REQUEST FOR QUOTE (RFQ)

For

TEXAS RISING STAR MENTOR

FOR TEXAS RISING STAR PROVIDER CERTIFICATION

By the
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL

RFQ ISSUE DATE: October 28, 2018

RFQ RESPONSE DEADLINE: November 15, 2018, 5 PM CST
STATEMENT OF PURPOSE:

Middle Rio Grande Development Council (MRGDC) is responsible for the development and delivery of child care quality improvement within the following counties: Dimmit, Edwards, Kinney, La Salle, Maverick, Real, Uvalde, Val Verde, Zavala. Quality improvement for child care includes the Texas Rising Star program. The Texas Rising Star program is a Texas Workforce Commission accreditation program that is administered by each Board at the local level. The Texas Rising Star program is a voluntary process where a child care provider can choose to have an outside entity come in and evaluate their program. This evaluation uses a standard set of ten criteria that exceeds the minimum standards required by child care licensing. Child Care providers who choose to become accredited as a Texas Rising Star are evaluated annually to ensure they continue to meet accreditation standards. There are three levels of certification: 2 Star, 3 Star, and 4 Star. Each star reflects a higher level of quality that has been achieved by the provider. A Four Star provider has met the highest quality standards for this accreditation. This program is available to licensed centers and licensed/registered childcare home providers. The purpose of this solicitation is to request quotes for the roles of Mentor for the Texas Rising Star program conducted in the Middle Rio Grande area.

CONDITIONS AND ASSURANCES:
The following are general administrative requirements that apply to all Board grantees Mentors.

Nondiscrimination and Equal Opportunity
Mentor must conduct all programs in accordance with all applicable rules and regulations. Mentor will not deny benefits of any program, activity or service to any person, and are prohibited from discriminating against any employee or applicant for employment, because of race, color, religion, sex, national origin, age, physical or mental disability, temporary medical condition, political affiliation or belief. Mentor will ensure that the evaluation and treatment of employees and applicants are free of such discrimination.

- A response to the Request for Quotations (RFQ) does not commit Middle Rio Grande Development Council (MRGDC) to a purchase agreement or contract, or to pay any costs incurred in the preparation of such response.
- MRGDC reserves the right to accept or reject any or all quotations received, to cancel this RFQ in part or its entirety, and to reissue this RFQ.
• MRGDC reserves the right to hold and accept a quotation for a period of thirty working days after the response deadline.
• MRGDC reserves the right to negotiate the final terms of any and all purchase agreements with bidders selected and such agreements negotiated as a result of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of the audit contract.
• MRGDC reserves the right to waive any defect in this procurement process or to make changes to this solicitation, as it deems necessary.
• MRGDC will provide notifications of such changes to all bidders of record (Distribution Log/Receipts Record) as having received or requested an RFQ.
• MRGDC reserves the right to contact any individual; agencies or employers listed in a proposal, to contact others who may have experience and/or knowledge of the bidder’s relevant performance and/or qualifications; and to request additional information from any and all proposers.
• MRGDC also reserves the right to conduct a review of systems, procedures, etc. of any bidder selected. This may occur prior to, or subsequent to the award of a purchase agreement. Misrepresentation of the proposer’s ability to perform as stated in the proposals may result in cancellation of the purchase agreement.
• Proposers shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the Middle Rio Grande Development Council for the purpose of or having the effect of influencing favorable disposition toward their own proposal or any other proposal submitted hereunder.
• No employee, officer, or agent of MRGDC shall participate in the selection, award, or administration of a contract supported by TVC funds if a conflict of interest, real or apparent would be involved. (See OMB Circular A-102, Attachment 0, Procurement Standards, Code of Conduct.)
• Proposers shall not engage in any activity, which will restrict or eliminate competition. Violation of this provision may cause a proposer’s bid to be rejected. This does not preclude joint ventures or subcontracts.
• The only purpose of this Request for Quotation (RFQ) is to ensure uniform information in the solicitation of quotations and procurement of auditing services. This RFQ is not to be construed as a purchase agreement or contract as a commitment of any kind, nor does it commit MRGDC to pay for costs incurred prior to the execution of a formal contract.
• The contents of a successful quotation may become a contractual obligation, if selected for award of a contract. Failure of the proposer to accept this obligation may result in cancellation of the award. No pleas of error or mistake shall be available to successful proposer(s) as a basis for release of proposed services at stated price/costs. Any damages accruing to MRGDC as a result of the proposer’s failure to contract may be recovered from the proposer.
• The Middle Rio Grande Development Council is the responsible authority for handling complaints or protests regarding the proposal selection process. No protest shall be accepted by the grantor agency (State) until all administrative remedies at the grantee level have been exhausted. This includes, but is not limited to, disputes, claims, and protests of award, source evaluation, or other matters of a contractual nature. Matters concerning violation of law shall be referred to such authority, as may have proper authorization.
• Proposers agree to repay public funds if convicted of knowingly employing undocumented workers.

