



REQUEST FOR PROPOSALS

FOR

**THE OPERATION AND MANAGEMENT OF THE
WORKFORCE SOLUTIONS OF WEST CENTRAL TEXAS
CHILD CARE SERVICES (CSS) SYSTEM**

Released by:

WORKFORCE SOLUTIONS OF WEST CENTRAL TEXAS BOARD

Monday, September 14, 2020

Proposals due: noon Wednesday, October 28, 2020

**Workforce Solutions of West Central Texas Board
500 Chestnut, Ste. 1200
Abilene, Texas 79602
(325) 795-4200**

*Equal Opportunity Employer/Program
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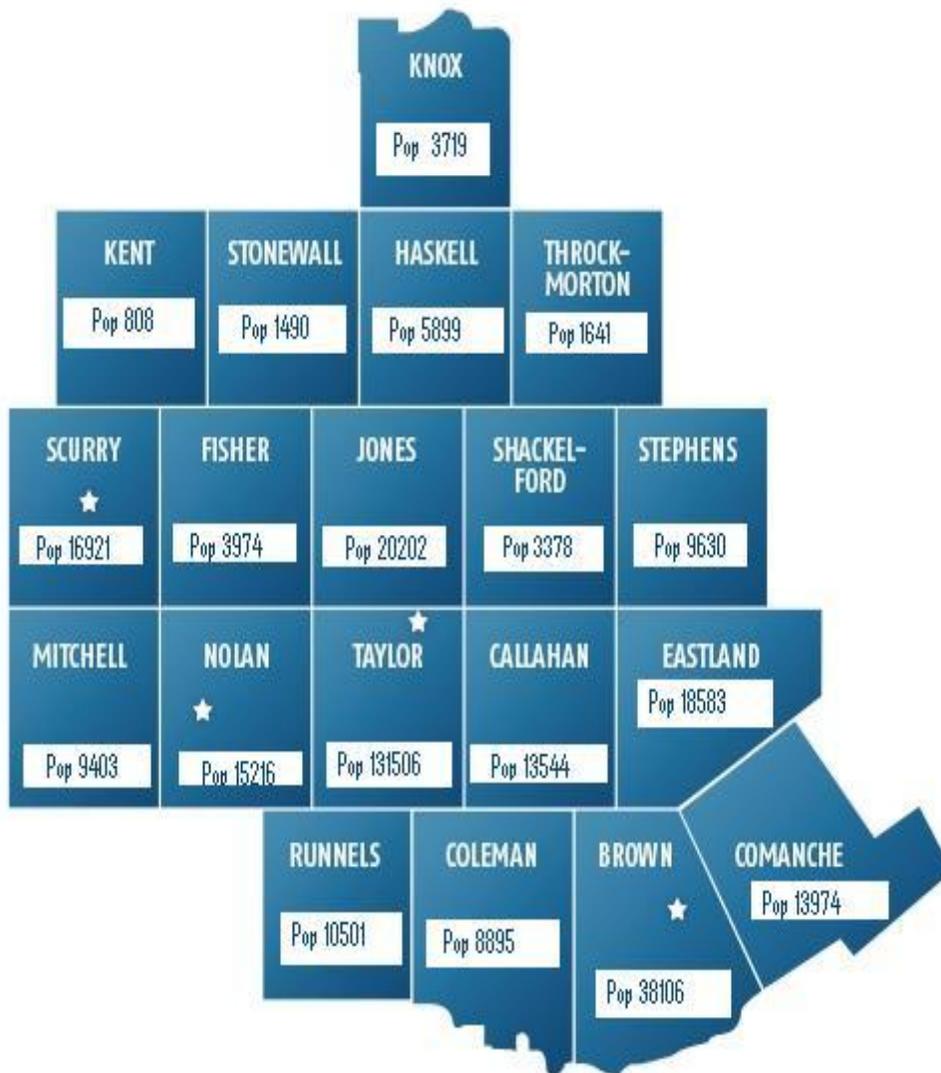
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Section I – Introduction

A. Introduction

The Workforce Solutions of West Central Texas Board is a local governmental organization overseen by a 30-member volunteer Board. The majority of Board members represent the private sector. The balance of the Board membership is comprised of representatives of educational agencies, organized labor, rehabilitation services, community-based organizations, economic development and state agencies. The Board is responsible for the planning, oversight and evaluation of the workforce development system, including child care resources, in the 19 county West Central Texas region.



The 19 county West Central Texas region consists of approximately 18,000 square miles bordered by San Angelo to the south, Wichita Falls to the north, Weatherford to the east and Big Spring to the west. The region has a total population of 320,000 with 56 cities, 65 school districts, four public community/technical colleges, four private universities, and a health science center associated with a major university. The region includes Brown, Callahan, Coleman, Comanche, Eastland, Fisher, Haskell, Jones, Kent, Knox, Mitchell, Nolan, Runnels, Scurry, Shackelford, Stephens, Stonewall, Taylor and Throckmorton Counties. Approximately 40% of the population resides in Taylor County, which is also the geographic center of the region.

The Child Care Services (CCS) program is a dual-purpose program that provides access to child care services for low-income families so they can work, attend school, or enroll in training to improve the well-being of their families. At the same time, it also promotes the healthy development and school success of low- and moderate-income children by providing them with higher-quality early learning and afterschool experiences. The Texas Workforce Commission (TWC) contracts with the Board to provide these services to eligible families.

B. Mission Statement

The mission of the Workforce Solutions of West Central Texas Board is to provide resources for good jobs, strong employers, and a healthy regional economy.

C. Vision

The vision of the Board is helping to produce a region where:

- People are more self-sufficient, better skilled, and better educated, thereby achieving full employment.
- Convenient, easy access to all services is provided through consolidation in a centralized one-stop system.
- The citizens of our communities are aware of available services.
- A skilled workforce is in place, which enables businesses to be competitive in the ever-changing global economy.

D. Core Values

We are Workforce Solutions:

- We treat our customers with respect.
- We listen and act in the best interest of our customers.
- We are empowered to make the right things happen.
- We value innovation.
- We believe in partnerships.

Section II – General Information and Instructions for Submitting a Proposal

A. Purpose of the Request for Proposal (RFP)

The Workforce Solutions of West Central Texas Board (Board) is seeking proposals from qualified and eligible independent contractors for the management and operation of the Child Care Services (CCS) subsidized child care program and child care quality improvement activities (Texas Rising Star mentors and assessors, and related initiatives, are administered by Board staff). Through this competitive procurement process, the Board expects to award one contract for the management and operation of the CCS subsidized child care program and quality improvement activities. Changes to the scope of work and/or resultant contract shall be subject to the availability of funds, successful contract negotiations, applicable procurement standards, and the laws, rules, regulations and policies governing the programs funded under this Request for Proposal.

The services delivered by and through the CCS subsidized child care program shall be provided to eligible service participants as described within 45 C.F.R. § 98.20, and as stipulated in Chapter 809 of the Agency's Child Care Services Rules, including but not limited to, the following:

- Children of parents transitioning off of public assistance, including Temporary Assistance for Needy Families (TANF) recipients participating in Choices, children of parents transitioning off TANF assistance, children of parents participating in Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T), and children of parents eligible to receive Workforce Innovation and Opportunity Act (WIOA) child care;
- Children deemed eligible and authorized for services by the Department of Family and Protective Services (DFPS), including children in in-home protective care, out-of-home protective care, and foster care;
- Children whose parents are at risk of becoming dependent on public assistance, including children living at low incomes, children with disabilities, and children of teen parents; and
- Any additional eligibility categories for child care services as established by the Board. These categories must meet state and federal requirements regarding eligibility for services and must be related to work, training or educational activities of parents or caretakers, or must be related to child protective services.

B. Legislative Authority

All contracts funded from this Request for Proposal are subject to compliance with the provisions of:

- Child Care and Development Block Grant Act of 2014, 42 United States Code (U.S.C.) §§ 9858 *et seq.*;
- Social Security Act, 42 U.S.C. §§ 603-619, as amended;
- Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. §§ 601 *et seq.*;
- Balanced Budget Act of 1997, Public Law (Pub.L.) 105-33;
- Consolidated Appropriations Act of 2005, Pub.L. 108-447;
- Consolidated and Further Continuing Appropriations Act of 2015, Pub. L. 113-235;
- Consolidated Appropriations Act of 2018, Pub. L. 115-141;
- Federal regulations for CCDF at 45 Code of Federal Regulations (C.F.R.) Parts 98 and 99;
- Federal Financial Participation requirements in accordance with Titles 45 and 48 of the Code of Federal Regulations (C.F.R.) and federal circulars, as amended;
- Texas Health and Safety Code § 85.113 (relating to workplace and confidentiality guidelines regarding AIDS and HIV);
- Immigration Reform and Control Act of 1986, Pub.L. 99-603, as amended, regarding employment verification and retention of verification forms for any individuals who will perform any labor or services under this contract;
- All state and federal licensing and certification requirements, health and safety standards, and regulations prescribed by the United States Department of Health and Human Services and DFPS;
- All applicable standards, orders or regulations issued pursuant to Section 306 of the Clean Air Act, as amended (42 U.S.C. §§ 1857 (h) *et seq.*), Section 508 of the Clean Water Act, as amended (33 U.S.C. 1368 *et seq.*), Executive Order 11738, and Environmental Protection Agency (EPA) regulations (40 CFR part 15).;
- Mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act, 42 U.S.C. §§ 6201 *et seq.*, as amended;
- Texas Government Code §§ 2308.301 *et seq.*;
- Texas Government Code § 2264.051, Texas Government Code § 2264.001(4) and 8 U.S.C. § 1234a(f) regarding hiring of undocumented workers;
- Approved State Plan for CCDF (State Plan);
- Texas Human Resources Code, Chapters 31, 34, and 44;
- Texas Labor Code, Chapter 302;

- Approved Local Workforce Development Board Plan, including modifications and amendments;
- Child Care Services Guide, TWC Workforce Development (WD) Letters, Technical Assistance (TA) Bulletins, and other TWC policy directives, and their subsequent amendments.

The following additional statutes, agreements, and regulations also apply:

- Titles VI and VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, and § 2000e-16, as amended prohibits discrimination on the basis of race, color, religion, sex and/or national origin;
- 42 USC § 12101 *et seq* (American with Disabilities Act 1990, as amended [ADA]) requires that no otherwise qualified individual with a disability in the United States shall, solely by reason of the disability, be excluded from the participation in, be denied the benefits of or be subjected to discrimination under any covered entity in jobs, services, or activities. The ADA applies to public and private entities and imposes specific penalties for noncompliance;
- Rehabilitation Act of 1973 §§ 503, 504, and 508, 29 U.S.C §§ 793, 794, and 794d, as amended, requires that in the United States no individual with a disability who is otherwise qualified shall solely, by reason of the disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance;
- Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1688, as amended), which prohibits discrimination on the basis of sex;
- The Age Discrimination Act of 1974, as amended (42 U.S.C. § 6101 *et seq.*, as amended), which prohibits discrimination on the basis of age;
- The Women in Apprenticeship and Non-Traditional Occupations Act, 29 U.S.C. § 2501 *et seq.*, as amended;
- 40 TAC § 73 (Texas Administrative Code, Article 40, Part I, Chapter 73, Subpart A) provides the processes and procedures for the administration of all programs and services receiving state financial assistance directly or through contractual arrangement, in accordance with applicable federal civil rights regulations;
- Section 188 of the Workforce Innovation and Opportunity Act (WIOA) (29 CFR 38);
- Labor Code (as amended by HB 1863 and SB 1519, etc.);
- Appropriations Bill (including riders);
- Human Resources Code, esp. Chapter 44;
- State Regulations, 40 T.A.C. Chapter 800, 801, 802, 803, 807, 809, 811, 813, 815, 817, 819, 821, 823, 833, 835, 837, 839, 841, 843, 845, 847, 849 Texas Workforce Commission section of Texas Administrative Code providing rules for administration of workforce and child care programs.
- All applicable laws and regulations as outlined in Appendix I of this RFP.

