

Silicon Valley Workforce Investment Network

REQUEST FOR PROPOSALS

Workforce Development Geo-Mapping System

Deadline for Submittals:	March 25, 2005, 5:00 p.m.* Faxed or e-mailed proposals will not be accepted. Postmarks will not be accepted as proof of timely delivery. Proposals received after the deadline will not be accepted and will be returned unopened.
Proposal Packet Submittal Location:	Silicon Valley Workforce Investment Network ATTN: Monique Melchor, Analyst 60 South Market Street, Suite 470 San Jose, CA 95113
Technical Assistance Conference Time, Date, and Location:	March 10, 2005, 3:00 p.m.* San Jose One Stop 1775 Story Road, Suite 120 San Jose, CA 95122 RSVP: monique.melchor@sanjoseca.gov Only those who RSVP will be guaranteed accommodation.
Technical Assistance Contact:	Silicon Valley Workforce Investment Network FAX: (408) 297-1012 E-Mail: john.lang@sanjoseca.gov Written inquiries <i>only</i>, please. All relevant questions and answers will be made available to interested parties.

*All dates subject to change; changes will be posted on www.sjeconomy.com and <http://www.swwin.org>.

Silicon Valley Workforce Investment Network

Our Mission:

The Silicon Valley Workforce Investment Network assists businesses and residents of the City of San Jose and southern Santa Clara County in meeting the workforce demands and opportunities of a global economy.

Our Vision:

To provide our diverse communities with a world-class workforce that fosters economic development. We work with business, residents, government, educational and community-based organizations to maximize local and regional employment opportunities. We are the catalyst in the development and implementation of a comprehensive workforce strategy. We reward innovation, success and continuous improvement.

Our Strategic Objectives:

- Provide businesses with the workforce tools they need to succeed in a global economy;
- Provide all residents with the workforce tools and opportunity to maximize their employment potential;
- Seek and implement successful employment strategies for residents with barriers;
- Bring government, business, education and training providers together to create innovative workforce strategies and programs;
- Foster a One-Stop System that fulfills the needs of our diverse communities; and
- Continuously improve our organization and the delivery of our services.

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Section 1. OVERVIEW

1.1 Introduction

This Request for Proposal (RFP) solicits interest and provides a framework to assess the qualifications and work plan for the development of a workforce development geo-mapping database system.

The Silicon Valley Workforce Investment Network (SVWIN) is funded through the Department of Labor and the State of California Employment Development Department, and is administered by the City of San Jose. A 45-member Board of Directors, drawn from both private industry and the public sector, guides and oversees the SVWIN. Together, the SVWIN Board and staff work with employers and job seekers to maximize local and regional employment and training opportunities.

The SVWIN serves the communities of San Jose, Campbell, Gilroy, Morgan Hill, Saratoga, Los Gatos, Los Altos Hills, and the unincorporated areas of Santa Clara County, through three One-Stop Centers, whose annual visitors total over 100,000 per year. The workforce development geo-mapping database system requested through this RFP is intended to be an information and planning tool to assist SVWIN in understanding local workforce and employer trends. The system will augment SVWIN's existing Management Information System (MIS).

In developing this tool, SVWIN will rely on securing the required data from the State of California Employment Development Department and other sources as needed. Given the nature of the information, SVWIN, and other parties where appropriate, will need to sign strict confidentiality agreements regarding how data and resulting analysis would be shared with other parties.

As further detailed in Section 2, Description of Service Scope, the main objectives and functions of the workforce development geo-mapping system are twofold:

- Regional Trend Analysis. Provide SVWIN with industry, occupational, and locational trends relating to growth or decline in the number and nature of certain sectors and jobs within targeted geographic areas. Information secured as such would be utilized to allow SVWIN to react to changing workforce trends and demands. In turn, this information will allow SVWIN to better serve its business and job-seeking customers in terms of enhanced labor market information.
- Cross mapping of Occupational and Supportive Services. Allow SVWIN's staff, contractors, and partners to visually identify opportunities and constraints relating to client access to available jobs, training opportunities, and related supportive services (childcare, transportation, housing, etc.).

SVWIN is seeking solicitations from prospective vendors/consultants to design, build, and maintain a user-friendly workforce development geo-mapping database system to be implemented in four phases:

- Phase 1 – Art and Structure
- Phase 2 – Pilot Prototype
- Phase 3 – Prototype (Alpha)
- Phase 4 – Prototype (Beta)

In Phase 1, art, structure, and output from the geo-mapping database system will be defined. Phase 1 will start upon notification of contractor selection by SVWIN with completion projected for 90 days following notification.

In Phase 2, a sample Graphic User Interface (GUI) will be created that will show interoperability between the database and GUI. Phase 2 may be implemented following the successful completion of Phase 1.

Phase 3 is the alpha prototype release of the workforce development geo-mapping system. The system should be secure and fully functional, with the ability to analyze trends, industry sectors, employment, wage trends, and other queries as defined by SVWIN. The system must be able to display output in a 3-D mapping format. The system must also be able to export output in a common format. Phase 3 may be implemented following the successful completion of Phase 2.

Phase 4 is the beta prototype release of the workforce development geo-mapping system. The system should be secure and fully functional, with the ability to handle data uploads and importation through a back end GUI. Phase 4 may be implemented following the successful completion of Phase 3.

The system must be user-friendly for management, staff, and other stakeholders to view, update, manage, and add new data elements. It must provide the capabilities of integrating data from various systems, both internal and external.

Proposals submitted in response to this RFP should demonstrate the capacity for responsiveness to SVWIN's technical criteria, user-friendliness, ongoing maintenance, speed, ability to store data, functionality to upload and download data, and continuous improvement based on SVWIN feedback.

The workforce development geo-mapping system vendor/consultant selected through this RFP process will begin Phase 1 as of June 1, 2005.

1.2 RFP Process Overview

Please note: all dates are subject to change. Any changes will be posted on www.sjeconomy.com and <http://www.svwin.org>.

