



**Shenandoah Valley Workforce Development Board, Inc.  
Local Workforce Development Area 4 (LWDA4)**

Request for Proposal

Workforce Innovation and Opportunity Act  
One-Stop Operator Services

**Release Date:** May 14, 2020

**Proposal Deadline:** 1:00 p.m. ET on Friday, May 29, 2020

**Initial Contract Period:** July 1, 2020 – June 30, 2023

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**Request for Proposals**  
**Shenandoah Valley Workforce Development Board**  
**Workforce Innovation and Opportunity Act (WIOA)**  
**One-Stop Operator Services**

In compliance with the Workforce Innovation and Opportunity Act (WIOA) of 2014, the Shenandoah Valley Workforce Development Board (SVWDB) is seeking competitive proposals from qualified sources to provide One-Stop Operator services for the Virginia Career Works (VCW) – Shenandoah Valley Centers. VCW Centers are located in Harrisonburg, Winchester, and Fishersville and serve the counties of Augusta, Bath, Clarke, Frederick, Highland, Page, Shenandoah, Rockbridge, Rockingham, Warren, and the cities of Buena Vista, Harrisonburg, Lexington, Staunton, Waynesboro, and Winchester. The SVWDB is Local Workforce Development Area 4 (LWDA4) in Virginia.

This document constitutes the official Request for Proposals (RFP) format and all terms and conditions shall become, through incorporation by reference, a part of any contract or contracts entered in furtherance hereof. All SVWDB programs must adhere to Equal Employment Opportunity guidelines. Auxiliary aides and services are available for individuals with disabilities. All proposers must follow the SVWDB's Equal Opportunity Policy and are subject to Equal Opportunity monitoring. The primary source of funding for the SVWDB is the United States Department of Labor Employment and Training Administration.

Questions regarding this RFP may be addressed to Dr. Sharon Johnson, [sjohnson@vcwvalley.com](mailto:sjohnson@vcwvalley.com) , with the subject line One Stop Operator RFP.

## I. General Information

The SVWDB is currently seeking proposals from organizations to provide One Stop Operator services for the Virginia Career Works Centers in Harrisonburg, Winchester, and Fishersville. Currently the SVWDB rents space in the Virginia Career Works – Fishersville center. The contract shall commence on July 1, 2020 and shall continue through June 30, 2021. The SVWDB reserves the option of extending any, all, or no contract for one (1) additional year, subject to negotiation. This one (1) year contract extension option may be exercised up to two (2) times subject to negotiation. Maximum duration may not exceed three (3) years, which includes all allowable extensions.

All proposing organizations will be committed to following and adapting to new regulations as released by the U.S. Department of Labor, Employment and Training Administration regarding the WIOA of 2014.

**The type of contract will be cost reimbursement.** All proposers must have enough available resources to operate the proposed services, if funded, during start-up and during the time in which invoices are being processed for payment and until such time payment is received.

The RFP does not commit the SVWDB to award a contract or to pay any costs incurred in the preparation of a response to this request, or be bound to procure or contract for these services. The SVWDB reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any or all qualified sources, or to cancel in part or in its entirety this RFP if it is in the best interest of the SVWDB to do so. The SVWDB may require the proposers selected to participate in negotiations and to submit any price, technical or other revisions for their proposals as may result from negotiations.

All non-governmental entities or agencies must provide verification of legal status of the entity or agency as applicable. Any consortium groups that submit proposals in response to this RFP must include **signed Memorandum's of Understanding (MOUs)** by all participating consortium members that outline responsibilities and commitments of each member.

Specific information concerning proposer's qualifications, experience, and related accomplishments must be provided. However, elaborate brochures or other marketing materials beyond that enough to present an accurate description should not be included.

Performance specifications contained in this RFP are **minimum** standards for acceptability and are based on the WIOA of 2014 standards. The SVWDB reserves the right to institute local performance standards and/or other performance measurement systems to ensure quality programs.