For more information, see the Texas Workforce Commission web page at:
<http://www.twc.state.tx.us/customers/rpm/rpmsub1.html>

Proposers are expected and presumed to be knowledgeable of all applicable federal, state and local laws, rules, regulations, and policies.

C. Activities and Services Requested

The services and activities being sought by the Board are the management and operation of the West Central Texas Child Care Services (CCS) subsidized child care system. The Board's intent is to contract with an entity (hereafter referred to as Subrecipient) to provide efficient and effective management and operation of the CCS subsidized child care system (to include staffing and direct child care services) in a manner that will provide quality customer service to eligible families and children and those determined eligible by state agencies for referral to child care providers throughout the Board's nineteen county Workforce Development Area (WDA) while also meeting or exceeding performance targets.

The Subrecipient shall manage the delivery of child care services through regulated providers having agreements with the Child Care Subrecipient, or eligible relatives whom parents or caretakers have chosen to care for their children in accordance with 40 TAC Chapter 809, as amended.

Comprehensive services provided to families, providers and the community must include at a minimum:

1. Determining eligibility for direct child care services to eligible families;
2. Maintaining a waiting list of pre-screened families, to include implementation of TWC and Board priorities for the addition to, and removal from, the wait list;
3. Comprehensive child care resources and information with a broad range of provider choices for families to include recruitment and monitoring of providers and issuance of Service Improvement Agreements as needed;
4. Recruiting licensed/registered child care providers to offer subsidized child care services to eligible families.
5. Providing technical assistance to contracted child care providers to promote compliance with Child Care Licensing Minimum Standards.
6. Administering quality improvement activities, promoting the Texas Rising Star program administered by Board Early Childhood Specialist (ECS)

staff, and referring providers potentially eligible for TRS to the Board's ECS staff for follow up.

7. Timely payments to providers using electronic funds transfer. Note: No payments will be processed by check; however, under exceptional circumstances payments by check may be made with prior Board approval;
8. Determination of recoupment amounts, and provider and client collections;
9. Collaboration with/among community partners to leverage services to families;
10. Processing of appeals and informal meetings to resolve complaints and termination of child care or provider services;
11. Fact finding for suspected fraud or program abuse;
12. Maintenance of internal procedures for all operational aspects of the program;
13. Internal monitoring of all subaward functions;
14. Accurate and timely data entry of all child care referral, client, provider, and claim information data into the TWIST automation system application and prior to performance extract. "Timely data entry" is defined as no later than five (5) business days from the day the information is received by the Subrecipient to the data entry date. Performance extract is performed on the twenty-fourth (24th) day of the month following the month in which services were provided;
15. Offer training to contracted providers in the use of the Child Care Attendance Automation (CCAA) swipe card system;
16. Forecasting of expenditures and enrollments to ensure that performance is met within budget and expenditures are correctly reported; and
17. Ad-hoc reporting including timely provision of requested reports from Board staff.

For successful implementation, the following key functions must be incorporated into the child care subrecipient's service and system design:

1. **Client Services**

Client Services include providing general program information to families; pre-screening for eligibility and maintenance of a waiting list; promoting

consumer education; managing TWC and Board service priorities; determining and documenting eligibility of services including status changes, providing information to families on child care providers; authorizing child care at client's selected provider(s); recertification of eligibility; development of repayment plans for recoupment; maintaining detailed case management notes in the TWIST application; completing paperwork and data entry in a timely manner; scanning paperwork into the Board's approved electronic filing system; termination of child care including processing of appeals and informal meetings; and handling of client complaints.

2. Provider Services

Provider services include on-going recruitment and enrollment of new child care providers to meet the needs of clients; negotiating agreements with providers; assessment and monitoring of provider agreements; data entry of provider information including reimbursement rates; scanning paperwork into the Board's approved electronic filing system; issuance of Service Improvement Agreements (SIAs) as needed; termination of providers as warranted; on-site monitoring of providers to ensure compliance with CCAA requirements and if needed for billing or attendance issues; training on CCAA attendance system and provider responsibilities related to the CCAA system; new provider orientations; providing information on listing process for relative providers; on-site monitoring of a sample of relative providers to prevent fraud and abuse (as warranted); review of providers on TWC exception reports; determination of inclusion assistance for children with disabilities; and offering necessary and requested technical assistance to providers.

3. Local Match

Unmatched federal child care funds are included in the allocation of child care funds to the Board as well as the associated performance measures. To utilize these funds, Board staff will develop local match agreements with eligible entities to certify, transfer or donate the required local match in the Board allocation so that the federal match will provide additional child care services to the West Central Texas region, enabling more parents to work or participate in training or education. The subrecipient will determine eligibility of all children receiving services through both the local and federal share of local matching funds.

4. Community Resources Enhancement Activities

The CCS Subrecipient shall ensure that they coordinate services with any/all entities necessary in order to provide the services required, including Child Protective Services, Child Care Regulation, West Central Texas Workforce Center Subrecipient, Head Start and Early Head Start, Public Pre-K, Texas School Ready! (TSR!) programs, Independent School District programs for teen parents, Children's Health Insurance Program

(CHIP), United Way's 2-1-1 program, HHSC for TANF, Medicaid and SNAP, and other entities providing similar services. Documentation of coordinated activities must be maintained by the CCS Subrecipient.

Currently, Texas Rising Star mentor and assessor activities, as well as quality improvement activities, are administered by Board staff. Board staff shall continue to provide TRS mentor and assessor activities; however, should funds be made available to the Subrecipient to provide quality improvement activities, they will be limited to those activities prescribed in TWC's Child Care Rules (809.16) and any subsequent directives by either TWC or the Board. Should funds be limited, first preference for services will be given to TRS providers, then Texas School Ready providers, followed by all other CCS providers. Should funds be made available, the CCS Subrecipient may develop and coordinate quality improvement activities in coordination with the Board's Early Childhood Specialist staff.

5. Monitoring and Data Integrity

The CCS Subrecipient must conduct internal monitoring activities on an on-going basis to ensure compliance with State and Board policies, rules and regulations. These areas include client and provider services as well as payments to providers to ensure data integrity and to monitor staff performance.

The results of the internal monitoring must be documented and reported to the Board on an on-going basis including any corrective action plans. All results, satisfactory and unsatisfactory, need to be analyzed and addressed appropriately and in a timely manner. With the information collected, proper staff development and training activities need to be assembled to further support continuous improvement. Improvement techniques and practices should continuously occur and be developed in order to attain high levels of efficiency and effectiveness throughout all areas of the CCS program, as well as the subrecipient's organization.

6. Automation System and IT Support

The automation system used by CCS is developed and maintained by TWC. Use of TWC's The Workforce Information System of Texas (TWIST) application, the Board's approved electronic filing system, and InfoMaker report writing software are mandatory. An advanced knowledge of automation systems, techniques for assuring data integrity and the ability to produce special and ad-hoc reports are critical to successful CCS operations.

Server maintenance will be provided by the Board. The Board will also be responsible for all desktop support and troubleshooting of PCs, printers, fax machines, copiers, printers, and other equipment used by the CCS

Subrecipient. The CCS staff will adhere to the Board's Information Technology System policies.

Additionally, CCS must provide the Board information as needed to manage the program and for Board oversight. This includes the ability to generate ad-hoc reports. Regular reports are also shared with partner agencies with child care interests, such as the Workforce Center Subrecipient and DFPS staff.

7. Fiscal Management, Claims Processing and Inventory

The fiscal management system includes reporting and managing actual expenditures and budgets as well as projecting expenditures from several funding sources. The CCS subrecipient should be capable of identifying all expenditures by major classifications and reporting all expenditures to Board staff, which includes accruals, by the 15th of the following month. The fiscal management system designed must produce timely payments to all providers via EFT on a timely basis. Fiscal responsibilities include but are not limited to:

- a. Qualified fiscal and inventory staff that understand program requirements as well as Generally Accepted Accounting Principles (GAAP) to include accrual accounting;
- b. Develop, maintain, track and report on multiple funding streams using the TWIST application and CCS subrecipient's accounting systems;
- c. Ability to forecast and project enrollment and expenditure levels;
- d. Prepare and submit monthly expenditure reports by the 15th of the following month to the Board;
- e. Maintain accurate and auditable financial records;
- f. Maintain an inventory control system for all fixed assets and abide by Board property policies and procedures for all equipment in the CCS subrecipient's custody;
- g. Ability to timely and accurately process provider claims utilizing the TWC CCAA automated system for reimbursement;
- h. Generation of reports on client absences;
- i. Process all provider payments via EFT within 15 business days of the receipt of a properly completed claim;

- j. Maintain adequate controls and collateral on the CCS Subrecipient's bank account;
- k. Maintain adequate insurance coverage as required by the Board for financial operations;
- l. Prepare budgets, budget amendments, and submit monthly invoices for reimbursement of operational costs;
- m. Comply with the TWC Financial Manual for Grants and Contracts and Board policies and procedures;
- n. Comply with Board requirements and policies for all procurements;
- o. Distribution of check proofs to providers.

8. Management, Fraud, Recoupment and Exception Reports

The CCS Subrecipient should manage services using data from TWIST reports as well as ad-hoc reporting. Whenever possible, concrete data should be used for decision making and overall program management. Some examples are tracking various trends such as enrollments and attrition, late data entry, managing caseloads and reviewing change in the mix of types of providers and ages.

The CCS Subrecipient is responsible for ensuring that all staff report to management immediately any suspicion of fraud, wrongful activities, or waste of program resources. CCS Subrecipient staff shall report suspected fraud to Board staff.

The CCS Subrecipient is responsible for fact finding of all client and provider related matters.

The CCS Subrecipient is also responsible for determining the amounts of client and provider recoupment, the tracking of the accounts receivables, issuing statements, accounting for repayments that are received and reporting these to Board staff on a regular basis.

General program complaints including EEO complaints must be tracked and reported based upon Board policy. All CCS system customers should be provided a supervisor or manager's name and contact information prior to referral to Board staff.

Upon receipt from TWC, Board staff will forward various exception reports related to child care to the CCS Subrecipient. Upon receipt, the CCS Subrecipient shall research the issues addressed in the reports as needed to determine the continued eligibility of clients and providers, whether

fraud was committed, if funds are owed back to the program and whether services should be discontinued. The CCS Subrecipient shall provide monthly status reports summarizing the actions taken.

A procedure manual developed by the CCS Subrecipient is used to ensure consistency of actions for all client and provider management staff. The manual should address all routine functions including claims processing, recoupment, appeals, wait list, fraud, automation, etc. The manual should be updated as needed to include changes in Board policy and TWC rules and policies. All staff should have access to an on-line version of the manual and regular meetings and training should occur as needed.

D. Program Outcomes

In order to provide successful child care services, the CCS Subrecipient shall achieve between 95% and 105% of the “average number of children served per day” performance measure established by TWC within the budget established by the Board, while also meeting the required expenditure benchmarks outlined in Chapter 800 of the TWC rules. The CCS subrecipient shall provide the Board a Forecasting Profile (which includes projected average number of children served per day and projected expenditures for the month) by the 5th of each month and will be required to report monthly on progress made toward achieving the required performance measure. The Subrecipient shall also successfully achieve any other local performance measures imposed by the Board as negotiated with the Subrecipient. For any month the CCS Subrecipient’s performance falls outside of the acceptable range noted above, the Subrecipient shall address this variance in their monthly report to the Board and may also be required to develop a corrective action plan should circumstances warrant.

