
REQUEST FOR PROPOSAL
ON-THE-JOB (OJT) PROGRAM
PY21

Release Date: January 15, 2021

Due Date: February 22, 2021

Submission:

Proposals will be due by 4:00 pm on 02/22/2021 to the Workforce Investment Board of Will County via email to cportlock@willcountyillinois.com. A receipt will be emailed when a proposal is received. If proposers do not receive an email receipt it is their responsibility to contact the Workforce Investment Board to verify receipt of the proposal.

Contact:

All questions regarding this RFP must be submitted in writing via e-mail to Caroline Portlock at: cportlock@willcountyillinois.com by 4:00 pm on 01/21/2021. No questions will be accepted after this date. Responses to all questions will be posted on the Workforce Investment Board of Will County website www.willcountyworkforceboard.com by 4:00 pm on 01/27/2021.

Evaluation and Review:

Proposals will be evaluated according to the criteria attached in this packet and only in accordance with the written material submitted in the proposal.

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BACKGROUND INFORMATION

The Workforce Innovation and Opportunity Act (WIOA) of 2014 (HR 803 <https://www.congress.gov/113/bills/hr803/BILLS-113hr803enr.pdf>) authorizes local Workforce Investment Boards with the development and oversight of a local system for the provision of workforce services to employers and job seekers. In Will County, the Workforce Investment Board is made up of private and public sector community leaders who have the responsibility for this system.

The Workforce Investment Board of Will County (Board) oversees and is the policy maker, in partnership with the Will County Executive, for workforce development programs in Will County. The Board makes decisions regarding the type and mix of workforce development services offered in Will County and the use of federal and state funds available for workforce activities.

The Workforce Investment Board of Will County is soliciting proposals from qualified applicants to implement an On-the-Job Training (OJT) program in Will County. The project will include the development of employer relationships for OJT opportunities, preparation and implementation of OJT contracts with employers, recruitment and placement of Will County residents into OJT opportunities, and all associated paperwork and documentation for the program.

The overall goal of the OJT program is to provide eligible job seekers with opportunities for long-term employment while at the same time addressing the skill needs of employers in Will County.

ON-THE-JOB TRAINING (OJT) OVERVIEW

The purpose of the On-the-Job Training (OJT) program is to provide participants with hands-on experience in the skills and competencies necessary to enable them to pursue and secure unsubsidized employment in local growth occupational areas. Projects must provide the following services:

1. Recruitment of applicants; documentation of all applicable information; and implementation and ongoing update of participant/employer services. All recruitment and marketing materials used for this program must be reviewed and approved by the Workforce Services Division of Will County prior to use.
2. Contract with local businesses for OJT positions (businesses' pay rate must meet average Will County wage rate of **\$13.00** per hour); development of individualized Occupational Skills Training Outlines; and assign participants to training positions.
3. Determine the period of time required for a participant to become proficient in the occupation for which the training is provided. In determining the appropriate length of on-the-job training, consideration should be given to the skill requirements of the occupation, the academic and occupational skill level of the participant, their prior work experience.
4. Assess participant's progress during on-the-job training in the acquisition of the competencies outlined on and occupational skills training outline and documenting the results of those assessments.

GENERAL REQUIREMENTS FOR OJT FUNDS

- WIOA funds may not be used or proposed to be used for the encouragement or inducement of a business, or part of a business, to relocate from any location in the United States, if the relocation results in any employee losing his or her job at the original location.

- Prohibition on use of funds for customized or skill training and related activities after relocation. No WIOA funds provided for an employment and training activity may be used or proposed to be used for on-the-job training in a business or a part of a business that has relocated from any location in the United States, until the company has operated at that location for 120 days, if the relocation has resulted in any employee losing his or her jobs at the original location.
- Displacement
 - Prohibition. A participant in an OJT must not displace (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) any person currently employed by the participating employer.
 - Prohibition on impairment of contracts. A specified activity must not impair existing contracts for services or collective bargaining agreements and no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the prior written concurrence of the appropriate labor organization and employer concerned.
- Other Prohibitions. A participant in an OJT program may not be employed or assigned to a job if:
 - any other individual is on layoff from the same or any substantially equivalent job;
 - the employer has terminated the employment of any regular, unsubsidized employee or otherwise caused an involuntary reduction in its workforce with the intention of filling the vacancy so created with the WIOA participant; or
 - the job is created in a promotional line that infringes in any way upon the promotional opportunities of currently employed individuals.
- Limitation on Use of Funds
 - No funds available shall be used for employment generating activities, economic development activities, investment in revolving loan funds, capitalization of businesses, investment in contract bidding resource enters, and similar activities that are not directly related to training for eligible individuals.
 - No funds available shall be used for foreign travel, the wages of incumbent employees during their participation in economic development activities, public service employment, except to provide disaster relief employment, and/or expenses prohibited under any other Federal, State or local law or regulation.
 - No funds available shall be used to directly or indirectly assist, promote, or deter union organizing.