Once proposals have been submitted and received by the SVWDB, unless specifically requested by the SVWDB, Chief Elected Officials (CEOs), or the RFP Committee, **no proposer is allowed to provide additional information or to make contact with any individual Board member or CEO member or designee regarding the RFP** by phone, e-mail, mail, or in person to solicit support for their proposal or to attempt to discredit the proposal submitted by any other proposer. Any

proposer violating this provision will not be considered under this RFP. Additional data or information may be submitted only if requested by the SVWDB. Address all inquiries concerning this RFP, program elements, or other issues to SVWDB staff.

## **II. Background and Scope of Work**

### **2.1 Background**

The One-Stop Operator will work in cooperation with the SVWDB and all One-Stop Partner Organizations in order to provide for the coordination of services delivered through the One-Stop System in LWDA 4. Through the designated authority of the SVWDB and the WIOA Law and Final Rules and Regulations, the One-Stop Operator will be responsible for organizing and delivering coordinated access to all required customer services through collaborative solutions as part of a fully integrated; partner led One-Stop System.

As the One-Stop System requires multiple partners to deliver services, effective collaboration and coordination amongst all is essential. In that regard, it is paramount that the One-Stop Operator develops and maintains those critical relationships on an ongoing basis in order to underpin the continuous improvement and support of the One-Stop System.

### **2.2 Primary One-Stop Operator Responsibilities:**

- A. In cooperation with the SVWDB, establish and maintain effective working relationships with all partners and service providers that comprise the Shenandoah Valley One-Stop System. Systematic, overarching responsibilities will include the following functions:
  - 1. Coordinate the convening and operation of a One-Stop Partner Leadership Team (OSPLT) comprised of all MOU Partners and the SVWDB by convening regular meetings to conduct One-Stop System business;
  - 2. Engage with partners as necessary to advance the One-Stop System's effectiveness and attainment of goals;
  - 3. Assist the SVWDB with crafting and managing the execution of Partner MOUs, in cooperation with the OSPLT;
  - 4. Assure that partner responsibilities and commitments are implemented as set forth in the MOU; and,
  - 5. Establish and maintain customer satisfaction (job seeker and employer) and customer referral processes, in collaboration with the OSPLT and SVWDB.
- B. Coordinate the service delivery of partners and service providers, as follows:
  - 1. Support a collaborative partner-led approach for the delivery of services at the VCW Centers;
  - 2. Promote effective integrated, cross agency business practices in the VCW Centers amongst partners;
  - 3. Provide partner driven and shared solutions for One-Stop System services and activities;
  - 4. Support access to customer Basic Career Services (both on-site and electronically) and, as necessary, daily operations of a partner integrated One-Stop System; and,
  - 5. Support the ongoing activities of the partner led One-Stop Business Services Team.
- C. Assist with the coordination and implementation of workforce development policy as it pertains to integrated One-Stop operations, as follows:
  - 1. Adhere to applicable WIOA rules, regulations and policies;
  - 2. Implement applicable local SVWDB policies and other requirements; and,
  - 3. Recommend revisions to existing local policies or other requirements or the need for additional ones, in cooperation with the OSPLT.

D. Other functional duties of the One-Stop Operator include:

1. Report on the One-Stop operations through the SVWDB Executive Committee, in writing and/or in person at Committee meetings, as requested;
2. Act as the intermediary for addressing and resolving problems regarding partner roles, relationships and coordinated responsibilities as relates to the One-Stop System;
3. Support the State's One-Stop Center Certification Process in accordance with requirements prescribed by the Virginia Board for Workforce Development;
4. Manage the Virginia My Journey Portal working with WIOA partners and SVWDB staff; and
5. Assist the SVWDB in developing and implementing strategies to raise community awareness of and access to Virginia Career Works Center services and resources, as well as promote the new Network2Work model for WIOA Title I Adult, Dislocated Worker and Youth programming.

By virtue of the interrelationship and co-dependence with the WIOA mandatory partners, the supporting role of the One-Stop Operator must be partner based and collegial and promote continuous improvement to innovatively advance the efficiency and effectiveness of services to job seekers and businesses.