The “average number of children served per day” is defined as the average number per day of full-time and part-time child care paid from the funds allocated to the CCS Subrecipient by the Board. The numerator is the total number of days of child care enrollment provided during the reporting period. Enrollments may be full day, part day, or a blend of full day and part day but each counts as one (1) enrollment day. The denominator is the number of child care days occurring during the reporting period and includes any weekday and holidays that fall on a weekday.

Historical data related to performance is as follows:

	FY19	FY20 (through July 2020)
# of children in care performance measure	1769	1718
Actual performance achieved	1767	1691
Average unit rate	\$13.87	\$16.71

E. Funding

The CCS program is funded in whole or in part with federal funds.

- The percentage of the total cost of the program or project which will be financed with Federal funds is 90.87%.
- The dollar amount of Federal funds for the project or program is \$8,439,818.
- The percentage and dollar amount of the total costs of the project or program that will be financed by non-Federal sources is 9.13% and \$847,788.00.

The Texas Workforce Commission is the Board's funding source for CCS. Funding levels are determined at the beginning of the Texas state fiscal year for a 12-month budget period.

Profit is an allowable cost and is only available as a budget item for a for-profit organization. Profit is limited to a maximum of \$150,000 and will be tied to the achievement of negotiated management and performance measures. Profit calculations and amounts will be subject to negotiations and approval.

Management fees (or overhead) are an allowable cost and are only available as a budget item for a for-profit organization. Proposer's charges for management fees are subject to approval by the Board and proposer must identify the methodology, percentages, and items to be included in the management fee.

Indirect cost amounts are an allowable cost and are only available as a budget item for a not-for-profit organization. No rates above the RFP proposer's federally approved indirect cost rate from their cognizant agency will be approved by the Board. If an RFP proposer does not have a federally approved indirect cost rate, proposer must identify the methodology, percentages, and items to be included in the indirect cost amount. Rate is subject to approval by the Board.

The chart below represents the prior year and current year funds available for the CCS program.

FUND SOURCE	PROGRAM ALLOCATION FY20	PROGRAM ALLOCATION FY21
Child Care Services Formula Allocation	\$6,588,861	\$8,237,427
Child Care Services Local Match	\$875,812	\$888,172
Child Care Services Quality Initiatives	\$159,758	\$162,007
TOTAL	\$7,624,431	\$9,287,606

F. Contracting

The Board will use a cost-reimbursement plus Subaward. The selected Subrecipient will be reimbursed for allowable actual service delivery costs. Profit will be awarded separately based upon attainment of agreed upon performance. The Board values high performance, continuous improvement and responsiveness to Board and system customer needs. The successful proposer will demonstrate that the proposed costs for providing the services submitted in the budget detail and narrative are necessary and reasonable.

The initial contract will be for nine months, beginning January 1, 2021 and ending September 30, 2021. The contract may be extended for **one (1)** or more years on an annual basis, at the discretion of the Board. The Board may extend the contract for up to **four (4)** additional years based on satisfactory performance or other factors as determined by the Board. Any contract extension shall be initiated at the sole discretion of the Board and shall be based upon the Board's evaluation of the Subrecipient's performance and compliance with the terms and conditions of the contract. The Board reserves the right to terminate the contract based on an evaluation of Subrecipient performance and compliance.

The Board reserves the right to expand the scope of the contract to include other workforce or child care programs, funding, or requirements that the Board deems necessary and appropriate, even if not specifically mentioned within this RFP.

G. Proposal Deadline

The deadline for submission of proposals is noon Wednesday, October 28, 2020. **Proposals will ONLY be accepted via email and must be submitted to ChildCareRFP@workforcesystem.org.** Official receipt of the proposal will be documented on the Workforce Solutions of West Central Texas Board's proposal log as determined by the date/time the emailed submission was received. Acknowledgement of receipt will be made via email to the proposer's identified Contact Person. **Proposals submitted via private or public mail carrier, courier service, fax, or hand delivery will not be accepted.**

Proposals received after the deadline will be considered non-responsive and will not be reviewed. The timely delivery of the proposal is the sole responsibility of the submitting party.

H. Procurement Timeline

The timeline for soliciting proposals, review, selection and negotiation is presented below. The dates are tentative and may be changed at the Board's discretion. In the event pre-decision dates are changed, proposers will be notified. All times are Central Standard Time.

RFP Issued	September 14, 2020
Mandatory Letter of <i>Intent to Bid</i> Deadline	5:00pm Wednesday, September 30, 2020
Deadline for submission of questions	5:00pm Wednesday, September 30, 2020
Question/Answers provided to proposers	Wednesday, October 7, 2020
Proposal Due Date	Noon Wednesday, October 28, 2020
Proposal Review	October 29-November 10, 2020
Subaward Negotiations begin	November 19, 2020
Transition Period, if required	December 1-31, 2020
Subaward Begins	January 1, 2021

I. Mandatory Letter of *Intent to Bid*

A letter stating the proposer’s *Intent to Bid* is **mandatory**. The *Intent to Bid* letter must be submitted and received by the Workforce Solutions of West Central Texas Board by 5:00pm Wednesday, September 30, 2020. Proposals will not be accepted from proposers who did not submit the required letter by the established deadline. The letter of *Intent to Bid* must be presented on company/business letterhead and signed by a person with authority to represent the proposer. Letters of *Intent to Bid* that meet these requirements must be submitted electronically to

ChildCareRFP@workforcesystem.org

J. Technical Assistance

Any questions regarding this RFP must be submitted electronically no later than 5:00pm Wednesday, September 30, 2020. No questions may be submitted via private or public mail carrier, courier service, fax, or hand delivery, nor via telephone or in-person communication. A question and answer publication will be released by the Board on Wednesday, October 7, 2020. This publication will be provided electronically to all entities who have submitted a letter of *Intent to Bid* and will be posted on the Board’s website (workforcesystem.org). All questions should be directed to ChildCareRFP@workforcesystem.org.

Other than questions submitted as directed above, Workforce Solutions of West Central Texas Board members and staff are precluded from answering questions concerning this RFP or the procurement process. Contact with Board members or staff of the Board, the current Subrecipient or the current Workforce Services Subrecipient from the date that this RFP is released until the contract is awarded is strictly prohibited. Violations of this prohibition will result in the automatic disqualification of the proposal.

K. Proposal Requirements

1. **Format:** Proposals must be typed in no smaller than 12 pt. font, may be single spaced, and must be submitted in Microsoft Word with the following settings: Letter (8 ½" by 11") format; Portrait orientation; and Normal margins (1" inch margins on top, bottom and both sides). Each page of the proposal (including attachments), with the exception of the cover sheet, should be numbered as "page ___ of ___" with the name of the proposer on each page. The order of submission is provided in Section II.Q.
2. **Page Limit:** The proposal narrative submitted in response to Section III of this RFP must not exceed **65 pages**, excluding the required attachments which are indicated by asterisk in Appendix B of this RFP. Pages in excess of the 50-page limit will not be reviewed. Certain required attachments must not exceed **25 pages**. Attachments included in the 25-page limit are indicated by asterisk in Appendix B of this RFP.
3. **Number of copies: One electronic copy** with executed certificates (i.e. signatures of authorized signatory) must be submitted. Completeness of the proposer's submission is the sole responsibility of the proposer. The Board will acknowledge receipt of proposals via email to the proposer's identified Contact Person. Proposals will become the property of the Board and will not be returned following completion of this procurement.
4. **Responsiveness:** Proposers that fail to follow the requirements set forth in this document regarding page limits and format may be considered non-responsive. The Board reserves the right to reject any or all proposals at their sole discretion.
5. **Contact Information:** Proposers will be required to provide contact information for the individual(s) who can respond to questions regarding the proposal. The identified contact person should be the individual(s) who are knowledgeable of the proposal and who are authorized to provide information on behalf of the proposer.
6. **Proposal Narrative:** All information required to develop the proposal narrative is contained in Section III of this RFP.

L. Qualifications for Proposers

1. **Eligible Proposers:** Subrecipients possessing the capability and demonstrated ability to perform successfully under the terms and conditions of this contract with the Board may respond to the RFP. Individuals, private and public entities, for-profit and not-for-profit agencies, community-based organizations (CBOs), faith-based

organizations or other entities are eligible to respond to this RFP. Historically-underutilized businesses are encouraged to apply. Current certification of such status must be included in the proposal submission, if the proposer wants this considered during the evaluation process.

2. **Sole Proprietors/Individuals:** If a proposer intends to use a Managing Director model, the Subrecipient is solely responsible for oversight, management, supervision, criminal background checks, hiring, firing, training, promotion, demotion, evaluation, and reprimanding of all Child Care Services employees. The Managing Director is also responsible for coordinating employee benefits and payroll with a Professional Employer Organization (PEO). The human resources function related to staffing shall be conducted by the contracted PEO, who will be the employer/co-employer of record for all CCS staff. Management decisions regarding staff shall reside at the discretion of the Managing Director. **The Managing Director/PEO partnership must be in place prior to submitting a proposal and the agreement must be submitted as part of the proposal.**
3. **Partnerships/Consortiums:** A consortium or partnership of eligible proposers may submit a proposal. This consortium or partnership must have been established prior to issuance of this RFP. All partners must be eligible proposers and a signed certification must be obtained from each partner attesting to their agreement to all terms of the proposal and any resulting contract, if awarded. Proposals from partnerships/consortiums must clearly identify the lead agency that will be responsible for management, coordination of services, operations, financial accountability, legal obligations, and all reporting requirements. The lead agency must demonstrate its capacity to set direction, achieve outcomes, leverage matching or in-kind resources, and manage overall operations, including staff oversight, customer services, continuous improvement, and achievement of measurable outcomes. **A copy of the partnership/consortium agreement must be submitted as part of the proposal.**
4. **Ineligible Entities:** Due to the potential conflict of interest, the entity awarded the contract for services under this RFP is prohibited from serving as a direct provider of childcare services in the West Central Texas region. The Board is additionally prohibited from awarding a contract to a party “excluded from Federal procurement or non-procurement programs” by the U.S. General Services Administration or any entity that has outstanding Unemployment Insurance overpayment balance payable to the State of Texas or any for-profit corporation that is delinquent in its franchise tax payments to the State of Texas. Entities described in Section 501(c)(4) of the Internal Revenue Code that engage in lobbying activities are not eligible to receive funds under this RFP. The

Lobbying Disclosure Act of 1995 as amended, 2 USC 1611 prohibits award of federal funds to 501(c)(4) entities engaged in lobbying activities.