ON-THE-JOB TRAINING (OJT) PROGRAM REQUIREMENTS

In developing a proposal, the requirements listed below should be considered.

1. Participant Management Requirements
 - a. The contractor must have a full-time staff person (or one FTE) assigned to work with employers and job seekers in Will County.
 - b. Contractor will be required to implement an approach whereby the participants' training and supportive needs are addressed in a coordinated fashion. Additionally, contractor will be required to ensure that an eligible applicant who cannot be served by the OJT program shall be referred to Workforce Services Division of Will County for further assessment and suitable referral to other appropriate programs. Appropriate documentation of these activities will also be required.

- c. Assessments of participant’s interests and occupational aptitudes, as well as job and career guidance and counseling must be provided in coordination with the Workforce Services Division of Will County.
- d. Only those participants who have been assessed and for whom OJT has been documented as an appropriate activity shall be referred to an employer for participation in on-the-job training.
- e. The training plan (which must be part of the OJT Work Site Agreement implemented for each participant) shall document how the training length was determined and shall include a justification in each case where the length of training exceeds that provided for in the training plan.
- f. Contractor must document the participant’s deficiency in specific occupational skills for assignment to an OJT.
- g. Contractor must also ensure the work site employer conducts a post-training evaluation of the participant’s attainment of specific occupational skills and work habits skills as a result of participation in OJT and documents the results of that evaluation for each participant.
- h. Contractor must maintain contact with WIOA participants and work site employers during on-the-job training for the purpose of evaluating progress in the attainment of competencies identified on the training outline.

This is not a program whose success is based solely on the total number of participants who enter into an OJT. The success of the program is based on how well the participants perform on the job and their success in long term employment.

The current performance measures are provided in the chart below. Contractors will not be held to these specific measures but overall success of the WIOA program in Will County will be determined by these measures.

	Performance Measure	PY 2020/2021 Performance Goal
Adult	Employment Rate 2 nd Quarter after Exit	74%
	Employment Rate 4 th Quarter after Exit	74%
	Median Earnings	\$7,000
	Credential Attainment	70%
Dislocated Workers	Employment Rate 2 nd Quarter after Exit	79%
	Employment Rate 4 th Quarter after Exit	79%
	Median Earnings	\$11,200
	Credential Attainment	84%

Adults and dislocated workers who will be enrolled to this program must be eligible for training services and enrolled in the Workforce Innovation and Opportunity Act programs by Workforce Services Division of Will County.

ELIGIBLE APPLICANTS

All types of entities are eligible to submit proposals, including public, not-for-profit, and for-profit organizations. The applicant must be able to demonstrate previous experience, the capacity and the commitment to implement a work readiness assessment, certification, and training program. All applicant entities must have been a legal organization for a minimum of one year prior to the start of the contract.

The procurement of proposals is being undertaken in compliance with the federal guidelines set forth in the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Final Rule" (also known as the Super-circular or Omni-circular). All contractor(s) selected under this RFP must follow the guidelines set forth in this circular. This final guidance supersedes requirements from OMB Circulars A-21, A-87, A-110, and A-122; Circulars A-89, A-102, and A-133, and the guidance in Circular 1-50 on Since Audit Act Follow-up. This final guidance is located in Title 2 of the Code of Federal Regulations. This link provides additional information on this guidance: <https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#h-33>

The Workforce Investment Board of Will County reserves the right to award grant funds to proposers as they deem to be in the best interest of the residents and employers of Will County.