1.2.1 Process Timeline

February 22, 2005	RFP release date
March 10, 2005	Technical Assistance Conference
March 18, 2005	Last day for Technical Assistance
March 25, 2005	Proposal submittal deadline
April 7, 2005	Award announcement
April 14, 2005	Initiation of contract negotiations
June 1, 2005	Initiation of services

1.2.2 Technical Assistance

Following release of the RFP, staff will provide general information regarding the requirements of the RFP, but will not provide guidance regarding preparation of a specific proposal. A Technical Assistance Conference will be held on March 10, 2005, at the time and location referenced on the cover of this RFP document. All questions and answers relevant to the preparation of responsive proposals will be posted on these websites: <http://www.svwin.org> and www.sjeconomy.com. Technical assistance will not be available after March 18, 2005.

1.2.3 Submittal of Proposals

Proposals received prior to the submittal deadline will be screened for compliance with the following format specifications:

- **Proposers will submit one original, six (6) unbound printed copies, and one electronic copy of the Proposal Narrative, the Project Budgets, and the Project Cost Allocation Narrative, on 3.5" diskettes, or on a CD, in MS Word (6.0 or more recent) format, in a sealed envelope via hand delivery or certified mail. The original proposal and all printed copies will be covered with the Proposal Cover Page included in Appendix B of this RFP.**
- **All narratives, including tables and charts within the narratives, will be typed in Arial (regular, not narrow) or Times New Roman font, 12-point size or larger, on 8 ½ "x 11" pages. Allow 1" for all margins. Due to page limitations, proposers will be disqualified for providing narratives with font sizes smaller than 12-point.**
- **All narratives will be single-spaced, single-sided, and numbered sequentially throughout, including page numbers on all attachments. Proposers will provide a Table of Contents corresponding to the required order of documentation as shown in Appendix A. Proposals will be single-stapled or clipped. No bound inclusions will be submitted as part of the proposal.**

1.2.4 Review and Rating of Proposals

SVWIN staff will screen all proposals accepted prior to the submittal deadline for (1) compliance with the submittal format specifications of this RFP described above in Section 1.2.3, and (2) completeness of documentation. A complete list of required documents and inclusions is set forth in Appendix A, Proposal Checklist.

Each member of the RFP Rating Panel will evaluate all proposals passing format and completeness thresholds for the clarity of their response to two basic evaluation criteria as outlined in Section 3.

Proposers may be invited, at the discretion of SVWIN, to answer specific questions. General presentations will not be permitted.

After the members of the rating panel have individually reviewed all proposals forwarded from SVWIN staff, the RFP Rating Panel will meet to present individual justifications for scores assigned to each proposal; depending on the outcomes of these discussions, reviewers may or may not adjust their individual scoring. In the final analysis, all reviewer scores will be averaged to determine the final score for each proposal.

SVWIN reserves the right to establish minimum threshold levels and requirements (bolded) in this RFP to ensure that Policy Priorities are achieved. Only proposals that have met the minimum threshold requirements will be forwarded for consideration to SVWIN's Board of Directors or the Executive Committee acting on its behalf.

A proposal shall not be forwarded for contract award consideration if it:

- **Contains misrepresentation by a proposer or lacks accurate and specific information;**
- **Fails to achieve a minimum *combined* score of 65 points for "Qualifications and Experience" (50 points possible) and "Work Plan" (50 points possible); or**
- **Fails to disclose the employment or retention of current or past employees of the City of San Jose as contractors, subcontractors, partners, or consultants, or in any other capacity, within the proposal document.**

1.2.5 Recommendation to SVWIN Board or Executive Committee acting on its behalf

After all proposals have been rated and ranked, and RFP process recommendations have been reviewed and approved by SVWIN management, staff will provide the SVWIN Board or Executive Committee, as appropriate, with a recommendation for contract award based on the aggregated RFP Rating Panel scores, proposal rankings, and an assessment of the relative strengths, weaknesses, and risks of each of the rated proposals.

Notwithstanding a recommendation of a department, agency, individual, or other, SVWIN retains the right to exercise judgment concerning the selection of a proposer and determination of which proposal best serves the interests of SVWIN. The SVWIN Board or the Executive Committee acting on its behalf is the ultimate decision making body and makes the final determinations necessary to arrive at a decision to award, or not award, a contract. SVWIN

reserves the right to establish additional consideration or criteria for funding, as deemed necessary. Such considerations may be addressed through final contract negotiations.

1.2.6 Contract Negotiation with Successful Proposer(s)

After all proposals have been rated and ranked, and recommendations have been approved by SVWIN, all successful proposers may be required to participate in negotiations to determine the specific terms of the Agreement and contract budget. In cases where the SVWIN cannot successfully conclude negotiations with the selected proposer or where a selected proposer fails to provide SVWIN with requested information in a timely fashion, an award will not be made to this proposer.

SVWIN reserves the right to fund all or portions of a proposal; the proposed budget will not necessarily be the funded amount. SVWIN reserves the right to modify the scope of the project to any extent necessary to ensure compliance with City, State and/or Federal guidelines. **Failure of the proposer to modify its program of proposed services in accordance with such guidelines may result in reconsideration of award recommendations, or termination and recovery of funds.**

1.3 Definitions

Administrative Cost: The portion of the budget that is associated with the overall management and administration of the proposed program and that is not related to the provision of services requested through this RFP.

Conflict of Interest: A situation that arises when an individual has competing professional or personal obligations, or personal or financial interests, that would make it difficult to fulfill his duties fairly.

Cost Reimbursement Contract: This is an agreement format that provides for the reimbursement of all allowable costs that have been identified and approved in the contract budget; contractors must maintain documentation sufficient to support the costs.

In-kind Contribution: The value of services that are provided by the contractor at no cost to the program.

One-Stop Center: The primary service vehicle for WIA services delivery, providing universal access to job seekers and employers; a One-Stop is a centralized location for workforce development programs, activities, and services.

Workforce Investment Act (WIA): Employment and training program legislation effective as of July 1, 2000; WIA replaces the Job Training Partnership Act (JTPA).

