



**Grundy Livingston Kankakee Workforce Board
County of Kankakee
One Stop Operator Request for Proposal (RFP)**

A. Background

In July 2014, the Workforce Innovation and Opportunity Act (WIOA) was signed into law. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes the Workforce Investment Act of 1998.

Under WIOA, the public workforce system creates local workforce areas and is overseen by a local workforce board. The Grundy Livingston Kankakee Workforce Board (Workforce Board) with County of Kankakee as the fiscal agent oversees WIOA for local workforce area #11 (LWA#11) which includes Grundy, Livingston and Kankakee Counties.

WIOA creates a One Stop system to enhance access to services for individuals seeking assistance. The regulations define that the local workforce area consists of a comprehensive center which provides the services specified in WIOA. Comprehensive Services in LWA #11 is at the Kankakee Workforce Services office located in Kankakee County. Affiliate workforce service offices are located in Grundy County called Grundy Workforce Services and Livingston County called Livingston Workforce Services.

WIOA requires local Workforce Boards to competitively procure a One Stop Operator and to determine the functions of the One Stop Operator. At this time, the One Stop Operator services are provided by core partners including Workforce Board staff.

B. Purpose of the Request for Proposal

The Grundy Livingston Kankakee Workforce Board and County of Kankakee (the fiscal agent) are soliciting proposals for a One Stop Operator for the designated one stop in LWA #11. The designated one stop is the Kankakee Workforce Services office located in Kankakee County.

One Stop Operator Roles

Under the leadership of the Workforce Board, the selected Operator will be tasked with the coordination of service delivery of one-stop partners and related service providers at the one stop center which is the Kankakee Workforce Services office at 450 N. Kinzie Ave, Bradley, IL.

Duties of the one-stop operator include the following:

- Coordination of One Stop Partners as delineated in the Memorandum of Understanding (MOU)
- Develop a seamless integration and availability of services across all required WIOA Partners in the One Stop Center. This roles purpose is to reduce the silo effect for each partner program. It is to create a more unified service integration approach for the customer.
- Convening of WIOA Partners and other interested parties quarterly to continue the coordination of services, continuous improvement, and/or identify professional

development training for staff. Operator is responsible for convening meetings, creating agendas, facilitating meetings, and recording of the minutes

- Develops, implements, and track partner referrals. This includes developing referral standards, referral follow up requirements, and reporting of referrals
- Develops One Stop Center marketing/outreach plan for individuals and business customers.
- Promote the adoption of creative and innovative methods and best practices in the delivery of services
- Perform continuous improvement activities to achieve high levels of service quality and to enhance customer service.
- Develop and maintain a One Stop Center policies and procedures manual across all partnering agencies, i.e. broad operational guidelines for the center.
- Working with the Workforce Board, develop a reporting metrics dashboard to report on One Stop Center outcomes.
- Advises and assists the Workforce Board on all items relevant to One Stop Certification.

The selected Operator must disclose any potential conflicts of interest arising from the relationships of the Operator with training service providers. The Operator will refrain from establishing practices that create disincentives to providing services to individuals with barriers to employment that may require longer term services.

C. Eligible Respondents

An entity (public, private, or nonprofit), or consortium of entities (including a consortium of entities that, at a minimum, includes three (3) or more of the one-stop partners, with demonstrated effectiveness, located in the local area, which may include:

1. Education institutions, such as: institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education schools (However, elementary and other secondary schools are not eligible to become a one-stop operator).
2. Employment service State agencies established under the Wagner-Peyser Act, as amended by title III of WIOA.
3. A community-based organization, nonprofit entities, or workforce intermediaries.
4. Private-for-profit entities.
5. Government agencies or government units,
6. Other interested organizations that are capable of carrying out the duties of the one-stop operator, such as a local chamber of commerce or other business organization, or a labor organization.
7. Indian Tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians, or Native Hawaiian organizations (collectively referred to herein as “Indian Tribes”).

The applicant must demonstrate the administrative and fiscal capacity to successfully provide the services identified in this RFP. The applicant must be able to demonstrate expertise, capacity and the commitment to one stop center.

All applicants must comply with Federal regulations and procurement policies relating to the calculation and use of profits.

D. Funding/Timeframes/Period of Performance

A portion of WIOA funding not to exceed \$20,000 will be used to fund this RFP. All future funding is contingent and based on future annual allocations and availability of funds.