CONTRACT, AWARD NOTIFICATION AND FUNDING

A portion of the WIOA Adult and Dislocated Worker allocation will be used to accomplish the purpose of this RFP, not to exceed \$500,000. Please note this amount could change depending on the PY21 allocations, which the Board may or may not have by the time a recommendation is made/contract is executed with the chosen contractors and is also dependent on new fiscal year funding levels.

Applicants must be prepared to deploy services immediately following the award of a contract/grant. Contract/grant awards will be made for up to an initial 12-month period with the possibility of being extended for up to two additional years depending upon the availability of funds, the contractor's performance, and the needs of the workforce area.

The Workforce Investment Board of Will County anticipates negotiating contracts in May of 2021 and making awards in June of 2021. As part of the negotiation process, grantees/contractors may be required to provide supplementary information and participate in a planning process that addresses issues such as reporting requirements, standard contractual requirements, additional contract requirements, etc. Standard contract provisions are provided in the Contract Requirement section of this request for proposals.

PROPOSAL GUIDELINES

Technical Specifications

All proposals must meet the technical and content requirements outlined in this section. All proposals must be formatted, organized and assembled as follows:

Format:

- All responses must be typed on 8½ X 11 inch paper.
- Single sided paper, single spaced using a minimum of 12 point font.
- Minimum 1 inch margins – top, bottom and sides.
- Pages must be numbered and each page should have a footer with the name of the agency submitting the proposal.
- Proposals should be submitted in electronic format via email to cportlock@willcountyillinois.com. A receipt will be emailed when a proposal is received. If proposers do not receive an email receipt it is their responsibility to contact the Workforce Investment Board to verify receipt of the proposal.

Assembly/Organization:

1. Cover Sheet (Appendix A)
2. Table of Contents, including page numbers and major headings
3. Executive Summary (**limited to one page**)
4. Organization background and experience (**limited to one page**)
5. Narrative description of project (**limited to ten pages**)
6. Outcomes of the project (**limited to two pages**)
7. Staffing plan and staff qualifications (**limited to one page**)
8. Financial management plan (**limited to one page**)
9. Budget and budget narrative (Attachments 1 and 2)
10. Organization chart (Attachment 3)
11. Staff job descriptions and resumes (Attachment 4)
12. List of all WIA/WIOA grants/contracts your organization has received in the last 3 years. Include granting organization name, grant amount, and year awarded (Attachment 5)
13. Names and contact information of three references familiar with the work of the agency (Attachment 6)
14. Affirmative Action Policy Statement (Attachment 7)
15. Certification Regarding Lobbying (Attachment 8)
16. Certification Debarment, Suspension, etc. (Attachment 9)
17. Organizations' most recent financial audit. The organization's financial audit does not need to be submitted electronically with the proposal. It will not be required unless the proposer is selected as a contractor.

MAXIMUM FOR ITEMS 3 THROUGH 8 IS SIXTEEN (16) PAGES

Note: Any additional material provided by the applicant will not be included in the proposal evaluation. Therefore, all RFP requirements should be addressed within the narrative and required forms.

Proposal Content

The proposal content requirements follow. Proposals will be selected for funding based on the information provided and funding will be contingent on successful negotiations with the applicant and the provision of supplementary information.

1. Organization Background and Experience

- Briefly describe the purpose, activities, and services of your organization.
- How this proposal connects to your mission and organizational goals.
- Indicate the number of years your organization has been in business.
- List the group/populations you serve.
- Identify your target audience or customer base.
- Describe your organization's experience and performance in providing proposed services.
- Include your organization's history in providing similar or related services and related performance outcome data supporting your experience.
- Explain experience or activities previously conducted that demonstrate the organization's capability to successfully implement the proposed project.

2. Narrative Description of Project

- A detailed description of the program and all components for the participants and employers.
- Unique recruitment methods or employer engagement activities that may improve the program outcomes.

3. Outcomes

- A description of how participant progress will be measured and reported.
- The outcomes for participants who participate in an OJT.
- An overview of how your program design will produce the outcomes you have identified.

4. Staffing Plan and Qualifications

- List all staff and their role/position with respect to this program.
- Provide an organizational chart (Attachment 3) of the staff to be included in this program (include resumes and job descriptions as part of your proposal in Attachment 4). Job descriptions may be substituted for positions not yet filled.