Solicitation and selection of quotations must conform to relevant state and federal laws and regulations and local policies governing the procurement of professional services under state and federal guidelines. Proposers are responsible for familiarizing themselves with these laws and regulations.

RECORDS RETENTION
Proposers must agree to comply with requirements for custody and retention of records.
Funds Available
No specific amount of contract award has been prescribed. Actual amount of contract award will be based on the proposed budget, as well as MRGDC standards for use of public funds, i.e. that all costs must be reasonable and necessary to carry out the planned functions, allowable, and allocable to the proper grant/cost categories and the amount of funds available. The proposals that are most advantageous to the MRGDC in terms of both quality and cost will be recommended.

Contract Period
November 2018 through October 2019. However, the contract may be extended for up to four additional one-year terms. Contracts after the first year are contingent on funds availability and Contractor performance.

Assurances are placed in this Request for Quote (RFQ) and respondents must sign acknowledging agreement to each of the five Certification sections on Attachment D.

Attachment D
- Section 1: Certification of Bidder regarding accurate representation of proposed services to be provided.
- Section 2: Certifications regarding lobbying, debarment, suspension and other responsibility matters, and drug-free workplace requirements or certification regarding department, suspension, ineligibility and voluntary exclusion lower tier covered transactions.
- Section 3: Texas Corporate Franchise Tax Certification. Section 3 must be completed by each respondent to this RFQ.
- Section 4: Certification regarding conflict of interest.
- Section 5: Certification regarding repayment of public subsidies by business convicted of knowingly employing undocumented workers.

PART 1: ACTIVITIES AND SERVICES SOLICITED IN THIS RFQ
This Request for Quote (RFQ) provides a uniform method for the procurement of these services. It contains the necessary background, requirements, instructions, and information corresponding to this RFQ. The following activity is solicited:

- A Mentor to support the Texas Rising Star Certification Program.

TRS mentoring services for a provider may not act as the assessor for the provider when determining TRS certification. This requirement is set in place to avoid a potential conflict of interest and to maintain the integrity of the TRS certification process.

Individuals selected as a Mentor will be required to undergo a background check prior to conducting any work in a child care facility (center or home) on behalf of Middle Rio Grande Development Council. Proof of a background check that has been completed no more than the prior six (6) months of a contract award will be provided. Any associated expense related to the required background check will be the responsibility of the contracted mentor.

Middle Rio Grande Development Council is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities. Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas: 800-735-2889 (TTY) and 711 (Voice). Equal opportunity is the law.
GENERAL DESCRIPTION OF A MENTOR FOR THE TEXAS RISING STAR PROGRAM

The Texas Rising Star Mentor is responsible for scheduling, developing, and delivering training and mentoring services to current Texas Rising Star providers and potential providers interested in the Texas Rising Star program. The Mentor is responsible for coordinating and implementing TRS mentor related activities, including:

- Developing and maintaining training resources and materials for providers,
- Providing onsite mentoring and training for current TRS providers in need of such services and for those interested in becoming a TRS provider,
- Modeling and coaching in-classroom implementation of quality child development research based practices, and
- Submitting documentation/reports concerning mentoring and/or training functions.
- Coordinating TRS schedules and maintaining contact with Middle Rio Grande Development Council Director of Child Care regarding work load and required expectations of mentor.

Assessor and Mentor Qualifications

Qualifications are presented for both Texas Rising Star (TRS) assessors and mentors, without distinction between the roles.

- **Minimum Education**
  - Bachelor's degree from an accredited four-year college or university in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science;
  - Bachelor's degree from an accredited four-year college or university with at least 18 credit hours in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with at least 12 credit hours in child development; or
  - Associate's degree in early childhood education, child development, special education, child psychology, educational psychology, elementary education, or family consumer science with two years of experience as a director in an early childhood program, with preference given for required experience with a provider that is accredited or TRS certified.

