

Request for Proposals

RFP#2-11-26-18

KAISER GROUP, INC.
(dba)
DYNAMIC WORKFORCE SOLUTIONS

REQUEST FOR PROPOSALS (RFP)
FOR A WORK EXPERIENCE PAYROLL
PROVIDER

Request for Proposals

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PART I - GENERAL INFORMATION

BACKGROUND

Dynamic Workforce Solutions is a for profit organization that operates in the States of Texas, Wisconsin, Kansas, Oklahoma and Florida. Dynamic Workforce Solutions is responsible for operating, and oversight of workforce development programs/services.

FUNDING

Funding for the Dynamic Workforce Solutions operations and programs is provided through the Workforce Innovation and Opportunity Act (WIOA), Temporary Assistance for Needy Families (TANF) and other federal programs.

PRODUCTS/SERVICES SOLICITED

Dynamic Workforce Solutions is soliciting a Request for Proposals (RFP) for a Work Experience Payroll Provider. Dynamic Workforce Solutions will accept single State or multiple State Proposals.

TIME-FRAME

An RFP packet will be available online at www.dwfs.us at 10:00 a.m. CST on November 26, 2018. **The deadline for this RFP is December 26, 2018, at 4:00 p.m. CST.** If you have any questions in regards to this RFP, please contact Chris Berry, Dynamic Workforce Solutions, CBERRY@DWFS.US, Phone 386-597-3147. Proposals must be delivered electronically and received prior to this deadline to CBERRY@DWFS.US. There will be no exceptions. **Proposals received after the deadline will not be considered for this procurement. No facsimiles will be accepted.**

PAYMENT TERMS

Payment will be issued monthly.

SERVICE PERIOD

Dynamic Workforce Solutions is interested in receiving one (1) to three (3) year proposals with the option to renew for up to two (2) additional one (1) year terms based on need, performance and availability of funds beginning with the month of January 1, 2019.

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PART II- PROPOSAL CONTENT AND PROCESS

PURPOSE

In utilizing the Request for Proposals (RFP) method of procurement, it is the intent of Dynamic Workforce Solutions to solicit proposals for Work Experience Payroll Provider for our contracts in the States previously identified.

OVERVIEW

Dynamic Workforce Solutions is the operator for Workforce development programs in Texas, Oklahoma, Florida, Kansas and Wisconsin including the Workforce Innovation Opportunity Act (WIOA), National Dislocated Worker Grant (NDWG), Trade Adjustment Act (TAA) Supplemental Nutrition and Assistance Program, TANF/Choices, and Wagner-Peyser Employment Services.

NOTICE TO RESPONDENTS

General

DWFS is accepting proposals to enter into an agreement with a Respondent, in accordance with the terms, conditions and requirements set forth in this Request for Proposals ("RFP"), RFP No. 2-11-26-18. This RFP provides sufficient information for interested parties to prepare and submit Proposals for consideration by DWFS.

RESPONDENTS ARE CAUTIONED TO READ THE INFORMATION CONTAINED IN THIS RFP CAREFULLY AND TO SUBMIT A COMPLETE RESPONSE TO ALL REQUIREMENTS AND QUESTIONS AS DIRECTED.

Submittal Deadline

Dynamic Workforce Solutions will accept Proposals until: **December 26, 2018, 4:00 p.m. CST**

Dynamic Workforce Solutions Contacts

Any questions or concerns regarding this Request for Proposals must be submitted via fax to the primary contact listed below:

Primary Contact

Chris Berry

Dynamic Workforce Solutions

Cberry@dwfs.us

386-597-3147

Dynamic Workforce Solutions specifically requests that Respondents restrict all contact and questions regarding this RFP to the above named individuals.

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Type of Contract

After Dynamic Workforce Solutions issues a Request for Proposals to qualified Respondents and proposals are received in response thereto, and an award of contract is made, the successful Respondent will be required to enter into a contract in the form of Dynamic Workforce Solutions' standard Agreement.

Inquiries and Interpretations

Responses to inquiries which directly affect an interpretation or change to this RFP will be issued in writing by addendum (amendment) and mailed or e-mailed to all parties recorded by Dynamic Workforce Solutions as having received a copy of the RFP. All such addenda issued by Dynamic Workforce Solutions prior to the time that proposals are received shall be considered part of the RFP, and the Respondent shall be required to consider and acknowledge receipt of such in the proposal. Firms receiving this RFP other than directly from Dynamic Workforce Solutions are responsible for notifying Dynamic Workforce Solutions that they are in receipt of a proposal package and are to provide a name and address in the event an amendment is issued.

Only those inquiries Dynamic Workforce Solutions replies to which are made by formal written addenda shall be binding. Oral and other interpretations or clarification will be without legal effect.

Public Information

Dynamic Workforce Solutions considers all information, documentation and other materials requested to be submitted in response to this solicitation to be of a non-confidential and/or non-proprietary nature and therefore shall be subject to public disclosure after a contract is awarded.

Respondents are hereby notified that Dynamic Workforce Solutions strictly adheres to all statutes, court decisions, and opinions of the respective State's Attorney General with respect to disclosure of RFP information.

