

**CENTRAL AREA MICHIGAN WORKS! CONSORTIUM
REQUEST FOR PROPOSAL (RFP)
PART A
REQUIREMENTS FOR ALL FEDERAL FUNDING**

DATES TO REMEMBER:

<u>DATE</u>	<u>SCHEDULED ACTIVITY</u>
January 4, 2010	RFP release
January 22, 2010	<u>Bidders Conference</u> , 9:30a.m. Central Area Michigan Works! Consortium – Administrative Office 904 Oak Drive – Turk Lake Greenville, MI
February 1, 2010	<u>Pre-Bid Notice</u> must be submitted by 3:30 p.m. (EST)
March 15, 2010	<u>Proposals due</u> – no later than 3:30 p.m. (EST)

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PART I: GENERAL INFORMATION

PURPOSE:

The Central Area Michigan Works! Consortium is soliciting proposals for the development and delivery of workforce development programs. The selected provider(s) (hereafter referred to as the Contractor) will serve as a partner in the Michigan Works! Service Center Consortium, working to enhance education, training and employment opportunities for specific populations based on the goals of the Central Area Michigan Works! Consortium Workforce Investment Board (WIB).

CENTRAL AREA MICHIGAN WORKS! CONSORTIUM:

The Central Area Michigan Works! Consortium, hereinafter referred to as CAMWC, is the agent for delivering state and federally funded programs for employment, training, and economic development systems. EIGHTCAP, INC. is the administrative entity that oversees contractors, through a bid process, who deliver services authorized for Workforce Investment Act, Wagner-Peyser, Dislocated Worker/Rapid Response; and programming for the Public Assistance population-Jobs, Education and Training and Food Assistance Employment and Training.

Contractors are selected for funding by the two governing bodies: A Workforce Investment Board (private sector, CBO's, labor, DHS, education representatives, and economic development) and an Administrative Board (local elected officials). The Michigan Department of Energy, Labor and Economic Growth allocates funds to CAMWC based on area population and unemployment.

The geographical boundary for the Central Area Michigan Works! Consortium is composed of the counties of Ionia, Montcalm, Gratiot and Isabella.

MICHIGAN WORKS! SERVICE CENTERS:

The success of the reformed workforce investment system is dependent on the development of true partnerships and honest collaboration at all levels and among all stakeholders. The underlying notion of One-Stop is the coordination of programs, services, and governance structures so that the customer has access to a seamless system of workforce investment services. It is envisioned that a variety of programs could use common intake, case management, and job development systems in order to take full advantage of the One-Stops' potential for efficiency and effectiveness. A wide range of services from a variety of training and employment programs will be available to meet the needs of employers and job seekers.

The selected Contractor(s) will serve as a partner in the Michigan Works! Service Center Consortium. Access for services will be through the Service Centers and staff will be housed at the Centers. There is one service center per county.

PART II: RFP PARAMETERS

PROPOSAL STIPULATIONS AND SUBMISSION:

This Request for Proposal (RFP) is issued by Central Area Michigan Works! Consortium. The RFP will be made available in alternative format (audio tape or large print) upon request. Requests for alternative formats shall be made in writing within 3 business days of release of the RFP, and shall be faxed to the

attention of Kimberly Becker at (616) 754-9310. All time related requirements are based on Eastern Standard Time.

In order to be considered for funding, proposals must be in a sealed envelope and submitted no later than **March 15, 2010, 3:30 pm** to the following address:

President
Central Area Michigan Works! Consortium
904 Oak Drive – Turk Lake
Greenville, MI 48838

Proposals must be submitted in the format of this package and all parts as applicable. Failure to complete all required sections may disqualify the application. Failure to adhere to all technical requirements will result in a reduction of points and may disqualify the proposal. Proposals received after the date and time specified will not be considered for funding. **Faxed proposals will not be accepted.**

The bidder may be contacted by CAMWC to request clarification of information included in the proposal. Qualified bidders **may** be required to make a presentation. The bidder will be given no less than 3 days notice of time and date of presentation. The bidder will be expected to have at least one responsible staff available to respond to questions.