- **Minimum Work Experience**
  - One year of full-time early childhood classroom experience in a child care, Early Head Start, Head Start, or prekindergarten through third grade school program.

- **Demonstrated Knowledge**
  - Best practices in early childhood education
  - Understanding of early childhood evaluations, observations, and assessments for both teachers and children
    - ITERS, ECERS-R, FCERS, TBRS, CLASS, or other assessment tools

- **Other Preferred Knowledge**

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Understanding of TRS Certification Guidelines and the minimum standards of Texas child care licensing
- Bilingual (English and Spanish speaker)
- Ability to relate to individuals from culturally diverse backgrounds
- Microsoft Word and Excel, Internet, and comfortable using e-mail and entering data on a PC tablet
- Detail oriented with strong oral and written communication skills
- Basic administrative skills, including recordkeeping and use of a computer for data management and professional communication

- Required Continuing Education and Professional Development
  Participation is required annual professional development and continuing education consistent with child care licensing minimum-training requirements for a center director must be provided on an annual basis prior to contract issuance.
  For Texas Department of Family and Protective Services Child Care Licensing regulations on required center director professional development and continuing education requirements, see Section 746.1311 at http://www.cfps.state.tx.us/documents/Child_Care/Child_Care_Standards_and_Regulations/746_Centers.pdf.

The purpose of the Texas Rising Star Program is to offer quality care that exceeds the State’s Minimum Licensing Standards for health and safety, group size, child/staff ratios, caregiver training, and age-appropriate curricula and activities.

Objectives for Texas Rising Star Certification are:
- To improve the quality of child care offered in the Middle Rio Grande Development Council Area by providing high quality child care options;
- To ensure that children are offered care that promotes their social, emotional, physical and intellectual development; and
- To promote early physical, emotional, social and intellectual development of children who are the state’s future workforce.

Eligible Providers:
A. Any child care provider that has a current agreement with the Board to serve subsidized children and that
   - Has the appropriate permanent license or registration from, and is in good standing with, the Texas Department of Family and Protective Services (TDFPS); or
   - Is regulated by the military; or
   - Is alternatively accredited by an organization approved by TDFPS as stipulated in Chapter 42, Subchapter E, of the Human Resource Code
   may apply for Texas Rising Star certification. Any provider that is on Adverse Action, Corrective Action or a frequent monitoring frequency with TDFPS due to non-compliance with the Minimum Standards for Child Care Licensing is not eligible to apply for Texas Rising Star certification.
B. Child care providers who are regulated by the military or who have attained one of the following national accreditations may be certified as a Texas Rising Star Provider without going through the assessment process and are enrolled with a 4 Star certification:
   - National Association for the Education of Young Children (NAEYC)
   - National Early Childhood Program Accreditation (NECPA)
   - National Accreditation Commission for Early Child Care and Education Program (NAC)
   - Association of Christian School International (ACSI)
   - National Association of Family Child Care (NAFCC)
   - National AfterSchool Association (NAA)

The Middle Rio Grande Development Council Region currently has 16 Texas Rising Star Providers.
PART 2: SELECTION PROCESS

QUALIFICATIONS REVIEW PROCESS

1. Minimum standards of review. Proposed quotes must meet the following minimum standards before being considered for funding:
   a. Submitted by the deadline, and
   b. Contain all required information.

2. Evaluation process. The process for evaluating qualifications submitted in response to this request includes: review, scoring, and selection by the Board.

3. Evaluation criteria. The following criteria will be used to evaluate all proposals. Proposals must score a minimum of 70 to be deemed responsive.
   a. Completeness. A proposer must comply completely with proposal instructions, including but not limited to, required information and page limitations. 10 points
   b. Qualifications. A proposer must demonstrate qualifications in the form of a resume with three references (include contact name and phone number), transcripts from any applicable educational institutions, copies or listing of applicable certifications and listing of Continuing Education Units (CEU). Organizations applying must submit resume with minimum qualifications for each assessor/mentor. Minimum assessor/mentor qualifications begin on page 5 of this RFQ. 25 points
   c. Demonstrated prior effectiveness as a mentor. A proposer must show successful and effective prior experience in evaluating and mentoring child care providers. Include the dates of services, description and the organizations for which the services were provided. 30 points
   d. Cost. A proposer must show that the cost for providing proposed services is necessary, reasonable, and allowable. Review of cost items may include comparison of costs among proposers, comparisons of average costs with previous experience, and a comparison of costs with market prices. Proposals that may rank well against qualification and demonstrated effectiveness criteria may not be funded because of unreasonable or excessive costs. 35 points

4. Notification, presentations, and protest process. Middle Rio Grande Development Council will determine the outcome of each proposal on or about November 15, 2018. Proposers will be notified through a letter of the final outcome of the proposal review process.