5. **Proposer Competency:** Subrecipients will be required to assume full responsibility, including all risks and hazards, for all activities and services required by the contract. All proposers must be prepared to demonstrate a capacity for covering any disallowed costs incurred by the system under the management of the proposer. Proposers must have the technical competence, administrative capacity, management and administrative skills, program experience and expertise, and the financial resources and stability to accomplish the work depicted in this RFP. Proposers must meet high standards of public service and fiduciary responsibility. The Board requires assurance that the Subrecipient's performance of the terms and conditions of the contract will be undertaken in accordance with the highest level of integrity and business ethics. Proposers must be capable of implementing a system of self-monitoring, including the review of key data related to performance, quality assurance, fiscal integrity and accuracy, and program operations. The Subrecipient will be expected to fully understand and be able to articulate the health of the program in each of these areas at any given time. Proposers must be knowledgeable of the statutes, regulations, rules and policies for the funding streams identified in this RFP. A copy of the federal rules and regulations governing child care may be found on the U.S. Department of Health and Human Services' web page at <http://www.acf.hhs.gov/>. Copies of other pertinent statutes and regulations may be found through the Texas Workforce Commission web page at <http://www.twc.state.tx.us/partners/laws-rules>. The Board will provide training on any Board-specific documents, policies and procedures, as necessary, to the selected Subrecipient. Additional information about the Board may be obtained through the Board's web page at <http://www.workforcesystem.org>. If the Board determines, at its sole discretion, that the awardee of the Subaward is not responsible, that it does not possess the administrative, fiscal, and/or technical resources and capabilities necessary to successfully perform under the terms and conditions of the Subaward, it may choose not to enter into contract with the selected entity.
6. **Authorized Signatory Authority:** The proposer'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 proposer's organization.
7. **Subcontracting:** Subcontracting is allowed but not encouraged. Any subcontracting must be clearly identified in the proposal narrative and

approval must be provided by the Board prior to contract execution. If the proposer currently subcontracts certain functions or activities and intends to do so as part of this proposal, the Subrecipient's subcontractor must be identified and a certification included from the Subrecipient's subcontractor attesting to their agreement to the terms of the proposal and any resulting contract. Any such subcontractors will be required to disclose certain operational and fiscal information should the contract be awarded to a Subrecipient that engages in subcontracting.

8. **Insurance, Bonding, and Other Methods of Securing Funds:** Per Texas Government Code § 2308.264 and Commission rule § 801.54, Subrecipients must ensure that at least ten (10) percent of the funds awarded is protected through bonds, insurance, escrow accounts, cash on deposit, or other methods to secure the funds. Additionally, Subrecipients are required to verify that the method of securing the funds has not been obligated for some other purpose.

M. Proposal Evaluation

The proposal criteria identified herein are a guideline for proposers and reviewers; however, the final decision for contract rests solely with the Board. The Board is not required to contract with the entity receiving the highest score as a result of the proposal review process, neither is the Board required to select the lowest cost bid. Proposals that do not meet minimum standards will be considered non-responsive.

1. **Minimum standards:**
 - a. The proposer must adhere to all deadlines that apply to the proposer as illustrated in Section II.H., "Procurement Timeline."
 - b. Proposals must meet the proposal requirements contained in Section II.K., "Proposal Requirements."
 - c. Proposers must be eligible entities as described in Section II.L.1., "Eligible Proposers."
 - d. **The proposal and all signature forms contained therein must be signed by the proposer's authorized signatory authority.**
 - e. Proposals submitted under the Managing Director/PEO model must include a copy of the agreement between the Managing Director and the PEO.
 - f. Proposals submitted by partnerships/consortiums must include original certifications from each partner attesting to their agreement to all terms of the proposal and any resulting contract, as well as a copy of the agreement between the partners.
 - g. Proposers who intend to use established subcontractors to provide services must include original certifications from each subcontractor

attesting to their agreement to all terms of the proposal and any resulting contract.

Evaluation Process: An ad hoc review committee, which may consist of staff, outside reviewers, or a combination of these, will evaluate proposals. The review committee will independently evaluate each proposal. The committee will meet, discuss proposals and develop recommendations. The review committee may request additional information from any proposer prior to developing a recommendation for consideration by the Board.

Upon conclusion of the review process, the review committee in conjunction with Board staff will develop a recommendation for the Board's Executive Committee. The Board's Executive Committee will review and comment on the committee's recommendation prior to presentation to the full Board. The full Board intends to make the selection decision during the regular Board meeting scheduled for noon on Wednesday, June 19, 2019 in the Lone Star Room at the Workforce Center located at 500 Chestnut, Suite 1200 in Abilene. All proposers will be notified of the time and location of the Board meeting and are welcome to attend.

Evaluation Criteria: The proposal will be evaluated based on proposer's responses to the questions in Section III of this RFP. The criteria and points awarded for each indicator shall be as follows:

Criteria	Points Awarded
Management and Organizational Structure	15
Program Design	35
Financial Systems	20
System Management and Integrity	10
Collaboration/Coordination	5
Past Performance/References	15
Subtotal	100
Bonus - HUB	5
Total possible points	105

N. Debriefings and Appeals

1. **Appeals:** Proposers who wish to appeal a decision must use the following process:

- a. Upon receipt of status notice, proposers must inform the Board, in writing, within fifteen (15) days of the date of notification, of the nature of the appeal and desired remedies, if any.
 - b. The Board Chairman shall be notified by Board staff of any such appeals. The Chair or their designee shall contact the proposer and arrange for an appeals conference to be held at a mutually agreeable date and time at a location designated by the Board Chair within 21 days of receipt of the protest letter. An Appeals Committee shall be convened for the conference.
 - c. The Board Chair or designee shall serve as the moderator for the conference and shall inform proposer that only those issues presented in the appeal may be addressed at the conference. Proposer may provide further information to clarify relevant issues and may be questioned by the Appeals Committee.
 - d. At the conclusion of the conference, the moderator shall call for a vote of the Appeals Committee on whether reconsideration shall be given the appealed decision. A simple majority vote will be sufficient to reconsider or uphold the original decision.
2. **Debriefing:** Proposers who are not selected for contract award may request a debriefing for purposes of learning more about the evaluation of their proposal. **A proposer may not request both a debriefing and appeal the Board's decision.** The request for a debriefing must be provided in writing to the Board no later than 30 days after notification of award. Upon receipt of a request for a debriefing, the Board shall contact the proposer and set a mutually agreeable date and time to conduct the debriefing. The debriefing may be held in person, but may also be conducted via telephone.

O. Governing Provisions and Limitations

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

1. The 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 only purpose of this RFP is to ensure uniform information in the solicitation of proposals for the procurement of services under the programs it covers. This RFP is not to be construed as a purchase agreement, contract, or commitment of any kind; nor does it commit the

Board to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by the Board.

3. The Board reserves the right to accept or reject any or all proposals received, to cancel or reissue this RFP in part, or its entirety.
4. The Board reserves the right to award a contract for any items/services solicited via this RFP in any quantity the Board determines is in its best interest.
5. The Board reserves the right to request additional information, clarification of, or explanation of any aspect of a response to this RFP.
6. The Board reserves the right to correct any error(s) and /or make changes to this solicitation as it deems necessary.
7. The Board reserves the right to negotiate the final terms of any and all contracts or agreements with proposers 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.
8. The Board reserves the right to contact any individual, agency, employer or grantees listed in the proposal, to contact others who may have experience and/or knowledge of the proposer's relevant performance and/or qualifications, and to request additional information from any and all proposers without the proposer's prior consent.
9. The Board reserves the right to conduct an on-site review of records, systems, and procedures, including credit and criminal background checks, etc. of any entity selected for funding. This may occur either before or after the award of a subaward or agreement. Misrepresentation of the proposer's ability to perform as stated in the proposal may result in cancellation of any subaward or agreement awarded.
10. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any subaward or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other funding sources or due to legislative changes.
11. Proposers 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 Board for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.
12. Proposers shall not attempt in any manner to advocate for, lobby or otherwise attempt to influence any officer, board member, employee,

- proposal evaluator, or agent of the Board or elected official for purposes of affecting the outcome of this procurement.
13. No employee, officer, or agent of the Board shall participate in the selection, award or administration of a subaward supported by workforce development funds, if a conflict of interest, or potential conflict, would be involved.
 14. Proposers shall not engage in any activity that will restrict or eliminate competition. Violation of this provision may cause a proposer's bid to be rejected. This does not preclude partnerships, consortiums or subcontracts.
 15. All proposals submitted must be an original work product of the proposers. The copying, paraphrasing or otherwise using substantial portions of the work product from other entities and submitted hereunder as original work of the proposer is not permitted. Failure to adhere to this instruction may cause the proposal to be disqualified and rejected.
 16. The contents of a successful proposal may become a contractual obligation if selected for award of a subaward. Failure of the proposer to accept this obligation may result in cancellation of the award. No plea of error or mistake shall be available to successful proposer as a basis for release of proposed services at the stated price/cost. Any damages accruing to the Board as a result of a proposer's failure to contract may be recovered from the proposer.
 17. A subaward with the selected proposer may be withheld, at the 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 Board may withdraw award of a subaward if the resolution is not satisfactory to the Board.
 18. The solicitation and selection of proposals must conform to all relevant federal, state and local laws, regulations, rules, and policies governing the procurement of products, goods, and services. Proposers are responsible for familiarizing themselves with all such matters.

P. Administrative Requirements and Procedures

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

1. It is the Board's intent to award only **one (1)** contract for the management of the Child Care Services (CCS) system.

2. The successful proposer must give consideration to all current staff in filling CCS staff positions. If the successful proposer does not retain all staff as personnel of the proposer's organization or retain staff through a professional employment organization, the proposer will be responsible for coordinating with the employer of record for such staff to ensure compliance with their personnel policies in making such a transition. In the anticipation of transitioning staff to a new organization, the Board is committed to ensuring a smooth transition process. In the event, the proposer plans for a reduction in staff or does not plan to hire current staff, the Board shall carefully oversee the transition process to ensure that there is no loss of service or reduction of quality.
3. The successful proposer will be required to maintain automated records of customer activity, financial management, property, procurement, plans, policies and procedures, internal and external evaluations and performance. In the event the subaward is not renewed or is terminated, the current Subrecipient agrees to provide any and/or all of the identified records to the Board.
4. The successful proposer agrees to use The Workforce Information System of Texas (TWIST) system to maintain all customer records required to be tracked and reported to the Texas Workforce Commission in the manner and timeframe required by the Commission. The successful proposer further agrees to use any other automated systems prescribed by the Board, including TWC programs, and/or locally developed or required programs such as the Board's approved electronic filing system, or TWC's reporting system, InfoMaker, etc.
5. The successful proposer agrees to comply with the Texas Workforce Commission and Board policies related to information technology and security, including compliance and support of the Board's Technology Plan.
6. Proposers may not charge individuals eligible for workforce programs a fee for any service; however, if the proposer intends to charge fees for non-eligible individuals or outside organizations, the service and fee structure must be fully described in the narrative and approved by the Board prior to implementation. The Board reserves the right to retain all or a portion of the income generated from such activities.
7. The successful proposer must house staff in the Abilene Workforce Center. The Board is responsible for the leasing of space for all workforce center sites and for decisions/actions related to these leases.

Q. Submission Order

The proposal should be submitted in the order listed below. A proposal checklist is included as Appendix B to assist proposers in submitting a complete proposal; however, the order listed here should be followed if there are variations from the checklist.

1. **Proposal Cover Sheet** (Appendix A)
2. **Proposal Checklist** (Appendix B)
3. **Executive Summary** (Appendix C)
4. **Proposal Narrative – Section III of RFP** (limited to 65 pages not to include appendices and required attachments)
5. **Past Performance and References**
 - a. **Past Performance**
 - 1) from prior two years and current year through July 31, 2020
 - 2) Customer satisfaction results from prior two years and current year through July 31, 2020
 - 3) Financial information for Item 5.a.(1) above
 - b. **References – Minimum of two (2)**
6. **Resources**
 - a. **Additional resources – Section III.C.5**
 - b. **Income-generating activities – Section III.C.6**
7. **Budget**
 - a. **Proposed Child Care Program Budget for FY20** (Appendix L)
 - b. **Budget narrative** (Appendix K)
8. **Staffing**
 - a. **Staffing chart**
 - b. **Fringe benefit description**
 - c. **Resumes and job descriptions of key staff**
 - d. **Brief job descriptions for all positions**
9. **Financial and Organizational Stability**
 - a. **Audit and/or financial statements for current and prior two years**
 - b. **IRS Form 990 for prior two years** (501(c)(3) non-profit corporations only)
 - c. **Annual Report to Shareholders** (for-profit corporations only) for prior two years
 - d. **Internal and external evaluations for current year and prior two years**
 - e. **List of complaints and grievances for current year and prior two years** (Appendix N)
 - f. **Legal action against organization for current year and prior two years** (Appendix N)
 - g. **Attestation Regarding Personnel Policies** (Appendix D)
 - h. **Insurance Documentation** (Appendix E)

- i. Policies for Subcontractor management**
- j. Administrative Management Survey** (Appendix F)
- k. Financial Management Plan**
 - 1) Current cost allocation plan
 - 2) Current approved indirect cost rate plan
 - 3) Financial and Fiscal Responsibility Survey and Certification (Appendix G)
- l. Assurances and Certifications** (Appendix H)
 - 1) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion
 - 2) Certification Regarding Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreement
 - 3) Certification Regarding Drug-Free Workplace Requirements
 - 4) Certification Regarding Conflict of Interest
 - 5) Nondiscrimination and Equal Opportunity Agreement
 - 6) Texas Corporation Franchise Tax Certification/State Assessment Certification
 - 7) Certification of Proposer
 - 8) Proposal Language Change Certification

Section III – Proposal Narrative

Using these instructions, write a proposal narrative fully addressing each of the narrative items listed below. Keep in mind that your proposal will be reviewed for completeness and clarity of each response, demonstrated knowledge of requested services, and demonstrated knowledge of applicable program laws, rules and requirements.