Workforce Investment Board: The local policy board that directs Federal, State, and private funding for occupational skills training and educational programs.

Section 2. DESCRIPTION OF SERVICES SCOPE

2.1 Introduction

This section of the RFP will specify the services requested through this RFP, including anticipated levels of utilization to be accommodated through system design.

2.2 SVWIN Service Delivery Area

The 1998 Workforce Investment Act, or WIA, requires coordination of services to assist adults and youths in preparation for the workforce. The SVWIN was formed to serve the employment needs of the communities within the Local Workforce Investment Area (LWIA). This workforce development geo-mapping system would allow SVWIN management and staff to access and share records, management data, and various outside information sources, as allowed and appropriate, through a browser-based GUI for the purpose of providing: (1) improved services to the cities of San Jose, Gilroy, Campbell, Los Gatos, Los Altos Hills, Monte Sereno, Morgan Hill, Saratoga, and all of the unincorporated areas of Santa Clara County; and (2) better coordination and integration of local workforce-related services.

2.3 Services Requested Through This RFP

The purpose of the workforce development geo-mapping database system tool is to allow SVWIN to capture and display data that will assist the SVWIN in making real time decisions, and to more accurately forecast and make projections based on data collected from various sources, i.e. local employers, city, county, and state entities, school districts, and local census.

Proposers shall provide specific details in their Work Plans (Section 3.2.2) regarding the development of a geo-mapping database system for SVWIN that would allow qualified end users to search securely by company, city, wage rate, or any other criteria deemed appropriate by the user and data source, and to retrieve data on-line, in real-time, at the local desktop. The Work Plan will describe your approach to the four phases of system design and implementation that incorporates or expands upon the requested services, lists any equipment requirements, and provides a description of how you will measure the specific outcomes of each phase listed below.

Proposers will provide a Project Budget (Appendix B) with a breakdown and explanation of all anticipated costs related to providing the requested services for each phase. The successful proposer will be compensated based on a negotiated cost reimbursement contract. Please project training costs for SVWIN staff and ongoing monthly system maintenance costs for a period of two years and include them in your Phase 4 Budget and proposed Cost Allocation Plan (Section 3.2.2).

2.3.1 Phase 1 – Art and Structure

Purpose of Phase 1: define the art, structure, and output from the geo-mapping database system.

In Phase 1, the successful proposer will collaborate with SVWIN staff to create the design elements to be included in the development of a secured web-based GUI. Additionally, the proposer will collaborate with SVWIN staff to create the framework and structure for a secured and scalable database. The database platform will need to handle data input and or uploads from sources including, but not limited to: Microsoft Excel, Microsoft Access, My SQL, Oracle tables, Oracle Spatial files, and Informix IDS. A database structure should be designed with enough flexibility for easy updates as well as new data element uploads.

2.3.2 Phase 2 – Pilot Prototype

Purpose of Phase 2: create a sample GUI that demonstrates and displays the interoperability between the database and GUI.

In Phase 2, the proposer will use the agreed-upon design elements and database structure from Phase 1 to develop a pilot prototype. The pilot prototype would incorporate the following elements: (a) the GUI must have enough functionality to perform at least two predefined queries as agreed upon by the proposer and SVWIN, and (b) the GUI, using sample data provided by SVWIN, should return and display results in a tabular and 3-D geo-mapping format.

Data Integration: The Phase 2 pilot prototype must be able to provide real time data results from any connected source. The system must be capable of rendering the output in a 3-D geo-mapping format.

Dynamic User Interface: The Phase 2 pilot prototype GUI must be secured and completely web-based, providing easy interactive and intuitive capabilities.

2.3.3 Phase 3 – Prototype (Alpha)

Purpose of Phase 3: alpha release of the workforce development geo-mapping system. The system should be secure and fully functional, with the ability to analyze trends in local industry sectors, employment, and wages, and to respond to other queries as defined by SVWIN. The system must be able to display output in a 3-D mapping format. The system must also be able to export output in some common format.

In Phase 3, the proposer will modify the system to address any critical issues identified in Phase 2, and will provide a secure, fully functional GUI. The GUI should be able to perform any predefined or free form query. SVWIN will provide to the proposer, in a secure format, the real (live) data to populate the database. The GUI should return and display all query results in a tabular and 3-D geo-mapping format. The system must have the functionality and ability to export output in some common format.

Additionally, as part of Phase 3, the proposer will demonstrate a prototype back end GUI that will allow authorized users to upload/import data into the system.

The prototype back end GUI must have sufficient functionality to demonstrate the interoperability between the back end GUI and the database.

2.3.4 Phase 4- Prototype (Beta)

Purpose of Phase 4: beta release of the workforce development geo-mapping system. The system should be secure, fully functional and have the ability to handle data uploads via Virtual Private Network or other secure means (CD or DVD).

In Phase 4 Prototype (Beta), the proposer will modify the system to address all critical issues identified in Phase 3 and provide a fully functional front end and back end GUI.

SVWIN may require certain modifications to be designed and implemented based on changing conditions in the job market or data availability and/or usage constraints. Again, SVWIN seeks proposals from entities that are flexible and responsive to the needs of SVWIN's management, Board of Directors, and stakeholders, i.e. job seekers and employers.

SVWIN anticipates that a maximum of \$200,000 will be available to the Vendor/Consultant selected through this RFP process to design and implement all four phases of the workforce development geo-mapping system, subject to SVWIN's receipt of the projected FY '05-'06 funding allocation. At this time, SVWIN will only be funding Phase 1 of the four phases. The remaining three phases will be funded subject to SVWIN's receipt of formula allocations from the Department of Labor and the State of California, and the vendor/consultant's satisfactory performance in Phase 1.

2.4 Planned Utilization of the Geo-mapping Workforce Development Tracking System

Listed below are the two levels of utilization that SVWIN foresees for the workforce development geo-mapping system along with samples of specific queries under each of the two levels.