Contract Award Process

An award to one or more Respondents for Work Experience Payroll Provider specified herein will be made following a one-step procedure using competitive proposals. Dynamic Workforce Solutions will evaluate the proposals of the respondents based on the Proposal criteria set forth below. **Cost-related or price-related factors will be used and should be submitted by Respondent.**

Other contents of the proposals will be afforded security sufficient to preclude disclosure of the contents of the proposal prior to award. Within 15 days after the date of opening the proposals, Dynamic Workforce Solutions will evaluate and rank each proposal with respect to the selection criteria contained in the Request for Proposals (RFP). After opening and ranking, an award may be made on the basis of the proposals initially submitted, without discussion, clarification or modification, or, Dynamic Workforce Solutions may discuss with the selected Respondent offers for price consideration and other elements of the Respondent's proposal. If Dynamic Workforce Solutions determines that it is unable to reach a contract satisfactory to Dynamic Workforce Solutions with the selected Respondent, then Dynamic Workforce Solutions will terminate discussions with the selected Respondent and proceed to the next Respondent in order of selection ranking until a contract is reached or Dynamic Workforce Solutions has rejected all proposals. Dynamic Workforce Solutions may not disclose any information derived from the proposals submitted from competing offers in conducting such discussions. Dynamic Workforce Solutions reserves the right to award a Contract for all or any portion of the requirements proposed by reason of this request, award multiple Contracts, or to reject any and all proposals if deemed to be in the best interests of Dynamic Workforce Solutions and to re-solicit for proposals, or to reject any and all proposals if deemed to be in the best

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interests of Dynamic Workforce Solutions and to temporarily or permanently abandon the procurement. If the Dynamic Workforce Solutions awards a contract, it will award the contract to the Respondent(s) whose proposal is the most advantageous to Dynamic Workforce Solutions and offers the best value, considering price and the evaluation factors set forth in the RFP. The contract file must state in writing the basis upon which the award is made.

Dynamic Workforce Solutions may discuss or negotiate all elements of the proposal with Respondents in ranking order as described above. After the submission of a proposal, and as part of such discussions or negotiations, Dynamic Workforce Solutions may permit the Respondent to revise the proposal in order to obtain the best final offer. Dynamic Workforce Solutions may not disclose any information derived from the proposals submitted from competing offers in conducting such discussions.

Criteria for Proposal

The Respondent selected for providing the best value will be the Respondent whose Proposal, is presented in the response to this RFP, is the most advantageous to Dynamic Workforce Solutions.

Proposals will be evaluated by Dynamic Workforce Solutions personnel. In general, the criteria for evaluation of qualifications, and selection of the qualified respondent(s), will be based on the factors listed in the Respondent Questionnaire (Page 14).

Consideration may also be given to any additional information and comments at each selection phase should they increase the benefits to Dynamic Workforce Solutions.

Respondent's Acceptance of Evaluation Methodology

Submission of a proposal indicates Respondent's acceptance of the evaluation technique and Respondent's recognition that some subjective judgments must be made by Dynamic Workforce Solutions during the assigning of points.

Commitment

Respondent understands and agrees that this RFP is issued predicated on anticipated requirements for Dynamic Workforce Solutions, and that Dynamic Workforce Solutions has made no representation, written or oral, that any such requirements be furnished under a Contract arising from this RFP. Furthermore, Respondent recognizes and understands that any cost borne by the Respondent which arises from Respondent's performance hereunder shall be at the sole risk and responsibility of Respondent.

Key Events Schedule:

RFP Advertisement/Bid Release	November 26,2018
Proposal Submittal Deadline	December 26, 2018
Successful Respondent Identified	December 29, 2018
Services Begin	January 1, 2019

Eligible Respondents

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Only individuals, firms or lawfully formed formal business organizations may apply, unless, if the Respondent does not meet the foregoing criteria, the Respondent states in writing to Dynamic Workforce Solutions that, if awarded the contract, it will lawfully form a formal business organization in a timely manner so as not to delay the Project. (This does not preclude a respondent from having consultants.) Dynamic Workforce Solutions will contract only with individuals, firms or formal organizations such as a) joint ventures, b) limited liability corporations, c) partnerships, or d) corporations or other entities authorized to do business in the States that have been previously identified.

SCOPE OF SERVICES

RESPONDENT RESPONSIBILITY

Dynamic Workforce Solutions is seeking bids from individuals, firms or lawfully formed formal business organizations for Work Experience Payroll Provider Proposals in Texas, Wisconsin, Kansas, Oklahoma, Florida.

Specifications should be considered minimum requirements. Addendum items may be inserted into the RFP Specifications should they arise during the RFP process, which will be made available to all proposers in writing.

PERFORMANCE REQUIREMENTS

SPECIFICATIONS

General

Dynamic Workforce Solutions is seeking bids from individuals, firms or lawfully formed formal business organizations for Work Experience Payroll Provider Proposals in Texas, Wisconsin, Kansas, Oklahoma, Florida.

Specifications/Scope of Work

PROJECT DESCRIPTION:

Dynamic Workforce Solutions is currently accepting proposals from any experienced payroll services provider/Temporary Staffing Agencies to provide payroll services and be willing to become the Employer of Record for Work Experience participants working with Dynamic Workforce Solutions in the following States: Texas, Florida, Kansas, Oklahoma, Wisconsin. Provider can select to provide services in all states or in Texas only. Preference will be given to providers that select to provide services in all states.

A. Financial Considerations:

1. Respondent to include a cost proposal explaining the cost proposal associated with the services they will provide. Respondent will identify which States they are submitting a proposal for or if the cost proposal is for all previously identified States.