The funds available through this proposal are WIOA funds. The awarded contract will be made for a twelve month period July 1, 2018 to June 30, 2019 with an option to renew for an additional three (3) years. The option to renew will be at the complete discretion of the Grundy Livingston Kankakee Workforce Board and the chief elected officials based upon on satisfactorily performance.

However, the selected applicant(s) will be evaluated on an ongoing schedule to determine whether or not to continue the contract. The ongoing evaluation will include a review of the quality of services provided, the performance outcomes, the program costs, the integrity of fiscal systems and administrative controls, and the adherence to the terms of the contract. One or multiple contracts will be awarded at the discretion of the Grundy Livingston Kankakee Workforce Board and County of Kankakee. The Workforce Board and County of Kankakee also reserves the right to award no contracts(s).

The Workforce Board and County of Kankakee reserve the right to terminate any contract, without notice, at their sole discretion. Should a contract be terminated, the Workforce Board and County of Kankakee will be responsible for reimbursing only those costs actually incurred prior to the date of termination.

Procurement Timeline

The RFP is presented below.

RFP Released	Tuesday, March 20, 2018
Deadline for submission of questions	Wednesday, April 4, 2018
Proposal Due	Wednesday, April 25, 2018 prior to 12 pm
Workforce Board Meets to approve proposal	Tuesday, June 19, 2018

Contract Begins July 1, 2018

E. Submittal Requirements

Proposal Submission

- All responses must be typed on 8½ X 11 inch paper.
- Single sided paper, 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 formal via email to lrussell@glkwb.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 Board to verify receipt of the proposal.

Workforce Board Contact:

Ladonna Russell
Executive Director
Grundy Livingston Kankakee Workforce Board
200 E. Court Street, Suite 506
Kankakee, IL 60901

Phone: 815-935-0074
Email: lrussell@glkwb.com

All proposals must be received by 12:00 pm (noon) on April 25, 2018. Any proposal received after this date and time will not be considered or evaluated.

Required Inclusions in the Proposal

The following information must be included in the proposal.

- Cover Page (Attachment A)
- Executive Summary
- Organization background and experience
- Project Description including staffing plan
- Budget and budget narrative (Attachment B)
- Certification regarding Debarment (Attachment C)
- Assurances and Certifications Statement (Attachment D)
- The proposal must be no longer than 10 pages total, not including attachments. In addition, the proposal may have up to five letters of support attached.
- Organization most recent financial audit. The organization's financial audit does not need to be submitted electrically with the proposal. It will not be required unless the applicant is selected as a contractor.

F. Questions Regarding the RFP

Inquiries regarding this RFP should be directed to Ladonna Russell via email at lrussell@glkwb.com. Questions must be presented in writing by 4:00 pm on April 4, 2018. Questions other than those presented in writing by the due date will not be entertained.

A summary of all questions received from prospective respondents and answers will be posted on the Workforce Board website at www.glkwb.com by 4:00 pm on April 11, 2018.

G. Proposal Content

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.
- Describe how this proposal connects to your mission and 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. Project Description

- Include a detailed description of activities related to the requirements duties outlined in the One-Stop Operator Roles as defined under Section B. Purpose of the Request for Proposal.
- Identification of any new or innovative initiatives designed to improve the One-Stop system/center outcomes.
- Include a description of both initial implementation activities and on-going operational functions.
- Provide a description of how progress toward operator requirements will be measured and reported

3. *Staffing Plan and Qualifications*

- List all staff and their role/position with respect to this proposal.
- Provide an organizational chart of the staff to be included in this program.

4. *Financial Management Plan: Budget and Narrative*

The proposal must include a line item budget using the budget template provided as Attachment B and a budget narrative. **No other budget forms will be accepted.** The proposed budget should reflect the bidder's best estimate of the proposed costs. After a bidder is selected, the approved budget is subject to a negotiated agreement and is subject to the policies of the Workforce Board and federal and state policies.

- The proposal must show that its cost for providing services is reasonable, and allowable including details of indirect costs. Review of cost items may include comparison of costs among proposers, comparisons of average costs with previous experience, and a comparison of individual cost items with market prices. Proposals that may rank well against program design and effectiveness criteria may not be funded because of unreasonable, excessive unexplained or unallowable costs.
- The financial plan must describe all costs associated with implementing the project that are to be covered with the grant funds. All costs should be necessary and reasonable according to the Federal guidelines set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth in 2 CFR 200. Commonly referred as "Super-Circular" or "Omni-Circular".
- The narrative should include proposers "in kind" contributions in order to maximize workforce funds.
- The narrative must support and explain the information contained on the Annual Budget Estimate form.

