

# Insurance Brokerage Services

## REQUEST FOR PROPOSAL

**Madera County Workforce Investment Corporation  
2037 West Cleveland Avenue  
Madera, CA 93637  
(559) 662-4500**

|   |                   |
|---|-------------------|
| Issue Date  | December 17, 2018 |
| Deadline for Submissions  | January 31, 2019  |
| Jessica Roche, Fiscal Manager<br>E-mail: <a href="mailto:jroche@maderaworkforce.org">jroche@maderaworkforce.org</a><br>Fax: (559) 673-1794  |                   |
| <b>Technical Assistance:</b><br>Written questions only, except for oral questions at bidders' conference. For fastest service, please use e-mail or fax. Questions and answers will be available to bidders' by e-mail or for pick up at the Workforce Development Board of Madera County. Questions may not be answered in the order received. |                   |

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# Insurance Brokerage Services application for the Madera County Workforce Investment Corporation

## **DEADLINE AND TIMEFRAME FOR INITIAL SUBMISSION**

An original proposal, five (5) hard copies of each proposal, and one (1) electronic copy on a CD-Rom or USB flash drive (Microsoft Word or Excel format as appropriate) of each proposal must be submitted in a sealed container, labeled on the outside with the name of your agency and the proposed activity. **Proposals not in a sealed package will be rejected.**

The original must be marked as "Original" and must bear the actual "wet" signature(s), in **blue ink**, of the person(s) authorized to sign the proposal. An agency representative who has contract binding authority must sign the proposal. All costs shall remain firm for at least 60 days from the closing date for submitting proposals.

All proposals must be received in the administrative office of the Madera County Workforce Investment Corporation (MCWIC) on or before **4:00 p.m., January 31, 2019.** Send or deliver to:

Jessica Roche, Fiscal Manager  
Madera County Workforce Investment Corporation  
2037 West Cleveland Avenue  
Madera, CA 93637

This deadline applies to all methods of submittal, whether hand-delivered or mailed, to the MCWIC administrative office. **NOTE:** Faxed copies of proposals will **NOT** be accepted. Deposit of a proposal into the mail, or delivery to a different person or address, **does not** constitute proposal submission unless the proposal is, in fact, received and stamped by the MCWIC administrative office on or before the deadline. Persons who hand-deliver proposals will be issued a receipt. Late proposals will not be accepted. The MCWIC reserves the right to determine the timeliness of all proposal submissions. Timely submission of proposals is the sole responsibility of the bidder.

Technical assistance questions must be submitted in writing only. All questions should be directed to Jessica Roche, Fiscal Manager, at the address listed above, via facsimile to 559-673-1794, or via e-mail to [jroche@maderaworkforce.org](mailto:jroche@maderaworkforce.org).

The deadline for submission of questions is **4:00 p.m. on January 15, 2019.** All questions will be answered in writing only via email and will be posted on our website at [www.maderaworkforce.org](http://www.maderaworkforce.org). Questions may not be answered in the order they are received.

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Tracie Scott-Contreras, Interim Executive Director

| <b>Competitive Procurement Time Table</b> |   |                          |             |  |
|---|---|--------------------------|-------------|--|
| <b>Activities</b>                         |   | <b>Responsible Party</b> | <b>Date</b> | <b>Time/Place</b>  |
| 1   | Release of Request for Proposals            | MCWIC Staff              | 12/17/18    | By 5:00 pm<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637  |
| 2   | Mandatory Bidders' Conference               | MCWIC Staff              | 12/19/18    | At 10:00 am<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637 |
| 3   | Deadline for Submission of Questions        | Bidder                   | 1/15/19     | By 4:00 pm<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637  |
| 4   | Submission of Proposal                      | Bidder                   | 1/31/19     | By 4:00 pm<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637  |
| 5   | Panel Review for Responsiveness and Quality | MCWIC Staff              | 2/20/19     | MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637                |
| 6   | Board Review & Award Recommendation         | MCWIC Board              | 2/28/19     | By 5:00 pm<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637  |
| 7   | Preliminary Award Announcement              | MCWIC Staff              | 3/8/19      | By 5:00 pm<br>Posted on Website/email                              |
| 8   | Written Protest Due                         | Bidder                   | 3/22/19     | By 5:00 pm<br>MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637  |
| 9   | Protest Hearing – If Necessary              | MCWIC Executive Director | TBD         | TBD  |
| 10  | Award of Contract                           | MCWIC                    | 3/28/19     | By 5:00 pm<br>Posted on Website/email                              |
| 11  | Contract Negotiations                       | MCWIC Staff              | By 4/1/19   | MCWIC<br>2037 W. Cleveland Ave.<br>Madera, CA 93637                |