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B. Additional Requirements:

1. Respondent must provide information which demonstrates their ability to provide the solicited services.

Respondents are instructed to carefully review all project information which has been provided to interested potential respondents.

Delivery

A. Schedule:

The milestone schedule for the project is as follows:

- | | |
|-------------------|-------------------|
| 1. RFP Due | December 26, 2018 |
| 2. DWFS Decision | December 29, 2018 |
| 3. Services Begin | January 1, 2019 |

Miscellaneous Provisions

A. Personnel

Respondent shall maintain a staff of properly trained and experienced personnel to ensure satisfactory performance under this Contract.

1. Respondent shall assign to the Dynamic Workforce Solutions a designated representative who will be responsible for the coordination and administration of Dynamic Workforce Solutions' requirements.
2. Dynamic Workforce Solutions will designate a representative to make sure that the Dynamic Workforce Solutions' expectations and requirements identified in RFP are fulfilled.

EXECUTION OF OFFER

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THIS SHEET MUST BE COMPLETED, SIGNED, AND RETURNED WITH RESPONDENT'S PROPOSAL. FAILURE TO SIGN AND RETURN THIS SHEET WILL RESULT IN THE REJECTION OF YOUR PROPOSAL.

1. By signature hereon, Respondent offers and agrees to furnish the products and/or services at the prices quoted and comply with all terms, conditions, requirements set forth per the RFP documents and contained herein.
2. By signature hereon, Respondent affirms that he has not given, nor intends to give at any time hereafter, any economic opportunity, future employment, gift, loan, gratuity, special discount, trip, favor or service to a public servant in connection with the submitted proposal. Failure to sign hereon, or signing with a false statement, shall void the submitted proposal or any resulting contracts, and the Respondent shall be removed from all proposal lists at this Agency.

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3. By signature hereon, a Respondent certifies that it is not currently delinquent in the payment of any Franchise Taxes due under Chapter 171, Texas Tax Code, or that the corporation is exempt from the payment of such taxes, or that the corporation is an out-of-state corporation that is not subject to the Texas Franchise Tax, whichever is applicable. A false certification shall be deemed a material breach of contract and, at Dynamic Workforce Solutions' option, may result in cancellation of any resulting contract or purchase order.
4. By signature hereon, the Respondent hereby certifies that neither the Respondent nor the firm, corporation, partnership or institution represented by the Respondent, or anyone acting for such firm, corporation, or institution has violated the antitrust laws of this state, codified in Section 15.01, et. seq., Texas Business and Commerce Code, or the Federal antitrust laws, nor communicated directly or indirectly the proposal made to any competitor or any other person engaged in such line of business.
5. By signature hereon, Respondent certifies that all statements and information prepared and submitted in response to this solicitation are current, complete and accurate.
6. By signature hereon, Respondent certifies that the individual signing this document and the documents made part of the RFP is authorized to sign such documents on behalf of the company and to bind the company under any contract which may result from the submission of this proposal.
7. By signature hereon, Respondent certifies that if a Texas address is shown as the address of the Respondent, Respondent qualifies as a Texas Resident Respondent as defined in Rule 1 TAC 113.8.
8. By signature hereon, Respondent certifies it is a small business and/or a minority/female owned business as defined by the State of Texas. Check status below:
 - Small Business (House Bill 366, 64th Legislature)
 - Minority/Female Owned Business (House Bill 2626, 73rd Legislature)
 - Certified by Texas Department of Commerce
 - Status not claimed
9. By signature hereon, Respondent certifies as follows:

“Under Section 231.006, Texas Family Code, the respondent certifies that the individual or business entity named in this contract, bid, or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate.”

“Under Section 2155.004, *Texas Government Code*, the respondent certifies that the individual or business entity named in this bid or contract is not ineligible to receive the specified contract and acknowledges that this contract may be terminated and payment withheld if this certification is inaccurate.”

“Under Section 2254.004, *Texas Government Code*, the respondent certifies that each individual or business entity which is an engineer or architect proposed by Respondent as a member of its team was selected based on demonstrated competence and qualifications only.”
10. By signature hereon, Respondent certifies that no relationship, whether by relative, business associate, capital funding agreement or by any other such kinship exist between Respondent and an employee of any Dynamic Workforce Solutions, or Respondent has not been an employee of any Dynamic Workforce Solutions

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component within the immediate twelve (12) months prior to your RFP response. All such disclosures will be subject to administrative review and approval prior to Dynamic Workforce Solutions entering into any contract with Respondent.

11. By signature hereon, Respondent affirms that no compensation has been received for participation in the preparation of the specifications for this RFP. (ref. Section 3.102, Article 601b, V.T.C.S.)
12. Respondent represents and warrants that all articles and services quoted in response to this RFP meet or exceed the safety standards established and promulgated under the Federal Occupational Safety and Health Law (Public Law 91-596) and its regulations in effect or proposed as of the date of this solicitation.
13. By signature hereon, Respondent signifies his compliance with all federal laws and regulations pertaining to Equal Employment Opportunities and Affirmative Action.
14. By signature hereon, Respondent signifies that Respondent will comply to all Federal, State, County and City Codes having jurisdiction over this project.