Contracts will be awarded on a monthly cost-reimbursement basis only.

H. Signatures

An official authorized to commit the bidder must sign the Cover Page, (Attachment A). Also on the cover page please list the contact individual(s) during the period of proposal evaluation. Each respondent is required to review, sign and submit in their proposals the Certification regarding Debarment included as Attachment C and the Assurances and Certifications Statement included as Attachment D.

I. Review Criteria/Evaluation Process

The selection(s) will be made after all eligible proposals are reviewed and scored by Workforce Board Evaluation Team. Each reviewer will evaluate the proposal and assign a numerical score utilizing the criteria listed below. Scores for each proposal will then be compared to other proposals. A maximum of 100 points may be awarded to any single proposal. Proposals receiving a score below 70 points will be disqualified.

<u>Review Criteria</u>	<u>Maximum Points</u>
A. Organization background and experience	10
B. Project Description	40
C. Staffing Plan and Qualifications	20
D. Budget	30
<u>Total Points Possible</u>	<u>100</u>

J. General Requirements

- a. This RFP does not commit the Grundy Livingston Kankakee Workforce Board and the County of Kankakee to award a grant, to pay any costs incurred in the preparation of a proposal, or to procure or contract for services or supplies prior to issuance of a written agreement.
- b. Any verbal comments or discussion concerning this solicitation cannot add, delete or modify any written provision of this Request for Proposal. Only changes to the requirements of this RFP issued in writing will have force.
- c. Upon request, respondents may be asked to furnish satisfactory evidence of their ability to successfully provide the services requested by this RFP. This evidence may include copies of reports on prior independent audits of the respondent. The Grundy Livingston Kankakee Workforce Board and County of Kankakee reserve the right to make the final determination as to the respondent's capabilities.
- d. All respondents will be required to follow the drug-free policy adopted by the Workforce Board. Failure to abide by the policy may result in reduction of funding and/or termination of the contract.
- e. The Grundy Livingston Kankakee Workforce Board and County of Kankakee reserve the right to cancel this Request for Proposal for any reason, or accept or reject any or all proposals for any reason or to negotiate with any and all respondents on modifications to proposals.
- f. All costs incurred in conjunction with the preparation of a proposal are the sole responsibility of the respondent, and will not be paid or reimbursed.
- g. The proposal submitted by the successful respondent, modified as necessary through negotiations, will become part of a contractual agreement among the Grundy Livingston Kankakee Workforce Board, County of Kankakee and the successful respondent.
- h. All data, material and documentation originated or prepared by the respondent pursuant to a contract award shall belong exclusively to the Grundy Livingston Kankakee Workforce Board and County of Kankakee, and be subject to disclosure under the Freedom of Information Act.

- i. The Workforce Board and County of Kankakee reserve the right to withdraw any award for failure to successfully negotiate and execute a contract with the respondent within 30 days of the award of this RFP.
- j. The successful respondent will be prohibited from disseminating products and information developed under the award without the prior written consent of the Workforce Board.
- k. Any changes in WIOA program requirements or funding levels may result in changes to the services described in any proposal and subsequent contract. The Workforce Board and County of Kankakee reserve the right to modify or alter requirements and standards set forth in this RFP based on program requirements mandated by the Federal government or the State of Illinois.
- l. Proposals submitted for funding must operate according to WIOA law, Workforce Board policies, all applicable Federal regulations, and policies and other requirements of the State of Illinois.
- m. Successful respondents must ensure compliance with Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards set forth in 2 CFR 200. Commonly referred to as “Super-Circular” or “Omni-Circular”.
- n. The Workforce Board and County of Kankakee expect that respondents will have the administrative and financial management capabilities required. Respondents must have in place, or agree to establish, the following:
 - Personnel, grievance and travel policies
 - Equal opportunity/nondiscrimination policies
 - Financial management and accounting policies and procedure.
- o. The Grundy Livingston Kankakee Workforce Board and County of Kankakee reserve the right to conduct discussions with respondents. Respondents will be accorded fair and equal treatment concerning any opportunity for discussion of their proposals.
- p. Respondents may be required to make oral presentations, participate in negotiations and to re-write portions of proposals as agreed during negotiations.
- q. All respondents must ensure equal opportunity to all individuals. If selected as a youth service provider, the respondent must ensure that no individual shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any WIOA-funded program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.
- r. All respondents must ensure access to services by individuals with disabilities pursuant to the Americans with Disabilities Act.
- s. This program is subject to the provisions of the “Jobs for Veterans Act,” Public Law 107-288, which provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the Department of Labor. DOL ETA Training and Employment Guidance Letter (TEGL) No. 5-03 provides general guidance on the scope of the veterans priority statute and its effect on employment and training programs.

