



**Region 1 Northwest Indiana WIOA Youth RFP
Jasper, Lake, La Porte, Newton, Porter, Pulaski, Starke Counties**

Request for Proposals (RFP)

for

**A Special Project funded by
Workforce Innovation and Opportunity Act (WIOA)
Youth Program**

Release Date: September 18, 2020

Turning Research, Relationships, and Resources into Results.

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Center of Workforce Innovations, Inc. (CWI)

PART I: TIMETABLE FOR REQUEST FOR PROPOSALS (RFP) FOR SPECIAL PROJECTS FUNDED BY WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) ADULT

<u>Date</u>	<u>Event</u>
September 18, 2020	Announcement and RFP Release
September 25, 2020	2:00 pm CST Deadline for Letters of Intent to Propose
September 30, 2020	Questions and Answers Posted
October 9, 2020 2:00 pm CST	Electronic Proposals Due
October 23, 2020	Recommendations presented to Board
October 26, 2020	Contract negotiations
October 31, 2020	Contract executed
November 1, 2020	WIOA youth services implemented

“Requests for Proposal Packets” may be e-mailed – tstump@cwicorp.com. If within 24 hours you have not received confirmation of receipt of your email Request or Letter, please contact our office at (219) 462-2940.

Center of Workforce Innovations, Inc.
Attn: Tamara Stump
2804 Boilermaker Court Suite E
Valparaiso, IN 46383

PART II: OVERVIEW AND PROPOSAL PREPARATION INSTRUCTIONS

A. Overview

Center of Workforce Innovations (CWI) as a 501(c)(3) and on behalf of the Northwest Indiana Workforce Board Inc. (Board) is issuing this Request for Proposal (RFP) to solicit proposals from experienced providers to design, administer, and deliver career and training services in the construction trades as a special project for youth participants ages 16 – 24. This project is funded through Workforce Innovation and Opportunity Act (WIOA). The programs, services, and activities shall be offered in the counties of Jasper, Lake, La Porte, Newton, Pulaski, Porter, and Starke in Northwest Indiana.

The funding available through this RFP for program year ending June 30 2021, is approximately \$425,000. The number of providers, contracts, and funding levels will be at the complete discretion of CWI. WIOA legislation has identified Work Experience as a critical component of program services. Therefore, a minimum of 20% of all funding requested must be spent on work experiences for Out-of-School youth.

Out-of-School

For the purposes of this RFP, Out-of-School Youth means an individual who is:

1. Not attending any school (as defined under State law both secondary and post-secondary);
2. Not younger than age 16 or older than age 24; and
3. Other eligibility as defined by WIOA.

Information pertaining to Required Activities, Participant Eligibility and other regulations for WIOA can be found at <http://www.doleta.gov/WIOA> by clicking on “About WIOA” tab.

All Programs

The selected provider(s) may have the flexibility to deliver programs and services to prepare youth for entering the construction field in any manner they deem appropriate within the constraints of the law, policies, and regulations and will be allowed to encourage innovative program designs that will meet the needs of customers.

B. Questions

Questions relating to this RFP may be submitted prior to deadline of September 29, 2020 to be made available to all interested candidates. Questions must be in writing and directed to Tamara Stump, tstump@cwicorp.com

C. Certification upon Submission

By submission of this proposal, the proposer certifies that:

1. The costs in the proposal have been arrived at independently, without consultation, communication, or agreement with any other proposer (other than if a collaborative partnership is submitting a

proposal together) or with any competitor for the purpose of restricting competition, as to any matter relating to such fees; and

2. No attempt has been made or will be made by the proposer to induce any other person or firm to submit a proposal for the purpose of limiting or restricting competition.

D. Responsive Proposals

To be considered responsive, proposals must meet the following minimum criteria:

1. A Letter of Intent to Propose must be e-mailed or mailed and received by 2:00 pm CST, September 25, 2020 at Center of Workforce Innovations, Inc., 2804 Boilermaker Court, Suite E, Valparaiso, IN 46383 Attn: Tamara Stump, Senior Associate, tstump@cwicorp.com. There is no required format for Letters of Intent specifying that your organization will be submitting a proposal for workforce services for youth ages 16 – 24 interested in the construction industry funded through the Workforce Innovation and Opportunity Act (WIOA) Youth Program. If organizations are submitting a proposal together, all organizations within the partnership must be listed and sign off the letter of intent.
2. A proposal with electronic signature must be e-mailed to tstump@cwicorp.com with an incoming timestamp of 2:00 p.m. CST or earlier on October 9, 2020. The timely delivery of a proposal is entirely the responsibility of the proposer. Proposals received after the date and time will not be accepted.
3. The proposal signature must be electronically signed by an official authorized to represent and bind the proposing agency. The person signing the proposal certifies that:
 - a. He/she **is** the person in the proposer’s organization legally responsible within that organization for the decision as to the costs being offered in the proposal and that he/she has not participated in any action contrary to Certification upon Submission, C. 1) or 2) above;

OR

- b. He/she **is not** the person in the proposer’s organization responsible for the decision as to the costs being offered in the proposal; *however*, that he/she has been duly authorized in writing, with a copy attached, to act as agent for the persons legally responsible for such decisions, and certifies that such person(s) have not participated, and will not participate, in any action contrary to Certification upon Submission, Part II. C. 1) or 2) above.
4. Proposals must be presented according to the Proposal Format set forth under Part II., Section H and contain all requested information.
5. Providing incomplete or erroneous information or omitting important information could result in disqualification of the proposal or contract termination.
6. Acceptable proposals must meet the specifications contained in this RFP and the requirements of all applicable statutes, regulations, and policies. It is the proposers’ responsibility to familiarize themselves with all applicable laws, regulations and policies. Proposers should use the relevant

information available at the following website and clicking on About WIOA:

- <http://www.doleta.gov/WIOA> - U.S. Department of Labor's Employment and Training Administration (ETA) resource page with guidance and technical assistance tools.

E. Demonstrated Ability to Perform

CWI intends to make awards to organizations possessing the demonstrated ability to perform successfully under the terms and conditions of a contract. In evaluating demonstrated ability to perform, reviewers shall take into consideration such matters as to whether the organization has:

- Adequate financial resources or the ability to sustain them in regards to serving customers;
- Ability to meet the RFP design specifications at a reasonable cost;
- Ability to meet performance goals;
- Satisfactory record (must be validated) of past performance in delivering the proposed or similar services to the targeted demographic group, including demonstrated quality of services and successful outcome rates from past programs;
- Ability to provide services that can lead to the achievement of competency standards for customers with identified deficiencies;
- Satisfactory record of integrity, business ethics, and fiscal accountability;
- The necessary organization, experience, accounting and operational controls and technical skills to perform this work; and
- Expertise with the management information system or a plan to obtain functional capability upon contract award.

F. Selection Process and Contract Award

No changes, modifications, or additions to a proposal may be made by the proposing agency after the proposal deadline unless requested by staff. Proposals will be evaluated by Proposal Review Panel comprised of CWI staff and other preselected reviewers using a formal rating sheet. Each category of the rating sheet will be numerically evaluated based on proposer's responses to questions. Cost Effectiveness will be a factor in selection criteria. Proposers should not have any communications with the Proposal Reviewers, CWI staff or Board committee members regarding proposals, recommendations or any other issues related to the RFP process. Such communication will disqualify the Proposer.

Contracts may be awarded based on offers received, without discussion of such offers with the proposers. Each offer should be submitted in the most favorable terms, from a price and technical standpoint that the proposer can make. The Board reserves the right to request additional data, oral discussion, or presentation in support of written proposals at a pre-contract meeting.

Final award of a contract will be contingent upon: successful negotiation of an agreement; acceptance by the proposer of the contract agreement terms and conditions; satisfactory verification of past performance where applicable; acceptance by the proposer of responsibility for achievement of contract goals and objectives; and availability of funding.

G. Conditions of this RFP

The cost of developing proposals in response to this RFP is entirely the responsibility of the Proposer and shall not be chargeable to CWI/Northwest Indiana Workforce Board under any circumstances. CWI on behalf of The Northwest Indiana Workforce Board reserves the right to accept or reject any or all proposals submitted, to negotiate with all qualified bidders, or to cancel in part, or in its entirety, this RFP. Issuance of this RFP does not commit an award to contract, to pay any costs incurred in advance of the execution of a contract, or to procure or contract for goods and/or services.