## **SECTION I: INTRODUCTION**

### **A. Request for Proposals Overview**

The MCWIC is seeking an experienced, responsible, capable and professional firm to serve as the Property & Casualty Insurance Consultant/Broker of Record. The broker will work directly with the MCWIC on all renewal strategies, placements, and serve in an advisory capacity for claims. The successful broker will assume immediate responsibility for marketing the various insurance placements and providing services that insure that MCWIC is being serviced at the highest level of quality while employing an expected level of fiscal responsibility. Proposals will be evaluated to ascertain which proposer best meets the needs of MCWIC.

### **B. Selection of Vendor**

The primary consideration in selecting a broker to deliver services will be an evaluation of the applicant's past experience in providing the services being requested, or similar services, cost reasonableness (if applicable) and administration and oversight of such services.

All proposals will receive equal consideration and determinations will be based upon the applicant's history and experience in providing the proposed services outlined in Section II - Scope of Services.

Selection of vendor documentation will be held in compliance of procurement standards outlined in the Office of Management and Budget 2 CFR 200.318-323, et seq.

The bidder must comply with all federal, state, and local laws applicable to its business and remain in compliance throughout the term of service under this RFP. The broker will maintain, in full force and effect, all policies, certification and licensures applicable to its business from the submission of the bid through the term of the service.

### **C. Term of Services**

The term of the services will be from April 1, 2019 to June 30, 2020, with options for up to four (4) additional years of services, for a term not to exceed five (5) years.

Approval of the vendor services contract is contingent upon final MCWIC approval, and continued funding from the United States Department of Labor and the State of California.

### **D. Solicitation**

The MCWIC reserves the right to extend the submission deadline if such action is in the best interest of the MCWIC. In the event the deadline is extended, bidders have

the right to revise their proposals.

The MCWIC reserves the right to make changes to the policies contained in this RFP based on changes and/or clarifications in the regulations, state legislation, local policy, or other guidance provided by the state or federal government.

The MCWIC makes no representation that any contract will be awarded to any offer responding to this RFP.

The MCWIC reserves the right to request additional information or documentation.

Proposals shall be reviewed and rated as submitted. The bidder may make no changes or additions after the deadline for receipt of proposals.

The MCWIC reserves the right to verify all information in the proposal. If the information cannot be verified, and if the errors are not willful, the MCWIC reserves the right to reduce the rating points awarded.

This RFP was developed pursuant to 20 CFR Part 679, et al, the Workforce Innovation and Opportunity Act Final Rule, and the Workforce Innovation and Opportunity Act of 2014.

#### **E. Issuing Broker/Authorized Contact**

This RFP has been issued by the MCWIC. The authorized representative of the MCWIC shall be the bidder's sole point of contact with regard to this RFP, its content, and all issues concerning it.

Contact information for the authorized representative for this RFP is identified on page 3. This person will be the primary point of contact for discussion or information pertaining to this RFP. Contact with any other MCWIC staff or board members for the purpose of discussing this RFP, its content, or any other issue concerning it, is prohibited unless approved by the authorized representative. Violation of this clause, by the bidder having unauthorized contact (verbally or in writing) with such other MCWIC staff or board members, may constitute grounds for rejection by the MCWIC of the bidder's proposal.

The above stated restriction on bidder contact with MCWIC staff or board members shall apply until the MCWIC has awarded and signed a contract with a provider of service(s).

#### **F. Technical Assistance**

Request for technical assistance may be made only in writing, either by U.S. Mail, fax at (559) 673-1794 or **preferably by e-mail to [jroche@maderaworkforce.org](mailto:jroche@maderaworkforce.org)**.

The MCWIC advises that prospective bidders should periodically check the MCWIC

website [www.maderaworkforce.org](http://www.maderaworkforce.org) for modification to the bid documents or questions and answers (Q&A) issued relating to this RFP.