2.3 Current Virginia Career Works Center Site Locations:

- A. Virginia Career Works – Harrisonburg Center (Comprehensive Center)  
160 North Mason Street  
Harrisonburg, VA 22802
- B. Virginia Career Works – Winchester Center (Affiliate Center)  
419 North Cameron Street  
Winchester, VA 22601  
Located on the Our Health Nonprofit Campus
- C. Virginia Career Works - Fishersville Center  
1076 Jefferson Davis Highway  
Staunton, VA 24401

The Fishersville Center is located in a VEC owned property. Effective July 1, 2020, the Title I staffing structure will be reviewed and Center decisions will be made based on the level of unemployment in the Southern part of the service region and COVID-19 business and job seeker needs. The current plan is to maintain a Title I physical presence in the Center.

### **III. Anticipated Funding**

The SVWDB anticipates an award of approximately \$25,000 will be available to fund an initial year of the One-Stop Operator contract under this RFP and based on projected Program Year 2020 funding availability. Funding amounts for additional contract performance periods thereafter will be negotiated with the One-Stop Operator. A contract awarded under this RFP will be operated with federal WIOA funds from the U.S. Department of Labor, Employment and Training Administration (DOLETA), through the Virginia Community College System (VCCS), to the SVWDB, Inc., through Page County, Virginia, the designated Grant Recipient for LWDA 4.

Final allocations will be outlined in the contract with the awarded proposer.

#### **IV. Additional Requirements**

##### **A. Records and Documentation**

The selected applicant must retain, secure and ensure the accuracy of all records in compliance WIOA requirements, related federal and state regulations, and SVWDB's record retention requirements. Confidentiality of job seeker information must be maintained, and all data must be properly stored in a secured space with limited staff access. Each staff member who has contact with job seeker information must receive training on confidentiality requirements. The selected applicant acknowledges that the use or disclosure of job seeker information for purposes other than the effective delivery of services is strictly prohibited. Staff of the selected applicant may have access to this information only on a "need to know" basis. The selected applicant must inform employees that inappropriate use of such information may result in disciplinary action, including discharge, or criminal prosecution if the employee knowingly uses the information for fraudulent purposes.

##### **B. Monitoring and Evaluation**

SVWDB will monitor, evaluate and provide guidance and direction to the selected applicant in the conduct of services performed under any agreement resulting from this RFP. In conformance with Section 184 (a)(4) of the WIOA and OMB 2 CFR Chapter II, Part 200, et al. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Subpart D- Post Federal Award Requirements Standards for Financial Management, the SVWDB shall undertake onsite monitoring of the Awardee. Monitoring will be no less than once annually to assess compliance with Federal statutes, regulations, and the terms and conditions of funds received under the Contract. Monitoring will consist of a programmatic, administrative, and fiscal review. Monitoring times will be both scheduled and unscheduled. The selected applicant will permit SVWDB to carry out monitoring and evaluation activities.

The Awardee must comply with current and future federal, state and local policy regulations while implementing One-Stop Operator services. SVWDB staff, the SVWDB independent auditor, Department of Labor (DOL), the Virginia Community College System (VCCS), and the Virginia Employment Commission (VEC) will monitor the Awardee.

##### **C. Financial Management Requirements**

The Awardee must have in place the financial management requirements as listed below.

1. Fiscal management policies that demonstrate the segregation of duties from the originator of expense and actual payment and recording of such expense.
2. An individual assigned to WIOA funds management; this person would be responsible for assembling and submitting reimbursement invoices and source documentation in an electronic format to validate a WIOA eligible expense has occurred and has been paid prior to invoice submittal.
3. An electronic financial management system, which produces a trial balance, an income statement, and balance sheet on both a cash and an accrual basis.
4. Financial capacity to operate its proposed services for approximately 30 days after the submission of the required reimbursement request and substantiating documentation. The startup period of July - August will require a period of 75 days (45 days for the initial invoice submittal in addition to approximately 30 days to receive reimbursement).
5. The Awardee will be subject to the provisions of 2 CFR 200.430 and 2 CFR 2900.2, the Awardee

shall have an independent audit performed annually in accordance with 2 CFR § 200.501; contractors expending \$750,000 or more in federal awards from all sources within the entity’s fiscal year must procure and have a single audit conducted. The Awardee must submit a copy of their independent audit report as required by 2 CFR 200.430 within 30 days after its receipt by the Awardee but no later than 9 months after the end date of the contract.