The following conditions are applicable to all proposals. CWI reserves the right to:

- Waive informalities and minor irregularities in proposals received.
- Not fund part or all of a proposal even though it is found to be in the competitive range if, in the opinion of CWI, the services proposed are not needed, or the costs are higher than CWI finds reasonable in relation to overall funds available, or if past management concerns lead CWI to believe the bidder has undertaken more services than it can successfully provide.
- Negotiate any and all proposed costs, staffing levels, service/activity mix, geographical locations, and all other specifics.
- Request additional data, technical or price revisions, or to request oral presentations in support of the written proposal.
- Fund a lower-ranked proposal over a higher ranked proposal because of valid policy considerations, including but not limited to geographical considerations, leveraging of outside resources, and target populations.
- Conduct a pre-award review that may include, but is not limited to, a review of the proposer's record keeping procedures, management systems, accounting and administrative systems, training facilities, and training materials.
- Use additional or de-obligated grant monies to increase the funding of successful programs.
- Change specifications and modify contracts as necessary to facilitate compliance with the legislation, regulations, and policy directives; to manage funding; and to meet the needs of the participants, as WIOA guidance may occur during this RFP process.
- End contract negotiations if acceptable progress, as determined by Board and staff, is not being made within a reasonable time frame.

H. Proposal Format and Content

Overall maximum page limit of proposal is 25 single-sided pages to include all attachments, exhibits, position descriptions, résumés, introductory pages, section dividers, charts, letters, and references except the copy of the 2019 audit. Elaborate brochures, videos, artwork, etc. are not to be included. Each proposal must be assembled as follows and provide the information requested in items 1 through 8 below.

1. Proposal Cover Sheet (Attachment A) - Provide all requested information, read the certifications in the last two paragraphs, and sign the page.
2. Organization Background and Experience - Please answer the following:
 - a) Describe your organization's governance structure, length of existence, vision, mission, and goals.

- b) Discuss in detail the proposing organization's relevant, current (within the last five years), successful experience in delivering WIOA youth services or similar services as those being proposed including:
- Examples of projects which illustrate the qualifications and experience of your organization in regards to working with WIOA youth or construction related training programs.
 - Experience in working in the service locale(s) being proposed.
- c) Please provide statistical data on prior success including number of program participants in job search activities, education/training activities (construction and non-construction), credentials, employment, and earnings (see the WIOA performance outcomes outlined below under number 5 Program Narrative Performance Objectives/Deliverables and at the WIOA Resource Page).
3. Administrative and financial management capabilities of the proposing organization(s) as it relates to the requirements for the component requested - Please include the following:
- a) Explain how program funds will be accounted for, tracked separately and how financial records will be made available for monitoring and auditing.
- b) Please include your organization's 2019 audit. (not included in page count)
- c) Providers are required to have 1% of total contract in non-grant funds to cover disallowed costs. Please either confirm that your organization has the required 1% or detail contingency plans that are in place to repay CWI in the event that there are disallowed costs.
4. Program Narrative Program Proposed, Service Strategy(s) and Objectives - Please answer the following:
- a) Provide a description of your proposed program based on serving a minimum of 50 individuals between November 1, 2020 and June 30, 2021. This description should include a level of detail sufficient to ensure a complete understanding of the proposed project including an outreach plan and how you will provide youth information on careers in construction and WIOA services such as a comprehensive assessment, development of the Individual Service Strategy, occupational skills training, work experience, on the job training, job search, case management, placement, and follow up.
- b) Describe your process for determining eligibility based on WIOA rules and regulations as part of the outreach process.
- c) Describe how you may engage youth outside of normal hours of operations.
- d) Describe how required activities, presentation of information, and assessment tools, will be provided to customers who do not speak/understand English, those who have limited English proficiency, persons with learning and physical disabilities and persons with special needs.
- e) Address the need for bilingual staffing in providing services and program activities.
- f) Describe how you will coordinate with partners in the construction industry to achieve outcomes such as training completion, certification, and placement and retention into employment. Partners may include:
Entities offering construction training, entities such as Construction Advancement Foundation and Indiana Plan, and construction apprenticeships.
- g) Describe the use of technology to deliver services and information including virtual services or online assessments

- h) Each selected provider must use the State Approved Case Management System. Describe how you plan to ensure your staff will be proficient with the case management system for data entry and tracking purposes.
- i) Indicate how many staff you will have including position titles, number of each position by location, experience levels, and relationship each position will have to scope of work outlined in your proposal.
- j) Describe the role of management staff including how they will spend their time in relationship to daily operations and staff supervision.
- k) Describe how management staff will collaborate with CWI and WorkOne management staff.
- l) Provide a staffing chart indicating positions per site/location.