PROPOSER INQUIRY AND APPEAL PROCESS
Middle Rio Grande Development Council is the responsible authority for handling complaints or protests regarding the proposal selection process. No protest shall be accepted by the State Grantor Agency (Texas Workforce Commission) until all administrative remedies at the grantee (MRGDC) level have been exhausted. This includes, but is not limited to, disputes, claims, and protests of award, source evaluation or other matters of a contractual nature. Matters concerning violation of law shall be referred to such authority as may have proper jurisdiction.

Middle Rio Grande Development Council would like to have the opportunity to respond to any inquiry or resolve any dispute prior to the filing of an official complaint by the protester. The protester should contact Mr. Joe Cruz, Comptroller at (830) 876-1210, 307 W Nopal, Carrizo Springs, TX 78634, so that arrangements can be made for a conference between Middle Rio Grande Development Council and the protester.

PART 3: GENERAL INSTRUCTIONS FOR SUBMITTING A PROPOSAL

A. Assistance in Responding: Questions regarding this RFQ may be addressed to Melinda Perez (contact information below). Questions may be submitted through 5 PM CST on Thursday, November 15, 2018. Phone: 830-876-1205
   Email: melinda.perez@mrgdc.org

Middle Rio Grande Development Council is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities. Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas: 800-735-2966 (TTY) and 711 (Voice). Equal opportunity is the law.
B. Proposers must be as responsive as possible to the instructions of this RFQ. Points will be awarded based on the contents of the proposal and no amendment or additions will be accepted after the deadline date. Selection for possible further negotiation is competitive and will depend upon the quality of a proposal. In order to be considered, the Request for Quote responders must complete the attached questionnaire and attachments A, B, C and D, and return it to Middle Rio Grande Development Council, along with any supporting materials, by the deadline.

C. Proposal Labeling and Submission: Proposals must be mailed or hand delivered to the following address and received by the deadline noted on page 1. All proposals must be received by this date and time in order to be considered. Proposals received after the deadline will not be accepted. The Board will not accept proposals transmitted by facsimile (FAX) or email. Proposals submitted via courier or overnight mail services will be considered to be hand-delivered and must be received by the deadline.

Melinda Perez
Middle Rio Grande Development Council
307 W Nopal
Carrizo Springs, TX 78834

D. Proposers must submit two (2) copies of their proposals, typed on 8 1/2 x 11" paper, font size 10 to 12.

E. The Board will select eligible proposer(s) to deliver Texas Rising Star Mentor activities based on criteria outlined in #3 above, Evaluation Criteria.

F. Selected Mentor(s) will be contacted to negotiate fees for Mentor content, if necessary, and begin delivering activities as deemed appropriate by Middle Rio Grande Development Council.

SUBMISSION REQUIREMENTS SUMMARY

1. Cover Sheet (Attachment A)
2. Resume and Other Supporting Documentation: including educational background, work experience, relevant volunteer experience and three references (including contact name, phone number and/or email address).

Excluding the required Attachments (A-D), a ten (10) page limit is set for the resume and other supporting documentation.
   - Relevant Experience (Attachment B, Listing of Prior Contracts for Similar Services) - Dates, organizations you have provide services to, contact names and phone numbers, contract amount, details of services provided (page can be copied to provide additional information),
   - Transcripts from any applicable educational institutions,
   - Copies or listing of applicable certifications,
   - Listing of Continuing Education Units (CEU) for the previous 12 month period.

3. Proposed Budget (Attachment C) - include proposed rates for each activity listed.
4. Certification of Bidder (Attachment D) - must sign/date acknowledging each of the five sections. Section 3 must be completed.