5. Financial Management Plan: Budget and Narrative

- Provide a narrative of your financial management plan.
- Fund accounting is required for projects funded under this request for proposals. Describe how you will assure that this is done (separate bank accounts are not necessary).
- If you are going to utilize other funds to supplement this program, indicate the source of the funds, the period funded, the dollar amount, the funding purpose, and any restrictions.
- A statement of the capability of your organization to assume financial liability for disallowed costs resulting from an audit of this program.
- Indicate your inventory control process for this project for any equipment purchased with WIOA funds.
- A description of the accounting system and fiscal reports and controls that will be used to safeguard program funds.
- Previous experience with federally funded programs and compliance with OMB circulars.
- If you are requesting funds to cover indirect costs, provide a copy of your approved indirect cost rate document or applicable cost allocation plan.

All costs reflected in the budget must be necessary and reasonable. Costs may include, but are not limited to, staff salaries and benefits, equipment expenses, travel expenses, other costs associated with the provision of training, and facilities and supplies.

A budget narrative must be submitted for the program. This narrative must include a detailed description of each line item. Use Attachment 2 for this item.

PROPOSAL EVALUATION CRITERIA

All proposals will be evaluated individually and as a group by the proposal review committee. The Committee will rate proposals and may require interviews with proposers prior to making funding recommendations to the Workforce Investment Board of Will County. Contract will then be forwarded to the Will County Board for approval.

The proposals will be reviewed to determine whether or not the provider meets the following minimum procurement requirements:

1. The proposal was submitted on or before the closing date and time.
2. The proposing organization is not on a federal or state Debarment List.
3. The proposing organization has been a legal business entity for a minimum of one year prior to the start of the contract.
4. The proposing organization is fiscally solvent.

5. The person signing the proposal as the submitting organization has the legal authority to do so.
6. The proposing organization agrees to meet all federal, state, and local compliance requirements.
7. The proposing organization has developed a reporting process for participant and fiscal activity.
8. The proposing organization has a satisfactory performance record for previous WIA/WIOA contracts, if applicable.
9. The proposing organization has accounting and auditing procedures adequate to control property, funds, and assets.
10. The proposing organization has a satisfactory record of integrity, business ethics, and fiscal accountability.

All proposals received in accordance with the time and content requirements identified in this request for proposals will be evaluated and scored based on the criteria outlined below.

The maximum number of points for any proposal can receive is 100.

POINTS	PROGRAM COMPONENT
10	Organization Background and Experience - experience of Organization in providing the same or similar services or ability to replicate a successful model provided elsewhere
35	Program Description – completeness of program overview and incorporation of program activities that lead to successful OJTs.
20	Outcomes - likelihood of obtaining outcomes identified and how the program will positively affect participants while meeting or exceeding WIA/WIOA performance measures.
15	Staffing Plan and Qualifications - the experience and qualifications of staff identified to provide services, staff to student ratio, and reasonableness of staffing plan.
20	Financial Management Plan and Budget Cost of services - overall cost and cost per participant Fiscal Capacity - evidenced fiscal capacity, experience with grants, absence of previous monitoring or audit findings.
100	TOTAL POINTS

SELECTION OF CONTRACTOR

Selection of contractor shall be in accordance with federal, state, and local standards. The primary consideration in selecting agencies or organizations to deliver services shall be the effectiveness of the agency or organization in delivering comparable or related services based on demonstrated performance in terms of the likelihood of meeting performance goals, costs, quality of training, and characteristics of participants. Proposals must be for a single organization and proposals that include subcontracting part or all of the services to be provided will not be considered.

Funds provided under the Workforce Innovation and Opportunity Act shall not be used to duplicate facilities or services available in the area unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the performance goals.