Proposals must be:

1. Complete, typewritten, and technically accurate
2. **Double spaced** and not to exceed 15 pages (excluding attachments)
3. Signed by an official authorized to bind the agency. The proposal will be considered a firm offer for a 120-day period from the submittal date.

Bidders must submit one (1) original and ten (10) copies of the completed proposal, plus a CD containing the proposal and the proposal budget. Any differences between the original and the copies are at the liability of the bidder.

All proposals will be considered firm bids. No changes will be made after submission.

OTHER SPECIFICATIONS:

A bidders' conference will be held on **January 22, 2010** at 9:30 a.m., at the Central Area Michigan Works! Consortium Central Office, 904 Oak Drive – Turk Lake, Greenville, MI.

Bidders must submit one Pre-Bid Notice to Central Area Michigan Works! Consortium no later than 3:30 p.m. **February 1, 2010.** The Pre-bid Notice may be mailed, faxed (616 754-9310) or delivered in person, but must be received by the due date. Bidders are responsible for ensuring that CAMWC received the Pre-Bid Notice.

Questions concerning the bidding process described herein must be submitted to Kimberly Becker no later than **March 8, 2010** in writing by mail, fax (616-754-9310), or e-mail (kimberlyb@8cap.org). Written responses to questions, and the questions (as written), will be faxed/e-mailed to all bidders who attended the bidders' conference. Questions received later than March 8, 2010, will not receive a response.

GENERAL INFORMATION:

This RFP does not commit CAMWC to awarding a contract, to paying any costs incurred in the preparation of a proposal to this request, or to procuring or contracting for services or supplies. CAMWC may award a contract, based on offers received, without discussion of such offers. Accordingly, each offer should be submitted on the most favorable terms from a price and technical standpoint. CAMWC reserves the right to accept or reject any or all proposals received as a result of this request, if it is in the best interest of CAMWC. CAMWC may require the offerors selected to participate in negotiations and to submit such cost, technical, or other revisions of their proposals as a result of negotiations. CAMWC is not liable for any costs incurred by the bidders prior to the signing of a contract and/or written authorization from CAMWC to proceed with the program.

CAMWC encourages small businesses, minority-owned firms and women-owned business enterprises to submit a proposal. If applicable, identify the category the enterprise qualifies under on the Cover Page, Part B.

FUNDING SOURCE:

Bidders must be aware that funding will be dependent upon the continuing availability of funds, contractor performance, and determinations of needs, services, activities, and delivery methods. All contractors funded under this proposal will be funded under the authority granted by the respective legislation, regulation and state policy.

Once a contract is awarded, that agency becomes fully responsible for administration of the program(s) and other policies or regulations established by the U.S. Department of Labor, the Michigan Department of Energy, Labor and Economic Growth (or its successor agency), and the Central Area Michigan Works! Consortium. Each contractor will be liable for any disallowed or illegal expenditures of funds or program operations conducted under their contract. Disallowed or illegal costs will be subject to repayment to Central Area Michigan Works! Consortium from non-federal sources.

Reductions of the budget level may be considered during the course of the contract if and when a contractor fails to meet expenditure, participant and/or outcome goals.

FUNDING LEVELS:

It is projected that the following funding levels will be available for the four county service delivery area.

Estimated Jobs, Education and Training funding:	
Gratiot County	\$238,282.58
Isabella County	\$256,766.18
Montcalm County	\$290,392.98
Ionia County	<u>\$328,082.58</u>
Estimated Total	\$ 1,113,470.00
Estimated Food Assistance Employment Training funding:	
Each County Program	\$ 17,500.00
Each County Supportive Services	\$ 645.50
Estimated Total	\$ 72,582.00

This projection is based solely on funding for the current Fiscal Year and is in no way to be construed as a guaranteed funding level.

