EMPLOYERS' TRAINING RESOURCE

TO: Currently Funded Providers of Adult, Dislocated Worker, and Combined Programs and Services under the Workforce Innovation and Opportunity Act (WIOA) in Kern County

FROM: Teresa Hitchcock, Assistant County Administrative Officer
Employers' Training Resource

DATE: February 28, 2022

SUBJECT: Request for Refunding (RFR) Application Process for Program Year 2022-2023
Limited to Currently Funded Adult, Dislocated Worker, and Combined Programs and Services under the Workforce Innovation and Opportunity Act (WIOA)

DUE DATE: Thursday, March 31, 2022 4:00 p.m. Pacific Daylight Savings Time –
E-MAIL SUBMISSION REQUIRED

A. GENERAL INFORMATION

Background

Under the Workforce Innovation and Opportunity Act (WIOA), a full Request for Proposals (RFP) is required at least once every four years to procure programs and services. Therefore, if in year one an RFP is used, then with the approval of the Kern, Inyo, and Mono Counties Workforce Development Board (WDB), years two through four programs and services can be procured under the more limited Request for Refunding (RFR) process.

The RFR is used to continue to fund existing programs and services that are still needed and are successfully meeting their contracted goals. If your agency was awarded funding for Program Year (PY) 2021-2022 (July 1, 2021 through June 30, 2022) and was unable to fully operate your program or expend funds due to complications from the COVID-19 pandemic, you may still be eligible for consideration for PY 2022-2023.

On March 19, 2019, Employers' Training Resource (ETR) issued an RFP seeking qualified providers of WIOA programs and services for PY 2019-2020 for the County of Kern in California. ETR is the grant recipient and administrative entity for the Kern, Inyo and Mono Counties Workforce Development Area (WDA). At its December 15, 2021 meeting, the WDB authorized the issuance of an RFR to procure ongoing programs and services for Adult, Dislocated Worker, and Combined Programs for PY 2022-2023 (July 1, 2022 through June 30, 2023), and the RFR is limited to currently funded providers.

This is the third and final RFR issued from the initial PY 2019-2020 RFP. That RFP was for Kern County only and was targeted to certain programs and services for WIOA eligible Adults and Dislocated Workers; however, clients eligible under other funding sources may also be served. It was not for the solicitation of programs and services that target Youth and Farmworkers nor for Individual Training Account (ITA) providers.

TERESA HITCHCOCK, ASSISTANT COUNTY ADMINISTRATIVE OFFICER
1600 E. BELLE TERRACE, BAKERSFIELD, CA 93307 OFFICE: 661.336.6893 FAX: 661.336.6858 INTERNET: www.etronline.com
A proud partner of America's Job Center of California

The Adult, Dislocated Worker, and Combined Programs and Services RFP targeted the following:

- One WIOA Provider of Career Services for the Delano America's Job Center of California (AJCC)
- Providers to Operate and Administer Subsidized Work Experience Programs

The PY 2019-2020 RFP also considered funding for Contracted Training Classes which meet the exception criteria under WIOA.

ETR is now accepting RFR applications from eligible entities interested in continuing to provide the above program offerings under WIOA for PY 2022-2023.

Adaptions Due to the COVID-19 Pandemic

Due to unprecedented business and school/day-care closures, stay-at-home orders, and fear of contracting COVID-19, fewer clients accessed local WIOA services during the pandemic resulting in fewer new enrollments in all programs. RFR applicants should be prepared to document adjustments made to provide services during PY 2021-2022 and how those changes will or will not be incorporated into PY 2022-2023 services beginning July 1, 2022.

In Attachment C, applicants should describe: (1) how your organization and program adapted to meet the needs of your participants during the pandemic; and (2) any other challenges this program experienced/is experiencing during PY 2021-2022 and any improvements or changes planned for PY 2022-2023.

Applications are required to submit a budget request for PY 2022-2023 and must justify all proposed increases. Those might include COVID-related supplies to enable staff to telecommute or participants to attend remotely. Other expenses such as Personal Protective Equipment (PPE) may be considered, but applicants should first avail themselves to pandemic grants that provide those at no/reduced costs. Other grants may be available to provide participants with laptops and Internet access and should be considered prior to including them in the PY 2022-2023 budget.