2.4.1. Regional Trend Analysis

- Show the growth of bioscience firms by location over the last three years.
- Show the growth of small businesses (less than 35 employees) by location over the last three years.
- Show the growth of small businesses within a particular sector by location over the last three years.
- Show the growth by location of all firms that have more than 5 accountants or 20 truck drivers, etc., over the last two years.
- Show the growth by location of all firms that are utilizing part time/contracted employees for specific occupations over the last three years.

- Show the decline in the number of manufacturing firms located in our Local Workforce Investment Area (LWIA) over the last three years.

2.4.2. Cross Mapping of Occupational and Supportive Services

- Show where all the day care providers are located within the various low-moderate income areas in Gilroy (or some other defined geographic area).
- Show the bus routes from specific low-moderate income areas to specific training institutes or employers.
- Given where a specific client lives, show all the employers in a particular sector or all training providers that are within a twenty mile commute.
- Identify and display low income areas, clusters of public assistance recipients, or populations most likely to have limited English proficiency, to assist SVWIN's systematic outreach into neighborhoods and communities where services are needed.
- Show, within a specified radius, the various community-based services, including schools, occupational training sites, community centers, churches, social service agencies, and non-profit organizations, available to assist an individual client.
- Locate service agencies by type within Santa Clara County.
- List types of services and disability accommodations available by commonly used VTA routes.

Section 3. PROPOSAL EVALUATION CRITERIA

3.1 Introduction

Proposals meeting the format specifications found in Section 1.2.3 will be screened for completeness. In addition to the complete list of required documents and inclusions in Appendix A, Proposal Checklist, please note that **proposal submittals not including at least one “original” Proposal Summary Form (Appendix B) bearing the “wet” signature of the authorized organizational signatory will be disqualified.**

The Work Plan Narrative shall not exceed 7 pages. The Cost Allocation Plan Narrative shall not exceed 3 pages. Please note that, although submitting pages in excess of these page limits will not disqualify your proposal, SVWIN will not consider the information on any excess pages for scoring purposes or to meet a minimum threshold.

3.2 Evaluation Criteria

Proposals will be evaluated based on the degree to which they address the following two basic evaluation categories:

- Qualifications and Experience
- Work Plan

Respond to all questions and issues. It is not necessary to repeat the item to which you are responding. Use the Section numbering and the letters in front of the questions/issues to identify your responses.

3.2.1 **Qualifications and Experience** (50 points possible)

In this section, proposers will answer questions and address the following issues regarding the relevant experience of the organization and key personnel in providing requested services and implementing the proposed workplan in a timely manner within the award period.

The RFP Rating Panel will examine the proposal to rate the following sub-factors:

- Experience of the *organization* in providing similar services to those requested through this RFP: the more closely the prior experience of your organization resembles the services and budget presented in your workplan, the more points will be awarded under this sub-factor.
- Experience of *key staff* relating to those areas specified below under Organizational Qualifications: the more closely the prior experience of your key staff resembles the services presented in your workplan, the more points will be awarded under this sub-factor.

Organizational Qualifications

- a. Please specify the types of architectures used by your organization in prior projects with GIS aspects.
- b. Describe your organization's experience relating to the following areas:
 - Principles and practices of GIS database design, development, and implementation;
 - Principles and practices of relational database design, development, implementation, administration, and maintenance;
 - Data file structures and management used in GIS or related applications; and
 - Development of training materials and/or specifications for end-users
- c. Has your organization been subject to fines or suspension, been convicted of fraud, or defaulted on any contract? If yes, please explain.
- d. SVWIN is concerned with litigation involving proposers that may affect the proposer's ability to (1) implement the Work Plan in a timely manner, and/or (2) provide the staff and resources specified in the proposal. Please provide specific details of current litigation and any potential impact on the proposed Work Plan in the Agency Litigation Involvement certification attached in Appendix C of this RFP.
- e. Please provide a copy of your organization's Most Recent Financial Statement attached to your proposal in the order indicated in Appendix A, Proposal Checklist.
- f. Has your organization been notified of any recent monitoring or audit findings by a Federal, State, or local agency, IRS liens, or negative credit reports, within the 24 months prior to the submittal deadline for this RFP? If yes, please include these notifications and proposed corrective actions to address all outstanding findings unresolved by the submittal deadline. Proposers will append the Corrective Action Report to the proposal in the order specified in Appendix A, Proposal Checklist.

Proposing entities with outstanding findings that fail to provide a Corrective Action Report specifically addressing the remediation of each outstanding finding may be eliminated from further consideration. SVWIN reserves the right to withdraw an award if it is determined that the award was based on false information provided by the proposer.

- g. Please provide contact information for three references capable of verifying your organization's prior performance in the following areas:
 - Quality and timeliness under contract(s) for similar services;
 - Project management; and

- End-user training in basic GIS concepts and usage, relevant software, and computer system operation procedures.
- h. Please include bios or resumes of key staff anticipated to work on this project. Please include these documents in your proposal in the order specified in Appendix A, Proposal Checklist.

3.2.2 Workforce Development Geomapping System Work Plan (50 points possible)
 In this section, proposers will describe their work plan for the design and implementation of Phases 1, 2, 3, and 4 as described in Section 2.3. This factor takes into account the services to be undertaken and the cost-effectiveness of the proposed approach.

In assessing cost effectiveness, SVWIN will take into account the contents of the Work Plan, Cost Allocation Narrative (Section 3.2.2, below) and Project Budget Sheets for Phases 1 through 4 (Section 2.3) as they relate to the likelihood of achieving anticipated outcomes.

The RFP Rating Panel will examine the proposal to rate the following sub-factors:

- Is the work plan responsive to the items listed in 3.2.2 below under Comprehensive Work Plan? The more responsive the work plan is to this RFP, the more points will be awarded under this sub-factor.
- How will the proposed work plan and staffing plan ensure that the specific needs of SVWIN are met in a cost-effective manner? The more cost-effective the work plan the more points will be awarded under this sub-factor.