**It shall be the bidder's sole responsibility to inquire as to whether any Q&A and/or addenda to this RFP have been issued.**

#### **G. Best Value Evaluation Process**

Cost is an important factor in the evaluation process, but the MCWIC is not obligated to accept the lowest cost response. At the MCWIC's discretion, considerations other than price may factor into a decision as to which services (and product, if applicable) provide the best value to the MCWIC. Such considerations may include:

- Qualifications of key staff
- Relevant project experience
- Environmental considerations
- Value added services
- Any other relevant factors listed in the solicitation

#### **H. Proposal Review and Evaluation Process**

The proposal review process will include the following activities to ensure the MCWIC procurement system meets required standards:

1. Awards are to be made to bidder(s) possessing the demonstrated ability to perform successfully under the terms and conditions of this proposal.
2. Bidders may be invited, at the discretion of the MCWIC, to answer specific questions; general presentations will not be permitted.
3. All proposals will be reviewed, scored and ranked. The selection of a proposal is to be made through a two (2)-phase process.
  - a. Phase I: MCWIC staff will initially evaluate each proposal for acceptability, with emphasis placed on responsiveness to the RFP specifications and to the degree to which the proposal meets the format specifications outlined in Section IV of this RFP.

**Note: proposals that do not conform to the format identified in this RFP may not be considered for award.**

- b. Phase II: A rating team will evaluate for acceptability all proposals forwarded from MCWIC staff for consideration, with emphasis placed on the proposal's ability to meet the requested performance and costs that are reasonable, allowable, necessary, and competitive as measured by the review of the cost structure and in comparison to all other proposals. All proposals will be scored on a 100- point scale and must receive a minimum rating of 70 points to be considered for funding.

## **I. Rating Criteria**

Proposals will be evaluated on the following technical criteria:

### **Experience and Qualifications**

This category will evaluate the bidder's experience in providing the requested services, or similar services.

- a. Overview of business, background information, including date established;
- b. Capabilities and experience in providing the requested services, or similar services;
- c. Experience in working with other non-profit/social service agencies;
- d. Quality of past or present services performed by the broker (to be rated by one of the brokers references).
- e. Willingness of the broker to perform and obtain competitive pricing for reference on a year-to-year basis (to be rated by one of the broker's references)
- f. Broker Fee(s)

In the event there is a tie between two (2) or more bidders and at least one (1) of the bidders is a local business, the contract will be awarded to the local business. A local business is defined as a business that has a physical location in Madera County.

Funding recommendations will be presented to the MCWIC Board for award consideration. The MCWIC Board will make all final decisions.

## **J. Failed Competition**

The MCWIC reserves the right to reject any or all proposals when they are not responsive to the specifications of this RFP. Competitive negotiation requires that at least three (2) responsive proposals for the same scope of services be received in response to this RFP. A competition is considered failed if two (1) or less responsive proposals are received, or if two (1) or less proposals received the minimum 70 point required score. If a competition has been declared failed, the MCWIC then has the option to re-compete the procurement or enter into a sole-source procurement.

## **K. Appeals Process**

If a bidder has submitted a proposal and is not recommended during the review process, the bidder may appeal the recommendation to the MCWIC. Appeals may not dispute the particular score received by the petitioning bidder, or the scores assigned to a competing bidder. The scores given by the rating panel are final and are not subject to question by an appealing bidder. An appealing bidder may appeal the recommendation of the evaluators if it can show that any substantial portion of the MCWIC-approved RFP process has not been followed.

All appeals must be submitted in writing to the MCWIC within five (5) working days of the notification of refusal. All appeals are to be addressed to Tracie Scott-Contreras, Interim Executive Director. Only appeals that cite the specific section(s) of the RFP that have been violated will be considered. Once reviewed by the Interim Executive Director for merit, the appeal will be elevated to the MCWIC. Appeals received after the established deadline will not be accepted.

**The decision made by the MCWIC as to which proposal(s) are selected will be final.**

**L. General Proposal Conditions**

1. The format in which the proposals are to be submitted is included in this package. Proposals that do not conform to this format will be rejected by the MCWIC.
2. The bidder certifies, by submission of a proposal, all specifications listed in this RFP will be met and further understands that these specifications may become part of the provision of services, should the proposal be awarded.
3. The MCWIC will only accept proposals for the service(s) requested. Proposals submitted for services not included in this RFP will be rejected.
4. The proposal submitted in response to this solicitation is not a legally binding document; however, the contract based on the proposal after negotiation becomes legally binding once both parties have signed it. All proposals submitted become the exclusive property of the MCWIC.
5. All responses received are subject to the "California Public Records Act". While the MCWIC takes every measure permissible to keep all "proprietary information" identified, Bidders are asked to label the information "PROPRIETARY" and enclose it in a separate envelope marked as such.
6. No funds provided under this RFP shall be used, or proposed for use, to encourage or induce the relocation of an establishment, or part thereof, that results in a loss of employment for any employee of such establishment at the original location.