Contracted Training Classes

This RFR for PY 2022-2023 will consider refunding currently funded contracted training classes. Applicants should be prepared to justify, in detail, why the cost of purchasing the entire class versus paying tuition per single client presents the greatest value to the WDB. All providers of training services must be current on the state's Eligible Training Provider List (ETPL) and be in good standing.

Additionally, the WDB seeks the opportunity to fund additional on-the-job training (OJT) contracts which have increased as Kern County employers adjust to current economic conditions. This spending increase will be partially paid for using funds formerly provided to contracted training providers.

Request for Refunding Process

It is expected that subgrant agreements for PY 2022-2023 will include all the terms and conditions of the current subgrant agreements. As always, some sections may be updated to comply with federal, state, and/or county requirements and WDB policies. Policy changes for PY 2022-2023 may dictate changes in program design. Your agency will be notified if any changes are necessary.

If for any reason your agency wishes to discontinue an activity, please indicate this preference in your RFR application.

Funding recommendations are scheduled to be presented to the WDB's Program and Business Services Committee on May 12, 2022, and to the WDB on June 8, 2022, for final approval. Recommendations will be ratified by the Kern County Board of Supervisors. Contracts will then be completed for approved activities.

B. SUBSIDIZED WORK EXPERIENCE PROGRAM FOR ADULTS AND DISLOCATED WORKERS

The Subsidized Work Experience Program for Adults and Dislocated Workers is limited to a maximum of 320 hours. Taking into account the increase in minimum wage in January 2022, budgets will need to be adjusted accordingly. For the purposes of this Application, use $4,800 per participant for wages (320 hours at $15.00/hour).

C. TRAINING PROGRAMS

The State of California Employment Development Department maintains the statewide ETPL, and all providers of training must be current on the list. Training providers with current reimbursement contracts who seek refunding for PY 2022-2023 will not need to demonstrate any exemptions. However, they will be required to describe outreach efforts they will undertake in order to meet enrollment goals and to justify program costs.

D. INSTRUCTIONS FOR RFR APPLICATION SUBMISSION

Only email responses to this RFR will be considered followed by the submission of a mailed hard copy. The email must be sent to: meerta@kerncounty.com and webbj@kerncounty.com **NO LATER THAN 4:00 P.M. ON THURSDAY, MARCH 31, 2022.**

While not required to be received by the March 31, 2022 deadline, the additional hard copy must be mailed to: Employers' Training Resource, ATTN: Anne Meert, 1600 East Belle Terrace, Bakersfield, CA 93307. Envelopes containing RFR applications should be marked "RFR APPLICATION FOR ADULT, DISLOCATED WORKER, AND COMBINED PROGRAMS." Timely submission of the RFR application is the sole responsibility of the applicant.

Document Name/ Description	Form Provided
Attachment C: WIOA Activity Summary Include one for each activity requested for refunding	Yes
Attachment D: Budget and Budget Justification Include one for each activity requested for refunding	Yes
Attachments A-B and E-L: Threshold Documents	Yes
Financial Audit Please submit most recent audited financial statements and, if applicable, the accompanying auditor's report in compliance with Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Chapter 1, Chapter II Part 200 et al for audits of fiscal years beginning on or after December 26, 2014.	No

E. PERFORMANCE MEASURES

Below are the current PY 2021-2022 Performance Goals for ETR (Kern, Inyo and Mono Counties Consortium) as issued by the State of California. For purposes of this RFR, we will be referencing

these levels in evaluating program performance since PY 2022-2023 goals have yet to be set. Note that agencies providing training will be responsible for reporting credential attainment for up to one year after exit and measurable skills gains.

