



**INDIANA REGION 5**  
**WORKFORCE BOARD, INC.**

**REQUEST FOR PROPOSAL  
FOR  
FISCAL AGENT SERVICES**

**PROGRAM YEARS 2010 and 2011  
July 1, 2010 – June 30, 2012**

**Released by:  
Indiana Region 5 Workforce Board, Inc.  
April 23, 2010**

**Proposals due: 4:00 p.m. EST, Friday, May 21, 2010**

**Submitted to:**  
Indiana Region 5 Workforce Board, Inc.  
Attn: Tony Cross  
2154 Intelliplex Dr.  
Shelbyville, IN 46176

**BID AND CONTRACT TIMELINE**

Request for Proposal Issued Friday, April 23, 2010

**Bidders' Conference: Friday, April 30, 2010, 1:30 p.m. EST**  
Central Indiana Regional Workforce Board  
2154 Intelliplex Dr.  
Shelbyville, IN 46176  
(317) 398-6046

Contact Bridget Montgomery, [bmontgomery@indianaregion5.org](mailto:bmontgomery@indianaregion5.org) to confirm attendance

\*Attendance at the Bidders' Conference is not mandatory but is strongly encouraged\*

**REQUIRED Letter of Intent to Bid, no later than 4:00 p.m. EST, Friday, May 7, 2010**

Deadline for submission of written questions, 12:00 p.m. EST, Wednesday, May 12, 2010

Responses to questions from proposers, no later than 5:00 p.m. EST, Friday, May 14, 2010

**Proposals due no later than 4:00 p.m. EST, on Friday, May 21, 2010**

Contract to start July 1, 2010

**REQUEST FOR PROPOSAL  
FOR  
FISCAL AGENT SERVICES  
PROGRAM YEARS 2010 and 2011  
July 1, 2010 – June 30, 2012**

<b>Date Issued</b>	Friday, April 23, 2010
<b>Bidders Conference</b>	Contact Bridget Montgomery, bmontgomery@indianaregion5.org to confirm attendance. Attendance at the Bidders' Conference is not mandatory but is strongly encouraged.
<b>Due Date</b>	Proposals must be RECEIVED no later than 4:00 p.m. (EST) on Friday, May 21, 2010. See Section VI. B. for instructions.
<b>Scope of Services</b>	See Section III. Training & Transition period will be negotiated and scheduled if a new fiscal agent is contracted.
<b>Period</b>	July 1, 2010 – June 30, 2012 (with renewal 1 year option at Regional Workforce Board's discretion)
<b>Funds Available</b>	See Section IV.
<b>Eligible Bidders</b>	Any public or private for-profit or non-profit entity that will NOT be bidding on direct delivery of services or training to customers in the local workforce area is eligible. The Workforce Board is prohibited from awarding a contract to a party "excluded from Federal procurement or non-procurement programs" by the U.S. General Services Administration.
<b>Limitations</b>	This RFP does not commit the Regional Workforce Board to award a contract, to pay any costs incurred in the preparation of a proposal to this request, or to procure or contract for services or supplies.
<b>Questions</b>	Deadline for submission of written questions, 12:00 p.m. EST, Wednesday, May 12, 2010. See Section VI.D. for instructions

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## **Section I – Introduction**

This is a Request for Proposal (RFP) for an organization to serve as the fiscal agent for the management and disbursement of Workforce Investment Act Title I funding – formula funds to provide services to adults, dislocated workers, and youth; and other state and federal funds awarded to the local workforce board area. The successful bidder will receive, disburse, and account for said funding in Economic Growth Region 5 (EGR-5) for the program years beginning July 1, 2010 and ending June 30, 2012.

For the current Program Year 2009-2010, the local workforce board area's budget is approximately \$3.1 million with approximately four service providers and vendor contracts, and approximately \$1 million allocated from the total budget to the area for Individual Training Accounts (training vouchers for individuals).

The Indiana Region 5 Workforce Board, Inc. (Workforce Board or RWB5) with the Chief Elected Official (CEO), Indiana's Governor, as represented by the Indiana Department of Workforce Development (DWD) has responsibility for the planning and oversight of workforce development services under the Workforce Investment Act (WIA) in central Indiana. WIA provides the framework for a workforce investment system guided by a local Workforce Investment Board in partnership with the CEO.

The intent of WIA is to provide training opportunities for local area residents that match the existing and future workforce needs of employers. The focus of service delivery is to provide eligible adults, dislocated workers and youth with access to career information, career assessment and, as needed, training and other career preparation that will increase opportunities for employment. Employer services include assistance with identifying individuals to fill job openings, re-employment of laid-off workers, and provision of other services and information to help employers recruit, retain, and develop their workforce.

The Regional Workforce Board will maintain all proposals received in response to this RFP on file for at least three (3) years after final close-out of the current fiscal year in the event negotiations with the selected organization cannot be finalized or in the event an organization is not able to perform. Organizations who do not submit proposal responses prior to the published deadlines will not be considered for funding. The Regional Workforce Board reserves the right to reopen the RFP at any time.

## **Section II – Roles in the Regional Workforce Board Area**

### **A. State Workforce Innovation Council (SWIC)**

The State Workforce Innovation Council (SWIC) is charged with developing opportunities for Hoosiers to gain employment and earn competitive wages. SWIC develops and implements workforce solutions based on the input of representatives and local workforce investment boards around the state.

In addition to serving as the state board, the SWIC also serves as the local board for the Balance of State workforce investment area, working collaboratively with Regional Workforce Boards representing 91 of 92 counties in Indiana.

**B. Region 5 Workforce Board, Inc.**

The Region 5 Workforce Board, Inc. is a governing board which oversees the implementation of the one-stop system and workforce development programs. The Workforce Board has a contracted staff that provides support to the Board and committees. The primary responsibilities of the Workforce Board are oversight, evaluation and planning for the area’s workforce system. The staff of the Workforce Board administers contracts with entities that provide direct customer services and reviews and approves invoices of the contractors for disbursement by the Fiscal Agent and conducts contractor fiscal and programmatic monitoring.

The Region 5 Workforce Board, Inc. is incorporated in the State of Indiana and designated as a 501(c)3 non profit by the Internal Revenue Service. Under the Workforce Investment Act the Workforce Board was designated by the Governor to serve as the Regional Workforce Board in the jurisdiction of EGR-5 of central Indiana. The Workforce Board is the grant recipient of the WIA funds.