**M. Costs Incurred by Bidders**

All costs of the proposal preparation shall be borne by the bidder. The MCWIC shall not, in any event, be liable for any pre-contractual expenses incurred by bidders in the preparation and/or submission of the proposal. The proposals shall not include any such expenses as part of the proposed budget.

**N. Accuracy and Completeness**

The proposal must set forth accurate and complete information as required in this RFP. Unclear, incomplete, and/or inaccurate documentation may not be considered for contract award. Falsification of any information may result in disqualification.

**O. Withdrawal of Proposals**

Proposals may be withdrawn by written request of the authorized signatory, on the bidder's letterhead, at any time prior to the scheduled deadline for receipt of the proposals.

**P. Standing of Bidder**

Regardless of the merits of a submitted proposal, a bidder may not be recommended for funding if it has a history of agreement non-compliance with the MCWIC or any other funding source; poor past or current service performance with the MCWIC or any other funding source; or current disputed or disallowed costs with the MCWIC or any other funding source.

The MCWIC will not enter into an agreement with any entity not in good standing with the California Secretary of State.

## **SECTION II: SCOPE OF SERVICES**

### **A. Requested Services**

The MCWIC is seeking an experienced, responsible, capable and professional firm to serve as the Property & Casualty Insurance Consultant/Broker of Record for the following insurance coverage listed below:

- General Liability Insurance
- Property Insurance
- Director's and Officers' Liability and Employment Practice Liability Insurance
- Hired/Non-Owned Auto Coverage Insurance
- Professional Liability Insurance

The successful bidder will be required to provide all services of an insurance broker in administering the above policies.

The bidder shall include the following information, outlined on the Proposal Worksheet (page 17), in their proposal. Failure to do so will disqualify the bidder.

### **B. General Information Requirements:**

1. Provide the name of the broker, address, phone number, and contact person.
2. Provide a copy of the Broker's License.
3. Describe the background of the broker/agency to include:
  - The number of years in service;
  - Number of employees;
  - Insurance provided;
  - Dollar amount of the insurance in force and the qualifications of staff.
4. Provide three (3) references for whom the broker has provided similar insurance services, preferably non-profit agencies.
5. Describe the services the broker will perform and broker fees charged.
6. Describe additional services and products offered.
7. Describe any additional services or training provided at no additional cost.

#### Examples of service to be provided at minimum:

- Process claims for each coverage.
- Review renewal coverage annually, contact insurance companies, obtain price proposals and submit them to MCWIC for approval.
- Provide annually packet of all renewed/new policies and review any changes/updates noted within policies.
- Obtain additional or reduce insurance coverage at the request of MCWIC.
- Provide proof of insurance to third parties at the request of MCWIC.

- Add additional insured to policy at the request of MCWIC.
- Any other services relating to the administration of the policy.

**C. Insurance Information Requirements:**

8. Provide the name of the carrier recommended for each policy and its reputation in the industry. The insurance carrier must not be rated less than “A-VII” in “A.M. Best’s Insurance Rating Guide.”
2. Provide a summary of coverage that will be provided. At minimum, the coverage must meet the requirements stated in Exhibit A.

**D. Invoicing:**

The MCWIC will pay its premiums, and all related fees and costs for insurance coverage through the insurance broker.

## **SECTION III: AGREEMENT REQUIREMENTS**

### **A. General Agreement Conditions**

Should your agency be selected, you will then complete contract negotiations. In order for an agreement to be executed, you must meet certain requirements with the MCWIC. These requirements include, but are not limited to:

1. All agencies are required to be an Affirmative Action/Equal Employment Opportunity Employer (AA/EEO) as defined by the WIOA Section 188 and the implementing regulations. If selected for funding, an agency may be required to submit its AA/EEO plan. Agencies without an approved plan may adopt the MCWIC's AA/EEO plan.
2. An authorized official of the proposing agency must sign the agreement.

### **B. Contract Negotiations**

Should your agency be selected, you will then complete contract negotiations. In order for a contract to be executed, you must meet certain requirements with the MCWIC.

All contracts will be effective on a date specified, or on the date the final contract is signed. All contractors must be able to provide services within 30 days of the beginning of the contract period.