SUBCONTRACTING:

The primary contractor shall be responsible for the adherence of all rules, regulations and proper oversight of fund use and management of any second-tier subcontractor. The primary contractor is prohibited from subcontracting more than 20% of the total contract amount. All contracts entered into from this RFP will be cost reimbursement. Both the primary and secondary subcontractor shall be subject to all program requirements and oversight policies and practices.

BUY AMERICAN:

Funds provided under this RFP are subject to the Buy American Act (41 USC 10), which provides that purchases with Government funds give preference to domestic end products.

1. The Contractor shall deliver only domestic end products, except those for use outside of the United States;
2. That the Government determines are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities of a satisfactory quality;
3. For which the agency determines that domestic preference would be inconsistent with the public interest;
4. For which the agency determines the cost to be unreasonable (see Section 25.105 of the Federal Acquisition Regulation).

References: Buy American Act (41 USC 10), Workforce Investment Act, PL 105-220, and regulations. It is incumbent on the Contracting Party to determine if the Buy American Act applies, and, if it does not apply, provide the contractor with a letter setting forth that the Buy American Act does not apply, and the basis of the exemption.

FACILITY COSTS:

Space will be made available in the Michigan Works! Service Centers. Central Area Michigan Works! Consortium will be responsible for property management within the Service Centers. If the proposer deems *additional* space will be needed the contractor must follow applicable OMB Circulars relating to property rental. These costs shall be included in the proposal budget. No funds may be used for the construction or the purchase of building space.

ACCOUNTING RECORDS:

Each contractor must maintain acceptable accounting records. An adequate system of managing funds and for keeping back-up data to support expenditures for later audit purposes is the full responsibility of each contractor. No organization will be contracted to deliver funded services or activities unless the organization or agency can provide Central Area Michigan Works! Consortium with an acceptable accounting manual, or a statement from a Certified Public Accountant (CPA), that the accounting system meets generally accepted standards of accounting, or has had its accounting system reviewed and approved by CAMWC, and can provide a audit acceptable to CAMWC requirements for fund protection.

ALLOWABLE COSTS:

Only costs directly related to the operation of the program and properly supported with back-up data and records will be allowable charges to the program. For shared time or facilities arrangements where staff wages, utilities, supplies, etc., are to be funded by more than one source, a cost allocation plan must be included in the funding application. All training and services cost allocations of personnel must be justifiable within the proposal to the degree that they will withstand an audit.

EQUIPMENT, FURNITURE, AND MATERIALS:

Organizations responding to this RFP are required to keep the purchase of large items of capital equipment and materials to a minimum. In order to allocate the expenditure of funds for major items of equipment over a several year period, organizations and agencies are encouraged to lease or rent equipment and other items where possible, or to purchase them with agency funds and charge them on a "use-fee" basis against the program.

If any items or equipment, furniture, or materials which are designed to last more than one year or which cost more than \$500 per unit are to be included in the grant, a specific list which includes the make, model, and unit cost, should be included in the proposal. Contractors who purchase non-expendable materials or equipment will be required to maintain a separate inventory on such equipment.

Items having a cost of less than \$500 will be considered expendable supplies and will be classified as office supplies or other expendable items as appropriate. The contractor will be responsible for these items but they need not be inventoried. Any non-expendable items, which are purchased outright with funds available through Central Area Michigan Works! Consortium, will remain the property of Central Area Michigan Works! Consortium and may not be altered, moved, or disposed of without advance, written permission from CAMWC.

The Service Centers are equipped with the following equipment: telephones, fax machines, computers, copy machines, VCRs, TTY telephones and office furniture.