**C. Local Elected Official (LEOs)**

The LEOs in EGR-5 are responsible for the selection and appointment of members to the Workforce Board, selecting a regional Chief Elected Official (CEO) and communicating with the Workforce Board members on operations and unemployment data. In EGR-5, at present, the regional CEO is Commissioner John Richwine of Madison County, Indiana.

**D. Regional Operator (RO)**

The RO is responsible for leading and managing the delivery of an integrated client services system in accordance with federal and state legislation and regulations, state policy, and the Indiana Strategic State Plan. Programs include, but are not limited to the following:

- Workforce Investment Act Title I Adult
- Dislocated Worker
- Youth
- Wagner- Peyser Act
- Veterans employment and training programs
- Trade Adjustment Assistance

**E. Role of the Fiscal Agent**

The selected organization will serve as the fiscal agent for WIA and other funds that are allocated to the area. The fiscal agent shall be generally responsible for the acceptance and maintenance, disbursement, accounting and reporting of WIA and all other grant funds for RWB5 during the period. The fiscal agent duties and responsibilities shall be performed for the direct benefit of RWB5 and performed in accordance with, and governed by, applicable WIA regulations. The fiscal agent work shall be performed in accordance with Workforce Board polices and procedures and in compliance with the policies and procedures of DWD.

The fiscal agent shall cooperate with and assist the Workforce Board and RO with their objectives for RWB5 as in conformity with WIA regulations. The fiscal agent has no duties or responsibilities for the oversight, management or results of any program for which funds are disbursed. The fiscal agent does not make decisions about who receives the money or approve budgets. The fiscal agent will serve as an accounts payable and receivables operation. The fiscal agent disburses the funds at the direction of the Workforce Board and RO, as long as those directives do not violate any provision of WIA or OMB Circulars or Federal Acquisition

Regulations (FAR). The federal funds will pass through the operation based on cash requests to DWD as a result of bi-weekly accruals of cash projections.

The fiscal agent, its employees, or its subcontractors may not provide WIA Title I core, intensive or training services or other direct job seeker workforce services in the area where the entity is the fiscal agent.

### **Section III – Scope of Work**

The successful bidder will serve as the fiscal agent for RWB5 and will enter into a contract agreement with RWB5. The organization will receive and manage all formula WIA funds for the area: Adult, Dislocated Worker, and Youth, as well as state reserve WIA and other federal funds allocated to the local workforce area. The organization will provide services related to grants management, general accounting and financial services, oversight for fund integrity, staff support and technical assistance.

#### **A. Detailed Scope of Work**

##### **1) Acceptance and Maintenance of WIA Funds**

- The fiscal agent shall project cash needs and request cash to coincide with timely payment to service providers.
- The fiscal agent will receive and manage all funds in compliance with applicable state, federal, Workforce Board policy, and fund specific regulations; and ensure internal controls to maintain fiscal integrity.
- The fiscal agent shall establish and maintain a separate depository for WIA funds. Fiscal agent is not required to maintain separate depositories for the various grant funds.

##### **2) Disbursement of Funds**

- The fiscal agent shall disburse WIA Title I-B funds (“Funds”) in accordance with the Workforce Investment Act of 1998, the WIA Final Regulations, published 8/11/2000 and the One-Stop financial management guide.
- Disbursements shall be made by the fiscal agent from available funds at the direction of the Workforce Board and RO within a reasonable time following receipt of complete and accurate requests for reimbursement in compliance with WIA regulations.
- The fiscal agent shall reimburse lower tier sub-recipients according to the applicable cost principles found in OMB Circular A-21, Cost Principles for Educational Institutions; A-87, Cost Principles for State, Local and Indian Tribal Governments; and A-122, and Cost Principles for Non-Profit Organizations. The OMB circulars are incorporated herein by reference and are further specified in program regulations at 29 CFR 95.27 and 29 CFR 97.22. For commercial organizations acting either as a direct grant holder or as a sub-recipient to a direct grantee, the cost principles detailed in the FAR, 48 CFR Part 31, apply.
- The fiscal agent shall disburse funds based upon original invoices or payroll records at the direction of the Workforce Board or RO.

##### **3) Accounting of Funds**

- The fiscal agent will maintain an accounting of all revenue, expenditures, program income, and applicable credits associated with the WIA funds by funding stream, for the duration of the term of its services.

- The fiscal agent will ensure that all financial procedures are in compliance with Generally Accepted Accounting Procedures (GAAP), Office of Management and Budget (OMB) policies, Code of Federal Regulations (CFR), Federal Acquisition Regulations (FAR), and any other federal or state regulatory requirements and limit risk of questioned or disallowed costs.
- The fiscal agent will implement any such type of invoicing system, or procedures deemed necessary by the Workforce Board and the fiscal agent in order to comply with its duties and responsibilities as fiscal agent.
- The fiscal agent will maintain an accounting of expenditures by expense type and service provider/vendor.
- Using up-to-date fund accounting software the fiscal agent will establish and maintain appropriate ledgers to manage obligations and expenditures of funds.
- The fiscal agent will establish procedures and processes to ensure that all amounts payable under the grant to contractors, providers of training through Individual Training Accounts and/or vendors, are paid within statutory and/or policy time frames from existing funds and that proper documentation for each claim is maintained for monitoring and audit purposes.
- The fiscal agent will establish procedures and processes to ensure that all amounts receivable or due to the local workforce area are collected and recorded on a timely basis.
- The fiscal agent will maintain a record of all financial transactions for the WIA and other funds allocated and expended in the local workforce area.
- The fiscal agent will assist with processes and procedures for invoicing, proper documentation, and reporting from contractors to the Workforce Board.
- As needed, the fiscal agent will assist with cost allocation planning, reporting, invoicing and documentation procedures and other fiscal management procedures.
- As requested, the fiscal agent will provide training and technical assistance to Workforce Board contractors on fiscal management policies, procedures and monitoring as related to the administration of contractors.