Complete the following:

Federal Employer Identification No: _____

If Sole Owner:

Social Security No: _____

If a Corporation:

State of Incorporation: _____

Charter No: _____

Submitted By:

(Company Name)

(Authorized Signature)

(Printed Name/Title)

(Date)

(Street Address)

(City, State, Zip Code)

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Telephone Number)

(Facsimile Number)

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RESPONDENT QUESTIONNAIRE

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Respondents are requested to submit a complete response to each of the below listed items. Responses requiring additional space should be brief and submitted as an attachment to your submittal package. Please reference each response by its item number indicated below.

1. Location: Please set forth the proposed cost by State, please provide breakdown, which shall include the following:
- Employer's taxes;
 - Workers compensation costs;
 - Administrative fees or profit with the associated percent per dollar that would be billed;
 - Cost for background checks,
 - Cost for 6-panel drug test, and;
 - Any other fees charged by the proposer for providing the required services.
2. Renewal Options: Please identify the renewal options for the proposed services.

DYNAMIC WORKFORCE SOLUTIONS RESPONSIBILITY

Dynamic Workforce Solutions will negotiate a contract for proposed services. Dynamic Workforce Solutions, at its sole discretion, reserves the right to negotiate a one (1) to three year (3) contract with two (2), one (1) year renewal options based on the selected respondent's performance, need, and funding availability.

QUALITY ASSURANCE

The successful Respondent will enter into a contract with Dynamic Workforce Solutions. Dynamic Workforce Solutions will negotiate a contract.

Costs must be documented, allowable and justified as indicated on the Cost Proposal Sheet. **Refer to Attachment J.**

BEST AND FINAL OFFER (BAFO)

Dynamic Workforce Solutions reserves the right to request a Best and Final Offer (BAFO) from all responsive respondents. A responsive respondent is one whose score totals seventy (70) or more.

To ensure a fair and objective evaluation, all questions related to the RFP must be submitted via email. **The final deadline for written questions to be submitted is December 14, 2018 at 4:00 p.m. CST.**

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ATTN: Chris Berry
cberry@dwfs.us
Dynamic Workforce Solutions
386-597-3147

WHO IS ELIGIBLE TO RESPOND

Respondents who are able to meet the technical specifications for quality and other terms of this proposal package, and who are not debarred and/or suspended from conducting business with federal and state funded agencies are invited to respond. A prospective respondent must affirmatively demonstrate respondent's responsibility. A prospective respondent, by submitting a proposal, represents to Dynamic Workforce Solutions that it meets the following requirements:

- Possess or is able to obtain adequate financial resources as required to perform under this RFP;
- Is able to comply with the required or proposed RFP;
- Have a satisfactory record of integrity and ethics; and
- Be otherwise qualified and eligible to receive an award;
- Be in good standing with the applicable national or state associations.

PROCUREMENT CONDITIONS/GENERAL TERMS

Procurement of these items shall be in accordance with the Workforce Innovation and Opportunity Act, as amended, and the applicable Federal and State procurement policy and Dynamic Workforce Solutions procurement policies and general terms as follows:

- Dynamic Workforce Solutions reserves the right to accept, or reject any or all proposals received or to cancel or extend in part or its entirety, this Request for Proposal, or make multiple or partial awards.
- Good faith efforts shall be made to utilize Historically Underutilized Businesses (HUBs, i.e., minority and female-owned or operated businesses) as respondents, and to allow such organizations maximum feasible opportunity to compete for award.
- Award of purchase agreement or contract shall be made only to a responsible respondent(s), i.e., a respondent who has demonstrated competence to deliver the specified goods/services, a proven record of business integrity and ethics, and the ability to meet the requirements of this RFP.
- When submitting proposals it is required that the respondent have the necessary professional experience, prior training, and applicable professional judgment to perform the activities or deliver the goods stated in this RFP.
- Proposals may be withdrawn only by delivery of a written request to Dynamic Workforce Solutions prior to the specified deadline time/date stated in the RFP. Such requests must be signed by the authorized signatory.
- Proposals received will become a part of the Dynamic Workforce Solutions' official files without further obligation to the respondents.

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- The contents of a successful Proposal may become a contractual obligation if selected for funding. Failure of the Respondent to accept these obligations can result in cancellation of an award or purchase agreement. Dynamic Workforce Solutions reserves the right to withdraw or reduce the amount of an award or to cancel any contract resulting from this procurement if there is misrepresentation or errors in the specifications, pricing, terms, or Respondent's ability to meet the terms and conditions of this RFP or if adequate funding is not received from TWC.
- A response does not commit Dynamic Workforce Solutions to award a purchase agreement or a contract; a reimbursement of any costs incurred in the preparation of a response nor commit to pay for any costs incurred prior to the execution of a formal purchase agreement or contract unless such costs are specifically authorized in writing by Dynamic Workforce Solutions.
- Dynamic Workforce Solutions reserves the right to contact any individual, agency, or employers listed in the RFP, to contact others who may have experience and/or knowledge of the respondent's goods/supplies, relevant performance, qualifications, etc., and to request additional information from any and all respondents.
- Respondents shall not, under penalty of law, offer any gratuities, favors, or anything of monetary value to any officer or employee of Dynamic Workforce Solutions, or to any consultant, employee, or member of Dynamic Workforce Solutions for the purpose of or having the effect of influencing favorable disposition toward their own proposal or any other bid submitted hereunder.
- No employee, officer or member of Dynamic Workforce Solutions shall participate in the selection, development of a response to this RFP, award or administration of a contract supported by the RFP if a conflict of interest, real or apparent, would be involved.
- Respondents shall not engage in any activity that will restrict or eliminate competition. This does not preclude joint ventures or subcontracts. Violation of this provision may cause a respondent's response to be rejected.
- No purchase agreement or contract may be awarded until the respondent has complied with Executive Order 12549, 29 CFR, Part 98 by submitting a signed Certification of Debarment, which states that neither the respondent, nor any of its principles, are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a procurement by any Federal department or agency.
- Prior to award of any purchase agreement or contract, a Respondent must sign a Certification Regarding Conflict of Interest stating adherence to Dynamic Workforce Solutions policy regarding free and open competition and conflicts of interest.