5. Performance Objectives/Deliverables - Below are the Performance Outcomes for WIOA Youth established by the U.S. Department of Labor/Employment and Training Administration (USDOL/ETA) and negotiated by Region 1 with Indiana Department of Workforce Development. If more than one provider is selected, it is expected that providers will work closely together to ensure that performance is met.

- The percentage of program participants who are in unsubsidized employment or postsecondary education during the second quarter after exit from the program (77.6%);
- The percentage of program participants who are in in unsubsidized employment or postsecondary education during the fourth quarter after exit from the program (78.7%);
- Median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program (\$3,447);
- The percentage of program participants who obtain a recognized post-secondary credential, or a secondary school diploma or its recognized equivalent during participation in or within 4 quarters after exit from the program (62.5%);
- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized post-secondary credential or employment and who are achieving measurable skill gains toward such a credential or employment (48.9%)

Please respond to the following. Responses must be measurable and described in sufficient detail to ensure a thorough understanding by the proposal reviewers.

- a) How do you measure your success and the success of the customer so that results will be in line with your program objectives as well as local and state requirements?
- b) Describe how you will determine customer satisfaction.
- c) Describe how these objectives will be measured, how often and by whom.

6. Proposed Budget and Budget Narrative (Attachment B) - Please complete the budget form(s) provided. A detailed line item budget must be submitted that clearly shows the method of computation. Costs cannot already be paid by another grant and must be actual costs incurred in operating the proposed program. Please note that fines or penalties; legal fees; bad debts; union initiation fees; union dues; payments for participant memberships, dues, or subscriptions unless a requirement of a training program or necessary and reasonable condition of employment; cigarettes or alcoholic beverages; firearms or ammunition; rental deposits; purchase of goods or services illegal under any federal law or statute; or payments for real or personal property that

bears title (automobiles, homes, etc.) cannot be paid under WIOA funds. List any in-kind budget items and identify as such.

Provide a budget narrative that justifies each proposed expense in terms of its being necessary, allowable and reasonable to the delivery of services being proposed. Please include the following:

- a) List all proposed staff positions to be paid through the contract that may be awarded, indicating the percent of time each staff position will work on the proposed services to be delivered.
- b) If shared costs exist in your proposal, give an assurance that the percentage of time devoted to this proposed program is sufficient and will be maintained throughout the entire program year.
- c) If equipment is to be purchased, a full explanation must clearly demonstrate why leasing is not feasible. At the discretion of CWI, any equipment purchases will remain the property of CWI.
- d) Include only the costs for the contract period.

7. Assurances and Certifications (Attachment C)

Respond to all statements and sign the page in blue ink, certifying accuracy and accepting responsibility.

8. References - Include references for which you have operated same or similar programs. This may be included under Previous Experience and Organization Background or as a separate attachment. Proposers may include up to three (3) letters of reference/letters of support not related to CWI.

PART III. FINANCIAL REQUIREMENTS

A. Capabilities

Proposers must be able to demonstrate the administrative and financial capability to effectively and efficiently deliver the services proposed. Administrative capability includes the ability to design and implement the proposed services, manage the delivery system, conduct self-monitoring for contract compliance, measure customer satisfaction, implement a continuous improvement model, achieve the contract objectives, provide quality service delivery, keep appropriate, auditable records, and meet performance standards. Proposers must also meet fiscal reporting requirements in accordance with Generally Accepted Accounting Practices (GAAP), and show evidence of continued financial stability.

B. Staff

CWI will only reimburse personnel costs for time actually worked, and reasonable vacation, sick leave and holidays as provided for in the proposing organization's personnel policies. No other paid leaves of absence will be reimbursed.

C. Cost and Price Analysis

All proposals will be evaluated on the basis of obtaining the most cost-effective price possible while achieving the highest quality service delivery. To accomplish this, CWI shall conduct a cost and price

analysis on proposed costs during the proposal review process to ensure that the proposed costs are necessary, fair, and reasonable; to determine if the proposed costs are allowable and allocable; to determine if there is a duplication of costs with other programs; to ensure that the costs are directly associated with carrying out only the proposed services; and to ensure that the proposed costs will benefit the program.