#### **4) Financial & Grant Reporting**

- To support the oversight role of the Workforce Board and the SWIC, the fiscal agent will prepare and disseminate financial reports on a monthly basis in formats prescribed by the entities to identify revenues, expenditures, accounts payable, accounts receivable, and balances and obligations, by funding stream, and lower tier sub-recipients.
- The fiscal agent will work with the Workforce Board and develop standard financial reports, accessible to the RO and run on an as needed basis.
- The fiscal agent will report on an accrual basis via the Department of Workforce Development's prescribed grantee reporting system.
- The fiscal agent will report total obligations by funding stream on a quarterly basis.
- On a monthly basis, the fiscal agent will provide the Workforce Board financial reports at the direction of the Workforce Board, its Executive Committee and its Fiscal Committee.
- The fiscal agent will coordinate with designated RO staff to ensure that the parties are informed as to the appropriate expenditure of WIA funds in conformance with Federal and State Regulations and WIA Provisions, and other rules and regulations such as OMB and FAR and that expenditures of these funds are properly and accurately accounted for.
- In a timely manner, the fiscal agent will prepare required federal and state financial reports associated with management of grant funds.

- The fiscal agent will provide reports and other assistance to the Workforce Board to monitor fiscal performance of all lower tier sub-recipients and budgets to ensure that expenditures conform to funding conditions.
- The fiscal agent will be required to prepare financial reports and grant closeouts at the direction of the funding sources.

#### **5) Recovery/Reimbursement**

- The fiscal agent shall cooperate and assist the Workforce Board and/or Grantor with the recovery of funds paid to sub-recipients subsequently disallowed.
- The fiscal agent shall reimburse the Workforce Board and/or Grantor for any funds paid to a lower tier sub-recipient and subsequently disallowed, to the extent that such disallowed funds are recovered from the lower tier sub-recipient.
- The fiscal agent agrees to cooperate and use reasonable efforts to recover disallowed funds from lower tier sub-recipients.
- In no event shall the fiscal agent be liable for any amounts in excess of the fees paid to it by the Workforce Board or for any consequential, incidental, special, or indirect damages.

#### **6) Deliverables**

- Timely processing of Workforce Board approved WIA compliant reimbursement requests;
- Accounting of grant funds by funding stream;
- Monthly financial reports; and
- Cooperation with the Workforce Board and RO toward goals and objectives of RWB5

#### **7) Scope of Work Transition**

Crowe Horwath, LLP (Crowe) currently has a contract with the DWD to carry-out the fiscal agent functions. In the event that the incumbent Crowe does not bid and/or does not win the bid:

- Crowe will work with the winning bidder for no less than 60 days to transition the systems, processes and procedures established in the local workforce area to successfully carry out the fiscal agent functions.
- The fiscal agent will budget and establish a plan with reasonable staff time to successfully transition the functions from the incumbent fiscal agent.

#### **B. Delivery of Fiscal Agent Services**

For convenience and ease of coordination between the Workforce Board and the selected organization, office space, and other necessary resources are available at the Workforce Board's administration offices. The selected bidder must supply a level of on-site presence.

The selected bidder must also participate in weekly executive management meetings, attendance at Workforce Board meetings, attendance at Workforce Board Fiscal Committee meetings, and other meetings called by the Workforce Board and DWD.

#### **Section IV. Available Funds**

There are strict limits of 10% for administrative costs under the Federal Workforce Investment Act. The fiscal agent cost is only one of those administrative costs. The Workforce Board will not put itself in the position of exceeding administrative cost limits. The Workforce Board's evaluation team will first score all proposals on a Pass/Fail basis regarding said cost.

The chart below represents the current year WIA funds allocated to the Local Workforce Area.

**Allocations for Program Year '09 and Administrative Funds  
(July 1, 2009 through June 30, 2010)**

<b>Workforce Investment Act</b>	<b>Local Workforce Area Allocations</b>	<b>Administrative Funds</b>
Adult	\$ 831,603	\$ 92,400
Dislocated Worker	\$ 1,420,411	\$ 157,824
Youth	\$ 836,018	\$ 92,891
<b>TOTAL</b>	<b>\$ 3,088,032</b>	<b>\$ 343,115</b>
Note: Additional funding from the American Recovery and Reinvestment Act of 2009 was received.		

**V. PROPOSAL CONTENT**

**A. Bidder's Background, Performance, and Organizational Stability**

Describe the bidder's background including:

1. Description of business.
2. Incorporation status and where incorporated.
3. Evidence of license to conduct business in the state of Indiana.
4. Website address or statement that the organization has no website.
5. Number of years in business and brief history of the bidder.
6. Examples of types of contracts the bidder has previously entered into, including type of contracting entity, location of the work, and general types of services provided.
7. Provide evidence of past performance and external customer satisfaction for related services.
8. Describe internal or external evaluations conducted on your organization and/or operations during the past two (2) years. Who conducted the evaluations? What were the results? What was the purpose of the evaluations?
9. Provide a list of any legal action taken against your organization, including lawsuits, injunctions or court orders.
10. A listing of the insurance and bonding requirements is included as Appendix C. Identify current/proposed insurance and bonding coverage.
11. If the entity has a board, identification of board members (this may be expressed as a link to a website that identifies board members).
12. Provide a copy of the two most recent audit reports and/or financial statements for the organization.
13. Estimate what percentage of the overall organization's work would be represented by this contract.
14. If the entity has previously acted as fiscal agent for WIA funds, provide a copy of the two most recent fiscal monitoring reports for the fiscal agent entity.
15. Organizations with an indirect cost rate must submit the most recent approved indirect cost plan.
16. Review and complete all forms listed in the Appendices. An individual authorized to sign on behalf of the bidder must sign and date all forms.

**B. Bidder's Qualifications and Staffing**

Identify the staff that will be assigned to this contract.

1. Provide an organizational chart that shows how each fits into the overall organization. If a current position(s) is vacant, describe the qualifications that will be sought to fill the position and

timetable for hiring. Note: The lead position for the fiscal agent may not be shown as vacant since these positions are too important to the selection of the contractor.

2. Indicate what the roles/titles will be of the staff assigned to this contract.

3. Provide bios or resumes of the assigned staff. Bios or resumes should include the following as appropriate to each person's planned duties under this contract.

- accounting or finance degrees and accounting certifications
- experience with automated reporting systems
- experience in budgeting, accounting and fiscal oversight
- experience in working with fund accounting and reporting systems
- identify specific accounting and reporting experience with Indiana WIA reporting system and/or other state/federal agencies and/or private sector entities
- experience with fund accounting software
- experience with complying with federal and state statutes, regulations, and policies
- specific experience with hardware and software technology
- technology maintenance experience
- experience with MS Project management
- experience in contract management
- experience in providing financial services for federal and state workforce programs

4. Identify functions that may or will be subcontracted and if the subcontractor(s) has been identified provide the background, qualifications and staffing information for subcontractor(s). If subcontractor not identified, describe the qualifications that will be sought to fill the function.

