

SECTION II – THRESHOLD DOCUMENTS & FINANCIAL STATEMENTS

These are threshold requirements for any proposal that will be funded under a contract. For all proposals, one set of the documents contained in this section must be completed and submitted. **If a complete, signed* set of these threshold documents is not submitted by a proposing agency, the proposal of that agency may not be given further consideration.**

The set of required threshold documents are:

Attachment II-A	“Organizational Summary/Signature Page”
Attachment II-B	“Certification of Proposal Content by Authorized Representative”
Attachment II-C	“Nondebarment Certification” **
Attachment II-D	“Certification Regarding Lobbying”
Attachment II-E	“Drug-Free Workplace Certification”
Attachment II-F	“Child Support Compliance Act Certification”
Attachment II-G	“Disallowed Costs Statement”
Attachment II-H	“Certificate of Good Standing”
Attachment II-I	“Certificate of Compliance”

In addition to these threshold documents, agencies must include a copy of the most recent audit or financial statement as described in Section I.

*Exceptions may be made for threshold documents that must be signed by a Board member if there is not sufficient time to obtain that signature prior to the deadline. In this case, please have proposal preparer/program administrator indicate this on each document and include date by which signatures will be obtained.

**Instructions need not be returned.

ORGANIZATIONAL SUMMARY/SIGNATURE PAGE

Name of organization:	
Legal name (if different):	
Mailing address:	
City, State, Zip:	
Tax I.D. Number:	
Contact person/title:	
Phone number:	
Fax number:	
E-mail address:	
Physical address:	
City, State, Zip:	
Billing address if different:	
City, State, Zip:	

Type of organization:	<input type="checkbox"/> Public <input type="checkbox"/> CBO <input type="checkbox"/> FBO <input type="checkbox"/> Education <input type="checkbox"/> Other
Certification:	<input type="checkbox"/> BPPE <input type="checkbox"/> WASC <input type="checkbox"/> N/A <input type="checkbox"/> Other (specify _____)
Are services accessible to the disabled (with reasonable accommodations)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is agency free from political activity?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Is organization covered by a written grievance procedure?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Has this organization previously contracted with ETR?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, last year of funding and amount:	Year Amount \$
Does this organization contract with other Workforce Development Areas?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If yes, name of other local areas and programs:	

Approval of Authorized Representative		
Name:		
Title:	Signature	Date

CERTIFICATION OF PROPOSAL CONTENT BY AUTHORIZED REPRESENTATIVE

The applicant hereby proposes to provide and deliver training programs under the Workforce Innovation and Opportunity Act of 2014 (WIOA). If this proposal is approved and funded, the organization agrees that provisions of the Workforce Innovation and Opportunity Act of 2014, which retains and amends the Adult Education and Family Literacy Act, the Wagener-Peyser Act and the Rehabilitation Act of 1973, and any legislation governing other funding sources available through ETR, and other assurances as required by governing regulations and the County of Kern, will be adhered to.

This proposal does not duplicate services available in the area that are provided by non-WIOA sources. This organization, its members and collaborators are not now and will not in the future be engaged in any activity resulting in a conflict of interest, real or apparent, in the selection, award, or administration of WIOA-funded subcontracts. The cost/pricing data submitted within this proposal is accurate, complete, and current as of the date below.

In addition, the contracting official certifies that he/she is a duly authorized representative of the applicant organization and is fully authorized to submit and sign proposals; that the data contained herein are accurate, complete and current; that any revisions to price or cost information will be submitted immediately; and that the organization is fully capable of fulfilling its obligations under this proposal as stated herein.

Organization

Name & Title of Authorized Representative

Signature

Date

NONDEBARMENT CERTIFICATION

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY, AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS

This certification is required by government-wide requirements, including the regulations implementing Executive Orders 12459 and 12689, for debarment and suspension and OMB Guidance 2 CFR Part 180.

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS FOR CERTIFICATION)

- A. 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.
- B. 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.

Organization

Name & Title of Authorized Representative

Signature

Date

INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT

- A. By signing and submitting this proposal, the prospective recipient of federal assistance funds is providing the certification as set out below.
- B. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
- C. The prospective recipient of federal assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- D. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the definitions and coverage sections of rules implementing Executive Order 12549. Contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
- E. The prospective recipient of federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
- F. The prospective recipient of federal assistance funds further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
- G. 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 it is not required to, check the Award Management (SAM) for an entity listed as an excluded party at: <https://www.sam.gov/SAM/pages/public/searchRecords/search.jsf>.
- H. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- I. Except for transactions authorized under paragraph E of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the DOL may pursue available remedies, including suspension and/or debarment.

CERTIFICATION REGARDING LOBBYING

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

- A. No federal contracted 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 an agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal contracted funds have been paid or will be paid to any person for influencing or attempting to influence an officer or an 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, or cooperative agreement, the undersigned shall complete and submit the standard form, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The undersigned shall require that the language of this certification be included in the documents for all subcontracts, and that all subcontractors shall certify and disclose accordingly.