Comprehensive Work Plan

- a. How do the proposed strategies for developing and implementing Phases 1 through 4 demonstrate competency relative to the unique needs of SVWIN and its stakeholders? Proposers that clearly define roles, responsibilities, and steps to be taken to meet these requirements will receive a greater number of rating points in this category.
- b. Provide an Organizational Chart showing the lines of responsibility for all proposed staff. Please include this document in your proposal in the order specified in Appendix A, Proposal Checklist.
- c. Please describe how the proposed system will adhere to the following technological objectives:
- (1) Capable of connection to servers, databases and desktop PCs;
 - (2) Allows only secured, authenticated access to data;
 - (3) Dynamically accessing data in real-time;
 - (4) Open, scalable platform;
 - (5) Capable of uploading and storing data;

- (6) User-friendly;
- (7) 3-D geo-mapping format; and
- (8) Ability to import and export data into and out of system.

- d. The proposer will prepare and submit to SVWIN, as part of the proposal, a Cost Allocation Plan Narrative. A Cost Allocation Plan is a document which describes: 1) the services provided by the proposer in each of the 4 phases; 2) how the proposer will identify and accumulate (pool) all shared allowable costs, where applicable (either shared amongst WIA cost categories and/or amongst other funding sources); 3) the methodology that will be used to allocate any shared costs; and 4) a description of each Project Budget line-item, how it relates to services to be provided, and how the estimates were calculated. The methodology used must be in compliance with applicable WIA regulations and all applicable OMB Circulars, and presented in a manner and format acceptable to the SVWIN.
- e. Justify how your proposed costs compare with what is paid locally for similar services. **Administrative costs associated with providing your proposed services shall not exceed 5% of the total budget.**
- f. Explain how this workforce development geo-mapping system will assist SVWIN-authorized staff members in searching for business data, employment and wage information, or related trends across SVWIN jurisdiction, county and state sources.
- g. Describe the anticipated ongoing monthly system maintenance requirements for Prototype (Beta). Include system maintenance costs in your Cost Allocation Narrative and Budget.

Section 4. ADDITIONAL IMPORTANT INFORMATION

4.1 Funding Terms and Conditions

Acceptance of Terms and Conditions

Any proposer submitting a proposal understands and agrees that its proposal shall constitute acknowledgment and acceptance of, and intent to comply with, all the terms and conditions contained in the RFP. Any response to this RFP not meeting the RFP's terms and conditions may be rejected.

Selection by the SVWIN Board

The SVWIN may reject any proposal and waive any requirement when the action is considered to be in the SVWIN's best interest and negotiate with any proposer changes, revisions, and/or modification of their proposals. SVWIN reserves the right to withdraw or modify the RFP at any time. In the event of a modification, the proposer(s) will be given a limited amount of time to revise proposals.

Notwithstanding any other provision of this RFP, proposers are hereby advised that this RFP is a solicitation for proposals only, and is not intended and is not to be construed as an offer to enter into any contract or other agreement, or engage in any formal competitive bidding or negotiation pursuant to any statute, ordinance, rule or regulation. Submission of a proposal does not guarantee that a contract will be awarded.

Agencies employing or retaining employees of City of San Jose and/or SVWIN, or members of the SVWIN Executive Committee, as contractors, subcontractors, partners, or consultants, or in any other capacity, must make such information known within their proposal document. Failure to do so may result in disqualification of the proposal, cancellation of contract or contract award, or may result in disciplinary action against individuals involved.

Insufficient Proposals

SVWIN reserves the right to reject all proposals and reissue this RFP, or a new RFP, or to enter into a sole source procurement, or to perform the services themselves, as allowed by law.

Compliance with RFP

The response to this RFP shall be made according to the specifications contained herein. Failure to adhere to RFP instructions may be cause for rejection of the proposal. A proposal that contains conditions or limitations set up by the proposer may be deemed irregular and rejected by the SVWIN.

Cost of Proposals

The SVWIN shall not in any way be liable or responsible for any costs incurred in connection with the preparation of any proposal submitted in response to this RFP.

Fiscal Responsibility

The proposer must demonstrate the ability to accept fiscal liability for grant funds. (Office of Management and Budget Circular A-133 and 29 CFR Parts 96 and 97)

The successful proposer will be responsible for all payroll services and responsibilities. Payroll processing may be charged to the Administration category and Worker's Compensation costs to fringe benefits under the Personnel Cost Category, provided such costs are not excessive.

Constraints

Funds **may not** be used to:

- Support unallowable activities under WIA, such as political activities, lobbying, or the promotion or deterrence of union organizing;
- Cover costs which are not appropriate and reasonable for the project;
- Acquire equipment which is not approved by SVWIN as being necessary for the project; or
- Reimburse project-related costs incurred prior to the effective date of contract award.

Public Records Act

Responses to this RFP become the exclusive property of the City of San Jose. At such time as the SVWIN Board of Directors selects a proposer to receive funding, all proposals received in response to this RFP become a matter of public record, unless the recommendation is to reject all proposals and reissue the RFP, and shall be regarded as public records, with the exception of those elements in each proposal which are defined by the Lead Agency as business or trade secrets and plainly marked as "Confidential," "Trade Secret," or "Proprietary." Neither the SVWIN nor the City shall be liable or in any way responsible for the disclosure of any such proposal or portions thereof, if they are not plainly marked as "Confidential," "Trade Secret," or "Proprietary" or if disclosure is required under the Public Records Act. Any proposal which contains language purporting to render all or significant portions of the proposal "Confidential," "Trade Secret," or "Proprietary," shall be regarded as non-responsive.

Although the California Public Records Act recognizes that certain confidential trade secret information may be protected from disclosure, the City of San Jose may not be in a position to establish that the information that a proposer submits is a trade secret. If a request is made for information marked "Confidential," "Trade Secret," or "Proprietary", the City will provide the proposer who submitted the information with reasonable notice to allow the proposer to seek protection from disclosure by a court of competent jurisdiction.

Requirements for Successful Agencies

Agencies selected for funding must submit a number of documents including without limitation:

- Articles of Incorporation
- Required Insurance Documentation
- Debarment Certificate

Failure to provide a requested document within what the SVWIN considers a reasonable time frame will be grounds for cancellation of a proposer's selection.