### **C. Plan of Work**

**Using the Scope of Work in this RFP as guidance**, describe the fiscal services to be provided that will ensure compliance with all federal and state statutes, regulations, and policies and generally accepted accounting principles. Describe methods and processes and provide a project plan including reference to all seven items noted:

- 1) Acceptance and Maintenance of WIA Funds
- 2) Disbursement of Funds
- 3) Accounting of Funds
- 4) Financial & Grant Reporting
- 5) Recovery/Reimbursement
- 6) Deliverables
- 7) Scope of Work Transition

### **D. References**

Provide 3 references. Include: Name of organization, name of contact person, address, phone number, email address, how this contact is familiar with the bidder's organization, and the nature of the work performed.

### **E. Resources**

Identify additional resources that the bidder's organization will bring to the contract with the Regional Workforce Board. This may include financial resources, equipment, property, intellectual properties, proprietary services or products, human and organizational resources.

## **F. Budget**

Using the Budget Information and Budget Narrative Forms in the Appendices, provide your annual operational and management budget under this contract. Provide a brief narrative to support and explain the information contained on the Budget Detail Sheet and Staffing Plan. Explain how each cost in the budget summary was determined (e.g., staff position X estimated hours per month X hourly rate).

## **Section VI – Proposal Instructions and Information**

### **A. Contracting**

The initial scope of work will be for the period beginning no sooner than June 21 for transition and training purposes only and the period beginning July 1, 2010 and ending June 30, 2012 for fiscal agent functions. The opportunity to extend beyond is at the discretion of the Workforce Board. Following the first year, the Workforce Board may extend the contract, in increments of up to twelve months, for no more than one twelve month extension, based on satisfactory performance.

The Workforce Board will use a cost-reimbursement contract. The selected contractor will be reimbursed for allowable administrative costs.

In the event that there are any reallocations or rescissions of the federal funds, the Workforce Board can increase/decrease this award for the services contained in the Scope of Work.

### **B. Proposal Deadline**

The deadline for receipt of hard copy of proposals is **4:00 p.m. EST, on Friday, May 21, 2010**. Proposals must be officially received by this deadline to be considered.

A receipt will be furnished, upon written request, to bidders who submit a proposal by mail.

Proposals delivered by hand will be provided a receipt at the time of delivery.

Proposals may be mailed via regular mail, express delivery, or hand-delivered to the following address:

Indiana Region 5 Workforce Board, Inc.  
Attn: Tony Cross  
2154 Intelliplex Dr.  
Shelbyville, IN 46176

**Faxed or e-mailed proposals are not acceptable**, although the required electronic version of the narrative and budget will be accepted via email if saved in Microsoft Word/Excel 2003 or 2007.

Proposals received after the deadline will be considered non-responsive and will not be reviewed.

### C. Procurement Timeline

The timeline for soliciting proposals, review, selection and negotiation is presented below. The dates are tentative and may be changed at the Workforce Board's discretion. All times are Eastern Standard Time (EST).

RFP released	Friday, April 23, 2010
Bidder's Conference	1:30 p.m., Friday, April 30, 2010
<b>REQUIRED</b> Letter of Intent to Bid	4:00 p.m., Friday, May 7, 2010
Deadline for submission of questions	12:00 p.m., Wednesday, May 12, 2010
Responses to questions from bidders	no later than 5:00 p.m. Friday, May 14, 2010
<b>Proposal Due Date</b>	<b>4:00 p.m., EST on Friday, May 21, 2010</b>
Proposal Review	May 24 – June 4, 2010
Bidders oral presentations, if necessary	To Be Determined
Selection approved by RFP Committee	Friday, June 16, 2010
Transition and training portion of contract, if necessary	June 21, 2010 to August 30, 2010
Fiscal Agent contract start date	July 1, 2010

### D. Bidder's Conference and Technical Assistance

A meeting to review the Request for Proposal and answer technical questions concerning this procurement is scheduled for **Friday, April 30, 2010 at 1:30 p.m.** **Attendance at the bidders' conference is strongly recommended but is not mandatory.**

Questions posed at the bidders' conference will be answered to the extent possible and allowable at that time. Any questions not answered, as well as any written questions, will be answered and provided in written format to all Bidders attending the conference and Bidders providing a Letter of Intent to Bid. The Workforce Board will accept **written questions (by letter or e-mail) until 12:00 p.m. EST on Wednesday, May 12, 2010.** All questions should be addressed to:

Indiana Region 5 Workforce Board, Inc.  
Attn: Tony Cross  
2154 Intelliplex Dr.  
Shelbyville, IN 46176

E-mail: [tcross@indianaregion5.org](mailto:tcross@indianaregion5.org)

### E. REQUIRED Letter of Intent to Bid

All potential bidders **must submit a non-binding Letter of Intent to Bid** on this RFP to the following address by **4:00 p.m., Friday, May 7, 2010.**

Indiana Region 5 Workforce Board, Inc.  
Attn: Tony Cross  
2154 Intelliplex Dr.  
Shelbyville, IN 46176

E-mail: [tcross@indianaregion5.org](mailto:tcross@indianaregion5.org)

## **F. Proposal Requirements**

1. **Format:** Proposals must be typed, may be single-spaced, and must be submitted on 8 ½ by 11-inch plain white paper. Each page of the proposal, with the exception of the cover sheet should be numbered as “page \_\_\_ of \_\_\_”, with the name of the bidder on each page. The Submission Order (see Section VI. K) should be followed.
2. **Page Limit:** The proposal narrative/business plan must be no more than 25 pages. This page limitation does not include attachments or appendices.
3. **Number of copies: One complete original**, with executed certificates (i.e. original signatures of the authorized signatory), plus **five (5) sets of Proposal Narrative and Budget Appendices**. Any proposal lacking sufficient copies may be considered non-responsive. Completeness of all copies is the sole responsibility of the bidder.
4. **Submit an electronic copy** of the narrative and budget either via email or a copy on a disk or flash drive. Receipt of this electronic copy is due at or within 2 days of submission of hard copy of proposal.
5. **Responsiveness:** Bidders that fail to follow the requirements set forth in this document regarding page limits, number of copies and format may be considered non-responsive. The Workforce Board reserves the right to reject any or all proposals at their sole discretion.
6. **Contact Information:** Bidders will be required to provide contact information for the individual(s) who can respond to questions regarding the proposal. The contact person should be the individual(s) who are knowledgeable of the proposal and who are authorized to provide information on behalf of the bidder.
7. **Proposal Narrative and Project Plan:** All information required to develop proposal narrative and Project Plan is contained in the Scope of Work and Proposal Content sections.