6. The Awardee shall maintain separate accounting records for all funds expended under the Contract to ensure compliance with all federal and state laws and to ensure that the funds have not been unlawfully spent. All expenditures must be allowable, allocable, necessary, and reasonable for proper and efficient service operation appropriate funding source administered.

**D. Basic Administrative Requirements**

The Awardee must have in place the basic administrative requirements as listed below.

- Part-time staff person to read, interpret, and apply WIOA regulations and to read, interpret, and apply state, and local policy to One-Stop Operator activity implementation.
- Part-time staff to provide reports to and/or attend Board and Board Committee meetings.
- Part-time staff person to collect, compile, analyze, and report data as determined by partners and the SVWDB. Collaborate on a monthly dashboard and narrative report with Board staff.
- Part-time staff to fulfill the requirements as stated in the Scope of Work.

**V. Proposal Submission Information**

**RFP Timeline:** The following is an outline of the procurement process currently anticipated by the SVWDB. Dates are subject to change.

Issuance of RFP	May 14, 2020
RFP Response Due Date	1:00 p.m. EST., May 29, 2020
Non-mandatory Pre Proposal Conference, instructions on: <a href="http://www.vcwvalley.com/procurement/">www.vcwvalley.com/procurement/</a>	3:30 p.m. EST., May 19, 2020
Evaluation Period	May 29, 2020 – June 11, 2020
Tentative Award Date	June 12, 2020
Potential Negotiations Begin	Week of June 22, 2020
Service Delivery Begins	July 1, 2020

Beginning on May 14, 2020, the RFP will be available for download from the SVWDB website at <https://vcwvalley.com/procurement/>.

**Deadline:** Proposals must be received at the address listed in the RFP no later than 1:00 p.m. EST on Friday, May 29, 2020. Any proposal received after this deadline will NOT be considered and will be returned to the proposer unopened.

**One (1) unbound copy containing original signatures and a USB flash drive with an electronic version** must be delivered to the SVWDB offices. The electronic version on the USB drive will be considered the primary version. The USB flash drive should also contain an electronic copy of the budget form in Excel format (found at [vcwvalley.com/procurement](http://vcwvalley.com/procurement/)). The narrative of the proposal should not exceed 20 pages, one sided, with font no smaller than 12 pt. using a 1” margin. Proposals should include a table of contents, and pages should be numbered and include a header and footer that identify the Offeror’s organization. All proposals must be sealed and labeled with RFP #OSO – PY’20-1 and include the Offeror’s name and address on the outside of the package.



Incomplete proposals **WILL NOT BE CONSIDERED** and will be returned **WITHOUT EXCEPTION**. Proposals submitted via email or fax **WILL NOT BE CONSIDERED**. Proposals, including all documents and attachments, will not be returned.

The following format is required for submissions:

- Section 1: Cover Sheet
- Section 2: Proposer Qualifications
- Section 3: Financial
- Section 4: Budget
- Section 5: Technical Proposal
- Section 6: Staff & Management
- Section 7: Required Forms
- Section 8: References and Recommendations

When completing budget forms, please note the following:

- Submission must include formulas for computing all indirect costs or cost allocation plans;
- If using an indirect cost rate, you must include documentation authorizing use of the rate;
- If your organization is requesting a profit and/or indirect rate, documentation to support the requested percentage must be attached; and
- Specify individual categories/items for which funds are being budgeted.

Information not organized in this manner risks elimination from consideration.

### **Section 1: Cover Sheet**

In this section, please place a completed and signed cover sheet found in **Attachment A** – Cover Sheet. The cover sheet must be signed by an individual that is authorized to sign on behalf of the proposing organization.

### **Section 2: Proposer Qualifications**

In this section, the proposer must include responses to the following questions:

1. Describe your organization. Why is your organization in the best position to deliver the requested services? How do your organization's goals align with those of the WIOA workforce system and the mission of the SVWDB? If a consortium is responding to this RFP, describe the makeup of your group: who is included? How will decisions be made? How will duties be divided? How will payments be directed? What happens in the event of a disagreement amongst consortium members?
2. Provide examples of relevant experience providing similar services. Describe experience, if any, with the one stop service delivery model under WIOA (or similar programs).
3. If your organization also provides direct customer services within the region's Virginia Career Works centers, please provide a description of firewall separations that would ensure separate reporting hierarchies for one-stop operator staff to prevent conflict of interest.