RESPONDENT DEBRIEFINGS AND PROTESTS

Dynamic Workforce Solutions is the responsible authority for handling protests regarding the procurement and bid selection process. Once a procurement decision is made, Dynamic Workforce Solutions shall notify each respondent in writing of the results. Unsuccessful respondent shall be advised, in writing, that they have the right to request a debriefing or to request a hearing.

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The purpose of a Debriefing is to promote the exchange of information between a respondent and Dynamic Workforce Solutions staff pertaining to the proposal process and the bid evaluation system. The goal of a Debriefing is to assist a respondent in improving the quality of future bids. Dynamic Workforce Solutions will not host a Debriefing to a respondent who has engaged in the Hearing process described below.

A Debriefing shall include an informal exchange of information pertaining to Dynamic Workforce Solutions proposal process and bid evaluation system and shall serve as an educational function for respondents. During a Debriefing the respondent will receive information on how their proposal was received and ranked. Dynamic Workforce Solutions reserves the right to limit the amount of time allocated for a Debriefing.

Step 1: Respondents who desire a Debriefing must submit a written request within ten (10) calendar days of receipt of Dynamic Workforce Solutions notification of the procurement decision. Dynamic Workforce Solutions shall acknowledge receipt of the request for a Debriefing in writing within five (5) working days of receipt, along with the date and time of the scheduled Debriefing.

The Request for a Debriefing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as "Dated Material" and addressed to:

Mr. Chris Berry, Chief Financial Officer
Dynamic Workforce Solutions
37 Comanche Court
Palm Coast FL, 32137

Telefax, facsimile, and e-mail requests for a Debriefing will NOT be accepted.

Step 2: The Debriefing shall be scheduled at a Dynamic Workforce Solutions location no later than ten (10) working days from the date the inquiry is received by Dynamic Workforce Solutions.

Step 3: Dynamic Workforce Solutions staff and the independent evaluators (if applicable) of the specific bid proposal shall meet with the respondent and shall review: 1) the proposal and bid evaluation process; and 2) how the appealing party's proposal/bid was scored and ranked; suggestions on how to improve future bids (if applicable).

APPEAL/HEARING REQUEST

An Appeal occurs when an unsuccessful respondent believes that they were treated unfairly in the bid proposal and award process and that they, rather than the organization selected for the award, deserve the procurement contract. Dynamic Workforce Solutions will not grant a Hearing to a respondent who has engaged in the Debriefing process described above.

Step 1: If a respondent wishes to appeal the decision of Dynamic Workforce Solutions regarding their bid proposal, the complainant respondent must submit to the CFO, a written Request for a Hearing within ten (10) calendar days of receipt of Dynamic Workforce Solutions' notification of the procurement decision. Dynamic Workforce Solutions shall acknowledge receipt of the request for a Hearing in writing within five (5) working days of receipt, along with the date and time of the scheduled Hearing. The Request for a Hearing must be sent by registered mail or hand delivered (receipt will be issued), clearly identified externally as "Dated Material" and addressed to:

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Mr. Chris Berry, Chief Financial Officer
Dynamic Workforce Solutions
37 Comanche Court
Palm Coast FL, 32137

Facsimile and e-mail notices will NOT be accepted.

Step 2: The written Request for a Hearing sent to the CFO must include the following information:

- a. The funding decision being appealed (i.e. specific date of the RFP/IFB and Dynamic Workforce Solutions action taken).
- b. Name, address and phone number of the protesting party(ies);
- c. A description of any alleged acts or omissions by Dynamic Workforce Solutions that form the basis for the protest (this must include the specific concerns and the specific grounds for the protest).
- d. Any written information the respondent believes is relevant to the protest;
- e. The remedy sought by the respondent.

Step 3: Upon written request, Dynamic Workforce Solutions staff shall make available to the respondent all requested documents not exempted from disclosure under state or federal law. Dynamic Workforce Solutions will provide copies of these documents upon payment of the standard fees set by the agency for record duplication.

Step 4: A Hearing shall be scheduled at Dynamic Workforce Solutions Offices at a mutually agreed time and date but no later than twenty (20) calendar days from the date the request for a Hearing is received by Dynamic Workforce Solutions.

Step 5: The Executive Director or his/her designee shall act as the Hearing Officer. The Executive Director shall also appoint a Committee of either Dynamic Workforce Solutions Board members and/or Dynamic Workforce Solutions staff to serve as the Hearings Committee. Such committee shall consist of the Hearing Officer and either two (2) or four (4) additional committee members.