Compliance with all WIA and Local Workforce Investment Area Requirements

All agencies and individuals awarded SVWIN Contracts will be subject to all actions (past, present, and future) by SVWIN regarding matters affecting WIA programs. This includes WIA bulletins issued periodically from SVWIN.

Type of Contract

SVWIN reserves the right to negotiate a cost reimbursement contract with the successful proposer, based upon submission of an approved line item budget and cost allocation plan.

EEO Certification

Successful proposers will be required to certify and agree that all persons employed by the proposer, its affiliates, subsidiaries, or holding companies are and will be treated equally by the firm without regard to or because of race, religion, ancestry, national origin, or sex and in compliance with all Federal, State and local anti-discrimination laws.

Employee Health Insurance Coverage Information

Proposers will be required to provide information regarding the status of employee health insurance coverage provided by the proposer.

Drug-Free Workplace

If awarded the contract, the successful proposer shall warrant and certify that it will comply with the California Drug-Free Workplace Act of 1990 (Cal. Gov. Code 8350 et seq.) as amended, including provision of the requisite certification as set forth therein as well as any applicable federal drug free workplace requirements.

City of San Jose Insurance Requirements

If awarded the contract, the successful proposer shall warrant and certify that it will comply with the City of San Jose's insurance requirements as stated below:

A. Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Coverage shall be at least as broad as:

The coverage described in Insurance Services Office Form Number GL 0002 (Ed. 01/96) covering Commercial General Liability together with Insurance Services Office Form Number GL 0404 covering Broad Form Comprehensive General Liability; or that described in Insurance Services Office Commercial General Liability coverage ("occurrence") Form Number CG 0001 (Ed. 01/96).

2. The coverage described in Insurance Services Office Form Number CA 0001 (Ed. 12/93) covering Automobile Liability, Code 1 "any auto", or Code 2 "owned autos" and Endorsement CA 0025. Coverage shall also include Code 8 "hired autos" and Code 9 "nonowned autos"; and

3. Workers' Compensation insurance as required by the California Labor Code and Employers Liability insurance.

B. Minimum Limits of Insurance

CONSULTANT shall maintain limits no less than:

1. Commercial General Liability: \$1,000,000 combined single limit per occurrence for bodily injury, personal injury and property damage. If Commercial Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit; and
2. Automobile Liability: \$1,000,000 combined single limit per accident for bodily injury and property damage; and
3. Workers' Compensation and Employers Liability: Workers' Compensation limits as required by the California Labor Code and Employers Liability limits of \$1,000,000 per accident.
4. Professional Liability: \$1,000,000.

C. Deductibles and Self-Insured Retentions

Any deductibles or self-insured retentions must be declared to, and approved by CITY's Risk Manager. At the option of CITY, either: the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects CITY, its officers, employees, agents and contractors; or CONSULTANT shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses in an amount specified by the CITY's Risk Manager.

D. Other Insurance Provisions

The policies are to contain, or be endorsed to contain, the following provisions:

1. Commercial General Liability and Automobile Liability Coverages
 - a. Insured. The City of San Jose, its officers, employees, agents and contractors are to be covered as additional insured's as respects: Liability arising out of activities performed by or on behalf of, CONSULTANT; products and completed operations of CONSULTANT; premises owned, leased or used by CONSULTANT; and automobiles owned, leased, hired or borrowed by CONSULTANT. The coverage shall contain no special limitations on the scope of protection afforded to CITY, its officers, employees, agents and contractors.
 - b. Contribution Not Required. CONSULTANT's insurance coverage shall be primary insurance as respects CITY, its officers, employees, agents and contractors. Any insurance or self-insurance maintained by CITY, its officers, employees, agents or contractors shall be excess of CONSULTANT's insurance and shall not contribute with it.
 - c. Provisions Regarding the Insured's Duties After Accident or Loss. Any failure to comply with reporting provisions of the policies by CONSULTANT shall not affect coverage provided CITY, its officers, employees, agents, or contractors.
 - d. Coverage. Coverage shall state that CONSULTANT's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

2. All Coverages

Each insurance policy required by this AGREEMENT shall be endorsed to state that coverage shall not be suspended, voided, cancelled, or reduced in limits except after thirty (30) days' prior written notice has been given to CITY's Risk Manager.

4.2 Post-Submittal Protocol

After the submittal deadline, SVWIN will not consider any unsolicited information a proposer wishes to provide; however, SVWIN may contact you to clarify an item in your proposal. However, SVWIN will not seek clarification of items or responses that materially modify the proposal.

Until the recommendation(s) for contract award are made public, SVWIN will not provide information regarding the number of proposals submitted, the names of proposing entities, or other details regarding the contents of specific proposals.

4.3 Appeals and Grievances

Appeals

If any agency submits a proposal and it is not recommended for funding during the review process, and the agency can show that any substantial portion of the RFP process has not been followed, the agency may appeal the recommendation to the SVWIN. Only appeals that cite the specific sections of the RFP that are being challenged will be considered. Differences of opinion regarding the merits of proposals recommended for funding are not grounds for submitting an appeal. The appeal must be in writing and shall set forth specific facts and evidence and specify which component of the RFP, procurement policy or procedure is being disputed. The appeal must be received by the SVWIN within five (5) business days of the agency's receipt of the notification of refusal. All appeals should be directed to the attention of the SVWIN Executive Director, at 60 South Market Street, Suite 470, San Jose, CA 95113. Appeals received after the established time frame will not be accepted. Appeals will be scheduled for hearing on or before the next regularly scheduled meeting of the SVWIN Operations Committee within 30 days of the submission of an appeal. A decision by the SVWIN Operations Committee will be made within 10-business days following the hearing and communicated to the agency in writing within the same time period. An agency may appeal the decision of the SVWIN Operations Committee to the full SVWIN Board for hearing at the next regularly scheduled full SVWIN Board meeting. A decision by the full SVWIN Board will be made within 10-business days following the hearing and communicated to the agency in writing within the same time period. All decisions of the SVWIN Board shall be final. Appeals of the final decision of the full SVWIN Board shall be limited to the relief set forth below and/or in accordance with 97 C.F.R. 97.36, or as may otherwise be available under applicable WIA laws and regulations.