### **Section 3: Financial**

In this section, the proposer must include responses to the following questions:

1. Provide a description of the financial management capabilities of your organization.
2. Identify the staff who will be involved in the financial management of the project.
3. Describe how your organization will meet the requirement for having sufficient financial resources to cover expenditures from the startup period until expenditures from July 2020 will be reimbursed (approximately 75 days thereafter). Please note this is a reimbursement-based agreement and cash advances will not be provided.

4. Describe your organization's fiscal and administrative systems that will be used to track operational and programmatic cost associated with the WIOA funds, where feasible, provide software and/or system names.
5. How will financial information be made available for monitoring and auditing purposes?
6. Describe the administrative and fiscal capacity of the proposer to fulfill WIOA and OMB Uniform Guidance required documentation and record keeping such as:
  - a. Understand and apply Generally Accepted Account Principles (GAAP);
  - b. Collecting data and preparing required documents;
  - c. Security and confidentiality of records;
  - d. Accounting controls;
  - e. Accounting Policies and Procedures;
  - f. Identify the responsibilities of the administrative/fiscal person's activities and their job title;
  - g. Written general procurement standards;
  - h. Written compensation policies;
  - i. Written policies regarding travel costs;
  - j. Written conflict of interest policies for employees as well as organizational policies; and
  - k. Written procedures to determine if costs are allowable under OMB Uniform Guidance.

#### **Section 4: Budget**

**Budget: Attachment C** Electronic version (required) excel format can be found on [vcwvalley.com/procurement](http://vcwvalley.com/procurement). Please complete, print and attach the budget form (Attachment C). Excel budget format must be included on the submitted flash drive.

**Budget Narrative:** Please include a budget narrative that addresses the following:

1. A description of how the proposed budget effectively supports the program model.
2. Include evidence in the budget of leveraged resources and in-kind contributions that will assist in meeting proposal outcomes, if any.
3. If your organization is requesting profit and/or indirect expenditures, documentation to support the requested profit or indirect percentage must be attached.
4. State what contingency plans are in place to repay the SVWDB in the event that there are any disallowed costs as a result of an audit or monitoring review. State how your organization will repay (i.e., performance bond, etc.) such costs.
5. If funded, what percentage of your organization's total budget will this contract represent?
6. Describe how your organization will budget and spend the costs throughout the contract to ensure that the funds are neither underspent nor overspent at the conclusion of the contract?

#### **Section 5: Technical Proposal**

Describe how your organization will perform the following, and/or highlight experiences and examples to indicate competency:

1. Please demonstrate your understanding of local partners, population, and geographical diversity of LWDA 4.
2. Site Operations & Functional Management (see Scope of Work): Outline the plans and methodology you will use to ensure effective operations at the Shenandoah Valley VCW Centers, including how you will ensure services are accessible, available, customer-focused and well-coordinated among partner agencies.
3. Partner Collaboration (see Scope of Work): Please describe your plans for facilitating partner collaboration at the Centers, understanding the importance of integrating and coordinating the efforts and services of various partner agencies involved. How will you assist with the implementation and tracking of the negotiated one-stop partner MOU?