EQUAL OPPORTUNITY:

Equal Opportunity is the Law. In connection with the performance of work the CONTRACTOR agrees or certifies as follows:

The CONTRACTOR will not discriminate against any employee, applicant for employment, or applicant for services provided by these funds because of Race, Religion, Color, National Origin, Sex, Age, Height, Weight, Marital Status, Disability, or Arrest without conviction or other categories or groups protected by law. The CONTRACTOR will take affirmative action to ensure that applicants receive services, that applicants are employed and that employees are treated during employment without regard to Race, Religion, Color, National Origin, Sex, Age, Height, Weight, Marital Status, Disability, or Arrest without conviction or other categories or groups protected by law. Such action will include, but not be limited to the following: Employment, Upgrading, Demotion or Transfer, Recruitment Advertising, Layoff or Termination, Rates of Pay or other Forms of Compensation, and Selection for Training including Apprenticeship.

The CONTRACTOR shall operate under an Equal Opportunity Policy no less stringent than that of CAMWC. At a minimum the contractor shall adhere to applicable sections of Workforce Investment Act, PL 105-220, Section 188 and CFR Part 37 Implementation of The Non-Discrimination Act and Equal Opportunity Provisions of the Workforce Investment Act of 1998; Final Rule.

Equal Opportunity is applicable to employees and customers seeking or receiving services. An employee of the CONTRACTOR shall be designated as an Equal Opportunity Contact Person and shall be responsible for monitoring the progress of the program and the adherence of the contractor in this area.

SUPPLEMENTAL NEPOTISM CLAUSE:

During the time of the proposed program, no Central Area Michigan Works! Consortium contract-funded programs may employ individuals who are members of the immediate family of any Central Area Michigan Works! Consortium staff or governing board(s.) This nepotism clause holds for any individual related to persons in an administrative capacity for Central Area Michigan Works! Consortium, its Administrative Board, Workforce Investment Board, and Education Advisory Group. Immediate family is defined as: father, mother, sister, brother, child, aunt, uncle, nephew, niece, grandmother, or grandfather. Individuals for this program are referred by the Department of Human Services and therefore can not be refused services. Therefore, the proposer shall have a policy in place to assure that individuals referred for services who have a family relationship are not provided special treatment.

PREVENTION OF FRAUD AND PROGRAM ABUSE:

To ensure the integrity of the programs, special efforts are necessary to prevent fraud and other program abuses. Fraud includes deceitful practices and intentional misconduct, such as willful misrepresentation in accounting for the use of program funds. "Abuse" is a general term which encompasses improper conduct which may or may not be fraudulent in nature. While federal legislation is specific, possible problem areas could include the following: conflict of interest, kickbacks, commingling of funds, charging fees to participants or employers, nepotism, child labor, political patronage, political activities, sectarian activities, unionization, and anti-unionization activities/work stoppages, and maintenance of effort. Proposals that are found to violate the abuse standards will not be funded. Bidders who receive contracts will be required to report immediately any violations in these areas or in problem areas that may later be defined.

MARKETING ACTIVITIES:

All marketing activities including but not limited to newsletters, advertisements, direct mailers, brochures, business cards, letterhead, signs, and promotional materials must be coordinated through and approved by Central Area Michigan Works! Consortium administrative entity staff.

WORKING CONDITIONS AND WAGE PAYMENTS:

Clients receiving wages must be assured of general benefits and working conditions to the same extent as other persons similarly employed or engaged in a training activity by the same

agency. The contractor will also have full responsibility for the payment of all staff and client wages, or other client costs and activities, and related record keeping. Bidders proposing to pay wages to clients should be aware of restrictions regarding the payment of wages to clients.

PROFIT:

The maximum amount of profit a commercial organization can receive is 10 percent of the adjusted cost base. Profit cannot be taken on pass-through costs (e.g. tuition paid to training institutions, on the job training costs paid to employers, work experience wages and fringes paid to participants, supportive service costs, all sub-awards under the contractor), or routine costs (e.g., space, maintenance, utilities). When pass-through costs and routine costs are removed from the total cost amount, the balance (i.e., the adjusted cost base) is ordinarily composed of the contractor's personnel related costs for staff contributing to the contractor's unique capacity to manage and achieve performance results.