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ATTACHMENT A
PROPOSAL COVER SHEET

Business/Individual Name: ____________________________

Proposal submitted for: Mentor

Mailing address: ________________________________

City: ________________________________

State: ________________________________

Physical address: ________________________________

Phone No: ________________________________

Fax Number: ________________________________

Email Address: ________________________________

Proposal contact person: ________________________________

Title: ________________________________

Signature Authority: ________________________________

Title: ________________________________

Phone Number: ________________________________

Signature: ________________________________

I have read and understand the conditions of this proposal. I am authorized by the
business or agency listed above to enter into a contractual agreement. I have read,
understand, have completed, and affirm all signed certification sections included as
Attachment D of this proposal.

Tax/Legal Status: [ ] Corporation [ ] Sole Ownership [ ] Private [ ] Profit
[ ] Partnership [ ] Other [ ] Public [ ] Non-Profit

Date Established: ____________________________

Tax ID or Social Security number: ____________________________

ATTACHMENT B LISTING OF PRIOR CONTRACTS FOR SIMILAR SERVICES

Middle Rio Grande Development Council is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities. Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas: 800-735-2989 (TTY) and 711 (Voice). Equal opportunity is the law.
NAME:

On the following table, list the major contracts or similar services you or your organization has provided in the past five (5) years for child care providers.

Note: The table shown below may be reproduced, as needed, to provide the requested information.

<table>
<thead>
<tr>
<th>Name of Organization</th>
<th>Dates</th>
<th>Contract Amount</th>
<th>Contact Name</th>
<th>Phone Number</th>
<th>Detail of Services Provided</th>
</tr>
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Attachment C Proposed  
Budget - Mentor

NAME:

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<th>Activity</th>
<th>Proposed Budget</th>
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<tr>
<td>Mentor / Technical Assistance Fee, per hour</td>
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</table>

**Note:** Proposed budget should include all expenses associated with providing these services including travel, copying, postage, phone charges, preparation, etc.
ATTACHMENT D
VENDOR INFORMATION AND DEBAREMENT CERTIFICATION FORMS

1. Ownership of the firm (51% or more)
   - Non-minority
   - Hispanic
   - Black
   - Other, specify ____________________________
   - Handicapped owned
   - Small Business (less than $500,000 receipts or 50 employees)
   - Other Ownership (specify _____________________, i.e. state)

2. Name and address of the firm:

   __________________________________________
   __________________________________________
   __________________________________________

   Tax Identification Number: ________________
   Phone #: _________________________________

3. Comment on materials, supplies and/or services your firm provides. (Please provide attachments as needed)

   __________________________________________
   __________________________________________
   __________________________________________

4. Please attach a list of services available through your agency or place of business and price sheet list for all services you are able to provide. (Please provide an attachment as needed)

5. Print Name and title of certifying official

   __________________________________________
   Signature                                      Date

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SIGNATURE AUTHORIZATION CERTIFICATE

I hereby certify that the information contained in this proposal and any attachments are true and correct, and may be viewed as an accurate representation of proposed services to be provided as well as the administrative, management, and financial capabilities of the organization. I also hereby certify that the proposal has been duly authorized by the appropriate person, persons, or governing body of the applicant and that the applicant will comply with applicable State assurances if the proposal is funded or accepted.

The person signing this certificate hereby warrants that such person has been fully authorized by the applicant to execute this certificate on behalf of the applicant and to validly and legally bind the applicant to all the terms, performances and provisions set forth in the proposal.

________________________________________
Signature of Authorized Agent:

________________________________________
Typed Name:

________________________________________
Title:

________________________________________
Date:

Middle Rio Grande Development Council is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities. Deaf, hard-of-hearing or speech-impaired customers may contact Relay Texas: 800-735-2969 (TTY) and 711 (Voice). Equal opportunity is the law.
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION- LOWER TIER COVERED TRANSACTION

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants, responsibilities.

(1). The prospective recipient of Federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

(2). Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

________________________________________
Name of Bidder/Organization

________________________________________
Print or Type Name and Title
of Authorized Representative

________________________________________ Date
Signature
INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT

1. By signing and submitting this proposal, the prospective participant is providing the certification as set out on the form itself.

2. The certification is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.

3. The prospective participant must provide immediate written notice to the Middle Rio Grande Development Council if at any time the prospective participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded" as used in the certification have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the Middle Rio Grande Development Council for assistance in obtaining a copy of these regulations.

5. The prospective participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the U.S. Department of Labor.

6. The prospective participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower-tier covered transactions.

7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Federal Nonprocurement List.