A. Management and Organizational Structure

1. Describe the proposer's organization. Items to include are:

- a. A brief history of the organization.
- b. Discuss the organization's current mission and philosophy as it relates to the operation of the CCS program.
- c. Briefly describe your organization's overall structure (including a current organizational chart for the entire organization) and how your organization will include the CCS components in its structure. Show lines of authority and responsibility and all key staff positions by title and name.
- d. Provide a functional organizational chart of the system that clearly identifies areas of responsibility and accountability for each function.
- e. Describe the management structure, including your management approach and how that assists in creating a high-performing workplace.
- f. Identify key management and operations staff, including their expertise and experience. How is key management staff evaluated and who ensures accountability?
- g. Describe the organization's succession plan. Describe the plan, process and strategy for ensuring that the loss of key management and operational staff does not result in failure of any of the Subrecipient's key functions or failure to achieve program performance.
- h. Describe your human resource plan, including a description of staff selection, orientation, training, evaluation, development, recognition and reward.
- i. Briefly describe the salary scale and benefits you will provide to CCS staff, including holidays, sick and vacation leave, advancement/promotion opportunities and any additional benefits such as educational assistance, legal services, child care reimbursement,

etc. Do not include a copy of your full personnel policies. These will be reviewed as part of any pre-award process.

- j. Previous experience as a CCS Subrecipient, operating each of the following components: client services, provider management, financial management, child care training, or experience in offering similar services.
 - k. A list of the organization's board of directors, principals, and chief officers.
 - l. A complete list of the organization's funding sources and the percent of the total each source represents.
- 2. Describe the organization's experience and capabilities in managing a broad-based human service agency. Include experience in managing the following:**
- a. Multiple budgets and fund codes;
 - b. Client eligibility determination;
 - c. Paying subcontractors (child care providers);
 - d. Monitoring for quality assurance and compliance of sub-contractors (child care providers);
 - e. Provider management services;
 - f. Training of child care provider staff;
 - g. Financial management of multiple programs.

B. Program Design

- 1. Describe the proposer's plan for the operation of the CCS functions and components including:**
- a. Proposed plan for delivery of services that ensures maximum access to, and for, customers;
 - b. Plans for cross-training staff;
 - c. Plans for the fast, efficient dissemination of information to staff;
 - d. Plans for fast, efficient use of sudden, large increases in client funding – include the description of how clients will be contacted, placements

made and how the provider base will be increased to handle the influx of clients.

2. Client Services – Describe your organization’s plan for providing services to clients:

- a. Strategies for providing general program information to families.
- b. Strategies for promoting consumer education.
- c. Strategies for pre-screening for eligibility and maintenance of a wait list.
- d. Describe plans for “working” the wait list during open enrollment periods (including strategies for managing TWC and Board priorities for service) and strategies for ensuring the wait list is replenished both during and after periods of open enrollment.
- e. Strategies for providing services to customers throughout the entire geographic region. How will you ensure access to services to customers in rural areas?
- f. Strategies for determining and documenting eligibility for services, including status changes and eligibility redeterminations.
- g. Strategies for ensuring that eligibility determination, enrollment and provider referral are completed according to the written policies and procedures and without bias or favoritism.
- h. Strategies for providing clients with information about how to choose quality child care, including strategies to ensure that clients are provided with sufficient information to make an informed decision in choosing between the different types of available child care as well as the appropriate provider for their child.
- i. Approaches for training clients how to use the CCAA system, including the importance of recording attendance regularly, securing their ID card and ensuring that other authorized users are trained on use of system and are aware of attendance recording requirements.
- j. Strategies for ensuring paperwork and data entry are completed in a timely manner.
- k. Coordination of eligibility of clients with the Workforce Solutions of West Central Texas Workforce Center staff, the Texas Department of

Family and Protective Services Child Protective Services (CPS) staff and other referral agencies.

- l. Methods to be employed for determining the need for inclusion services for children with disabilities and the planning and coordination of such services.
- m. Strategies that will be used to track the retention of clients receiving child care services, as well as the reasons children leave care and identification of strategies to increase retention.
- n. Plans for tracking employment and training/educational enrollment data of all CCS clients and how this data will be used to assist customers in gaining employment after completing training/education, retaining employment and/or advancing in their career field with a goal of decreasing their need for subsidized child care assistance.

3. Provider Management – provide the following information:

- a. Strategies for the on-going recruitment of new providers to expand the availability of child care within the West Central Texas WDA.
- b. Describe how providers will be recruited when a client has an urgent need for child care that is not met by the current provider base. Give proposed methods and time frames.
- c. Strategies for negotiating provider agreements that maximize the use of funds available for direct child care services.
- d. Strategies for on-site and remote monitoring of providers, including relative care providers for contract compliance, including compliance with CCAA requirements, issuance of Service Improvement Agreements (SIAs) and tracking of SIAs, as needed.
- e. Strategies for collaborating with the Board’s Early Childhood Specialist staff to recruit and increase the number of Texas Rising Star Providers.
- f. Strategies for the recruitment of providers who will provide services to children with disabilities.
- g. Strategies for training providers on the use of the CCAA system.
- h. Strategies for providing necessary and requested technical assistance to providers.

- i. Quality Improvement – Currently, Board Early Childhood Specialist staff perform Texas Rising Star mentor and assessor functions and shall continue to do so in the future. However, the Board wishes to consider collaborating with the proposer to execute what will be the Board’s existing TWC-approved FY21 Child Care Quality Improvement Plan, with the proposer assuming responsibility for executing the Board’s TWC-approved FY22 Plan developed in collaboration with Board Early Childhood Specialist staff. Describe your experience with implementing child care quality improvement activities, including Texas Rising Star and other local or state-wide child care quality improvement programs or projects. Describe your innovative system design strategies to improve the availability of quality early care and education through quality improvement activities and approaches to evaluate their effectiveness. Provide detail on the proposed number of quality focused staff you would assign to the program and funds required to execute quality activities.

4. Financial Management – provide the following information:

- a. Describe how claims from CCS providers and relative providers will be processed, from receipt of claim to issuance of payment. What is the timeframe for this process?
- b. Describe how funds will be recouped from clients or providers from the point of identification of the need for recoupment through the collection of final payment.
- c. Description of system and process for developing, maintaining, tracking and reporting on multiple funding streams using the TWIST application and CCS Subrecipient’s accounting systems.
- d. Describe the organization’s plan for fiscal management, including development of the budget, comparing budget to actual, tracking expenditures, and billing function. Describe systems in place to ensure adequate funds are available throughout the entire year and that spending is on track to meet contracted performance requirements.

5. Program Compliance – provide the following information:

- a. Proposer shall provide a detailed description of their program compliance process, including elements evaluated, frequency of review, and action steps to be taken based on results of the review. A detailed Program Compliance plan will be required within 60 days of operational start up.

- b. Proposer shall describe their plan for continuous improvement both within the CCS program and the proposer's organization.
 - c. Describe the process for data collection and analysis to assess performance on progress and measure success, including frequency and type of data collected, who is responsible for data analysis and review and provide examples of how data is used to improve individual, program and system performance?
 - d. Describe the plan for addressing, resolving and processing client or provider appeals. .
 - e. Describe the system for addressing and resolving client or provider complaints including those that escalate to the level of informal resolution and appeals.
- 6. Staffing – Describe your CCS staffing structure for all current and proposed staff. Be sure to include all administration staff:**
- a. Complete and submit Appendix M, "Staff Pay, Incentive, and Turnover Details."
 - b. Include organization chart specific to CCS program only with lines of authority, job titles/functions, number of each type of staff proposed. Include a brief job description for each position and resumes of key staff as a separate attachment.
 - c. Describe your human resource plan, including a description of activities surrounding staff recruiting, screening, and selection. Describe the process for filling vacancies, including the timeframe.
 - d. Describe your training process, including a description of your orientation process, programmatic training process and staff development process.
 - e. Include a staffing chart identifying the number and type of positions required to operate the CCS program. The cost per position should be identified.
 - f. Describe, in specific terms, your methods for retaining quality staff, including recognition, incentives, and opportunities for career advancement.
- 7. Transition – Discuss your organization's transition plan including, but not limited to, the following:**

- a. Identify the individual(s) in your organization who will be responsible for the oversight and implementation of the transition and provide their qualifications. What percentage of their time will be devoted to the transition and what is the expected start date of the transition process.
- b. Describe how continuity of services to clients will be ensured during the transition process and beyond.
- c. Describe how you will ensure continuity of services, including payment processing to providers. What is the expected timeframe and method for collecting information from providers to prevent any disruption in processing billing and payments?
- d. What is your communications plan to inform and connect with partners, vendors and other interested parties regarding the transition? Include specific strategies and timelines.
- e. Describe plan for staff recruitment including timeline for hiring/recruitment/transition of staff and plans for recognition of tenure in determining salary and benefits.

C. Financial Systems

1. Describe your financial management system including, at a minimum: cost allocation methodology, procurement, inventory control, property management, reporting, recordkeeping, cost controls, and cost allowability determination.
2. Complete the attached Proposed Child Care Program Budget sheet (Appendix L) and Budget Narrative (Appendix K).
3. Describe the organization's ability to forecast and project enrollment and expenditure levels and how these abilities will be used to ensure prescribed performance measures are met within budget.
4. Include a cost allocation plan which details how costs are charged across your organization's funding sources and grants; or provide a copy of the proposer's indirect cost rate/plan from a cognizant agency.
5. Identify any gaps in resources and any potential funding sources to address these gaps. Describe the strategy for seeking and/or obtaining additional resources.
6. Identify the type and level of additional resources that your organization will bring to the partnership with the Board. This may include financial resources, equipment, property, intellectual properties, proprietary services or products, human and organizational resources.

7. Describe any proposed income-generating activities, the amount of income generated annually and how those funds will be used to improve performance. Describe the process for determining that income generated from these activities was in excess of the cost of providing the service or producing the product.

D. System Management and Integrity

1. Describe your organization's plan for using data from TWIST, Infomaker, and any other tools for purposes of decision-making and overall program management. Examples include tracking various trends such as enrollments and attrition, late data entry, managing caseloads and reviewing change in the mix of types of providers and ages of children in care.
2. Describe systems the proposer has in place for the prevention and detection of fraud, waste, theft and program abuse, including the proposer's experience and success in investigating such cases and proposer's familiarity with TWC's PIRTS system for tracking such cases.
3. Describe your policies for Subrecipient management. Please include: selection process, type of subaward, subaward management, performance management, a description of services that would be subcontracted and the estimated cost. If you do not subcontract services, a statement to that effect should be included.