The factors used to determine the amount of allowable profit include contractor effort, complexity of the work to be performed, risk borne by the contractor, capital investment of the contractor, past performance, and industry profit rates.

REPORTING:

Upon approval of any program or activity for funding under the grant, the agency administering that program will be subject to an extensive set of reporting requirements as developed by Central Area Michigan Works! Consortium. These reports will be submitted as necessary to carry out the required schedule of reporting to the Michigan Department of Energy, Labor and Economic Growth and to carry out monitoring and evaluation of programs.

MONITORING:

Central Area Michigan Works! Consortium will be monitoring, auditing, and evaluating programs and activities throughout the grant period. Contractors must allow Central Area Michigan Works! Consortium staff or its agent full access to all files and records relating directly to funding, client case files, accounting files and records, and to any related files and records associated with proper accounting of such funds and clients. Denying access to records, files and related information shall be sufficient reason to terminate a contract immediately.

UNION CONCURRENCE/CONSULTATION:

Central Area Michigan Works! Consortium encourages agencies proposing skill training or on-the-job training to obtain concurrence for the training from an appropriate labor organization. If the agency/company training site is unionized, that union must be consulted for concurrence.

RFP APPEAL PROCESS:

I. General

Agencies wishing to appeal the final funding decisions of the Workforce Investment Board and/or the Administrative Board must adhere to the following procedure:

- A. All applicants may receive copies of the Central Area Michigan Works! Consortium aggregate ranking for that funding source. The rankings will be mailed

and/or faxed to the applicant, if requested by the applicant in writing within five (5) working days after funding decisions are reached.

- B. An applicant may appeal action taken on the application by requesting a review. The appeal for the review shall state the basis of the appeal founded on violation of the law and regulations and/or existing contracts. The basis shall be explicitly stated and make specific reference to appropriate sections of law, regulations and/or contracts.
- C. An appeal will not be accepted if it attempts to modify or include additional information to the original application. However, in the event incomplete, inaccurate or other than current data and information was entered into the application process by CAMWC, CAMWC will rectify such errors prior to initiation of Step #2. Current is defined as data and information in the possession of CAMWC at the time of the submission of the original application.

II. Review and Appeal Process

Step #1 - Within ten (10) working days after a funding decision has been rendered by the WIB and the Administrative Board, the applicant must submit a request in writing that the application receive a second review. The request for the second review must be received by CAMWC no later than the close of business on the tenth day after the decision has been rendered.

Step #2 - Within ten (10) working days of receipt of the request for the second review, the President of CAMWC (or his designee) will convene:

- (1) Chair of the WIB;
- (2) Chair of the Operations Committee that reviewed the original application;
- (3) Operations Committee member(s) that reviewed the original application;
- (4) CAMWC staff member(s) who reviewed the original application; and
- (5) Representative(s) of the applicant organization.

The President of CAMWC (or his designee) will chair the meeting. The purpose of this meeting is to provide a second review of the application on the basis of information presented in conformance with paragraphs I.B. and I.C. above.

Step #3 - Within five (5) working days after the meeting in Step #2, the chair of the WIB and the chair of the Operations Committee will prepare a recommendation for the WIB.

Step #4 - At the next regularly scheduled WIB meeting following the action in Step #3, or if appropriate a "special" meeting, the WIB will take action on the recommendation developed in Step #3. If the appellant receives support from the WIB, the appeal will proceed to Step #5. If the appellant does not receive support from the WIB, the appeal process will end at this step. The appellant will be notified in writing, within five (5) working days following the WIB meeting, of the disposition of the appeal.