PROGRAM YEAR 2021-2022 PERFORMANCE GOALS
KERN/INYO/MONO CONSORTIUM

Adult	
Employment Rate in the 2nd Quarter After Exit	73.2%
Employment Rate 4th Quarter After Exit	66.0%
Median Earnings 2nd Quarter After Exit	$6,000
Credential Attainment within 4 Quarters After Exit	60.0%
Measurable Skills Gains	50.0%
Dislocated Worker	
Employment Rate in the 2nd Quarter After Exit	76.0%
Employment Rate 4th Quarter After Exit	72.5%
Median Earnings 2nd Quarter After Exit	$7,300
Credential Attainment within 4 Quarters After Exit	60.0%
Measurable Skills Gains	45.0%

F. GENERAL RESERVATIONS

- ETR reserves the right to cancel in part or in its entirety this RFR if it is in the best interest of ETR to do so.
- ETR reserves the right to extend the submission deadline. In the event the deadline is extended, agencies will be notified in advance and have the right to revise their applications. Applications may be withdrawn by written request of the authorized signatory on the applicant's letterhead or email at any time before the deadline.
- ETR makes no representation that any contract will be awarded to any applicant responding to this RFR.
- ETR reserves the right to reject any or all applications that are not responsive to the specifications of this RFR.
- ETR reserves the right to request additional information or documentation. Unclear, incomplete, and/or inaccurate applications may not be considered for refunding.
- ETR reserves the right to verify all information in the application. Falsification of any information will result in disqualification.
- If approved for funding, contracts may be negotiated, and contracts may contain additional terms or terms different from those set forth in this RFR.
- Funding levels for requested programs are contingent upon the final WIOA allocation received and other available funds. If funding is reduced or increased, ETR reserves the right to renegotiate subgrants funded through this RFR process.
- Funded service providers shall be subject to all applicable federal, state, county and local WDB policies and regulations.

G. APPLICATION REVIEW

RFR applications will be reviewed to determine if proposed program changes, if any, meet local workforce needs, that contractual obligations and performance goals for the current program year (PY 2021-2022) are being met or changes justified, that costs are necessary and reasonable, and that the program aligns with the WDA's Local and Regional Plans. Substantial changes in program design may result in additional scrutiny such as review by the WDB, as well as a request for a more detailed application.

H. CONTRACT TERM

The funding period for this RFR is July 1, 2022 through June 30, 2023 and is governed under the RFP dated March 19, 2019. This is the third and final year of refunding allowed under the local WDB policy. ETR reserves the right to modify the scope of any program to any extent necessary to ensure compliance with WIOA guidelines.

I. MONITORING REQUIREMENTS

ETR conducts a monitoring review of all contracts at least once each program year. Unresolved previous monitoring findings may result in a contract not being awarded or may delay the release of funds, until all findings are closed.

J. APPEALS PROCESS

When a proposal is not recommended to the WDB for refunding, and the agency can show that the application did not receive due consideration or that other irregularities existed, the agency may appeal the recommendation to the WDB. The appeal must be in writing and submitted to ETR's Assistant County Administrative Officer no later than five (5) business days after the Kern, Inyo, and Mono Counties WDB meeting at which the funding recommendations were approved. An ETR "Appeal Request Form" must accompany all appeal requests. Specific reasons for the appeal must be included and should address, and be limited to, the issues of due consideration and/or irregularities of process as noted above. ETR's Assistant County Administrative Officer will forward all appeals to the Executive Committee of the WDB. The Executive Committee will be responsible for reviewing applications, evaluation forms, or other related information to determine if the grounds for the appeal are substantiated. This Committee will have authority to reconsider funding recommendations if warranted. Additional materials not included with the original appeal may not be introduced at the Appeals Meeting, and a maximum of two (2) representatives of the agency will be allowed to present their arguments, which must be limited to the issues of due consideration and/or irregularities of process as described above. Decisions of the Executive Committee are final. A decision of the Executive Committee will be made and transmitted to the agency and the WDB no later than three weeks (or 15 business days) after the deadline to submit appeals. The County of Kern Board of Supervisors will be notified of final funding recommendations.

For further information concerning this refunding, contact your assigned ETR Departmental Analyst at (661) 336-6893.

EMPLOYERS' TRAINING RESOURCE
REQUEST FOR REFUNDING FOR CONTRACTED WIOA
ADULT, DISLOCATED WORKER, AND COMBINED PROGRAMS
FOR PROGRAM YEAR 2022-2023 (JULY 1, 2022 THROUGH JUNE 30, 2023)

INSTRUCTIONS:
To be considered for refunding for Program Year (PY) 2022-2023, submit one original Request for Refunding (RFR) application via email by the due date/time and mail one copy. **Application deadline is Thursday, March 31, 2022 at 4:00 p.m. Pacific Daylight Savings Time** (refer to RFR Application Process letter for further detail). **If a complete, signed* set of the threshold documents is not submitted by a proposing agency, the proposal of that agency may not be given further consideration.** Required application content are the following:

Attachment A	Organizational Summary/Signature Page (*one per agency*)
Attachment B	Certification of Proposal Content/Refunding Content by Authorized Representative (*one per agency)*
Attachment C	Activity Summary (*one per activity*)
Attachment D	Activity Budget and Budget Change Justification (*one per activity)*
Attachment E	Nondebarment Certification (*one per agency*) - Instructions need not be returned.
Attachment F	Certification Regarding Lobbying (*one per agency*)
Attachment G	Drug-Free Workplace Certification (*one per agency*)
Attachment H	Child Support Compliance Act Certification (*one per agency*)
Attachment I	Disallowed Costs Statement (*one per agency*)
Attachment J	Certificate of Good Standing (*one per agency*)
Attachment K	Certificate of Compliance (*one per agency*)
Attachment L	Certificate of Compliance (Prohibition on Certain Telecommunications) (*one per agency*)

*Exceptions may be made for threshold documents that must be signed by an agency official 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.

In addition to the documents above, agency must include a copy of the following:

Financial Audits – most recent audited financial statements and, if applicable, the accompanying auditor's report in compliance with Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Chapter 1, Chapter II Part 200 et al for audits of fiscal years beginning on or after December 26, 2014. Employers' Training Resource (ETR) will review the audit documents for audit findings and major issues and will take into consideration any audit findings and/or major issues in determining if the applicant is at high risk for monitor findings and disallowed costs.

If recommended for funding and prior to issuance of a contract, agency will be required to submit the following:

- Certification of Insurance with minimum Best's Rating of A-, VII (or comparable) for commercial general liability; automobile liability insurance, if applicable; workers' compensation coverage for paid positions; professional liability (errors and omissions, if appropriate); and fidelity bond coverage.

- W-9 "Request for Taxpayer Identification Number and Certification"

Employers' Training Resource
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(es):	
City, State, Zip:	
Billing Address, if different:	
City, State, Zip:	

Type of Organization:	___ Public ___CBO ___FBO ___Education ___Other
Certification: Any changes to your organization's certification status? If yes, describe:	___BPPE ___WASC ___N/A ___Other (specify_____) ___Yes ___No
Are facilities accessible to the disabled or reasonable accommodations available?	___Yes ___No
Is agency free from political activity?	___Yes ___No
Is organization covered by a written grievance procedure?	___Yes ___No
Is financial aid available to students? If yes, list types:	___Yes ___No
Does this agency contract with other Workforce Development Areas? If yes, name of other local areas and programs:	___Yes ___No

Approval of Authorized Representative		
Printed Name:	Title:	
Signature:		Date:

CERTIFICATION OF PROPOSAL CONTENT/REFUNDING CONTENT BY AUTHORIZED REPRESENTATIVE

The applicant hereby proposes to provide and deliver (or continue to provide and deliver) programs/services under the Workforce Innovation and Opportunity Act of 2014 (WIOA). If this proposal/refunding application 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 Wagner-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/refunding application 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/refunding application 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/refunding applications; 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/refunding application as stated herein.

Organization

Name & Title of Authorized Representative

Signature **Date**

Employers' Training Resource
Activity Summary

Instructions: Complete one form for EACH activity.

1.	Organization Name	
2.	Activity/Program Title	
3.	Number of Participants Proposed	Carry-Over: New Enrollments:
4.	Amount of PY 2022-2023 Request	$
5.	Provide a description of any proposed changes, including changes in staffing levels, curriculum, hours, entry requirements, participant goals, etc. for this activity for Program Year (PY) 2022-2023. If none, write NONE. **NOTE:** COVID-19 related changes are to be addressed in 6. below.	
6.	Describe how your program adapted to meet the needs of participants during the COVID-19 pandemic. Describe any challenges your program experienced/is experiencing and any improvements or changes planned during PY 2022-2023.	
7.	FOR REIMBURSEMENT CONTRACTS FOR TRAINING ONLY: For PY 2021-2022: Expenditures through February 2022: _____ Percent of Total Budget spent through February 2022: _____ Total Number of Participants served through February 2022: _____ Carry-in:_____ New Enrollments:_____ Percent of Total Participants served through February 2022: _____	
8.	FOR REIMBURSEMENT CONTRACTS FOR TRAINING ONLY: Describe outreach efforts your Agency is/will undertake in order to meet your enrollment goals and to justify program costs.	