E. Collaboration/Coordination

1. Describe your organization's plan to serve as an advocate for, and source of information about, quality child care and promoting the importance of quality child care in the community.
2. Describe your organization's plan to ensure coordination of services with any/all entities required in order to provide the services required, including Child Protective Services, Child Care Regulation, West Central Texas Workforce Center Subrecipient, Head Start and Early Head Start, Public Pre-K and Pre-K partnership programs, Texas School Ready (TSR) programs, Independent School District programs for teen parents, Children's Health Insurance Program (CHIP), United Way's 2-1-1 program, HHSC for TANF, Medicaid and SNAP, and other entities providing similar services.
3. Describe your strategy for integrating the programs and resources available through the child care system with those available through the workforce system to meet the needs of child care customers (both client and provider).

F. Past Performance and References

1. Past Performance

- a. Describe performance results for child care programs for a minimum of two prior years and the current year through July 31, 2020. Include a list of all child care programs that you operated and include your performance on all federal and state required performance measures as well as any local measures established for any program/funding stream. Identify the number of individuals identified with each performance measure, as applicable.
- b. Describe in detail any adverse action that has been imposed by any organization with whom you have had a contractual relationship in the past. Adverse action may include, but not be limited to, sanctions, corrective action, performance improvement plans, or service improvement agreements. Include in your description the reason for the adverse action, the plan for corrective action, whether or not the requirements of the plan were fulfilled, and the timeframe for fulfilling the requirements of the plan (vs. the time allocated for fulfilling the requirements of the plan).
- c. Describe your customer satisfaction results for internal and external customers for a minimum of two prior years and the current year through July 31, 2020. Identify the customer group, the methodology and frequency of measurement. Was customer satisfaction assessed internally, by an outside entity or a combination of both? If customer satisfaction was assessed by an outside entity, describe the process and results.
- d. Provide the following financial information for each child care program identified in Item F.1.a. above.
 - (1) Total funds available by funding stream;
 - (2) Total funds expended during program year (expressed as both a dollar amount and as a percentage of funds available);
 - (3) Number of children served and resultant cost per child served.
- e. Describe any internal and/or external program and fiscal evaluations conducted on your organization and/or child care operations during the past three (3) years, including an identification of who conducted the evaluations, purpose of evaluations and results. Copies of the evaluations must be included as an attachment to your proposal.

Describe any program specific or organization-wide financial compliance reviews or audits conducted annually on your organization, including an identification of who conducted the review, purpose and results. A copy of financial reviews for the prior two years and financial statements and/or audit for the prior two years must be included as an attachment to your proposal

2. References

Identify a minimum of two (2) agencies that you have provided child care services for in the past three years that are willing to provide information and discuss past performance. Please identify at least one individual per agency and include the telephone number, mailing address and e-mail address for the individual.

**APPENDIX A
CHILD CARE SERVICES PROPOSAL COVER SHEET**

Name of Proposing Entity	
Legal Name of Parent Company	
Name and Title of Parent Company CEO	
Name and Title of Authorized Signatory Official, if different from CEO	
Mailing Address and Physical Address, if different	
Phone Number	
Fax Number	
Website Address	
Name and Title of Proposal Liaison	
Phone Number of Proposal Liaison	
Fax Number for Proposal Liaison	
E-mail Address for Proposal Liaison	
Legal/Tax Status (check all that apply)	<input type="checkbox"/> Unit of government <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> For Profit <input type="checkbox"/> Not for Profit <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Other _____
State Comptroller ID Number	
Federal Tax ID Number	
Historically Underutilized Business?	<input type="checkbox"/> Yes (if yes, attach certificate) <input type="checkbox"/> No
Total requested funds	
Date of submission	

APPENDIX B PROPOSAL CHECKLIST

____ Proposal Cover Sheet – Appendix A
____ Proposal Checklist – Appendix B
____ Executive Summary – Appendix C
____ Proposal Narrative – Section III of RFP

Attachments to your proposal:

- ____ *Current organizational chart
- ____ *Functional organization chart
- ____ *Performance results for prior two years and current through July 31, 2020
- ____ *Customer satisfaction results from prior two years and current year through July 31, 2020
- ____ Financial information for program performance results
- ____ *References (minimum of 2)
- ____ Proposed Child Care Program Budget for FY21 (Appendix L)
- ____ Staff Pay, Incentive and Turnover Details (Appendix M)
- ____ Budget Narrative (Appendix K)
- ____ *Staffing chart
- ____ *Fringe benefit list
- ____ *Resumes and job descriptions for key staff
- ____ *Brief job descriptions for all other positions
- ____ Audit and/or financial statements for current year and prior two years
- ____ IRS Form 990 [501(c)(3) non-profit corporations only] – prior two years
- ____ Annual Report to Shareholders (for profit corporations only) – prior two years
- ____ Internal and external evaluations for current year and prior two years
- ____ List of grievances and complaints for current year and prior two years (Appendix N)
- ____ Legal action against organization for current year and prior two years (Appendix N)
- ____ Attestation regarding Personnel Policies (Appendix D)
- ____ Insurance and Bonding Chart (Appendix E)
- ____ Policies for Subrecipient Management
- ____ Administrative Management Survey (Appendix F)
- ____ Current cost allocation plan
- ____ Current approved indirect cost plan
- ____ Financial and Fiscal Responsibility Survey and Certification (Appendix G)
- ____ Assurances and Certifications (Appendix H)
 - Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions
 - Lobbying, Certification for Contracts, Grants, Loans and Cooperative Agreements
 - Drug-Free Workplace Requirements
 - Conflict of Interest
 - Nondiscrimination and Equal Opportunity Agreement
 - Part A – Texas Corporation Franchise Tax Certification
 - Part B – State Assessment Certification
 - Certification of Proposer
 - Proposal Language Change Certification

*Items marked with an asterisk are included in the 25-page attachment limit required in Section II.K.2 of this RFP.

**APPENDIX C
EXECUTIVE SUMMARY**

Proposing Entity:

Proposing Facility Address:

City/State/ZIP:

Total Funds Requested: \$

Provide a clear and concise two page Executive Summary. The summary should highlight and substantiate the advantages to the Board of contracting with the proposer. Include examples of financial and material resources you can contribute or leverage, as well as other assets (e.g., proven systems, knowledgeable and experienced staff).

APPENDIX D
ATTESTATION REGARDING PERSONNEL POLICIES

In lieu of submitting the organization's complete personnel policies and procedures proposers must complete this assurance that their personnel policies address at a minimum the following elements. Personnel policies and procedures will be verified as a part of the pre-award review should the proposal be selected for consideration.

Proposer attests that the organization's personnel policies and procedures do address the following elements:

- Terms and conditions for employment
- Employee compensation and fringe benefits
- Holidays, vacation and sick leave
- Travel policies and reimbursement of travel expenses
- Conflict of interest policy
- Employee grievance procedures
- Employee code of conduct

If applying for Workforce funds, the proposer attests that the organization has policies and procedures in place to ensure adherence to and compliance with the provisions of Public Law (PL) 109-234, Section 7013; Texas Workforce Commission (TWC) Workforce Development (WD) letter 24-07; TWC WD 28-07; TWC Technical Assistance (TA) Bulletin 155; and the TWC Financial Manual for Grants and Contracts (FMGC) §10.2 as related to limitations on salaries and bonuses paid with Workforce Investment Act and Wagner-Peyser funds.

I understand that the verification of the adequacy of personnel policies and procedures will be part of the pre-award review should this organization be selected.

Signature _____ Date _____

Printed Name and Title _____

Organization Name _____

APPENDIX E INSURANCE AND BONDING REQUIREMENTS

Proposers should complete the chart and indicate the level of current or proposed coverage for each type of coverage. If a proposer plans to provide additional coverage, please include such coverage and provide a brief explanation. If a proposer does not plan to provide coverage for any area, please provide an explanation.

Proof of insurance is not a requirement for submission, however, proposers should be aware that no activities may begin under contract through the Board until the required insurance has been obtained and proper certificates (or policies) are filed with the Board. Before submitting a proposal, the proposer should contact its insurance agent to determine if the required coverage can be obtained.

The selected Subrecipient shall provide a certificate of insurance prior to the commencement of work under this contract certifying that the minimum coverages identified below will remain in force during the life of this contract. Except for workers compensation and accident/injury policies, each policy shall name the Board as an additional insured or loss payee, as applicable. No funds will be disbursed until proof of coverage, in the form of insurance or a binder is provided. The proposer should determine if there are added costs to include the Board as an additional insured and include such costs in the budget.

TYPE OF COVERAGE	MINIMUM REQUIREMENT	PROPOSER COVERAGE	EXPLANATIONS
Commercial general liability	\$1,000,000 aggregate \$1,000,000 per occurrence		
Automobile liability*	\$1,000,000 aggregate \$500,000 per occurrence for bodily injury \$100,000 per occurrence for property damage		
Property insurance**	Replacement cost of property as per §18-13 of the FMGC		
Umbrella insurance – coverage is allowable but optional	\$1,000,000 aggregate \$1,000,000 per occurrence		
Directors and Officers Liability	\$1,000,000 aggregate		
Accident/Personal Injury Coverage for individuals In training	\$1,000,000 accidental death \$1,000,000 accidental dismemberment		
Employee Dishonesty – coverage is allowable but optional	\$250,000		
Workers Compensation for staff and individuals in work activities	Must be workers compensation policy or comparable. Please identify type of coverage.		
Fidelity Bonding***	\$1,000,000 or an amount sufficient to cover the Board areas as per the requirements in the FMGC, Ch. 3 and TAC 40 §802.21(b).		
Other			

*Applicable if Subrecipient uses an automobile, whether owned, leased or non-owned, in conducting performance under this contract.

**Applicable if Subrecipient owns or leases property in conducting performance under this contract.

***Board must be executed by a corporate surety or sureties holding certificates of authority, authorized to do business in the State of Texas. The bond must be accompanied by a valid Power of Attorney issued and certified by the surety company authorizing the attorney-in-fact who signs the bond to commit the company to the terms of the bond, and stating any limit in the amount for which the attorney-in-fact can issue a single bond.

APPENDIX F
ADMINISTRATIVE MANAGEMENT SURVEY

Proposers **must** complete the following form regarding your administrative management system and attach a copy of documents referred to in questions 1, 2, 3, 4 and 7 that are marked with an asterisk. If the response is “no” to questions 5, 6, 7, 8, 9, 10, 11, 12, or 13, please include a brief explanation.

1. *Does your organization have a current Articles of Incorporation or Charter?
Yes (copy attached) No N/A
2. *Does your agency have a State Comptroller’s vendor number?
Yes (copy attached) No N/A
3. *If you are a non-profit corporation, include a copy of your non-profit status.
4. *Is your organization a Historically Underutilized Business?
Yes (copy of certification attached) No N/A
5. Does your organization conduct internal quality control reviews?
Yes No
6. Does your organization have a written grievance procedure used to resolve employee complaints?
Yes No
7. *Does your organization have an EO/Affirmative Action Plan?
Yes (copy attached) No
8. Does your organization have a complaint or grievance process for customers?
Yes No
9. Does your organization have the capacity or staff to produce and maintain participant records and other information as needed by the Board and required by the State of Texas and the U.S. Department of Labor?
Yes No
10. If certain costs are determined to be disallowed, does your organization have a procedure or source for reimbursing such costs to the Board?
Yes No

From what funding source will disallowed costs be paid? _____

11. Does your organization perform an annual physical inventory?
 Yes No N/A
12. Does your organization have a disaster recovery plan that addresses continuity of services and protection of program data?
 Yes No
13. Does your organization have a Pandemic Flu plan?
 Yes No
14. Does your organization have any current unresolved audit or monitoring findings?
 Yes (please provide brief explanation) No
15. Does your organization have any pending litigation, complaints or judgments either initiated by the organization or against the organization?
 Yes (please provide brief explanation) No

Name _____

Title _____

Signature _____

Organization _____

APPENDIX G
FINANCIAL AND FISCAL RESPONSIBILITY
SURVEY AND CERTIFICATION

PROPOSER: _____

Please answer the following questions regarding your fiscal management system. Additional information may be requested at the time of pre-award survey, including copies of the documents specifically named.