Step 6: The Hearing Committee shall meet with the protesting party to discuss the specific concerns and the specific grounds for the protest identified in the Request for a Hearing (see Step 2(c) above). Only those issues presented in the Request for a Hearing will be addressed at the Hearing. The Hearings Committee shall evaluate the appropriate actions which should be taken while abiding by Dynamic Workforce Solutions funding rules and regulations and which are consistent with Dynamic Workforce Solutions' procurement policies.

Step 7: A determination will be made within ten (10) business days from the date of the Hearing. Should the Hearings Committee determination result in a different outcome for the respondent, such recommendation shall be presented to the full Dynamic Workforce Solutions Board for consideration and possible action at the next scheduled meeting. However, Dynamic Workforce Solutions is NOT obligated to accept the Hearings Committee determination and/or recommendations.

If the Hearing Committee's determination does not result in a different outcome to the respondent, such information need not be presented to Dynamic Workforce Solutions and the respondent shall be informed in writing by the Hearings Officer of the Hearing outcome.

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SELECTION CRITERIA

Dynamic Workforce Solutions will evaluate proposals and select respondent(s) on the basis of the following criteria:

RESPONSIVE/RESPONSIBLE RESPONDENTS

Dynamic Workforce Solutions staff reviews the proposals received to determine if they are responsive. For proposals to be considered responsive and to be evaluated for selection, the following requirements must be met:

1. The proposals must have been submitted by the due date and time.
2. The proposals must be complete with the original signatures.
3. The proposals must be for the specific services requested and described in the RFP Packet.
4. The proposals must be submitted in the format described in the RFP Packet.
5. One copy must be submitted.

All proposals will be screened for inclusion of all required information prior to release to the evaluation team. Dynamic Workforce Solutions staff may exclude from further consideration for contract award any non-responsive proposal or portion of a proposal.

Dynamic Workforce Solutions may use Dynamic Workforce Solutions staff, independent evaluators or a combination of both to evaluate and rank proposals.

After evaluation, an award may be made on the basis of the evaluation and ranking, without discussion, clarification or modification, or Dynamic Workforce Solutions may enter into negotiations with the highest ranked respondent. If Dynamic Workforce Solutions is unable to reach agreement with the highest ranked respondent, the negotiations will terminate and negotiations will begin with the next respondent in the order of the ranking until a contract is reached or Dynamic Workforce Solutions has rejected all proposals.

NOTE: After evaluation, any proposal with a total score less than 70 points will be considered as nonresponsive and will be disqualified from further consideration. Proposals receiving a final score of 70 or better are not guaranteed an award. **Dynamic Workforce Solutions reserves the right to request Best and Final Offers (BAFO) from all responsive respondents.**

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EVALUATION

The evaluation criteria and the relative weights for scoring are provided below; the evaluation team will consider the following elements in the evaluation process:

RANKING CRITERIA	POINTS (Total 100)
1. Cost/Price	70
2. Past Performance/Demonstrated Effectiveness/References	5
3. 5 Points for every State Respondent proposes to provide services in	25
Total	100

After evaluation, an award may be made based on the evaluation and ranking, without discussion, clarification or modification, or Dynamic Workforce Solutions may enter into negotiations with the highest ranked respondent.

If Dynamic Workforce Solutions is unable to reach agreement with the highest ranked respondent, the negotiations will terminate and negotiations will begin with the next respondent in the order of the ranking until a contract is reached or Dynamic Workforce Solutions has rejected all proposals.

HOW TO SUBMIT A PROPOSAL

All proposal packages must be clearly marked with the Respondents' name and address (**it is very important to include RFP #**). Proposal packages must be delivered and received prior to the deadline (including electronic copy), see TIME-FRAME section (p.4).

Chris Berry
Dynamic Workforce Solutions
CBerry@dwfs.us

Attn: RFP #2-11-26-18

Request for Proposals

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PART III- PROPOSAL FORMAT

TITLE PAGE

Respondents must complete the Title Page on the following page and include it as the cover sheet for proposals submitted in response to this RFP. See coversheet on the following page:

Work Experience Payroll Provider

A Proposal Submitted in Response to

Dynamic Workforce Solutions

Request for Proposals #2-11-26-18

Submitted By:

(Full Legal Name of Respondent)

On:

(Date of Proposal Submission)

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RFP RESPONSE FORMAT AND CONTENT

1. Page/Items to return/include.

- Title Page
- Table of Contents
- Business Identification
- Additional Requirements
- HUB Certification, if applicable
- Proposed Services
- Past Performance/Demonstrated Effectiveness/References
- Cost

2. Documentation must be complete. A respondent's written response shall be the sole means of presenting the service.

RESPONDENT IDENTIFICATION

Enter the Respondent's firm's name and address below.

1. Name of Firm _____
2. Street Address _____
3. City, State & Zip Code _____
4. Federal ID# or Social Security Number _____

ADDITIONAL REQUIREMENTS

1. Ownership: Proposal must include name and Social Security Number of each person with at least 25% ownership of the business entity submitting the qualifications.

NAME: _____ **SSN:** _____

NAME: _____ **SSN:** _____

2. HUB Certification - Historically Underutilized Business (HUB's) may attach a notice of certification.

PROPOSED STATES (25 POINTS)

Describe in detail the State or States that will be proposed as specified in RFP₂

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PAST PERFORMANCE/DEMONSTRATED EFFECTIVENESS/REFERENCES (5 POINTS)

Describe in detail similar or like projects provided for other organizations. Please list up to three (3) of these organizations, along with contact information.