D. Purchasing

Agencies awarded a contract under this RFP shall be required to follow the CWI's purchasing procedures or obtain approval to follow their own written procedures. If the proposer intends to procure equipment, materials, etc., from itself or an affiliated organization, it must be identified as such in the budget narrative and any profit generated from that transaction(s) must be identified in the proposal. At the discretion of CWI, all purchases with contract funds with a projected life span of over one year will remain the property of CWI. Leasing arrangements for property or staff must be competitively procured and approved during the negotiation of the contract.

E. Administration and Indirect Costs

The legislature intends for a maximum amount of funding to be used for direct client costs, therefore funding for administration is limited to 7%. CWI expects and encourages proposers to use their currently existing administrative structure at no additional cost to this service provision. Indirect costs (corporate overhead) must be a documented and "reasonable" percentage or amount as calculated by your headquarters. All costs set forth in a contract are considered programmatic in nature, including those normally known as administrative. Indirect costs will be considered in the overall picture, keeping in mind that those dollars take away from services, resources and activities.

F. Funding Period

The funding period for contracts awarded under this grant will be November 1, 2020 and continue through June 30, 2021.

G. Contract and Payment Method

Contracts are negotiated on a cost reimbursement basis. Proposers are advised that any contract awarded under this RFP may be modified to incorporate legislative and policy changes, revisions to the program design, alterations of any services and activities provided or a reduction or increase in the amount of funding available.

ATTACHMENT A

Proposal Cover Sheet

1. **This Proposal is for:** Workforce Innovation and Opportunity Act (WIOA) Adult
2. **Proposing Organization's Name:** _____
3. **Mailing Address:** _____
City/State/Zip: _____
4. **Local Street Address:** _____
City/State/Zip: _____
5. **Organization Type and Legal Status** of Organization: (Private for profit, private non-profit or governmental corporation, sole proprietorship, community based organization, etc.):

(If the organization is owned or controlled by a parent company, please specify): _____

6. Identification Numbers:

- a. Federal Employer Identification# (FEIN): _____
- b. Dun & Bradstreet (D&B) #: _____ (<http://www.dnb.com/us>)

7. Contact Personnel:

- a. Person submitting proposal:

Name: _____ Title: _____

Telephone Number: () _____ Fax Number: () _____

E-Mail Address: _____

- b. Person authorized to negotiate and sign contract if proposal is accepted:

Name: _____ Title: _____

Telephone Number: () _____ Fax Number: () _____

E-Mail Address: _____

8. Does your agency have an Affirmative Action Plan? Yes ___ No ___
9. Is your organization a drug free workplace? Yes ___ No ___
10. Does your organization agree not to use contract funds to lobby? Yes ___ No ___
11. Has your organization ever been debarred or suspended under Federal or State rulings from participating in receipt of funds under a contract or grant? Yes ___ No ___
12. Does your organization agree not to enter into contracts with subcontractors who are debarred or suspended from these transactions? Yes ___ No ___
13. Does your organization have the financial capacity and accounting system necessary for the project? Yes ___ No ___
14. Does your organization carry Workers' Compensation for its employees? Yes ___ No ___
15. Funds Requested: \$ _____

Binding Offer

I certify that as the official representative for the organization, I have read the Request for Proposals (RFP) and our attached proposal and certify that the information given herein is complete, true, and an accurate representation of my organization and the activities and/or services we are willing to provide to the Board.

I have reviewed the budget included with our proposal and attest that the line items and fees in the budget have been arrived at independently, without consultation, communication, or agreement with any other proposer or any competitor for the purpose of restricting competition and no attempt has been made or will be made by me or my organization to induce any other person, firm, or organization to submit a proposal (or not to submit a proposal) for the purpose of limiting or restricting competition.