Grievances

Following a decision made by the full SVWIN Board of Directors, a proposer may file a formal grievance with the State of California Employment Development Department Compliance Review Division.

All protest/appeal procedures must be exhausted at the SVWIN before proceeding with a grievance to the State of California Employment Development Department Compliance Review Division. In no event shall the filing of an appeal or grievance to the California Employment Development Department Compliance Review Division delay the procurement process or the award of a contract under this RFP.

Section 5. APPENDICES

Appendix A

SVWIN RFP Proposal Checklist

This Checklist is intended to assist the proposer in assembling the required elements of their proposal. It is not intended to supplant the careful reading of the specifications of this RFP.

Please note that items 1 -- 15 are mandatory for all proposals. Item 16 is mandatory where applicable.

The proposal must include these forms, narratives, and addenda, in the following specified order:

1. _____ Proposal Cover Page (Section 1.2.3)
2. _____ Table of Contents (Section 1.2.3)
3. _____ Proposal Summary Form (Section 3.1)
4. _____ Work Plan Narrative (Section 3.2.2)
5. _____ Project Line Item Budgets for Phases 1 through 4 (Section 2.3)
6. _____ Cost Allocation Plan Narrative (Section 3.2.2)
7. _____ Most Recent Financial Statement (Section 3.2.1)
8. _____ Contact Information for 3 References (Section 3.2.1)
9. _____ Bios or Resumes of Key Staff (Section 3.2.1)
10. _____ Project Organizational Chart (3.2.2)
11. _____ Signed Agency Litigation Involvement Certification (Appendix C)
12. _____ Signed Certification re: Debarment and Suspension (Appendix C)
13. _____ Signed Certification re: Standards of Conduct including Drug-Free Workplace Compliance (Appendix C)
14. _____ Signed Certification re: Anti-lobbying Disclosure (Appendix C)
15. _____ Signed Certification re: Nondiscrimination Assurance (Appendix C)
16. _____ Corrective Action Report (Section 3.2.1)

Appendix B

- √ Proposal Cover Page
- √ Proposal Summary Form
- √ Project Line Item Budget – Phase 1
- √ Project Line Item Budget – Phase 2
- √ Project Line Item Budget – Phase 3
- √ Project Line Item Budget – Phase 4



TO: Christopher Donnelly, Assistant Director
Silicon Valley Workforce Investment Network (SVWIN)
60 S. Market St., Ste. 470
San Jose, CA 95113

FROM: _____

**RE: SVWIN '05 Workforce Development Geo-Mapping
System RFP Proposal Cover Page**

ATTN: Monique Melchor, Analyst

Received by: _____

**Time/ Date
Received:**

(STAMP)

Original
Copy

PROPOSAL SUMMARY FORM (Page 1 of 2)

Agency Name:	
Address:	
Agency Telephone # :	Agency Fax # :
Contact Person:	Contact Phone # :
Contact Fax # :	Contact E-mail:
Proposed Service: Workforce Development Geo-Mapping System	
Estimated Cost of Total Project:	
Estimated Cost Per Phase: Phase 1: Phase 2: Phase 3: Phase 4:	
Type of Organization: <input type="checkbox"/> Governmental Organization/Specify: _____ <input type="checkbox"/> Community Based Organization <input type="checkbox"/> Labor Organization <input type="checkbox"/> Business & Trade Association <input type="checkbox"/> Educational Entity/Specify: _____ <input type="checkbox"/> Private, For-Profit Business <input type="checkbox"/> Private, Non-Profit Organization <input type="checkbox"/> Public Agency	

Original

Copy

PROPOSAL SUMMARY FORM (Page 2 of 2)

CERTIFICATION OF GOOD STANDING

I certify that the proposing Lead Agency, if it is a corporation, is registered with, and in good standing with, the Secretary of State of the State of California.

CERTIFICATION OF PROPOSAL CONTENT

Duplication of Services and Conflict of Interest

To my knowledge, this proposal does not duplicate services available in the area that are or may be provided by non-WIA sources. This organization, its members and collaborators are not now and will not in the future be engaged in any activity resulting in a conflict of interest, real or apparent, in the selection, award, or administration of a subcontract by WIA funds.

Cost/pricing Data and Proposal Content

This is to certify that, to the best of my knowledge and belief, the cost/pricing data submitted, either actually or by specific identification in writing to the SVWIN in support of this proposal, is accurate, complete, and current as of the date below. This certification includes the cost/pricing data supporting any agreements/contracts that may be agreed upon between the proposer and the SVWIN that are part of the result of submitting this proposal.

Signature of Authorized Representative

Date

Title of Authorized Representative

SVWIN Workforce Development Geo-Mapping System Budget

Proposer must complete a separate budget for each of the four phases.

(Insert Institution Name)

Phase 1

Budget Period: (from ___/___/___ to ___/___/___)

Phase 2

Phase 3

Phase 4

I. PERSONNEL COSTS						
Name	Position	Base Salary	%Time	Total	Program	Admin.
				(X+Y)	(X)	(Y)
(Add rows as needed)						
Fringe Benefits (___ %)						
SUBTOTAL:						
CONSULTANTS						
TOTAL PERSONNEL COSTS						
II. NON PERSONNEL COSTS						
OFFICE OPERATIONS						
Supplies						
Duplicating						
Telephone						
Service Agreement(s)						
Staff Training						
SUBTOTAL: OFFICE OPERATIONS						
COMMUNICATIONS						
SOFTWARE						
MEETING COSTS						
TRAVEL						
TOTAL: NON-PERSONNEL COSTS						
TOTAL BUDGET:						

Proposer will break out and separately justify each budget line item in the Cost Allocation Narrative (3 page limit). See Section 3.2.2 for additional information.

NOTE: PLEASE PROJECT SYSTEM MAINTENANCE COSTS FOR A PERIOD OF TWO YEARS AND INCLUDE IN YOUR PHASE 4 BUDGET.