- How will you ensure effective relationships between existing partners?
4. Staffing Plan (see Scope of Work): Describe your approach to staffing and effective performance of staff for the services defined in this RFP.
  5. Center Certification (see Scope of Work): How will you assist the SVWDB in ensuring adherence to the criteria for center recertification, per regulations? Describe experience obtaining certification or recertification for One Stop Centers. Describe challenges and how they were overcome.
  6. Cross-Training & Professional Development (see Scope of Work): Please describe your plans to ensure OSO staff receive the training and professional development opportunities needed to be effective members of the regional workforce system.
  7. Outreach & Promotion (see Scope of Work): Please describe the strategies you will use to raise awareness and utilization of the Centers by jobseekers, employers, community partners, and other important stakeholders. Be sure to focus your response on unified efforts to promote the regional workforce development system as an integrated system and coordinated efforts with the SVWDB Data and Communications Specialist.
  8. Data Analytics & Reporting (see Scope of Work): Please describe how you will collect, analyze and utilize data to inform decision-making for effective Center operations, including but not limited to data regarding customer activity, partner services, and community trends and opportunities.
  9. Virginia Workforce Connection (see Scope of Work): Please describe experience working with the Virginia Workforce Connection (VaWC), including training received. If your organization has no experience with VaWC, please describe similar systems of record; if any, of which your organization has experience.
  10. Virginia My Journey Portal (see Scope of Work): Please describe your knowledge and experience in the use of the new Virginia My Journey Referral Portal. If your organization has no experience with the Portal, please describe similar cross-partner referral systems; if any, of which your organization has experience.
  11. Records & Documentation (see Scope of Work): Please describe processes that will be utilized to ensure protection of confidential and identifying information as well as additional training that your staff will receive towards this goal.
  12. Monitoring & Evaluation (see Scope of Work): Please describe how you will define and measure success, monitor your performance and regularly communicate status of required standards and goals, including related key performance indicators, to SVWDB and other stakeholders.
  13. Explain how you will work to ensure continuity of services and customer experiences between multiple Virginia Career Works Center locations.
  14. Explain how you will collaborate effectively with Center partners and the SVWDB team.

## **Section 6: Staff & Management**

In this section, the proposer must include responses to the following questions:

1. Please describe the qualities held by leadership within the proposing organization and their experience with managing WIOA programs or other employment-service related programs.
2. Describe your ability to immediately begin providing services at the start of the contract period.
3. Submit an organizational chart showing lines of authority & responsibility.
4. Include a draft job description and number of hours per week estimated for part-time OSO staff.

## **Section 7: Required Forms**

Please include the following pieces of additional information:

1. Attach a copy of the organization’s most recent financial statement audit and auditor’s report thereon; the any findings reported must be satisfactorily addressed or a statement must be included denoting how the findings have since been addressed.
2. Attach a copy of the organization’s most recent annual budget.
3. Attach a copy of your organization’s cost allocation plan to incorporate WIOA funding. If you have an approved federal indirect cost rate include a copy of the most recent accepted negotiated indirect cost rate agreement (NICRA).
4. Attach a copy of all relevant fiscal and administrative policies and procedures.
5. If your organization claims non-profit status, evidence of the non-profit status must be submitted.
6. A copy of the organization’s Equal Employment Opportunity notification.
7. All forms found in **Attachment B** – Required Forms, including:
  - Disclosure/Certification of Lobbying
  - Certification Regarding Indemnification
  - Certification Regarding Drug-Free Workplace Requirements
  - Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion
  - Certification Regarding Compliance with Non-Discrimination and Equal Opportunity (EO) Assurance
  - Standard Form 424b Standard Assurances (Non-Construction Programs)

**Section 8: References and Recommendations**

Please provide the following:

1. Contact information for references (**Attachment H**): Provide references for all contracts currently awarded in Virginia for OSO services and WIOA program implementation and management. If the proposing organization has never operated as an OSO or provided program services in Virginia, contact information for references from another Local Workforce Development Board will suffice. References will need to demonstrate that you collaboratively worked across numerous partners to successfully implement and deliver sustained high quality workforce services.

We have instituted procedures for assessing the technical merit of proposals to provide for an objective review of applications and to assist you in understanding the standards against which your proposal will be judged. The evaluation criteria are based on information required in the proposal, as described in Section III, Proposal Submission Information, of the RFP. Reviewers will rate each section based on how fully and convincingly the proposal responds.

The final scores will serve as the primary basis for selection of applications for funding. The RFP Review Committee scores and recommendations are advisory in nature and not binding on the SVWDB or the CEO Consortium. Those bodies reserve the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. A total score of 80 or more is required to move forward from the RFP Review Committee to the SVWDB and CEO Consortium.

One-Stop Operator Evaluation Criteria*	Weight
1. Cover Sheet	0
2. Proposer Qualifications	15
3. Financial	5

4. Budget	5
5. Technical Proposal	30
6. Staff & Management	20
7. Required Forms	5
8. References and Recommendations	20
<b>TOTAL</b>	<b>100</b>

\*Note that the information in “Section 7: Required Forms” must be provided for the proposal to be considered complete, however they are not included in the evaluation criteria scores.