The contract offer of the MCWIC may contain additional terms or terms different from those set forth in this RFP. The MCWIC reserves the right to make changes to the policies at any time during the contract period, based on changes and/or clarifications in the regulations, state legislation, local policy, or other guidance provided by the state of federal government.

**As a result of the negotiation process, the MCWIC reserves the right to:**

3. Recommend appropriate action to be taken if contract negotiations fail and the contract is not finalized by the deadline date. Action may include reissuing of the RFP, recommending the next qualifying proposal or any other actions deemed reasonable or necessary as decided by the MCWIC staff or Board, as applicable. Services may not begin until execution of a formal agreement has been finalized.
4. Fund all or portions of, a proposal; and/or require that one (1) bidder collaborate with another for the provision of specific services, either prior to the execution of an agreement or at any point during the life of the agreement.
5. Use sources of funds other than the WIOA to fund all, or portions of, a bidder's proposal.

6. Require all or some collaborators identified in the proposal to become co-signatories to any contract with the MCWIC.
7. Re-negotiate provisions of the contract at the time of each annual contract renewal, up to a total of three (3) annual renewals.

**C. Agreement Modifications**

All agencies, if chosen to provide services, are ensuring by signing the agreement that the negotiated services provided in the agreement cannot be changed without the MCWIC's approval and a modification to the agreement. All requests for modification must be submitted to the MCWIC with written justification.

## **SECTION IV: PROPOSAL FORMAT**

### **A. General Preparation Guidelines**

The following is a list of all the components of your proposal that must be included in the same order as presented in this RFP. All proposals must be submitted using the Worksheets provided in Section V of this RFP. All pages in the proposal must be typed in no smaller than 12-point font, with at least one (1)-inch margins on each side.

Each page of the proposal page must be numbered sequentially at the bottom of the page. These page numbers must then be inserted into your Table of Contents (Proposal Checklist).

### **B. Proposal Cover Page**

The Proposal Cover Page to be used in the submission of all proposals is included in this RFP on page 18. The Proposal Cover Page must be completed in full and signed by an agency officer authorized to bind the agency to all commitments made in the proposal.

### **C. Proposal Checklist/Table of Contents**

The Proposal Checklist on page 17 identifies all narratives, exhibits, forms and certifications that must be submitted with your proposal. This sequence must be followed in assembling the completed proposal. The Proposal Checklist will serve as your Table of Contents.

### **D. Proposal Worksheet**

Complete the Proposal Worksheet on page 19. Provide the information requested in items A through C on the Proposal Worksheet. Responses must be inserted after each of the items that you are responding to. Keep responses as concise as possible while providing all the information requested.

**SECTION V: FORMS**

**Proposal Checklist/Table of Contents**

This Proposal Checklist identifies all the narratives, exhibits (forms) and certifications that must be submitted with your proposal. Follow this sequence in presenting your proposal, with the checklist serving as the Table of Contents. In the second column, indicate the page number where that information can be found in your proposal.

| <b>PROPOSAL TABLE OF CONTENTS</b>  | <b>Page #</b> | <b>Verified<br/>(√)</b> |
|--|---------------|-------------------------|
| Proposal Cover Page  |               |                         |
| Proposal Checklist/Table of Contents   |               |                         |
| Proposal Worksheet   |               |                         |
| Assurance and Certifications   |               |                         |
| Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions |               |                         |



## Proposal Worksheet

### A. General Information Requirements:

9. Provide the name of the broker, address, phone number, and contact person.
10. Provide a copy of the Broker's License.
11. Describe the background of the broker/agency to include:
  - The number of years in service;
  - Number of employees;
  - Insurance provided;
  - Dollar amount of the insurance in force and the qualifications of staff.
12. Provide three (3) references for whom the broker has provided similar insurance services, preferably non-profit agencies.
13. Describe the services the broker will perform.
14. Describe additional services and products offered.
15. Describe any additional services or training provided at no additional cost.

### B. Insurance Information Requirements:

1. Provide the name(s) of the carrier recommended for each policy and its reputation in the industry. The insurance carrier must not be rated less than "A-VII" in "A.M. Best's Insurance Rating Guide."
2. Provide a summary of coverage that will be provided. At minimum, the coverage must meet the requirements stated in Exhibit A.