Question	Yes	No	N/A
1. Does your organization follow GAAP?			
2. Does your accounting system: <ul style="list-style-type: none"> a. Provide control and accountability for funds received, property, and other assets? b. Provide identification of receipt and expenditures of funds Separately for each funding source? c. Provide adequate information to prepare monthly financial reports on an accrual basis? d. Have the capability to track allowability and allocation of costs in accordance with requirements for federal grant programs? 			
3. Are state and federal funds which may be advanced to you deposited in a bank with federal insurance oversight?			
4. Has the bank in which you deposit state and federal funds insured the account(s) or put up collateral or both equal to the largest sum of money which would be in such account(s) at any one point in time during the contract period?			
5. Do you reconcile your bank accounts monthly?			
6. Are the bank reconciliations made by the same person who performs recordkeeping for receipts, deposits, and disbursement transactions?			
7. Do you record daily cash receipts and disbursement transactions?			
8. Are individuals or positions in your organization which handle the receipt or distribution of money covered by bond? <ul style="list-style-type: none"> a. Is there a person who is responsible for the receipt of all purchased goods? b. Does this person assign, upon receipt, an inventory number for items? c. Does this person perform an inventory audit at least once a year? 			
9. Do you maintain records on all property acquisition, disposition and transfer?			
10. Do you have written procedures and internal controls established for the procurement of goods and services?			
11. Is a competitive bidding process incorporated into your purchasing procedures for acquisition of Subrecipients, major goods and services, equipment, and office space?			
12. Are timesheets kept to support payroll disbursement? If not, describe how employee time is documented and payroll supported.			
13. Are records maintained to support authorized employee leave (vacation, sick, etc.)?			
14. Are complete records kept to support travel payments?			
15. Has a formal audit by an outside auditing firm been conducted of your organization's financial records in the past year?			
16. Do you have an indirect cost plan with current approval by a cognizant			

Question	Yes	No	N/A
agency?			
17. Is your organization funded by more than one source?			
18. Does your organization maintain written accounting procedures?			

Certification of Financial and Fiscal Responsibility

The proposing Subrecipient must certify that it has developed key control systems to address the areas of fiscal integrity, procurement, monitoring and oversight, staff, reporting systems, and data integrity as specified in the attached certification. Such systems are subject to review and approval by the Workforce Solutions of West Central Texas Board.

The _____ attests that key control systems, policies and procedures are in place, as noted in this certification, and that such systems, policies, and procedures are in compliance with the applicable federal and state rules and regulations. The Subrecipient also certifies that written procedures and policies are available for inspection by the Workforce Solutions of West Central Texas Board or its designee.

Agency/Organization Name

Typed Name/Title of Signatory Authority

Signature of Above Named Individual

Date

**APPENDIX H
ASSURANCES AND CERTIFICATIONS**

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY
AND VOLUNTARY EXCLUSION
LOWER TIER COVERED TRANSACTIONS**

This certification is required by the regulations and implementing Executive Order 12549. Debarment and Suspension, 20 CFR Part 98, Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19610-19211).

(Before completing certification, read attached instructions which are an integral part of the certification).

1. The prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

2. 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 of Applicant Organization: _____

Name and Title of Authorized Representative: _____

Signature

Date

CERTIFICATION REGARDING LOBBYING, CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENT

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, or an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any Federal loan, the entering into any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant local, or cooperative agreement.
2. If any funds other than Federal appropriated funds have paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.
4. Pursuant to Texas Government Code §2264.051, a business that applies to receive a public subsidy from the WSWCTB shall certify that the business, or a branch, division or department of the business does not and will not knowingly employ an undocumented worker as defined in Texas Government Code §2264.001(4). The undersigned authorized representative of the entity making the offer or application herein understands and certifies that:
 - The following indicated statement is true and correct;
 - Making a false statement is a material breach of contract and grounds for contract cancellation; and
 - If after receiving a public subsidy, the entity is convicted of a violation under 8 United States Code §1324a (f) (relating to the unlawful employment of undocumented workers) the entity shall repay the amount of the public subsidy with interest at the rate provided under the contract issued pursuant to this offer or application, within 120 days of receiving the notice of violation.

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

by Section 1352, Title 31, and U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each failure.

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

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

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition.
2. Establishing an ongoing drug-free awareness program to inform employees about:
 - a. The dangers of drug abuse in the workplace;
 - b. The grantee's policy of maintaining a drug-free workplace;
 - c. Any available drug counseling, rehabilitation, and employee assistance programs; and
 - d. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
3. Making it a requirement that each employee be engaged in the performance of the grant and be given a copy of the statement required by paragraph (1).
4. Notifying the employee in the statement required by paragraph (1) that, as a condition of employment under the grant, the employee will:
 - a. Abide by the terms of this agreement;
 - b. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (4) (b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notices shall include the identification number(s) of each affected grant.
6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (4)(b), with respect to any employee who is convicted:
 - a. Taking appropriate personnel action against an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

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

7. Making good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (1), (2), (3), (4), (5), and (6).

B. The proposer must insert in the space provided below a list of site(s) for the performance of work done in connection with the specific contract:

Place of Performance:

Check if there are workplaces on file that are not identified here.

Not applicable.

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

CERTIFICATION REGARDING CONFLICT OF INTEREST

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

1. No manager, employee or paid consultant of the Proposer is a member of the Executive Committee, the Executive Director or a Board or staff member of the Board;
2. No manager, or paid consultant of the Proposer is a spouse to a member of the Executive Committee, the Executive Director or any WSWCTB or staff member of the Board;
3. No member of the Executive Committee, the Executive Director or any WSWCTB member or Board employee owns or controls more than 10 percent of the proposing agency;
4. No spouse of a member of the Executive Committee, Executive Director, or WSWCTB or staff member is a manager, or paid consultant of the Proposer;
5. No member of the Executive Committee, Executive Director or Board member or employee receives compensation from Proposer for lobbying activities as defined in federal laws or Chapter 305 of the Texas Government Code;
6. Proposer has disclosed within the Proposal any interest, fact or circumstance which does or may present a potential conflict of interests;

Should proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with the WSWCTB and shall immediately refund to the WSWCTB 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 WSWCTB relating to that contract.

Name of Applicant Organization: _____

Name and Title of Authorized Signatory: _____

Signature: _____ Date: _____

NONDISCRIMINATION AND EQUAL OPPORTUNITY AGREEMENT

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the applicant assures that it has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws and will remain in compliance for the duration of the award of federal financial assistance:

(A) Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I-financially assisted program or activity;

(B) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;

(C) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;

(D) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and

(E) Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

(ii) The grant applicant also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

Name of Organization: _____

Name of Authorized Signatory: _____

Title of Authorized Signatory: _____

Signature: _____ Date: _____

PART A TEXAS CORPORATE FRANCHISE TAX CERTIFICATION

Pursuant to Article 2.45, Texas Business Corporation Act, State agencies may not award grants to for profit corporations that are delinquent in making state franchise tax payments. The following certification that the corporation entering into this grant award is current in its franchise taxes must be signed by the individual authorized on Form 2031, Corporate Board of Directors Resolution, to sign the grant award for the corporation.

The undersigned authorized representative of the corporation being awarded a grant herein certifies that the following indicated statement is true and correct and that the undersigned understands making a false statement is a material breach of the grant award and is grounds for grand award cancellation.

Indicate the certification that applies to your corporation:

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

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

Signature

Typed/Printed Name and Title of Authorized Representative

Date

PART B STATE ASSESSMENT CERTIFICATION

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

The corporation certifies that:

_____ It is current in Unemployment Insurance taxes, Payday and Child Labor law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.

It has no outstanding Unemployment Insurance overpayment
balance payable to the State of Texas.

Name and Title of Authorized Representative

Signature

PROPOSAL LANGUAGE CHANGE CERTIFICATION

Certification

I hereby certify that the terms and conditions of this Request for Proposal and/or any of its appendices have not been altered in any way from the original document e-mailed or downloaded from the Board's website on _____(date) including change, addition or deletion except as specifically set forth in the space provided below. I further acknowledge that any alteration described below shall not be binding until expressly approved by the Executive Director of the Workforce Solutions of West Central Texas Board or the Executive Director's designee.

Name: _____ Date: _____

Title: _____

Company/Organization: _____

Changes, additions or deletions (please describe below):

APPENDIX I

Laws and Regulations

- (1) Contract Work Hours and Safety Standards Act. Must be included in all construction contracts that exceed \$2,000 and in all other contracts involving the employment of mechanics or laborers that exceed \$2,500. The provision requires compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327-330) as supplemented by Department of Labor Regulations at 29 CFR Part 5. The Contract Work Hours and Safety Standards Act requires Contractors to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1 ½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
- (2) Davis-Bacon Act. Must be included in all construction contracts that exceed \$2,000 when required by federal grant program legislation. The provision requires compliance with the Davis-Bacon Act (40 U.S.C. §276a to a-7) as supplemented by Department of Labor regulations at 29 CFR Part 5. The Davis-Bacon Act requires Contractors to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, Contractors are required to pay wages not less than once a week. The Contractor must include a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract must be conditioned upon the acceptance of the wage determination. The Contractor must report all suspected or reported violations to the Agency, and the Agency must report the violation to the federal awarding agency.
- (3) Child Support. Requires compliance with Section 231.006, Family Code, which prohibits payments to a person who is in arrears on child support payments.
- (4) Child Abuse. Subrecipients must comply with the Family Code §261.101, which requires reporting of all suspected cases of child abuse to local law enforcement authorities and to the Texas Department of Family and

Protective Services. Subrecipients shall also ensure that all program personnel are properly trained and aware of this requirement.

- (5) Federal statutes relating to nondiscrimination. These include but are not limited to:
- (a) Title VI of the Civil Rights Act of 1964 (Public Law 88-352) which prohibits discrimination on the basis of race, color or national origin;
 - (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex;
 - (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps and the Americans With Disabilities Act of 1990;
 - (d) the Age Discrimination Act of 1974, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age;
 - (e) the Drug Abuse Office and Treatment Act of 1972 (Public Law 92-255), as amended, relating to nondiscrimination on the basis of drug abuse;
 - (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (Public Law 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
 - (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records;
 - (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing;
 - (i) the Women in Apprenticeship and Non-Traditional Occupations Act, 29 U.S.C. § 2501 et seq., as amended;
 - (j) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and
 - (k) the requirements of any other nondiscrimination statute(s) which may apply.
- (6) Minimum Wage and Maximum Hours. Subrecipients must comply with the minimum wage and maximum hours provisions of the Federal Fair Labor

Standards Act and the Intergovernmental Personnel Act of 1970, as applicable.