Signature: _____

Typed Name: _____

Title: _____

Date: _____

ATTACHMENT B

BUDGET PAGE

Page 1 of 2 WIOA Youth

Proposer: _____

Workforce Innovation and Opportunity Act (WIOA) Out of School Youth Proposal

Fiscal Year July 1, 2020 – June 30, 2021 (Budget reflects November 1, 2020 through June 30, 2021)

EXPENDITURE CATEGORY	TOTAL BUDGET	METHOD OF CALCULATION
A. <u>Personnel Services</u>		
1. <u>Personnel</u> (State: Rate & % of time)		
a.		
b.		
c.		
d.		
e.		
Total Personnel Services		
B. <u>Benefits</u>		
1. a. Social Security		
b. Medicare		
c. Retirement		
d. Workers' Compensation		
e. Unemployment Compensation		
f.		
2. _____		
3. Health & Life Insurance (Renewal)		
a. Family		
b. Single		
4. _____		

Total Benefits		
Total Personnel Services & Benefits		

BUDGET PAGE
Page 2 of 2 WIOA Youth

Proposer: _____
Workforce Innovation and Opportunity Act (WIOA) Out of School Youth Proposal
Fiscal Year July 1, 2020 – June 30, 2021 (Budget reflects November 1, 2020 through June 30, 2021)

EXPENDITURE CATEGORY	TOTAL BUDGET	METHOD OF CALCULATION
C. Expenses		
1. Staff Travel		
2. Staff Training		
3. Facility Costs		
4. Supplies and Materials		
5. Communication Costs		
6. Postage, Printing, etc.		
7. Participant Work Experience		
8. Participant Occupational Skill Training		
9. Participant Supportive Services (Limit of \$1,000 Per Person)		
10. Other - _____		
11. Overhead and Indirect		
12. Profit		
Total Expenses		
Total Budget Amount (total for A, B & C)		

ATTACHMENT C

ASSURANCES AND CERTIFICATIONS

The Contractor will not award a grant where the Proposer has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under this agreement, the Proposer hereby certifies and assures that it will fully comply with the following:

- A. **Debarment and Suspension Certification (29 CFR Part 98)**
- B. **Certification Regarding Lobbying (29 CFR Part 93)**
- C. **Drug free Workplace Certification (29 CFR Part 98)**
- D. **Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 38)**
- E. **American with Disabilities Act (ADA) (29 CFR Part 32)**

By signing the agreement, the Proposer is providing the above assurances and certifications as detailed below:

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTION.

The prospective Proposer certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. 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;
3. 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 (A) (2) of this certification; and,
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

Where the prospective Proposer is unable to certify to any of the statements in this certification, such prospective Proposer shall attach an explanation to this proposal [or plan].

B. CERTIFICATION REGARDING LOBBYING.

The undersigned (i.e. Proposer) certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, 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 cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than 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, an officer or employees of Congress, or 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.
3. 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.C. 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.

C. CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS.

Pursuant to the Drug-Free Workplace Act of 1988 and its’ implementing regulations codified at 29 CFR 98, Subpart F. I, the undersigned Proposer attest and certify that the Proposer will provide a drug-free workplace by the following actions:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the Proposer’s workplace and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - a. The dangers of drug abuse in the workplace.
 - b. The policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation and employee assistance programs.
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee to be engaged in the performance of the contract be given a copy of the statement required by paragraph (C) (1).

4. Notifying the employee in the statement required by paragraph (C) (1) that, as a condition of employment under the contract, the employee will:
 - a. Abide by the terms of the statement.
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.
5. Notifying the Contractor in writing ten (10) calendar days after receiving notice under subparagraph (C) (4) (b) from an employee or otherwise receiving actual notice of such conviction. We will provide such notice of convicted employees, including position title, to every Grant officer on whose Grant activity the convicted employee was working. The notice shall include the identification number(s) of each affected contract/grant.
6. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph (C) (4) (b), with respect to any employee who is so convicted.
 - a. 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.
 - b. 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.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this entire certification.

D. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE.

As a condition to the Proposer, the Proposer assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Innovation and Opportunity Act (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participate in any WIOA Title 1B-financially assisted program or activity
2. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin in programs and activities receiving federal financial assistance;

3. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities by organizations that receive financial assistance from any federal department or agency;
4. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance; and
5. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational program or activity receiving federal financial assistance.
6. Section 504 of the Rehabilitation Act and the implementing regulations at 29 CFR Part 32 and the American with Disabilities Act (ADA), facilities and programs are accessible and usable by individuals with disabilities. Recipients must meet applicable accessibility obligations

The Proposer 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 Proposer understands that the Department of Economic Opportunity (DEO) and the United States have the right to seek judicial enforcement of the assurance.

Name and Title of Authorized Representative

Proposer Organization

Date