8. Nothing contained in the foregoing may be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.

10. Write in the name of the bidder (individual or organization) and the name and title of the authorized representative of the bidder. The authorized representative signs where noted and dates the signature.
MIDDLE RIO GRANDE DEVELOPMENT COUNCIL
CODE OF CONDUCT

No officer, employee or agent of the Middle Rio Grande Development Council shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved.

The employee, officer or agent;

any member of his immediate family;

his or her partner; or

an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award.

Middle Rio Grande Development Council officers, employees, or agents shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. To the extent permitted by state or local law or regulations, the Middle Rio Grande Development Council shall enforce penalties, sanctions, or other disciplinary actions for violations of Attachment O Circular A-102, paragraph 7, by the agency's officers, employees, or agents, or by contractors or their agents.

I have read the above Code of Conduct and will not knowingly breach it.

Signature ______________________________ Date ______________________________

(Type or Print Name and Title)
DRUG FREE WORKPLACE CERTIFICATION

The Drug Free Workplace Act of 1988 covers employers with contracts of more than $25,000 with any federal agency and certain recipients of federal financial assistance. Such employers are required to certify they will take certain steps to maintain a drug-free workplace.

Texas law requires an employer who maintains worker's compensation insurance coverage and employs fifteen or more employees to adopt a policy "designed to eliminate drug abuse and its effects in the workplace." The employer must distribute a written copy of its policy to each employee.

I do hereby certify that, as the law pertains to the applicant submitting this RFP, the applicant has complied with the proper regulations.

Signature of Authorized Agent: ________________________________

Typed Name: ________________________________

Title: ________________________________

Entity: ________________________________

Date: ________________________________
INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity 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 a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

2. Identify the status of the covered Federal action.

3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the changed occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subawardee recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawardees include but are not limited to subcontracts, subgrants and contract awards under grants.

5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.

6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

8. Enter the most appropriate Federal identifying number available for the Federal action identified in Item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-99-001."

9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in Item 4 or 5.

10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in Item 4 to influence the covered Federal action.

11. (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).

11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (Item 4) to the lobbying entity (Item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.

12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.

13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered, include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.

15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.

16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction Project (0349-00-46), Washington, D.C. 20503.

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<tbody>
<tr>
<td>□ a. contract</td>
<td>□ a. bid/offer/application</td>
<td>□ a. Initial filing</td>
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<tr>
<td>b. grant</td>
<td>b. initial award</td>
<td>b. material change</td>
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<td>c. cooperative agreement</td>
<td>c. post award</td>
<td>For Material Change Only:</td>
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<tr>
<td>d. loan</td>
<td></td>
<td>Year: __________ Quarter: ______</td>
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<td>e. loan guarantee</td>
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<td>Date of last report: _______</td>
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<td>f. loan insurance</td>
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<tr>
<th>4. Name and Address of Reporting Entity:</th>
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<tbody>
<tr>
<td>□ Prime</td>
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<tr>
<td>□ Subardee</td>
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<td>Tier: ________ it known:</td>
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| Congressional District, if known:       |

| 5. If Reporting Entity in No. 4 is Subardee, Enter a Name and Address of Prime: |

| Congressional District, if known:       |

| 6. Federal Department/Agency:           |

| 7. Federal Program Name/Description:    |

| CFDA Number, if applicable: ___________ |

| 8. Federal Action Number, if known:     |

| 9. Award Amount, if known: $               |

| 10. a. Name and Address of Lobbying Entity |

| b. Individuals Performing Services (including address if different from No. 10a) |
| (last name, first name, MI): |

| (attach continuation Sheet(s) SF-LLL-A if necessary) |

| 11. Amount of Payment (check all that apply): |
| $ ________ □ actual □ planned |

| 12. Form of Payment (check all that apply): |
| □ a. cash |
| □ b. in-kind; specify: nature _______ value _______ |

| 13. Type of Payment (check all that apply): |
| □ a. retainer |
| □ b. one-time fee |
| □ c. commission |
| □ d. contingent fee |
| □ e. deferred |
| □ f. other; specify: ____________ |

| 14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including Officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: |

| (attach continuation sheet(s) SF-LLL-A if necessary) |

| 15. Continuation Sheet(s) SF-LLL-A attached: □ Yes □ No |

| 16. Information requested through this form is authorized by Act 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than $10,000.00 and not more than $100,000.00 for each such failure. |

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