- (7) Nepotism. Subrecipients must comply with the Government Code, Chapter 573, which requires that no officer, employee, or member of the applicant's governing body or of the applicant's Subrecipient shall vote or confirm the employment of any person related within the second degree of affinity or the third degree of consanguinity to any member of the governing body or to any other officer or employee authorized to employ or supervise such person. This prohibition shall not prohibit the employment of a person, who shall have been continuously employed for a period of two years, or such other period stipulated by local law, prior to the election or appointment of the officer, employee, or governing body member related to such person in the prohibited degree.
- (8) Open Meetings. Requires compliance with the Government Code, Chapter 551, which requires all regular, special or called meeting of governmental bodies to be open to the public, except as otherwise provided by law or specifically permitted in the Texas Constitution.
- (9) Contract Administration System. When incorporated into a contract, standard assurances contained in the application package become terms or conditions for receipt of grant funds. Subrecipients must maintain an appropriate contract administration system to ensure that all terms, conditions, and specifications are met.
- (10) Hatch Political Activity Act (5 U.S.C. §7321-29). Limits the political activity of employees whose principal employment activities are funded in whole or in part with federal funds.
- (11) Environmental Standards. Requires the recipient to agree to comply with all applicable standards, orders, or regulations issued pursuant to the Clean Air Act 42 U.S.C. §§7401 et seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. §§1251 et seq.). The Subrecipient will notify the federal grantor agency of the receipt of any communication from the Director of the Environmental Protection Agency (EPA) Office of Federal Activities indicating that a facility to be used in the project is under consideration for listing by the EPA (EO 11738). This provision must be included in all contracts in excess of \$100,000.
- (12) Flood Disaster Protection Act of 1973 (Public Law 93-234). Subrecipients must comply with the flood insurance purchase requirements of §102(a) of the Flood Disaster Protection Act of 1973. Section 102(a) requires the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any federal financial assistance for construction or acquisition proposed for use in any area that has been

identified by the Secretary of the Department of Housing and Urban Development as an area having special flood hazards.

- (13) Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq). Prohibits the use of lead-based paint in construction or rehabilitation of residential structures.
- (14) Pro-Children Act of 1994 (Public Law 103-277). Prohibits smoking within any portion of any indoor facility used for the provision of services for children as defined by the Act.
- (15) HIV/AIDS Work Place Guidelines. Subrecipients must adopt and implement applicable provisions of the model HIV/AIDS work place guidelines of the Texas Department of Health as required by the Health and Safety Code, Ann., Sec. 85.001, et seq.
- (16) Tax Laws. Subrecipients will comply with all federal tax laws and are solely responsible for filing all required state and federal tax forms.
- (17) Laws and Regulations. Subrecipients will comply with all applicable requirements of federal and state laws, executive orders, regulations and policies.
- (18) Energy Policy and Conservation Act. Requires compliance with mandatory standards and policies relating to efficiency which are contained in the state energy plan issued in compliance with the Energy Policy and Conservation Act (Public Law 94-163).

Authority:

Contract Work Hours and Safety Standards:

OMB Circular A-110 Appendix A, (4)
29 CFR §97.36(i)(6)
45 CFR §92.36(i)(6)
UGMS Part III §__.14(a)(10)
UGMS Part III §__.36(i)(6)

Child Support:

UGMS Part III §__.14(a)(4)

Non-discrimination:

7 CFR §3015.205(b)(6), (13)-(15)
UGMS Part III §__.14(a)(9)

Nepotism:

Government Code, Chapter 573
UGMS Part III §__.14(a)(1)

Contract Administration System:

UGMS Part III §__.14(a)(7)

Environmental Standards:

OMB Circular A-110 Appendix A, (6)
29 CFR §97.36(i)(12), (14)
45 CFR §92.36(i)(12), (14)
UGMS Part III §__.36(i)(12), (14)

Lead-Based Paint Poisoning Prevention:

UGMS Part III §__.14(a)(20)

HIV/AIDS Work Place Guidelines:

UGMS Part III §__.14(a)(25)

Laws and Regulations:

UGMS Part III §__.14(a)(23)
UGMS Part III §__.36(i)(13)

Davis Bacon Act:

OMB Circular A-110 Appendix A, (3)
29 CFR §97.36(i)(5)
45 CFR §92.36(i)(5)
UGMS Part III §__.14(a)(10)
UGMS Part III §__.36(i)(5)

Child Abuse:

UGMS Part III §__.14(a)(8)

Minimum Wage and Maximum Hours:

UGMS Part III §__.14(a)(13)

Open Meetings:

UGMS Part III §__.14(a)(3)

Hatch Political Activity Act:

UGMS, Part III Subpart B §__.14(a)(12)

Flood Disaster Protection Act:

UGMS Part III §__.14(a)(15)

Pro-Children Act:

UGMS Part III §__.14(a)(21)

Tax Laws:

UGMS Part III §__.14(a)(22)

Energy Policy and Conservation Act:

29 CFR §97.36(i)(13)
45 CFR §92.36(i)(13)

APPENDIX J
Budget Information

Part 1 – Current Staffing

Child Care Services Director Salary Range: \$70,000 - \$105,000	1 staff
Client Services Manager Salary Range: \$48,500 - \$72,700	1 staff
Lead Client Services Specialist Salary Range: \$34,564 - \$51,752	1 staff
Client Services Specialist Salary Range: \$30,968 - \$46,556	5 staff
Program Tech Salary: \$25,273 - \$37,868	1 staff
Program Support Manager Salary Range: \$48,500 - \$72,700	1 staff
Child Development Specialist Salary Range: \$39,000 - \$57,759	1 staff
Financial Management Specialist Salary Range: \$25,273 - \$37,868	2 staff
Compliance Specialist Salary Range: \$30,968 - \$46,446	3 staff
Administrative Assistant Salary Range: \$25,273 - \$37,868	1 staff

17 total staff

Of the 17 total staff, 17 are full time, regular employees and 0 are temporary staff.

Staff information is provided as a guide for proposers. Salaries for specific staff will not be provided to protect individual privacy. Proposers should follow the State salary schedule and will be required to identify the corresponding state classification for each position.

Part 2 – Budget Considerations

Staffing: In addition to the information provided in the staffing model, which provides the budget necessary for staffing the CCS program, the Board recommends that the Subrecipient work toward employing a career ladder approach to staffing to ensure continuation of service and also to encourage high performing staff to remain on-board. The Board strongly encourages a career ladder approach that allows staff opportunities for career advancement within the CCS program. These opportunities for advancement would include increased pay and increased responsibilities. If you have another approach to ensuring staff buy-in and the development of a career ladder/succession plan, please provide those details in your narrative.

Staff Training: The Board will provide periodic programmatic training, as well as TWIST training, and will provide training for identified needs that the Board considers necessary. The Board will also provide Technical Assistance as requested by the Subrecipient and as the Board identifies need. The proposer should budget to provide for new employee orientation training, on-going training to staff stemming from the Board provided trainings (mentorship-type training, for example), and for any additional trainings that the Subrecipient deems important and necessary to ensure development of staff into increasing positions of authority, leadership, and responsibility.

Program Compliance: The proposer should budget funds for traditional program compliance (monitoring) reviews as well as building in on-going, real-time review of staff output and procedures into the staffing plan, perhaps at the supervisory or lead level, to ensure that errors are minimized and that when errors do occur, they are found quickly and corrected before any formal Program Compliance reviews occur at the Board, State, or Federal levels. Any external reviews deemed necessary at the Subrecipient level should also be budgeted.

Technology: The Board employs a Network Administrator, who is responsible for oversight and maintenance of local and wide-area networks as well as administration of the approved Technology Plan. The Board will make necessary technology purchases, including licensing, software upgrades, contract and website maintenance and replacement parts. Technology-related expenses are included in the Board's budget and the Board provides all technology support. The proposer should not budget funds related to technology except for cell phones for staff, if the proposer desired to provide these. Child Care staff currently have Internet and e-mail access through the Workforce Solutions of West Central Texas Board. The Subrecipient shall designate staff to address simple user-related issues, such as password resets, and training for use of equipment for Subrecipient staff, as well as maintenance of certain sections of the website.

Community Awareness: The Board has primary responsibility for oversight of all community awareness activities, including release of information about the workforce center system to the public, outreach campaigns, system publications (including brochures), advertising specialties and related activities that increase awareness of the workforce services and system. The proposer should not budget any costs for marketing and printing, except for advertising limited to legal notices and job ads for Subrecipient staff positions.

Equipment/Furniture: Equipment and furniture used by the current Child Care Services operator will be available to the selected proposer. The Board believes that adequate and acceptable equipment and furniture is available to provide required child care services. If after selection, the awardee and Board identify the need for additional equipment and/or furniture, the awardee may request the Board complete such purchases.

Center Locations: CCS staff are located in the only full-service Workforce Center, which is located in Abilene. Workforce Center satellite offices are also located in Brownwood, Sweetwater and Snyder. Child Care staff periodically provide services at these rural locations as demand dictates. The Board is responsible for the leases in Abilene, Brownwood, Sweetwater and Snyder.

Board Covered Costs (Not to be Budgeted by Proposer): The Workforce Solutions of West Central Texas Board retains funds at the Board level to cover the majority of costs associated with the operation of the CCS program for the Subrecipient. Costs covered by the Board include rent/lease costs for all facilities, copy machine rental fees, per-copy costs, postage machine rental fees, postage costs, utility costs (including electricity, gas, and water), janitorial and security costs, telephone costs (including local, long distance, and data/internet fees but excluding cell phone costs), technology costs, office supplies and equipment and pest control.

APPENDIX K

Budget Narrative

1. **Salaries:** Identify all positions included in the budget by position/job title and salary.

2. **Fringe Benefits:** List the fringe benefits and provide the benefit percentage as a percent of salary or a fixed cost.

3. **Other Personnel:** Identify costs of temporary or subaward staff who will be used for more than short-term projects, including planned number of staff and reason for use of such staff. Identify any other costs associated with personnel not included elsewhere.

4. **In-region, Out-of-region and Out-of-state Travel:** Identify mileage, meal, lodging and other related transportation expenses for in-region, out-of-region and out-of-state travel.

5. **Other Travel-related Expenses:** Identify any other costs associated with travel such as registration fees, tuition costs, etc.

6. **Cellular Service/Data Plans:** Identify estimated monthly costs for cellular service, including any cell phones that the proposer plans to place into service as well as data plans for any devices that use cellular service (e.g. iPads).

7. **Publications and Subscriptions:** Include estimated monthly cost of newspaper, magazine and periodical subscriptions and purchase of workforce or child care publications.

8. **Advertising:** Include cost of legal notices, advertising for staff, etc.

9. **Insurance/Bonding:** Identify annual premium cost for each type of required insurance and bond.

10. **Other General Operations:**

11. **Consultant Services:** Identify planned consultant services and estimated costs.

12. **Accounting:** Include accounting services not directly provided by proposer.

13. **Audit Services:** Include only audit services related to agency/program audits. Do not include costs of financial reviews or outside evaluations other than audits.

14. **Legal Services:**

15. Professional Memberships and Dues:

16. Other Contract Services: Identify planned services and estimated costs.

17. Quality Improvement Activities: Identify proposed quality improvement activities, including costs for activities proposed (which may include training, technical assistance, materials, equipment, supplies, outreach, etc.).

18. Indirect Cost: Identify the methodology, percentages, and items included in determining indirect costs (or provide a copy of the proposer's federally approved Nonprofit Rate Agreement and backup documentation submitted to cognizant agency issuing said Agreement). Indirect cost is only available as a budget item for a not-for-profit organization.

19. Management Fee: Identify the methodology, percentages, and items to be included in the management fee. Management fees are only available as a budget item for a for-profit organization.

20. Profit: Identify the amount of profit being requested.

21. Other Administrative Fees or Costs:

APPENDIX L

Proposed Child Care Program Budget

APPENDIX M

Staff Pay, Incentive and Turnover Details

APPENDIX N

Listing of Grievances and Legal Actions

Appendices L, M and N are Excel spread sheets included under separate cover.