@wfsdallas.com) for a copy.

### AUTHORIZED SIGNATURE - The information provided in this section must be submitted with your bid otherwise will be considered non-responsive and returned.

BID SUBMISSION - Proposals must be submitted according to the instructions regarding the response deadline of this RFQ. **Regulations do not permit evaluation or consideration of proposals which are submitted after the RFQ deadline**. Any modifications or amendments to a proposal already submitted must also comply with the submittal instructions and response deadline. Any proposals or amendments delivered/received after the deadline will not be considered and will be deemed non-responsive to this RFQ and procurement process. WFSDallas is not responsible for technology issues in the submittal of proposal.

# SUBMISSION INFORMATION

***Request for Quotations (RFQ)***

***Office Furnishings***

**BIDDER INFORMATION AND TOTAL QUOTE COST**

|  |  |
| --- | --- |
| **Organization Name** |  |
| **Mailing Address (including city, state and zip)** |  |
| **Physical Address (if different)** |  |
| **Name and Title of Representative Completing Proposal** | Name       Title of Representative |
| **E-mail Address of Representative** |  |
| **Telephone Number of Representative** |  |
| **Name & Title of Designated Contact for Organization** | Name       Title of Representative |
| **E-Mail of Designated Contact** |  |
| **Telephone Number of the Designated Contact** |  |
| **Type of Organization** | Date Established |
| **Federal EIN Texas** |  |
| **Small Business** | Yes       No |
| **State Comptroller ID #** |  |
| **Certified as a historically underutilized business**  **If proposer is certified as a historically underutilized business, provide a copy of certification notice as attachment.**  **Certifying Agency** | Yes       No |
| **TOTAL QUOTE COST FOR ENTIRE PROJECT** |  |

*The information provided below must be submitted with your bid otherwise will be considered non-responsive and returned.*

**QUOTE RESPONSE**

*The information provided below must be submitted with your bid otherwise will be considered non-responsive and returned.*

**The return documentation from each vendor should include an itemized list of all components and should include the following, pending on your bid:**

**New furnishings**

1. **Total cost for project and MUST include part number, quantity, size, color/finish, and price. Please break-out the delivery/installation cost for entire project, cost should include after-hours/weekend rates, as most likely the building will require these times for installation.**
2. **2D model of one office typical and 3D model of one office typical.**
3. **2D floor plan of entire space to include all new furnishings (including tables/additional content like collaborative areas). Adobe .PDF format**
4. **3D model of one 6 x 8 sized cubicle.**
5. **3D model of one 8 x 8 sized cubicle.**

AUTHORIZED SIGNATURE

I certify that the information contained in this proposal, and any attachments are true and correct. I ensure that my organization complies with information listed below for: certification of bidder; certification of debarment, suspension, ineligibility,& voluntary exclusion lower tier covered transactions; certification regarding drug-free workplace; certification regarding lobbying; certification regarding conflict of interest; certification regarding non-discrimination; and certification regarding Texas Corporate Tax Franchise (Please note that you must indicate the certification that applies to your corporation in shaded box of the Texas Corporate Tax Franchise section below.)

**Authorized Organization Signatory**

***I certify that the information provided is accurate and true representation of the proposed services inclusive of costs. All forms submitted are considered a final bid.***

**SUBMISSION AUTHORIZATION**

**Organization Authorized Signature:**



***Certification of Bidder***

I certify that the information contained in this proposal, and any attachments are true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee of the Board, director or agent of the Board has assisted in the preparation of this proposal. I acknowledge that I have read and understood the requirements and provisions of the RFQ, and that this organization will comply with Board policies and other applicable local, state, and federal regulations and directives governing this procurement process. I also certify that I have read and understand and will comply with the RFQ terms; and furthermore, that I am authorized to sign this bid and submit it to the Dallas County Local Workforce Development Board, Inc. on behalf of my organization by authority of its governing body or owners. I authorize the Board to verify references and applicable data to conduct background checks, as necessary.

***Certification Regarding Debarment, Suspension, Ineligibility, & Voluntary Exclusion Lower Tier Covered Transactions***

I have also reviewed and certify that my organization has not been debarred in accordance with Federal Regulations, implementing [Executive Order 12549](https://www.archives.gov/federal-register/codification/executive-order/12549.html), Government-wide Debarment and Suspension, for the Department of Agriculture (2 C.F.R. Part 417), Department of Labor (2 C.F.R. Part 2998), Department of Education (2 C.F.R. Part 3485), and the Department of Health and Human Services (2 C.F.R. Part 376). I certify that neither my organization nor its principals:

1. The prospective recipients of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency, where the prospective recipient of Federal assistance funds is unable to certify to any statements in this certification, such prospective participant shall attach an explanation to this proposal;
2. Have, within a three-year period preceding this bid, been convicted of 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 grant award under a public transaction, violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are presently indicted for or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses;
4. Have had, within a three-year period preceding this bid, one or more public transactions terminated for cause or default,
5. Barred from participating in State contracts pursuant to Texas Government Code § 2155.077, as implemented by 34 TAC §§ 20.105 – 20.107; <https://comptroller.texas.gov/purchasing/programs/vendor-performance-tracking/debarred-vendors.php>; and
6. Barred from federal level using the U.S. General Service Administration’s System for Award Management (SAM) Exclusion Search Web Service (formerly the Excluded Parties List System or EPLS) accessible at <http://sam.gov>.

***Certification of Drug-Free Workplace Requirements***

*I certify that:*

A. The grantee certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace and specifying actions that will be taken against employees for violation of such prohibition.

(b) Establishing an ongoing drug-free awareness program to inform employees about -

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:

(1) Abide by the terms of this statement;

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted--

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

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

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

Place of Performance:

***Certification Regarding Lobbying Certification for Contracts, Grants, Loans & Cooperative Agreement***

I certify that:

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

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

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

***Certification Regarding Conflict of Interest***

In accordance with Governing Provisions and Limitations, I certify that:

(1) no manager, employee or paid consultant of the Proposer is a Director of the Board, the President, or a manager of the Board;

(2) no manager or paid consultant of the Proposer is a spouse to a Director of the Board, the President, or a manager of the Board;

(3) no Director of the Board, the President or an employee of the Board owns or controls more than a 10 percent interest in the Proposer;

(4) no spouse of a Director of the Board, President or manager of the Board is a manager, employee or paid consultant of the Proposer;

(5) no Director of the Board, President, or employee of the Board receives compensation from Proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;

(6) Proposer has disclosed within the Proposal any interest, fact or circumstance which does or may present a potential conflict of interest;

1. should Proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with the Board and shall immediately refund to the Board any fees or expenses that may have been paid under the contract and shall further be liable for any other costs incurred or damages sustained by the Board relating to that contract.
2. Proposer shall comply with the standards of conduct stated in the Assurances and Certifications, Section 11 Conflict of Interest and be in accordance with Texas Administrative Code, Title 40, Part 20, Chapter 802above and with the conflict-of-interest provisions in OMB UG, UGMS, FMGC, and at 40 TAC §§ 802.21(c)-(d) and 802.41, regarding any contracts awarded under this RFQ.

***Non-Discrimination and Equal Opportunity Certification***

I certify that this organization will comply with applicable Non-Discrimination and Equal Opportunity provisions set forth in Board policies and other regulations at the local, state and federal levels of governments.

***Texas Corporate Franchise Tax Certification***

Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for profit corporations that are delinquent in making state franchise tax payments. I certify that the corporation entering this contract is current in its franchise taxes.

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

*Indicate the certification that applies to your corporation:*

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

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

      Not applicable – bidder is not a corporation.