COST (70 POINTS)

Provide the cost per payroll of the proposed State(s) on the attached Proposal Sheet and answers to all required questions. Cost must be necessary, reasonable, and customary for the services provided. **Refer to Attachment J.**

ATTACHMENTS

The attachments listed below are required and should be included with the proposal. **Attachment D** is required to ensure that no potential conflicts of interest exist with Dynamic Workforce Solutions Board or staff members. **All forms must be signed and completed.**

1. Reference Sheet
2. Proof of Insurance or Bonding
3. Attachment A - Certification of Respondent
4. Attachment B - Certification Regarding Debarment
5. Attachment C - Certification Regarding Conflict of Interest
6. Attachment D - Dynamic Workforce Solutions Disclosure of Interests
7. Attachment E - Certification Regarding Drug-Free Workplace
8. Attachment F - Certification Regarding Lobbying
9. Attachment G - Certification Regarding Texas Corporate Franchise Tax
10. Attachment H - State Assessment Certification
11. Attachment I - Equal Opportunity and Nondiscrimination
12. Attachment J - Cost Proposal Sheet

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REFERENCE SHEET

Note: Respondent must submit three (3) responsive business references. (*References from past projects for same or similar goods/services.*)

	Customer Agency	Contact Person	Telephone #	Address	Amount of Contract
1.					
2.					
3.					
4.					
5.					
6.					

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ATTACHMENT A

CERTIFICATION OF RESPONDENT

I, the undersigned, submit this quote/bid and have read the specifications, which are a part of this solicitation. My signature also certifies that I am authorized to submit this quote/bid. Sign as a representative for the firm, and carry out services solicited in this solicitation:

Signature of Authorized Agent: _____

Printed Name and Title of Agent: _____

Name of Firm: _____

Address: _____

Telephone Number: _____

FAX Number: _____

Contact Person: _____

Email Address (if applicable): _____

Web Site Address (if applicable): _____

Note: The _____ ensures that small, minority, disadvantaged, and women's businesses are utilized as sources for acquisitions whenever possible. Auxiliary aids and services are available upon request to individuals with disabilities.

Please check if your firm is a historically underutilized (disadvantaged) business (HUB), as defined by Texas Government Code 407.101.

Yes _____ No _____

If the answer is yes, is your firm registered with the State General Services Commission and a HUB?

Yes _____ No _____

Please submit a copy of HUB Certificate.

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ATTACHMENT B

CERTIFICATION REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS

This certification is required by the Federal Regulations Implementing Executive Order 12549, Debarment and Suspension, 45 CFR Part 93, Government-wide Debarment and Suspension, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668, 682), Department of Health and Human Services (45 CFR Part 76).

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

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency;
2. Have not within a three-year period preceding this contract been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under 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;
3. Are not presently indicated for or otherwise criminally or civilly charged by a government entity with commission of any of the offense enumerated in Paragraph (2) of this certification; and,
4. Have not within a three-year period preceding this contract had one or more public transactions terminated for cause or default.

Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective recipient shall attach an explanation to this certification form.

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT C

Request for Proposals

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CERTIFICATION REGARDING CONFLICT OF INTEREST

By signature of this bid proposal, Respondent covenants and affirms that:

- X No manager, employee or paid consultant of the Respondent is a member of the Board, or an employee of Dynamic Workforce Solutions;
- X No manager or paid consultant of the Respondent is married to a member of the Board, the Executive Director, or an employee of Dynamic Workforce Solutions;
- X No member of the Board, the Executive Director or an employee of Dynamic Workforce Solutions is a manager or paid consultant of the respondent;
- X No member of the Board, the Executive Director or an employee of Dynamic Workforce Solutions owns or controls more than 10 percent in the Respondent;
- X No member of the Board, Executive Director, or employee of Dynamic Workforce Solutions receives compensation from Respondent for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- X Respondent has disclosed within the Bid any interest, fact or circumstance which does or may present a potential conflict of interest;
- X Should Respondent fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Respondent shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with Dynamic Workforce Solutions and shall immediately refund to Dynamic Workforce Solutions any fees or expenses that may have been paid under the contract and shall further be liable for any costs incurred or damages sustained by Dynamic Workforce Solutions relating to that contract.

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

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DYNAMIC WORKFORCE SOLUTIONS DISCLOSURE OF INTERESTS

It is the fiscal policy of Dynamic Workforce Solutions that all persons or firms seeking to do business with Dynamic Workforce Solutions have to provide the following information. **Every question must be answered. If the question is not applicable, answer with "NA".**

COMPANY NAME: _____

FEDERAL ID#: _____

P.O. BOX: _____

STREET: _____

CITY: _____ STATE: _____ ZIP: _____

Firm is: (1.) Corporation (2.) Partnership (3.) Sole Owner (4.) Association (5.) Other

DISCLOSURE QUESTIONS

If additional space is necessary, please use the reverse side of this page or attach separate sheet.