Employers' Training Resource
Activity Budget and Budget Change Justification

Complete a Budget for each activity proposed for refunding. In addition, provide justification for any proposed budget changes.

Organization Name:	
Activity:	

1. Budget

	Cost Category	Current for PY 2021-2022	Proposed for PY 2022-2023
01	**Staff Salaries and Fringe Benefits**		
02	**Participant Wages and Fringe Benefits (Work Experience)**		
03	**Facility Expense** Cost of renting or leasing offices, storage rooms, facilities, classrooms, etc. Use allowance or depreciation for space is charged here. Include any building utilities (telephones, electricity, water, trash collection, alarm/security systems, Internet, etc.) not included in rental agreement.		
04	**Supplies & Equipment under $5,000** Cost of supplies necessary for the operation of the activity – Includes participant testing supplies and all equipment under $5,000. Lease or rental of equipment. Use allowance or depreciation. Repair and/or maintenance costs of all items purchased or leased. The cost of maintenance agreements as well as janitorial services.		
05	**Supplies & Equipment $5,000 and over** Cost of equipment and supplies (including tax and freight charges) necessary for the operation of the program – based on cost per item. Subgrant agreements require approval from ETR prior to incurring expenses for equipment $5,000 and over.		
06	**Travel & Training Expense** Costs for staff travel necessary for normal program operations. Agency costs associated with travel for participants. Approval from ETR must be obtained prior to incurring out-of-county expense. Staff training costs, as well as participant training/tuition costs, are to be charged under this line item.		
07	**Insurance/Bonding/Professional and Special Services:**		

07 a)	Cost of insurance & bonding, including all liability, but excluding workers' compensation.		
07 b)	Outreach and recruiting costs other than Staff Salaries/Fringe. Include advertising costs here.		
07 c)	Professional services, non-salaried, e.g., consultants.		
08	**Employer Reimbursement and Income** Employer reimbursements under On-the-Job Training and income control for programs producing revenue.		
09	**Supportive Services** Payments used to aid or assist participants while attending program in accordance with ETR's Supportive Services Policy.		
10	**Indirect Costs, if applicable*** (Your approved indirect cost rate applied to allowable base, for budgeting purposes. Actual indirects should be billed monthly and calculated against the monthly total of other line items.) If you intend to charge for all services on a direct basis, enter zero.		
	TOTAL REQUESTED		

Indirect Cost Rate - If your agency has an Indirect Cost Rate, complete the following:

Indirect Cost Rate _____
Cognizant Agency _____

Budget transfers must be approved before charging any expense to a category not listed in a contract budget. The subgrant agreement requires obtaining approval from ETR prior to incurring the following expenses: out-of-county travel, equipment & supplies over $5,000, computer equipment, consultants, and any line item not in the contract budget. **Competitive quotes or sole source justification must be obtained for all purchases of $10,000 or more**.

If any elements of service are to be subcontracted by your agency to another agency and paid for with WIOA funding, please describe these proposed arrangements and submit a copy of the proposed agreement for approval during the contract negotiation process with ETR.

2. Budget Change Justification

Either provide in the space below or attach narrative describing any proposed budget changes and the justification for these changes.

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**

DISALLOWED COSTS STATEMENT

_____(Organization) will repay any disallowed expenditures with non-federal, non-grant funds.

List types and amounts of non-federal, non-grant funds available:

_____

_____

_____

_____

_____

_____

_____

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 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**

CERTIFICATE OF COMPLIANCE

CERTIFICATION REGARDING AGENCY'S COMPLIANCE WITH 2 CFR PART 200.216, PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT

The undersigned certifies, to the best of his or her knowledge and belief, that federal grant funds will not be obligated or expended to:

1. Procure or obtain;
2. Extend or renew a contract to procure or obtain; or
3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

This prohibition also applies to video surveillance and telecommunications equipment produced by, or services provided by, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities) and also includes any entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

Failure to comply with the above requirements will result in disallowed costs.

Organization

Name & Title of Authorized Representative

Signature **Date**