Example of service to be provided at minimum:

1. Process claims for each coverage.
2. Review renewal coverage annually, contact insurance companies, obtain price proposals and submit them to MCWIC for approval.
3. Provide annually packet of all renewed/new policies and review any changes/updates noted within policies.
4. Obtain additional or reduce insurance coverage at the request of MCWIC.
5. Provide proof of insurance to third parties at the request of MCWIC.
6. Add additional insured to policy at the request of MCWIC.
7. Any other services relating to the administration of the policy.

### C. Insurers:

Provide a list of insurers' broker feels would be best suited for MCWIC. If possible, estimated costs of policies may be submitted.

**NOTE:** MCWIC understands markets are 'locked' from more than one broker/agent from obtaining costs on policies for the same business entity.

## SECTION VI: REQUIRED CERTIFICATIONS INSTRUCTIONS FOR CERTIFICATION

By signing and submitting this proposal, the prospective recipient of federal-assistance funds is providing the certification as set out below:

- A. The certification in this clause is a material representation of fact upon which reliance was placed upon transaction. If it is later determined that the prospective recipient of federal-assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the MCWIC may pursue available remedies, including suspension and/or debarment.
- B. The prospective recipient of federal-assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of federal-assistance funds learns that its certification was erroneous when submitted, or has become erroneous by reason of changed circumstances.
- C. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
- D. The prospective recipient of federal-assistance funds agrees, by submitting this proposal, that should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the MCWIC.
- E. The prospective recipient of federal-assistance funds further agrees, by submitting this proposal, that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- F. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction, that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Procurement or Non- Procurement Programs.

## **ASSURANCES AND CERTIFICATIONS**

The bidder provides all assurances and certifications set forth below:

### **A. GENERAL**

ASSURANCES The

bidder assures that it:

1. Has the legal authority to apply for federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of any project costs) to ensure proper planning, management and completion of the project described in this agreement;
2. Has adequate administrative controls, personnel standards, evaluation procedures, availability of in-service training and other policies as may be necessary to promote the effective use of WIOA funds.

### **B. DRUG FREE WORKPLACE**

The bidder certifies that it will provide a drug-free workplace by implementing the provisions of 29 CFR 98.630.

### **C. CERTIFICATION OF NON-DELINQUENCY**

The bidder certifies that it is not delinquent on any federal debt.

### **D. NONDISCRIMINATION AND EQUAL OPPORTUNITY REQUIREMENTS OF WIOA (29 CFR, PART 38) and WIOA Section 188**

1. The bidder assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the WIOA of 2014, as amended, including the Nontraditional Employment for Women Act of 1991 (where applicable); Title IV of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including, but not limited to, 29 CFR, Part 38. The bidder understands that the United States has the right to seek judicial enforcement of this assurance;
2. The bidder certifies that it has developed and will maintain a system for recordkeeping and documentation of other affirmative obligations compliant with 29 CFR Part 38, Subpart B.
3. The bidder certifies that during the two (2) years preceding this agreement, it has incurred no findings of noncompliance with laws or regulations regarding civil rights or discrimination based on race, color, religion, sex,

national origin, age, disability, political affiliation or belief, citizenship or participation in the WIOA.

E. CONFIDENTIAL INFORMATION AND DATA

The bidder understands the necessity to protect all customer information and will establish special precautions to protect it from unauthorized use, access, disclosure, modification, and destruction.

F. SUBMISSION OF DOCUMENTATION UPON AWARD

Should the bidder be selected for funding, the proposing bidder provides the specific assurance that all required documents specified in this RFP, including but not limited to, required proof of insurance coverage, and any supporting documents, including but not limited to, an original signed Memorandum of Understanding (if applicable). Additionally the bidder, if selected for funding, assures that it will negotiate and finalize the contract for services, in good faith.

These assurances are made with the full knowledge and consent of the signing bidder. In the event that all required documentation is not submitted as required herein, the MCWIC, at its option, may rescind any previous award and immediately proceed and make an award to the next highest scoring bidder.

Name and Title of Authorized Representative (please type)

\_\_\_\_\_

Name

\_\_\_\_\_

Title

\_\_\_\_\_

Signature

\_\_\_\_\_

Date

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

This certification is required by the regulations implementing Executive Order 12549, "Debarment and Suspension," 29 CFR Part 98, Section 98.510, "Participants' Responsibilities." The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160-19211).

- A. The prospective recipient of federal assistance funds certifies, by submission of this proposal, the Instructions (page 22) have been read and understood, and that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
  
- B. Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative (please print or type)

|           |       |
|-----------|-------|
| _____     | _____ |
| Name      | Title |
| _____     | _____ |
| Signature | Date  |