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

Organization

Name & Title of Authorized Representative

Signature

Date

DRUG-FREE WORKPLACE CERTIFICATION

By signing this certification, the prospective contractor or recipient hereby certifies under penalty of perjury under the laws of the State of California that the contractor or recipient will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq) and will provide a drug free workplace by taking the following actions:

- A. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8350(a).

- B. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:
 - 1. the dangers of drug abuse in the workplace;
 - 2. the person's or organization's policy of maintaining a drug-free workplace;
 - 3. any available counseling, rehabilitation, and employee assistance programs; and
 - 4. penalties that may be imposed upon employees for drug abuse violations.

- C. Provide, as required by Government Code Section 8355 (c), that every employee who works with the proposed program/activity:
 - 1. will receive a copy of the company's drug-free policy statement; and
 - 2. will agree to abide by the terms of the company's drug-free workplace policies.

Failure to comply with these requirements may result in suspension of payments under the subgrant/contract or termination of the subgrant/contract, or cancellation of the purchase order, or all that may apply. In addition, the contractor or grantee may be ineligible for award of future subgrant/contracts or purchase orders if it is determined that any of the following has occurred: (1) the false certification, or (2) failing to carry out the requirements of the certification as noted above.

Organization

Name & Title of Authorized Representative

Signature

Date

CHILD SUPPORT COMPLIANCE ACT CERTIFICATION

Agency shall comply with applicable federal and state laws relating to child and family support enforcement, including, but not limited to, disclosure of information and compliance with earnings assignment orders, as provided in Chapter 8 (commencing with Section 5200) of part 5 of Division 9 of the Family Code: and

- A. Agency, to the best of its knowledge, is fully complying with the earnings assignment orders of all employees and is providing the names of all new employees to the New Employee Registry maintained by the California Employment Development Department (EDD).

- B. Failure to comply with the above requirements may result in suspension of payments under the agreement or termination of the agreement or both, and the agency may be ineligible for award of future subgrants with the County, if the County determines that any of the following has occurred:
 - 1. the false certification; or
 - 2. violation of the certification by failing to carry out the requirements as noted above.

Organization

Name & Title of Authorized Representative

Signature

Date

CERTIFICATE OF GOOD STANDING

CERTIFICATION REGARDING AGENCY STATUS AND COMPLIANCE WITH EMPLOYERS' TRAINING RESOURCE AND THE COUNTY OF KERN

Please provide complete answers to the following questions:

- A. Does the prospective recipient of federal assistance funds owe any disallowed costs, including any known or potential cost reimbursements, to Employers' Training Resource?
No [] Yes []

If yes, please provide the nature and amount of disallowed costs or known or potential costs owed:

- B. Does the prospective recipient of federal assistance funds owe any disallowed costs, including any known or potential cost reimbursements, to any Kern County department, other than Employers' Training Resource? No [] Yes []

If yes, please provide Kern County department, nature and amount of disallowed costs or known or potential costs owed:

- C. Does the prospective recipient of federal assistance funds owe any disallowed costs, including any known or potential cost reimbursements, to any other agencies or entities, other than Kern County and Employers' Training Resource? No [] Yes []

If yes, please provide the agency name, nature and amount of disallowed costs or known or potential costs owed:

If a recipient owes Employers' Training Resource's any disallowed, known or potential cost reimbursements, it is Employers' Training Resource's policy to withhold payment of any current contract reimbursements until all such disallowed, known or potential cost reimbursements have been paid.

If a recipient owes any Kern County department any disallowed, known or potential cost reimbursements, Kern County's policy does not allow Employers' Training Resource to contract with said recipient until all such disallowed, known or potential cost reimbursements have been paid.

The prospective recipient of federal assistance funds certifies, by signature of this document, that the above is true and correct. In addition, the recipient may be ineligible for award of future subgrant/contracts or purchase orders if it is determined that a false certification has been filed with Employers' Training Resource



Organization

Name & Title of Authorized Representative

Signature **Date**



CERTIFICATE OF COMPLIANCE

**CERTIFICATION REGARDING
AGENCY'S ABILITY TO SUPPLY REQUIRED
DOCUMENTATION AND COMMENCE PROGRAM
OPERATIONS**

By completing this certificate, an agency awarded a contract agrees to the following:

- A. All documentation as required in the contract, including insurance certificates and endorsements and evidence of agency's Board contract approval, will be provided to Employers' Training Resource. Employers' Training Resource will not commence reimbursement payments for any agency that does not have the required evidence of insurance coverage and evidence of agency's Board contract approval.
- B. Agency will return its contract to Employers' Training Resource within 15 working days of receipt. If agency is unable to comply with this requirement, it must notify Employers' Training Resource immediately and provide the circumstances for the delay and an estimate of the delivery date of the signed contract to Employers' Training Resource.
- C. Within 30 days of agency receipt of the fully signed and executed contract, agency must show to Employers' Training Resource's satisfaction that the contracted program has commenced operations. In addition, agency assumes all risk for any expenses or activities that are commenced by the agency before the date the contract is executed.

If any of the above requirements are not met by the agency, Employers' Training Resource reserves the right to take action as necessary, up to and including termination of the contract with agency.

The agency certifies, by signature of this document, that it agrees with the above provisions.

Organization

Name & Title of Authorized Representative

Signature

Date