Appendix C

- √ Certification re: Agency Litigation Involvement
- √ Certification re: Debarment and Suspension
- √ Certification re: Standards of Conduct including Drug-Free Workplace Compliance
- √ Certification re: Anti-lobbying Disclosure
- √ Certification re: Nondiscrimination Assurance

AGENCY LITIGATION INVOLVEMENT

I, [INSERT NAME OF PERSON WHO HAS AUTHORITY TO ACT ON BEHALF OF AND LEGALLY BIND THE PROPOSING AGENCY], hereby declare that: I am an [TITLE AND/OR JOB DESCRIPTION OF PERSON EXECUTING FORM] and have knowledge of the facts set forth in this declaration and would, if necessary, competently testify to the following:

The Agency Name and Address making the proposal is: _____

Check YES or NO to the following questions. If a YES answer is checked, please explain fully the circumstances and include discussion of the type of program involved as well as the potential impact on this program, if funded.

1. Is the organization or are any of its principal officers involved in litigation now or within the last two years? Yes No

2. Is the Executive Director (CEO) involved in litigation? Yes No

3. Are any members of the Board of Directors unable to be bonded? Yes No

4. Are any key staff members unable to be bonded? Yes No

5. Has the Agency or Project Director ever been cited for improper management? Yes No

6. Has the Agency or Project Director ever had public or foundation funds withheld? Yes No

7. Has the Agency, if nonprofit, ever had its nonprofit status revoked or withheld? Yes No

8. Has the Agency, Project Director, or any Key staff member ever been involved in, or cited for, any civil rights violation? Yes No

Response Section (Use extra pages, as necessary)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on _____, 2004, at _insert city_____,
_____insert state_____.

By: _____
Name and Title of person authorized to act
on behalf of and legally bind the Agency

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

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

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

Debarment and Suspension

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98.

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 statements in this certification, such prospective Participants shall attach an explanation to this proposal.

Name and Address of Organization

Name and Title of Authorized Representative

Signature

Date

STANDARDS OF CONDUCT

The following standards apply to all proposers that deliver services under contract with the SVWIN.

- A. **GENERAL ASSURANCE** – The proposer hereby assures that by submission of this proposal, it will comply with the standards of conduct set forth in the San José City Charter and all associated policies or ordinances related thereto, and any State or Federal conflict of interest provisions that are required for WIA programs and services, which are necessary to maintain the integrity of the program and avoid any conflict of interest in their administration.
- B. **CERTIFICATIONS** – Except as otherwise indicated, the following certifications apply to all proposers.
1. The proposer, if it is a corporation, certifies that it is registered with the Secretary of State, of the State of California.
 2. **Drug-Free Workplace:** As required by the state Drug-Free Workplace Act of 1990, Gov. Code Sec. 8350 et seq., and the Federal Drug-Free Workplace Act of 1988 which includes, but may not be limited to, 29 CFR 98.600, 29 CFR 98.630, 34 CFR Part 85, Subpart F, Sections 85.605, 85.610), the proposer certifies that it will, or will continue to, provide a drug-free workplace.
 3. **Americans with Disabilities Act (ADA):** The Americans with Disabilities Act of 1990 is a comprehensive civil rights act for people with disabilities. It guarantees equal opportunity for individuals in with disabilities in public accommodations; employment; transportation; federal, state and local government services; and telecommunications. The proposer certifies that it will maintain policies, procedures, and practices that comply with all requirements of the ADA.
 4. **Nondiscrimination:** Proposer shall not discriminate on the ground of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and for Participants only, citizenship or participation in programs or activities funded by WIA, in admission or access to, opportunity or treatment in, or employment in the administration of, or in connection with, any program or activity funded under this RFP or contract arising from this RFP.

Proposer assures, with respect to operation of this funded program or activity and all agreements or arrangements to carry out this program or activity, that it will comply fully with all nondiscrimination and equal opportunity statutes and regulations including, but not limited to, the following; Section 188 of the Workforce Investment Act of 1998; Title VI and VII of the Civil Rights Act of 1964, as amended; Americans with Disabilities Act of 1990; Section 504 of the Rehabilitation Act of 1973; Title IX of the Education Amendments of 1972; Age Discrimination Act of 1975, as amended; California Fair Employment and Housing Act, Government Code Sections 12900 et seq.; California Labor Code Sections 1101, 1102, and

1102.1; and with all applicable requirements imposed by or pursuant to regulations implementing those laws.

Proposer assures that it will comply fully with the nondiscrimination and equal opportunity provisions of WIA and acknowledges that the federal, state, and City of San José governments shall have the right to seek judicial enforcement of this nondiscrimination assurance.

Signature of Authorized Representative

Date

Title of Authorized Representative

CERTIFICATION REGARDING LOBBYING

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

- (1) No Federal contracted funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal contracted funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the documents for all subcontracts, and that all subcontractors shall certify and disclose accordingly.

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

Contractor Organization

Program/Title

Name of Certifying Official

Signature

Date

NON-DISCRIMINATION ASSURANCE

During the performance of this contract, the contractor/vendor agrees as follows:

- I. The contractor/vendor will not discriminate against any employee, applicant for employment, or applicant for services because of race, color, creed, religion, sex, sexual orientation, actual or perceived gender identity, marital status, family status (minor children or no minor children), national origin, ancestry, age, disability, political affiliation or belief. The contractor/vendor will take affirmative action to assure that applicants are employed, and that employees are treated during their employment, without regard to their race, color, creed, religion, sex, sexual orientation, actual or perceived gender identity, marital status, family status (minor children or no minor children), national origin, ancestry, age, disability, political affiliation or belief. Such affirmative action shall be designed to insure against discrimination in the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation, and selection for training, including apprenticeships or any other change or proposed change in employment conditions.

- II. The contractor/vendor will cause the foregoing to be inserted in all subcontracts for any work covered by this contract so that such provisions will be binding upon each subcontractor, provided that the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies or raw materials.

AUTHORIZED SIGNATURE

DATE

TITLE

ORGANIZATION