PROVISIONS

1. The release of this Request for Proposals does not commit the Workforce Investment Board of Will County to award a contract.
2. All proposals submitted will be subject to competitive review.
3. The Workforce Investment Board of Will County has the right to reject any and all proposals that do not follow the format instructions set forth by this Request for Proposals.
4. This Request for Proposals does not commit the Workforce Investment Board of Will County to award a grant, to pay for any costs incurred in the preparation of a proposal, or to procure a contract for services or supplies prior to issuance of a written agreement.
5. The Workforce Investment Board of Will County retains the right to accept or reject any or all proposals received, to negotiate with all qualified sources or to cancel in part, or in entirety, this Request for Proposals if it is in the Board's best interest to do so. The Board may require the selected bidders to participate in negotiations and to rewrite their applications as agreed upon during the negotiations.
6. The Workforce Investment Board of Will County may modify any portion or terms of this Request for Proposals and may solicit additional proposals as necessary. The Workforce Investment Board of Will County reserves the right to modify or change this RFP based on rules, regulations, requirements put forth by the U.S. Department of Labor, the Illinois Department of Commerce and Economic Opportunity, or other regulatory entities.
7. Proprietary rights to all data, materials, and documentation originated and prepared for the Workforce Investment Board of Will County pursuant to the subcontract agreement shall belong exclusively to the Board.
8. The Workforce Investment Board of Will County retains the right to accept, reject, or negotiate proposals received, as well as to vary or waive any provisions set forth in this request for proposals in the best interests of the Board.
9. All proposals will be subject to negotiation of terms, conditions, and amount.
10. In the event a proposer wishes to file a grievance in connection with the process, a grievance procedure is available and may be obtained from the Workforce Investment Board Office. Grievances related to this proposal must be filed in writing within 10 days of the public Workforce Investment Board meeting at which proposals are selected for award and must comply in all other respects to the information requested and service requirements as stated in the Workforce Investment Board grievance policy.
11. Contracts will be awarded to successful bidder(s) for the period from July 1, 2021 to June 30, 2022. Two additional one year extensions may be awarded based on successful program performance and availability of funds.

CONTRACT REQUIREMENTS

The applicant's proposal will become part of the contract/grant award. Portions of the proposal may be revised to reflect agreements reached as part of the negotiation process.

The contract/grant includes reporting requirements, to be determined by the Workforce Investment Board of Will County. To some extent, reporting will be dictated by the Department of Commerce and Economic Opportunity.

Proprietary right to all data, materials, documentation and products originated by and prepared pursuant to the contract shall belong exclusively to the Workforce Investment Board of Will County. The contractor(s) will acknowledge and agree that any Product and/or Deliverable created hereunder shall be considered a "work made for hire" and all rights to said Product and/or Deliverable shall belong exclusively to the Workforce Investment Board of Will County. The contractor(s) further will agree to execute whatever documents are necessary to legally transfer ownership. For any software created under this Agreement as part of the Products and/or Deliverables, the contractor(s) agrees to provide the software source code in both human and machine-readable format upon the request of Administrative Entity. The contractor(s) also agrees to certify in writing that the Products and/or Deliverables have been fully tested in the production environment and verifies that they are fully operational. The contractor(s) will agree to remedy any deficiency found subsequent to delivery that is found to be the responsibility of the contractor(s).

The contractor(s) will be prohibited from disseminating products and information developed under the grant without the prior written consent of the Workforce Investment Board of Will County.

All respondents must be in compliance, or agree to comply, with the following federal and state laws and related regulations in order to be considered for an award:

- Workforce Innovation and Opportunity Act
- Equal Employment Opportunity
- Copeland "Anti-Kickback" Act (18 U.S.C. 874 and 40 U.S.C. 276c)
- Davis-Bacon Act, as amended (40 U.S.C. 276a to a-7)
- Contract Work Hours and Safety Standards Act (40 U.S.C. 327-333)
- Rights to Inventions Made Under a Contract or Agreement
- Clean Air Act (42 U.S.C. 7401 et seq.) and the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.), as amended
- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)
- Debarment and Suspension (E.O.s 12549 and 12689)
- Applicable State of Illinois Laws
- State WIA/WIOA Policies
- Uniform Guidance (2 CFR part 200)
- OMB's approved exceptions for DOL (2 CFR part 2900)
- 20 CFR Parts 667.200 and 667.410