- t. This program is subject to the Child Labor Law which regulates the employment of workers less than 18 years of age. The law protects children by (1) requiring employment certificates. The certificate confirms that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education; (2) prohibiting work in hazardous occupations; and (3) limiting working hours. All work before 7 a.m. and after 7 p.m. is prohibited. However, work until 9 p.m. is allowed from June 1 through Labor Day.
- u. Contractors must agree to abide by the Equal Pay Act of 2003 which prohibits employers with four or more employees from paying unequal wages to men and women for doing the same or substantially similar work, requiring equal skill, effort, and responsibility, under similar working conditions for the same employer in the same county, except if the wage difference is based upon a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or factors other than gender.
- v. Respondents selected as a youth provider must allow access to all WIA/WIOA records, program materials, staff and participants by authorized Federal, State and local officials.
- w. The Workforce Board and County of Kankakee reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not available or received from the U.S. Department of Labor, Illinois Department of Commerce and Economic Opportunity or other funding sources or due to legislative changes.

Grundy, Livingston, and/or Kankakee Counties Youth Program Proposal
Grundy Livingston Kankakee Workforce Board
Kankakee County

COVER SHEET

I. Service Provider:

A. Name of Provider: _____

B. Mailing Address: _____

C. Provider Official: _____

D. Authorized Signature: _____

E. Title: _____

F. Contact Person: _____

Name Title

Address

City, State, Zip

Phone Email

II. Program Information:

A. Title of Program: _____

B. Number of Participants: _____

C. Program Period: Start: _____ End: _____

D. Total Funds Requested: _____

E. Cost per Participant: _____

F. In-kind/Matching Cost: _____

Grundy Livingston Kankakee Workforce Board			
Organization:			
Project: One Stop Operator			
Agreement #:			
Contract Term:		to	
Expenditures	Code	Budget	In Kind Match
Salaries	50010		
Employee Benefits	50955		
Workers Compensation Insurance	51500		
General Liability Insurance	51800		
Rent Expense	52400		
Water & Sewer	52600		
Heat	52650		
Electricity	52700		
Telephone	52750		
Mobile Telephones/Pagers	52800		
Professional Fees	54200		
Payroll Processing Fees	54240		
Client Payroll/FICA & Medicare	54700		
Client OJT	54701		
Client Travel	54705		
Client Stipends	54710		
Client Tuition	54720		
Client Remedial Training	54721		
Client Occupational Training	54722		
Client Training Supplies	54725		
Client Support	54730		
Staff Travel	55520		
Staff Conferences	55530		
Staff Meeting Expense	55535		
Postage/Freight	55650		
Subscriptions/Publications	55700		
Printing	55800		
Membership/Dues	55950		
Computer Services	56100		
Cleaning Services	56410		
Office Supplies	56800		
Computer Software/Equipment	86000		
Office Equipment	86500		
Total			

**Certification Regarding Debarment, Suspension, and other Responsibility Matters
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).

Before signing the certification, read the following instructions which are an integral part of the 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) or The Workforce Board, may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the DOL and to The Workforce Board 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. You may contact the DOL 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", provided by the DOL, 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 Nonprocurement 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 6 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 terminate this transaction for cause or default.

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.

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.