Step #5 - At the next regularly scheduled Administrative Board meeting following the WIB meeting or a "special" meeting, in Step #4, the Board will take action on the recommendation from the WIB in support of the appellant. If the appellant receives support from the Administrative Board,

the staff will enter into negotiations with the appellant to develop a satisfactory program contract. If the Administrative Board does not support the appellant, the appeal is denied.

GRIEVANCE PROCEDURE:

A Grievance Procedure is established and maintained for resolving any complaint or grievance alleging a violation of any program that is administered through the Michigan Department of Energy, Labor and Economic Growth/Office of Workforce Development (MDELEG/OWD).

All grievances and complaints utilizing MDELEG/OWD funding sources (including state funding sources) shall follow the guidelines set forth in the Grievance Procedure.

The written Grievance Procedure shall be provided to all program applicants and shall be posted at the Michigan Works! Service Centers.

DISCLAIMER:

This request for proposals does not commit Central Area Michigan Works! Consortium, the Central Area Michigan Works! Consortium Workforce Investment Board or EightCAP to award a contract, to pay any costs incurred in the preparation of an application to this request, or to procure or contract for services or supplies. Central Area Michigan Works! Consortium and the Workforce Investment Board reserve the right to accept or reject any or all applications received as a result of this request, or negotiate with all qualified sources, to waive any informalities or minor irregularities in applications/proposals, or to cancel in part or in its entirety the RFP if it is in the best interest of Central Area Michigan Works! Consortium or the Workforce Investment Board to do so. Central Area Michigan Works! Consortium is not required to award bids to the lowest bidder or to the best score, but must make award decisions based on the best overall proposals considering all relevant factors, including price, technical qualifications, demonstrated experience, etc. The WIB or Administrative Board may require the agencies selected to participate in negotiations and to submit any price, technical, or other revisions of their applications that may result from negotiations. Central Area Michigan Works! Consortium and the Workforce Investment Board reserve the right to negotiate a renewal of contract award.

RFP TIMETABLE
JOBS, EDUCATION AND TRAINING
&
FOOD ASSISTANCE EMPLOYMENT & TRAINING

<u>Date</u>	<u>Scheduled Activities</u>
January 4, 2010	Release RFP
January 22, 2010	Bidders' Conference - 9:30 a.m.
February 1, 2010 3:30 pm	<u>Pre-Bid Notices Due</u> – requirement of all bidders to inform CAMWC of their intent to bid and identify potential conflicts of interest.
March 15, 2010 3:30 p.m. (EST)	<u>Proposal Due</u> at the Central Area Michigan Works! Consortium Administrative Office 904 Oak Drive – Turk Lake Greenville, MI 48838

REQUIRED FORMS FOR ALL PROPOSERS

Submit **only one** set of required forms in PART A regardless of the number of proposals your agency is submitting.

Required forms:

1. Pre-Bid Notice
2. Mandatory Questions
3. Proof for Financial Liability
4. Certification regarding debarment, suspension, ineligibility and voluntary exclusion lower tier covered transactions
5. Certification regarding lobbying certification for contracts, grants, loans, and cooperative agreements

MANDATORY QUESTIONS

1. Are the participants in the program being supported by any other funding sources (public or private, federal, state or local monies)?

_____ YES _____ NO

If yes is checked, please indicate in the line-item budget the estimated amount and source of additional funds used and provide a narrative explanation in this section.

2. Is the program's cost the same as your agency charges other organizations or the general public?

_____ YES _____ NO

If no is checked, please attach an explanation.

3. Has your agency been audited within the last three years?

_____ YES _____ NO

If you answered yes and you are not a current CAMWC contractor, include a copy of the most recent management letter, audit opinion and audit report as an addendum.

For all audits identified above, indicate what action has been taken in regard to the letters of opinion.