## **G. Additional Information & Requirements**

1. **Authorized Signatory Authority:** The bidder’s authorized signatory authority must sign all signature documents in the proposal. This individual should typically be the director, president or chief executive officer of the organization or any individual who has the authority to negotiate and enter into and sign contracts on behalf of the bidder’s organization.
2. **Subcontracting:** Intent to subcontract must be clearly identified in the proposal narrative and approval must be provided by the Workforce Board prior to contract execution. If the bidder currently subcontracts certain functions or activities and intends to do so as part of this proposal, the subcontractor must be identified and a certification included from the subcontractor attesting to their agreement to the terms of the proposal and any resulting contract. All subcontractors must have been procured and documentation supporting the procurement must be referenced.
3. **WBE and MBE participation:** Consistent with the national goal of expanding the opportunities for women-owned and minority-owned business enterprises, recipients shall be encouraged to use women- owned and minority-owned subcontractors (a company which is owned at least 50 percent by women or minority group members).

## H. Proposal Evaluation

The proposal criteria identified herein is a guideline for Bidders and reviewers; however, the final decision for contract award rests with the Workforce Board.

The Workforce Board is not required to contract with the entity receiving the highest average score as a result of the proposal review process. **Proposals evaluated with an average score below 100 of a possible 150 points will not be considered.** Proposals that do not meet minimum standards will be considered non-responsive. The Workforce Board reserves the right to contract with any bidder that falls within the acceptable point range.

### 1. Minimum standards:

- The proposal must be received by **4:00 p.m. EST on May 21, 2010** via regular mail, express mail or hand-delivery.
- **One (1) original and five (5) sets of Part A: Proposal Narrative and Budget Appendices.**
- Bidders are strongly encouraged to attend the bidder's conference at 1:30 p.m. on Friday, April 30, 2010 at the Central Indiana Workforce Board main office.
- **Bidders must submit a non-binding Letter of Intent to Bid by 4:00 p.m., EST Friday, May 7, 2010.**
- Proposals must meet the requirements contained in Section VI. F "Proposal Requirements".
- Bidders must be eligible entities as described within this RFP.
- The proposal and all signature forms contained therein must be signed by the bidder's authorized signatory authority.
- Bidders who intend to use established subcontractor(s) to provide services must include original certifications from each subcontractor attesting to their agreement to all terms of the proposal and any resulting contract and reference supporting procurement policies and documents.

### 2. Evaluation process:

An ad hoc review committee will evaluate proposals. The review committee will be made up of Local Elected Officials, Workforce Board members, and RO staff. The review committee will independently evaluate each proposal.

The scores will be aggregated with the average score recorded. The review committee will then discuss proposals and develop recommendations. The review committee may request additional information from any bidder prior to developing a recommendation for consideration by the Workforce Board.

It is possible that the Workforce Board will request that bidders make an oral presentation to the representatives of the review committee and others. If the Workforce Board elects to request oral presentations, bidders will be notified of date, time and place.

Upon conclusion of the review process, the evaluation committee will develop a recommendation to present to the Workforce Board staff for review and recommendation to the Workforce Board Fiscal and Executive Committee. The full Workforce Board will select the winning bidder based on the Fiscal and Executive Committee's recommendation.

**Evaluation Criteria:**

The proposal will be evaluated based on bidder’s responses to the information requested in Section V.

	<b>Possible Points</b>
<p><b>Bidder’s Background, Performance, and Organizational Stability</b>                      Score is based on whether bidder adequately addressed all the response items and appears to be a solid organization and extent bidder demonstrated evidence of ability to perform the functions described in their project plan.</p>	<b>30 points</b>
<p><b>Bidder’s Qualifications and Staffing</b>                      Score is based on completeness of response to the items in the instructions, quality of response, strength of experience, and demonstrated achievements/results.</p>	<b>30 points</b>
<p><b>Plan of Work</b>                      Score is based on adequacy of response to all items in the instructions, strength of approach and processes; and understanding of the work and timetables necessary to achieve compliance, performance and integrity.</p>	<b>40 points.</b>
<p><b>References</b>                      Based on review of 3 references</p>	<b>5 points</b>
<p><b>Resources</b>                      Match or non-WIA resources that the bidder brings to the workforce area, which may include in-kind services, other funding sources, products, and other resources</p>	<b>5 points</b>
<p><b>Budget (after Pass/Fail review)</b>                      Score is based on reasonableness of budget consistent with the plan of work proposed, and the thoroughness and logic of the budget narrative.</p>	<b>40 points</b>
<b>Total</b>	<b>150 points</b>

**I. Governing Provisions and Limitations**

**Violation of any of the following provisions may cause a proposal to be rejected:**

1. The Workforce Board is not liable for any cost associated with responding to this RFP and will not authorize such costs as part of the contract with the selected organization.
2. The Workforce Board reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part, or its entirety.
3. The Workforce Board reserves the right to award a contract for any items/services solicited via this RFP in any quantity the Workforce Board determines is in its best interest.

4. The Workforce Board reserves the right to correct any error(s) and/or make changes to this solicitation as it deems necessary.
5. The Workforce Board reserves the right to negotiate the final terms of any and all contracts or agreements with bidders selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended in order to successfully meet the needs of the workforce development area.
6. The Workforce Board reserves the right to contact any individual, organization, employer or grantees listed in the proposal, 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 any and all bidders.
7. The Workforce 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 available or received from the U.S. Department of Labor, Indiana Department of Workforce Development or other funding sources or due to legislative changes.
8. Bidders shall not under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the Workforce Board for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
9. No employee, officer, or agent of the Workforce Board shall participate in the selection, award or administration of a contract supported by workforce development funds, if a conflict of interest, or potential conflict, would be involved.
10. Bidders shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause a bidder's bid to be rejected.
11. All proposals submitted must be an original work product of the bidder.
12. The contents of a successful proposal may become a contractual obligation if selected for award of a contract. 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 bidder as a basis for release of proposed services at the stated price/cost. Any damages accruing to the Workforce Board as a result of a bidder's failure to contract may be recovered from the bidder.
13. A contract with the selected bidder may be withheld, at the Workforce Board's sole discretion, if issues of contract or questions of non-compliance, or questioned/disallowed costs exist, until such issues are satisfactorily resolved. The Workforce Board may withdraw award of a contract if the resolution is not satisfactory to the Workforce Board.