Name and Title of Authorized Representative

Signature Date

Name of Applicant Agency

Assurances and Certifications

The Contractor hereby assures and certifies compliance with each of the requirements where applicable:

1. Program Requirements as provided for under Section 181, 183, 184, 186, 187, 189 and 194 of the Act.
2. It will comply with WIOA Regulations Part 683.250(a)(2) prohibiting utilization of funds to carry out public service employment programs under Title I of the Act.
3. It will comply with the limitations on the use of funds as provided for under WIOA Regulations Part 683.250(a) and (b).
4. Section 189(h) of the Act, by assuring that each individual participating in any program established under the Act, or receiving any assistance under the Act, has not violated Section 3 of the Military Selective Service Act (50 U.S.C.appl. 453).
5. Permit and cooperate with federal investigations undertaken in accordance with Section 185 of the Act.
6. Contractors must ensure access to services by individuals with disabilities pursuant to the Americans with Disabilities Act.
7. It will comply with Section 134(e)(3) of the Act and WIOA Regulation Parts 680.930, 680.940, 680.950, 680.960 and 680.970 in making needs-based payments to individuals participating in a training program.
8. Record retention requirements contained in 2 CFR 200 Sections 200.333 – 200.337.
9. It will comply with WIOA Regulations Part 683.270 29 which prohibits replacing a currently employed worker with any WIOA participants.
10. Serve non-economically disadvantaged participants in accordance with Section 129(a)(3)(A)ii(5) of the Act.
11. It will comply with WIOA Regulations Part 683.245, prohibiting funds to be used for employment generating activities, economic development and other similar activities unless they are directly related to training for eligible individuals.
12. Require all lower tier subcontractors to comply, with the policy on lobbying restrictions as established in accordance with OMB Circular 2 CFR 200.
13. The policy on debarment and suspension regulations as established in accordance with 29 CFR Part 98.
14. Require all organizations to comply with the Single Audit Act of 1984, as amended in 1996 (“Single Audit Act”) or 2 CFR Subpart B-General Provisions or Subpart F – Audit Requirement or a grant specific financial and compliance audit.
15. It will comply with Sections 134(C)(3)(F)(iii) and 134(c)(3)(G) of the Act.
16. Equal Employment Opportunity – All contractors shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR Part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity Department of Labor.
17. The Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subcontractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which one is otherwise entitled. The recipient shall report all suspected or reported violations to the Federal awarding agency.
18. The Davis-Bacon Act as supplemented by Department of Labor regulations (29 CFR Part 5, “Labor Standards Provision Applicable to Contracts Governing Federally Financed and Assisted Construction”). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the Federal awarding agency.
19. Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. §327-330) as supplemented by Department of Labor

regulations (29 CFR Part 5). Under Section 102 of the Act, each contractor shall be required to compute the wages of every mechanic and laborer on the basis on a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions that are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

20. Compliance with all requirements relating to the performance of experimental, developmental, or research work including providing for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR Part 401.
21. All applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. §7401 et. seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. §1251 et. seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
22. The provisions of the Byrd Anti-Lobbying Amendment (31 U.S.C. §§1352). Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. §1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient. See 29 CFR Part 98.
23. The provisions of Debarment and Suspension (E.O.'s 12549 and 12689) – No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.'s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.
24. This program is subject to the provisions of the "Jobs for Veterans Act," Public Law 107-288, which provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the Department of Labor. DOL ETA Training and Employment Guidance Letter (TEGL) No. 5-03 provides general guidance on the scope of the veterans priority statute and its effect on employment and training programs.
25. This program is subject to the Child Labor Law which regulates the employment of workers less than 18 years of age. The law protects children by (1) requiring employment certificates. The certificate confirms that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education; (2) prohibiting work in hazardous occupations; and (3) limiting working hours. All work before 7 a.m. and after 7 p.m. is prohibited. However, work until 9 p.m. is allowed from June 1 through Labor Day.
26. Contractors must agree to abide by the Equal Pay Act of 2003 which prohibits employers with four or more employees from paying unequal wages to men and women for doing the same or substantially similar work, requiring equal skill, effort, and responsibility, under similar working conditions for the same employer in the same county, except if the wage difference is based upon a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or factors other than gender.

APPLICABLE STATUTES

1. **Drugfree Workplace Act (30 ILCS 580/1. et.seq.)** Contractor will make the certification required in this Agreement and will comply with all of the provisions of the Drugfree Workplace Act, which are applicable to the Grantee. False certification or violation of the requirements of the Drugfree Workplace Act may result in sanctions including, but not limited to, suspension of grant payments, termination of this Agreement and debarment of contracting or grant opportunities with The Workforce Board for at least one (1) year but not more than five (5) years.
2. **Freedom of Information Act (5 ILCS 140/1 et. seq.)** Applications, programmatic reports and other information obtained by The Workforce Board under this Agreement shall be administered pursuant to the Freedom of Information Act.
3. **Historic Preservation Act (20 ILCS 3420/1 et. seq.)** The Contractor will not expend funds under this Agreement which results in the destruction, alteration, renovation, transfer or sale, or utilization of a historic property, structure or structures, or in the introduction of visual, audible or atmospheric elements to a historic property, structure or structures, which will result in the change in the character or use of any historic property.
4. **Land Trust/Beneficial Disclosure Act (765 ILCS 405/2.1)** No grant award funds shall be paid to any trustee of a land trust, or any beneficiary or beneficiaries of a land trust, for any purpose relating to the land which is the subject of such trust, any interest in such land,