Cover Sheet

Name of Organization:	Federal Employer ID:
Address:	Phone:
Contact Person:	Title:
Email:	Fax:
Total Budget Request:	
Proposal Title:	
Brief Description of Project:	
Legal Status (circle one): Public Agency Private Nonprofit Corporation Private for Profit Corporation Other _____	
Statement of Certification	
<p>The applicant certifies that the information provided in this Request for Proposal including all attachments, is true, accurate and current; and the person signing below is authorized to do so on behalf of the above named organization. The applicant further certifies that the organization will comply with Workforce Innovation and Opportunity Act rules and regulations should the Workforce Investment Board of Will County fund this program.</p>	
_____	_____
Authorized Signer (Name Typed)	Authorized Signature
_____	_____
Authorized Signer's Title	Date Signed

ATTACHMENT 1

BUDGET

**The total budget should include costs associated with offering the program
a minimum of 12 times in the first year**

<i>LINE ITEM</i>	<i>BUDGET AMOUNT</i>
Wages – Staff	
Fringe Benefits	
Staff Travel	
Rent	
Insurance/Bonds	
Supplies	
Communications	
Copying/Printing	
Utilities	
Equipment	
Other	
TOTAL BUDGET	

ATTACHMENT 2

BUDGET NARRATIVE
(use additional page if necessary)

**For each budget line item in Attachment 1, provide a detailed justification
for the amount requested.**

ATTACHMENT 3

ORGANIZATION CHART

Highlight staff who will work on this project.

ATTACHMENT 4

STAFF JOB DESCRIPTIONS/RESUMES

Attach the job descriptions and resumes of staff who will work on this project. A job description only may be provided for positions not yet filled.

ATTACHMENT 5

PREVIOUS WIA/WIOA GRANTS/CONTRACTS

Granting Organization
Year

Amount

REFERENCES
(provide 3)

1. Contact Name:
Organization:
Relationship:
Address:
Phone:
Email:

2. Contact Name:
Organization:
Relationship:
Address:
Phone:
Email:

3. Contact Name:
Organization:
Relationship:
Address:
Phone:
Email:

ATTACHMENT 7

AFFIRMATIVE ACTION POLICY STATEMENT

It is the policy of _____ (agency) to provide equal employment opportunity to all persons, regardless of race, color, religion, sex, or national origin. Therefore, this organization shall take Affirmative Action to insure that it shall:

- a. Recruit, hire, and promote all job classifications regardless of race, color, religion, sex, age, disability, political affiliation, or national origin.

- b. Make promotional decisions that are in accordance with principles of equal employment opportunity by imposing only valid requirements for promotional opportunities.

- c. Incorporate equal employment opportunity policy in all personnel actions such as compensation, benefits, transfers, layoffs, returns from layoffs, company sponsored training, education, and tuition assistance.

- d. Conduct programs without regard to race, color, sex, religion, or national origin.

The success of an Affirmative Action Program requires maximum cooperation between management and its employees.

To obtain this objective _____ (name) will be the Equal Employment Opportunity representative for _____ (agency). This person shall be responsible for working with the Department of Equal Opportunity for the purpose of aiding this agency in establishing future Affirmative Action goals.

ATTACHMENT 8

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

The undersigned certified, 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 Congress, or any employee or a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into any cooperative agreement and the extension, continuations, 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, Member of Congress, and 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 completed and submit Standard Form-LLL, "Disclosure Form to Report Lobbying" in accordance with its instruction.
3. The Undersigned shall require that the language of this certification be included in the award documents for all subawards and tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

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

Organization

Printed Name and Title of Certifying Official

Date

Signature of Certifying Official

Note: In these instances, "All," in the Final Rule is expected to be clarified to show that it applies to covered contract/grant transactions over \$100,000 (per OMB).

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY
MATTERS PRIMARY COVERED TRANSACTIONS**

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

**(BEFORE SIGNING, READ INSTRUCTIONS WHICH ARE AN
INTEGRAL PART OF THE CERTIFICATION)**

1. The prospective primary participant certifies to the best of its knowledge and belief that it and its principles:
 - (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal debarment or agency;
 - (b) Have not within a three year period preceding this proposal been convicted or had civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification, or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (1) (b) of this certification; and
 - (d) Have not, within a three-year period preceding this application/proposal, had one or more public transactions (federal, state, or local) terminated for cause of default.

2. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Printed Name and Title of Authorized Representative

Signature

Date