1. State the name of each "non-managerial employee" of having an "ownership interest" constituting 10% or more of the ownership in the above name "firm"

Name

Job Title

2. State the names of each "managerial employee" of Dynamic Workforce Solutions having an "ownership interest" constituting 10% or more of the ownership in the above name "firm"

Name

Job Title

3. State the names of each "member" of Dynamic Workforce Solutions or Board Staff having an "ownership interest" constituting 10% or more the ownership in the above name "firm"

Name

Job Title

4. State the name of each employee or officer of a "consultant" for Dynamic Workforce Solutions who worked on any matter related to the subject of this contract and has an "ownership interest" constituting 10% or more of the ownership in the above name "firm"

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Name

Job Title

5. Other

Name

Job Title

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT E

CERTIFICATION REGARDING DRUG-FREE WORKPLACE

Request for Proposals

RFP#2-11-26-18

This certification is required by the Federal Regulations Implementing Sections 5151-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701, for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Parts 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned subcontractor certifies it will provide a drug-free workplace by:

- Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;
- Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the subcontractor's policy of maintaining a drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug violations in the workplace;
- Providing each employee with a copy of the subcontractor's policy statement;
- Notifying the employees in the subcontractor's policy statement that as a condition of employment under this subcontract, employees shall abide by the terms of the policy statement and notifying the subcontractor in writing within five days after any conviction for a violation by the employee of a criminal drug abuse statute in the workplace;
- Notifying Dynamic Workforce Solutions within ten (10) days of the subcontractor's receipt of a notice of a conviction of any employee; and,
- Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT F

CERTIFICATION REGARDING LOBBYING

Request for Proposals

RFP#2-11-26-18

This certification is required by the Federal Regulations Implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned certifies to the best of his/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 an employee or a Member of Congress in connection with the awarding 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 a 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, and or cooperative agreement, the undersigned shall complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying”, in accordance with the 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 shall certify and disclose accordingly.

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT G

**CERTIFICATION REGARDING
TEXAS CORPORATE FRANCHISE TAX**

Request for Proposals

RFP#2-11-26-18

Pursuant to Article 2.45, Texas Business Corporation Act, state agencies may not contract with for-profit corporations that are delinquent in making state franchise tax payments. The following certification that the entity entering into this subcontract is current in its franchise taxes or is not subject to the payment of franchise taxes to the State of Texas must be signed by the individual authorized to sign the subcontract for the subcontracting entity.

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

Indicate the certification that applies to your subcontracting entity:

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

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

Name of Business: _____

Type of Business (if not corporation):

- Sole Proprietor
- Partnership
- Other

I.R.S. Tax Number: _____

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT H

STATE ASSESSMENT CERTIFICATION

Request for Proposals

RFP#2-11-26-18

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

The corporation certifies that:

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

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

Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT I

EQUAL OPPORTUNITY AND NONDISCRIMINATION

Request for Proposals

RFP#2-11-26-18

The **(Name)** promotes employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. Additionally, discrimination is prohibited against any beneficiary of programs funded under the Workforce Innovation Opportunity Act, on the basis of the beneficiary's citizenship/status as a lawfully admitted immigrant authorized to work in the United States, or his/her participation in any Workforce Innovation Opportunity Act financially assisted program or activity. **(Name)** conforms to all applicable federal and state laws, rules, guidelines, regulations, and provides equal employment opportunity in all employment and employee relations.

EEO Laws, Rules, Guidelines, Regulations

(Name) provides equal opportunities consistent with applicable federal and state laws, rules, guidelines, regulations, and executive orders. Such regulations include:

- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination under any program or activity receiving federal financial assistance.
- Title VII of the Civil Rights Act of 1964, as amended, and its implementing regulations at 29 CFR Part 37 which prohibit discrimination based on race, color, religion, sex, or national origin in any term, condition or privilege of employment.
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals because of disability.
- Age Discrimination in Employment Act of 1967, as amended, which prohibits discrimination against individuals 40 years of age and older.
- Americans with Disabilities Act of 1990, which prohibits discrimination against qualified individuals with disabilities.
- Age Discrimination Act of 1975, as amended, which prohibits discrimination based on age in programs receiving federal financial assistance.
- Texas Commission on Human Rights Act, as amended, which prohibits discrimination in employment based on race, color, handicap, religion, sex, national origin, or age (40-70).
- Equal Pay Act of 1963, as amended, which requires equal pay for men and women performing equal work.
- Pregnancy Discrimination Act of 1978, which prohibits discrimination against pregnant women.
- Title IX of the Education Amendments Act of 1972 which prohibits discrimination on the basis of sex under any education program or activity receiving Federal financial assistance

(Name) is committed to promoting equal employment opportunity through a progressive program designed to provide equal opportunity without regard to race, color, sex, religion, national origin, age, disability, or political affiliation or belief. **(Name)** takes positive steps to eliminate any systematic discrimination from personnel practices. **(Name)** recruits, hires, trains, and promotes into all job levels the most qualified persons without regard to race, color, religion, sex, national origin, age, or disability status.

Staff at all levels is responsible for active program support and personal leadership in establishing, maintaining, and carrying out an effective equal employment opportunity program.

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Name of Organization/Firm

Signature of Authorized Representative

Date

Print Name and Title of Authorized Representative

ATTACHMENT J

COST PROPOSAL SHEET

Request for Proposals

RFP#2-11-26-18

State	Cost per Bi-weekly Payroll provided as a %

Respondent shall breakdown the % cost per State in the following manner:

- Employer's taxes;
- Workers compensation costs;
- Administrative fees or profit with the associated percent per dollar that would be billed;
- Cost for background checks,
- Cost for 6-panel drug test, and;
- Any other fees charged by the proposer for providing the required services.