## **J. Administrative Requirements and Procedures**

**The following administrative requirements and procedures should be carefully reviewed prior to development of a proposal.**

1. It is the Workforce Board's intent to award only **one (1)** contract under this RFP.
2. The successful bidder will be required to maintain automated and paper records for fiscal management, property, procurement, plans, policies and procedures, monitoring results, internal and external evaluations, and audits. In the event the contract is not renewed or is terminated, the current contractor agrees to provide any and/or all of the identified records to the Workforce Board.
3. The successful bidder agrees to comply with the Workforce Board and DWD policies related to information technology, the State's WIA registrant tracking system, and other possible sites and/or tracking and management tools.

4. The successful bidder agrees to keep and hold all Proprietary Information disclosed by the Workforce Board, WorkOne partners, affiliates, customers, or vendors of the Workforce Board in strict confidence and trust. Proprietary Information being that information of a confidential or secret nature, which includes, but is not limited to, marketing plans, product plans, business strategies, financial information, forecasts, human resource information, and customer lists.

5. The successful bidder acknowledges that for any product and/or deliverable provided as part of the contract, the successful bidder warrants that it created said product/deliverable and that the successful bidder has full power and authority to transfer ownership of same without the consent of any other party and that any product and/or deliverable is delivered free of any rightful claim of any third party by way of infringement or otherwise, arising from or related to the claimed rights in any product and/or deliverable. Any product produced by WIA funding that generates revenue is program income as defined by WIA Section 195 (7)(A).

## **K. Submission Order**

The proposal should be submitted in the order listed below. A proposal checklist is included as **Appendix B** to assist Bidders in submitting a complete proposal.

### **Proposal Cover Sheet – Appendix A**

### **Proposal Checklist – Appendix B**

#### **Part A: Proposal Narrative**

1. Bidders' Background, Performance and Organizational Stability
2. Bidders' Qualification and Staffing
3. Plan of Work
4. References – minimum of 3
5. Resources
6. Budget
  - a. Budget Information and Staffing Plan (Appendix E)
  - b. Budget Narrative (Appendix F)

#### **Part B: Assurances, Statutes and Certifications**

1. Certificate of Insurance (Appendix C)
2. Administrative and Financial Management Survey and Certification (Appendix D)
3. Non-Collusion Affidavit (Appendix G)
4. Assurances & Certifications (Appendix H)

Interested parties may obtain additional information about the Workforce Investment Act, including the law, regulations, policies and other documents and resources through the following websites:

[www.dwd.in.gov](http://www.dwd.in.gov)  
[www.doleta.gov](http://www.doleta.gov)  
[www.whitehouse.gov/omb/](http://www.whitehouse.gov/omb/)  
<http://www.acqnet.gov/far/>  
[www.nawb.org](http://www.nawb.org)

**APPENDICES ATTACHED**

**Appendix A Proposal Cover Sheet**

**Appendix B Proposal Checklist**

**Appendix C Certificate of Insurance**

**Appendix D Administrative and Financial Management Survey and Certification**

**Appendix E Budget Information and Staffing Plan**

**Appendix F Budget Narrative**

**Appendix G Non-Collusion Affidavit**

**Appendix H Assurances and Certifications**

APPENDIX A – Proposal Cover Sheet

**Indiana Region 5 Workforce Board, Inc.**  
2154 Intelliplex Drive  
Shelbyville, IN 46176

**Fiscal Agent Services for Region 5 Workforce Board, Inc.**

Name of Agency Federal Employer ID

Address – Administrative Address – Other

Contact Person Telephone

Fax Number Email address

Proposed Costs:

Project Name and Brief Description

Type of Organization ( ) Public Agency ( ) Private Nonprofit Corporation  
( ) Private for Profit Corporation ( ) Other \_\_\_\_\_

Agency Statement of Certification  
This proposal was prepared independently without consultation, agreement or cooperation with any other proposing agency or party to determine a competitive cost for the services offered. This proposal has been duly authorized by the governing body of the bidder. The applicant will comply with all rules and regulations of the funding agency and will revise this proposal, if necessary.

_____ Authorized Signer's Name Typed	_____ Authorized Signature
_____ Authorized Signer's Title	_____ Date Signed

## APPENDIX B - Proposal Checklist

All proposals must meet the following technical specifications

- Typewritten on 8 ½ by 11 unruled paper, single sided
- Font size of 12 point
- 1 inch side, top and bottom margins
- Pages numbered consecutively at the bottom of the page (page \_ of \_)
- Proposal Cover Sheet – Appendix A
- Proposal Checklist – Appendix B
- Proposal Content
  - Bidder’s Background, Performance and Organizational Stability
  - Bidder’s Qualifications and Staffing
  - Plan of Work
  - References – minimum of 3
  - Resources
  - Budget (Appendix E and F)
- Audit or financial statement is provided
- The audit was not qualified and references have indicated that there were no fiscal concerns
- Internal and external evaluations for current and prior two years
- Legal action history against organization for current and prior two years
- Bidder can support the services without any advances
- Insurance certification form submitted and signed – Appendix C
- Administrative and Financial Management Survey and Certification submitted and signed – Appendix D
- Non-Collusion Affidavit – Appendix G
- Assurances and Certifications submitted and signed – Appendix H
- The original proposal and all signature forms are signed by the bidder’s authorized signatory authority and one (1) original and five (5) sets of Proposal Narrative and Budget Appendices.
- Electronic copy of narrative and budget
- Where the use of an established subcontractor(s) is proposed, original certifications from each subcontractor attesting to their agreement to all terms of the proposal and any resulting contract and reference supporting procurement policies and documents are included
- Bidding organization submitted a Letter of Intent to bid by the deadline
- Proposal submitted by the deadline

**APPENDIX C – Certificate of Insurance**

The bidder understands that if selected they are required to maintain public liability, casualty and auto insurance in sufficient amount to protect the Workforce Board from liability for acts of the bidder and risks and indemnities assumed by the bidder.