4. Program Management

Indicate your agency's experience over the past four years in reference to the following items. Check one for each item:

YES NO

_____ _____ (1) Grievance or complaints against the organization (not including discrimination)

_____ _____ (2) Lawsuits or judgments

_____ _____ (3) Investigations of fraud, abuse, conflict of interest, political activities, nepotism, or any criminal activities

_____ _____ (4) Default or breach of contract

- (5) Cancellation or non-renewal of contracts due to non-performance or poor performance
- (6) Bankruptcy or receivership by this organization or a parent organization
- (7) Discrimination complaints or rulings against the Organization/agency

If yes was checked for one or more of the above, information must be provided which should include at a minimum:

- a. Date item checked yes was initiated;
- b. Party or parties involved with specific reference to any Federal funds;
- c. Brief description of the circumstances;
- d. Final disposition and date; and
- e. Brief description if action is still pending.

The information above must be included as an addendum and may be submitted as a table if desired. Failure to include the above information or the omission of relevant information may be grounds for not awarding a contract or canceling a contract if awarded.

5. Program Income/Excess Revenue

Is it expected that the program will generate income or revenue which will accrue to the organization?

Yes No

If the answer is yes, provide a description of how the revenue will be generated. Also include a discussion of how the income will offset costs for the JET and/or Food Assistance Employment & Training program.

All program income earned that is not spent during the period of program operations must be returned to CAMWC.

6. Rental of Facilities

If facilities will be rented, provide the following information: Landlord's name(s); length of lease(s) start/end date; square footage; location(s); cost per square foot; and accessibility to participants and the disabled.

7. Non-Rental Facilities

For facilities which will not be rented, please provide the following information: location(s); square footage; and accessibility to participants and the disabled. For public organizations that are planning to charge a "use charge," please include an explanation for determining the basis for the charge.

8. Staffing Allocation

All agencies must provide the following information for each position/person involved in the proposed program:

- a. Job Title;
- b. Summary Job Description per position (no more than one page);
- c. Indicate whether the position is new or existing; and
- d. The percentage of time supported with CAMWC funding.

PROOF FOR FINANCIAL LIABILITY

If funded by the Workforce Investment Board and Central Area Michigan Works! Consortium, the bidder agrees to assume financial liability for any and all disallowed costs that occur as a result of any financial agreement. **The bidder must place a check mark next to the manner in which financial liability will be assumed and provide a written description.**

It is agreed that the Workforce Investment Board and Central Area Michigan Works! Consortium may require further documentation from the successful bidder prior to final execution of any agreement.

_____ Taxing Authority - Describe

_____ Errors and omissions insurance that is acceptable to the Workforce Investment Board and Central Area Michigan Works! Consortium. Describe, and attach behind this page, a copy of the policy

_____ Pledging assets in an amount sufficient to cover all disallowed costs - Describe

_____ Deposit of non-Federal funds sufficient to cover all disallowed costs - Describe

Signature (of Authorized Staff) _____ Date _____

Print/Type Name and Title _____

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

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

This certification is also required by the regulations implementing Executive Order 12689, Debarment and Suspension 3CFR 1898 Comp., p. 235.

**(Before Completing Certification, Read All Instructions, which
are an Integral part of the Certification)**

(1) The prospective recipient of Federal assistance funds certifies, by submission of the 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.

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.

Signature

Date

Name and Title of Authorized Representative

INSTRUCTIONS FOR CERTIFICATION

1. By signing and submitting this proposal, the prospective recipient of Federal assistance funds is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. 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 Department of Labor (DOL) may pursue available remedies including suspension and/or debarment.
3. 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 its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. 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 the rules implementing Executive Order 12549 and 12689. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
 5. 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 DOL.
 6. 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.
 7. 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.
 8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
 9. Except for transactions authorized under paragraph 7 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may pursue available remedies, including suspension and/or debarment.

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

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, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreements, 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, sub grants and contracts under grants, loans, and cooperative agreements) and that all sub recipients and shall certify and disclose accordingly.

This certification is a material representative 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 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.

Signature

Date

Name and Title of Authorized Representative

Grantee/Contractor Organization

Program/Title