improvements to such land or use of such land unless an affidavit is first filed with the Illinois Department of Employment Security identifying each beneficiary of the land trust by name and address and defining such interest therein.

5. **State of Illinois Discrimination Laws (775 ILCS 5/1-101, et. seq.)** In carrying out the performance required under this Agreement, the Contractor shall comply with all applicable provisions of the Illinois Human Rights Act, and rules and regulations promulgated by the Illinois Department of Human Rights, prohibiting unlawful discrimination in employment. The Contractor's failure to comply with all applicable provisions of the Illinois Human Rights, or applicable rules and regulations promulgated thereunder, may result in a determination that the Contractor is ineligible for future contracts or subcontractors with The Workforce Board, and this Agreement may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.
6. **Unemployment Insurance Act (820 ILCS 405/1900)** In the context of performance under this Agreement, the Contractor will or may have access to documents, files, records or other information that is confidential within the meaning of Section 1900 of the Unemployment Insurance Act and agrees to comply with all provisions set forth in Section 1900 of said Act regarding nondisclosure of any such information, including penalties for noncompliance.

STATE OF ILLINOIS REQUIRED CERTIFICATION

1. **AMERICAN WITH DISABILITIES ACT** The Americans with Disability Act (ADA) (42 U.S.C. 12101 et. seq.) and the regulations thereunder (28 CFR 35.130) prohibit discrimination against persons with disabilities by the State, whether directly or through contractual agreements, in the provision of any aid, benefit or services. As a condition of receiving this Agreement, the Contractor certifies that services and activities under this Agreement are, and will continue to be in compliance with the ADA.
2. **ANTI BRIBERY** The Contractor certifies that neither it nor its employees have been convicted of bribing or attempting to bribe an officer or employee of the State of Illinois or has made an admission of such guilt as defined in the Illinois Procurement Code (30 ILCS 500 et. seq.).
3. **BID-RIGGING/BID ROTATING** The Contractor certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33 E-3 and 5/33 E-4).
4. **COMPLIANCE WITH APPLICABLE LAW** The Contractor certifies that it shall comply with all applicable provisions of Federal, State and local law in the performance of its obligations pursuant to this Agreement.
5. **DEFAULT ON EDUCATIONAL LOAN** The Contractor certifies that this Agreement is not in violation of the Educational Loan Default Act (5 ILCS 385/3) prohibiting certain contracts to individuals who are in default on an educational loan.
6. **DISCRIMINATION/ILLINOIS HUMAN RIGHTS ACT** The Contractor certifies that it will not commit unlawful discrimination in employment in Illinois as defined in Article 2 of said Act; it will comply with the provisions of Article 5; it will comply with the policies and procedures established by the Department of Human Rights under Article 7 of the Act. The Contractor certifies that, if applicable, it will comply with "an act to prohibit discrimination and intimidation on account of race, creed, color, sex, religion, physical or mental handicap unrelated to ability or national origin in employment under contracts for public buildings or public works." (775 ILCS 10/0.01 et.seq.).
7. **INTERNATIONAL ANTI-BOYCOTT CERTIFICATION** The Contractor certifies that it nor any substantially owned affiliate company is participating or will participate in an international boycott, as defined by the provisions of the U.S. Export Administration Act of 1979, or as defined by the regulations of the U.S. Department of Commerce, promulgated pursuant to that Act (30 ILCS 582/1 et. seq.).
8. **SEXUAL HARASSMENT** The Contractor certifies that it has written sexual harassment policies that shall include, at a minimum, the following information: the illegality of sexual harassment; the definition of sexual harassment under state law; a description of sexual harassment; internal complaint process including penalties; legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission; directions on how to contact the Department and Commission and protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act (775 ILCS 5/2-105 (B)(5)).

Name and Title of Authorized Representative

Signature Date

Name of Applicant Agency