#### **A. General Contract Terms and Conditions**

For the purposes of this Section (2) (“General Contract Terms and Conditions”), the term “Contract” refers to the contract resulting from this procurement, and the term “SVWDB” refers to the Shenandoah Valley Workforce Development Board, Inc. Additionally, the terms “Awardee” and “Contractor” and “provider” have the same meaning and refer to the Awardee that is awarded the Contract.

- **Independent Contractor**: The Awardee is an independent contractor and is not an employee of SVWDB. A Contractor resulting from this RFP, and any employees, agents, or other persons or entities acting on behalf of the Contractor shall act in an independent capacity and not as officers, employees, or agents of SVWDB.
- **Collusion**: By submitting a proposal in response to this Request for Proposal, the Offeror represents that in the preparation and submission of this proposal, said Offeror did not, either directly or indirectly, enter into any combination or arrangement with any person, Offeror or Corporation or enter into any agreement, participate in any collusion, or otherwise take any action in the restraint of free, competitive bidding in violation of the Sherman Act, as amended (15 U.S.C. § 1 et seq.) or § 59.1-9.1 through 59.1-9.17 or § 59.1-68.6 through 59.1-68.8 of the Code of Virginia.
- **Insurance Requirements**: The Awardee shall maintain insurance to protect itself and SVWDB, the city and counties comprising Local Workforce Area IV from claims under the Workers’ Compensation Act, and from any other claim for damages for personal injury, including death, and for damages to property which may arise from the provision of goods and/or services under the Contract, whether such goods and/or services are provided by the Awardee or by any subcontractor or anyone directly employed by either of them. Such insurance shall conform to the Insurance Specifications. (**Attachment D**).
- **Trade Secrets and Proprietary Information**: Information submitted by an Offeror in response to this Request for Proposal shall not be subject to public disclosure under the Virginia Freedom of Information Act; however, the Offeror must invoke the protection of this section prior to or upon submission of data or materials, and must identify the data or other materials to be protected and State the reasons why protection is necessary (Va. Code § 2.2-4342.F). (**Attachment E**)
- **Authorization to Transact Business in the Commonwealth**: A contractor organized as a stock or nonstock corporation, limited liability company, business trust, or limited partnership or registered as a registered limited liability partnership or other business form shall be authorized to transact business in the Commonwealth as a domestic or foreign business entity if so required by Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law.
- An Offeror organized or authorized to transact business in the Commonwealth pursuant to Title 13.1 or Title 50 of the Code of Virginia must include in its proposal the identification number issued to it by the State Corporation Commission. (**Attachment F**) Any Offeror that is not required to be authorized to transact business in the Commonwealth as a foreign business entity

under Title 13.1 or Title 50 of the Code of Virginia or as otherwise required by law shall include in its proposal a Statement describing why the Offeror is not required to be so authorized.

- An Offeror described in subsection 2 that fails to provide the required information shall not receive an award unless a waiver is granted by the SVWDB CEO.
- Any falsification or misrepresentation contained in the Statement submitted by the Offeror pursuant to Title 13.1 or Title 50 of the Code of Virginia may be cause for debarment.
- Any business entity described in subsection 1 that enters into a contract with a public body shall not allow its existence to lapse or allow its certificate of authority or registration to transact business in the Commonwealth if so required by Title 13.1 or Title 50 of the Code of Virginia to be revoked or cancelled at any time during the term of the contract.
- **Contact with Students:** Offeror shall certify that any of their employees who will provide services under the Contract resulting from this procurement and will be in direct contact with LWDA 4 region jobseekers: (1) has not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child; and (2) such person has not been convicted of a crime of moral turpitude. Offeror shall cause any of their subcontractors to provide the same certification described herein with regard to the subcontractors' employees. **(Attachment G).**

## **B. General Provisions**

General Provisions will become part of the contract. If there are differences between the RFP and General Provisions, General Provisions take precedent. The updated General Provisions can be found: <https://vcwvalley.com/procurement>.