The bidder understands that if selected they must have the minimum coverage:

For General Liability, \$1,000,000 per occurrence, as well as any required coverages by the Indiana Department of Workforce Development and/or the US Department of Labor.

The bidder understands that if selected they are required to carry Worker’s Compensation Insurance in amount required by law.

The bidder understands that if selected they are required to provide to the Workforce Board copies of certificate of insurance evidencing the coverage described.

The undersigned hereby assures and certifies that they understand and comply with the terms of the Certificate of Insurance set forth by the Workforce Board or where not accepted the following itemized exceptions are proposed.

---

Signature                      Name and Title of Authorized Representative                      Date

---

Name of Applicant Organization

**APPENDIX D - Administrative and Financial Management Survey and Certification**

- The bidder has demonstrated that it has the necessary administrative capability and fiscal responsibility needed to provide Fiscal Agent Services.
- The bidder understands and has the capacity to perform the services proposed until reimbursement or payment has been made. The Workforce Board will not provide advances.
- The bidder understands and has the fiscal capacity to pay for non-approved costs and for audit disallowances.
- The bidder understands that all costs including salaries are subject to negotiation as a part of the contracting process. The Workforce Board will compare salaries and other costs proposed with costs and salaries for similar positions and responsibilities within Economic Growth Region 5 in arriving at reasonable costs negotiated.
- Has the proposing organization ever filed a petition in bankruptcy? No Yes If yes, provide explanatory information.
- Has the proposing organization ever had to pay back funds to a funding source or the federal government? No Yes If yes, please explain.
- Does the proposing organization have the facilities to maintain the records for a minimum of 5 years? No Yes
- Is the proposing organization combining funds or other available resources with the funds requested under this proposal? No Yes If yes, explain.
- Does proposing organization have other funding sources? No Yes If yes, please explain.
- What is the proposing organization's main source of income?

Corporate Information:

- Is bidder a corporation? No Yes If yes, what is the corporation's state of incorporation?
- Is the corporation registered to do business in the State of Indiana? No Yes
- Is the corporation a subsidiary or wholly owned corporation of another corporation?
- If the corporation is a wholly owned or subsidiary corporation has the information provided regarding the corporations fiscal references been provided for the corporation applying for funding? No Yes
- Has the subsidiary/wholly owned corporation provided a copy of their annual financial statement? No Yes
- How long has the subsidiary or wholly owned corporation been in business?
- Have any of bidder's officers been indicted or convicted of a crime involving fraud, embezzlement, theft, or conversion? No Yes If yes, explain.

The undersigned certifies that no representative of the corporation has exerted any undue influence on the procurement process, violated any federal or state procurement, conflict of interests or ethics law in seeking funding under this Request for Proposals:

---

		Date
Signature	Name and Title of Authorized Representative	

---

Name of Applicant Organization

**APPENDIX E – Budget Information and Staffing Plan**

Budget Summary: Provide a line item budget for all costs required to implement the work plan effectively; provide a Budget summary in the format that follows. Provide a separate line item budget for the time and costs associated with the transition of functions and systems from the incumbent fiscal agent.

Staffing Plan: List all staff to be funded under this Proposal.

<b>Budget Item</b>	<b>Proposed WIA Costs</b>	<b>Match Costs</b>	<b>Total Cost</b>
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- Personnel**
- A. Salaries & Wages**
  - B. Fringe Benefits**
  - C. Consultants & Contracting**

- Non Personnel**
- A. Space**
  - B. Rent, lease or purchase  
equipment**
  - C. Consumable Supplies**
  - D. Travel**
  - E. Telephone**
  - F. Other Costs**

**Total**

Staff Position	Staff Name	Hourly Rate	Estimated Number of hours

## **APPENDIX F – Budget Narrative**

Provide a brief narrative to support and explain the information contained on the Budget Information and Staffing Plan. Explain how each cost in the budget summary was determined (e.g., staff position X estimated hours per month X hourly rate).

The budget narrative must describe all costs associated with implementing the project that are to be covered with the grant funds. New entities bidding on this project must identify reasonable staff time and costs associated with the transition from the incumbent provider – estimated start date of June 21, 2010.

All costs should be necessary and reasonable according to the Federal guidelines set forth in the "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," (also known as the: Common Rule") codified at 29 CFR Part 97 (97.22), and "Grants and Agreements with Institutes of Higher Education, Hospitals, and Other Non-Profit Organizations" (also known as OMB Circular A-110). Codified at 29 CFR Part 95 (95.27).

### **Personnel**

- Salaries, fringe benefits and related expenses necessary to carry out the functions defined in the work plan.

### **Non-Personnel**

- Travel expense related to the work plan.
- Communication, facilities, supplies and equipment expenses associated with implementation of the work plan.
- Other reasonable costs associated with implementation of the work plan.

**APPENDIX G - Non-Collusion Affidavit**

State of Indiana

County of \_\_\_\_\_

The respondent is hereby giving oath that it has not, in any way, directly or indirectly, entered into any arrangement or agreement with any other respondent or with any officer or employee of the Region 5 Workforce Board, Inc. whereby it has paid or will pay to such other respondent or officer or employee any sum of money or anything of real value whatever; and has not, directly or indirectly, entered into any arrangement or agreement with any other respondent or respondents which tends to or does lessen or destroy free competition in the letting of the agreement sought for by the attached response; that no inducement of any form or character other than that which appears on the face of the response will be suggested, offered, paid, or delivered to any person whomsoever to influence the acceptance of the said response or awarding of the agreement, nor has this respondent any agreement or understanding of any kind whatsoever, with any person whomsoever, to pay, deliver to, or share with any other person in any way or manner any of the proceeds of the agreement sought by this response.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Print of Type Name

Subscribed and sworn to me this day \_\_\_\_ of \_\_\_\_\_

\_\_\_\_\_  
Notary Public

County of

Commission Expiration Date

## APPENDIX H - Assurances and Certifications

Workforce Investment Act (WIA) recipients are obligated to maintain the following assurance for the period during which WIA Title I financial assistance is extended as stated in 29 CFR 37.21. Each request for proposal, proposal and application for financial assistance under WIA Title I shall contain the following assurances as required by 29 CFR 37.20.

“As a condition to the award of financial assistance from the Department of Labor under Title I of WIA, the recipient assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the WIA, 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 WIA 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 or national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against individuals with disabilities; the Age Discrimination Act of 1975, as amended, which prohibits discrimination on the bases 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 recipient also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the recipients operation of the WIA Title I-financially assisted program or activity, and to all agreements the recipient makes to carry out the WIA Title I-financially assisted program or activity. The recipient understands that the United States has the right to seek judicial enforcement of this assurance.

**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), Department of Health and Human Services (45 CFR Part 76).

### **The undersigned applicant certifies that neither it nor its principals:**

- (1) Are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
- (2) Have not within a three-year period preceding this application 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 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 for or otherwise criminally or civilly charged by a governmental entity with commission of any of the offenses enumerated in Paragraph (2) of this section; and

- (4) Have not within a three-year period preceding this application had one or more public transactions terminated for cause or default.

**Nondiscrimination:** The undersigned applicant certifies that it shall comply with the nondiscrimination provisions outlined in the WIA of 1998 including Title I, Sec. 184 (f) and Sec. 188 (a); 20 CFR 667.266 (a) and 45 CFR 80 and 84.

**Conflict of Interest:** The undersigned applicant certifies that:

- (1) No manager, employee or paid consultant of the Proposer is a member of the Board of Directors, or an employee of the Board;
- (2) No manager or paid consultant of the Proposer is married to a member of the Board of Directors, or an employee of the Board;
- (3) No member of the Board of Directors, or an employee of the Board owns or has any control in the Proposer's organization;
- (4) No spouse of a member of the Board of Directors, or employee of the Board receives compensation from Proposer for lobbying activities;
- (5) Proposer has disclosed within the proposal response any interest, fact or circumstance which does or may present a potential conflict of interest;
- (6) 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 relations to any contract with the Board and shall immediately refund 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.

**Lobbying:** This certification is required by the Federal Regulations, Implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned applicant certifies 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 any officer or employee of Congress, or an employee of a Member of Congress, or locally elected officials.
- (2) 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.

- (3) 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, any officer or employee of Congress, an employee of a Member of Congress, or locally elected officials in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (4) The undersigned shall require that the language of this certification be included in the award 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 provide disclosure accordingly.

**Drug-Free Workplace:** This certification is required by the Federal Regulations, Implementing Section 5150-5160 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 Part 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

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

- (a) Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;
- (b) Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations in the workplace;
- (c) Providing each employee with a copy of the Contractor's policy statement;
- (d) Notifying the employees in the Contractor's policy statement that as a condition of employment under this contract, employees shall 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;
- (e) Notifying the Commission within ten (10) days of Contractor's receipt of a notice of a conviction of an employee; and,
- (f) Taking appropriate personnel action against an employee of violating a criminal drug statute or require such employee to participate in drug abuse assistance or a rehabilitation program.

These certifications are material representations 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.

**WIA Sec. 184 (f): Discrimination Against Participants:** -- If the Secretary determines that any recipient under WIA Title I has discharged or in any other manner discriminated against a participant or against any individual in connection with the administration of the program involved, or against any individual because such individual has filed any complaint or instituted or caused to be instituted any proceeding under or related to WIA Title I, or has testified or is about to testify in any such proceeding or investigation under or related to WIA Title I, or otherwise unlawfully denied to any individual a benefit to which that individual is entitled under the provision of WIA Title I or the Secretary's regulations, the Secretary shall, within 30 days, take such action or order such corrective measures, as necessary, with respect to the recipient or the aggrieved individual, or both.

**WIA Sec. 188 (a):**

- (1) Federal financial assistance.** -- For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.
- (2) Prohibition of discrimination regarding participation, benefits, and employment.** -- No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under Title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.
- (3) Prohibition on assistance for facilities for sectarian instruction or religious worship.** -- Participants shall not be employed under WIA Title I to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing service to participants).
- (4) Prohibition on discrimination on basis of participant status.** -- No person may discriminate against an individual who is a participant in a program or activity that receives funds under WIA Title I, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.
- (5) Prohibition on discrimination against certain non-citizens.** -- Participation in programs and activities or receiving funds under WIA Title I shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and

parolees, and other immigrants authorized by the Attorney General to work in the United States.

**20 CFR §667.266 (a): WIA Title I funds may not be spent on the employment or training of participants in sectarian activities.**

**Further, the undersigned applicant certifies that it shall comply with the provisions outlined by the U.S. Department of Health and Human Services (45 CFR 80 and 84).**

With regard to Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), the provider agrees to comply with the implementing regulations that require that each program of training services, when funded in all or in part with federal funds, shall be accessible to qualified individuals with disabilities. The provider further agrees to meet all applicable requirements regarding facility access.

By signing, the applicant certifies that it will comply with all other regulations implementing the laws cited above. This assurance applies to the applicant's operation of the WIA Title I - financially assisted program or activity, and to all agreements, the applicant makes to carry out the WIA Title I-financially assisted program or activity. The applicant understands that the United States, Indiana Department of Workforce Development, and the Board have the right to seek judicial enforcement of this assurance. NOTE: WIA non-discrimination regulations are published at 29 CFR 37.

**Documentation of Financial Stability:** The undersigned applicant certifies that it shall comply with the Indiana Department of Workforce Development with regard to providing documentation of financial stability. As part of their local application requirements, the Board is to specify its local protocol for documentation and submission requirements.

**Reporting Requirements:** The undersigned applicant certifies that it shall comply with the provisions of Sec. 122 of the Workforce Investment Act of 1998 and the reporting and procedural requirements issued by the Indiana Department of Workforce Development.

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

**The undersigned Authorized Representative of the applicant herein certifies that the statements above pertaining to Debarment, Suspension and Other Responsibility Matters; Nondiscrimination; Conflict of Interest; Education Standards and Procedures; Documentation of Financial Stability and Reporting Requirements are true and correct as of the date of submission. This does not preclude the Board from requiring additional assurances as part of the local application requirements.**

**Further, the Authorized Representative acknowledges that if the information given to the Board by the applicant causes harm to a third party, then applicant will be held liable for any Board action resulting from reliance on that information.**

**The applicant must notify the Board in writing if the authorized signatory changes.**

**Certified by:**

---

**Signature of Authorized Official**

---

**Typed/Printed Name of Signatory**

---

**Signatory's Official Title**

---

**Proposer's Name**

**Date:** \_\_\_\_ / \_\_\_\_ / \_\_\_\_ (mm/dd/yyyy)