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**Request for Proposals (RFP) for**

**GED/ABE Program**

**Monroe County, PA**

**Pocono Counties Workforce Development Area**

**RFP # 135-22-04**

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| **RFP SUMMARY:** The GED/ABE Program, funded by the Pocono Counties Workforce Development Area, aims to provide General Education Development (GED) classroom-training and Adult Basic Education (ABE) for Basic Literacy to eligible Monroe County participants under the Workforce Innovative Opportunity Act (WIOA). With a focus on out-of-school youth and adults, the program seeks to equip participants with essential skills and knowledge required to pass the GED test, attain a Commonwealth secondary diploma or regular high school diploma, and prepare them for employment opportunities and career advancement through a Career Pathways component. | |
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| **RFP ISSUE DATE** | April 10th, 2023 |
| **PROPOSAL DUE DATE** | May 12th, 2023 |
| **DEADLINE FOR QUESTIONS** | The deadline for questions is April 28th, 2023, at 4:00 P.M. EST. Questions and/or inquiries must be submitted in writing to Samuel Hellen or Deborah Harrison, the RFP Official Contacts, as indicated below. |
| **PROPOSAL**  **SUBMISSION PROCESS** | Proposals can be submitted:  By Mail: 811 Blakeslee Blvd. Dr. E, Suite 85, Lehighton, PA 18235  By Email: [shellen@pcwia.org](mailto:shellen@pcwia.org)  Online via OneDrive: [**Submission Link**](https://pcwia-my.sharepoint.com/:f:/g/personal/shellen_pcwia_org/El70BnU7W1VNozTxmY5wJQEB9dXbJ02xdSEXiy9ymTSTIQ?e=cdDRGf) |
| **RFP WEBSITE** | <https://pcwia.org/rfps/> |
| **RFP OFFICIAL CONTACT** | Samuel Hellen, Executive Director, Pocono Counties Workforce Development Area, (484) 464-2517, [shellen@pcwia.org](mailto:shellen@pcwia.org)  Deborah Harrison, Administrator, PA CareerLink® Monroe County, (570) 620-0782, [dahmccl@ptd.net](mailto:dahmccl@ptd.net) |

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# The Opportunity

## Summary

The Pocono Counties Workforce Development Area (WDA) is seeking proposals for a comprehensive General Education Development (GED) classroom-training and Adult Basic Education (ABE) for Basic Literacy program in Monroe County. This program is designed to serve eligible participants under the Workforce Innovative Opportunity Act (WIOA), with a primary focus on out-of-school youth and adults. The objective of the program is to provide a supportive and innovative learning environment, helping participants acquire essential skills and knowledge required to pass the GED test, attain a Commonwealth secondary diploma or a regular high school diploma, and improve their career prospects and quality of life.

Proposers should design their programs to accommodate approximately 50 participants per year during a two-year program period. The program should be flexible, allowing participants to join and exit as needed and provide at least 6 hours of instruction per week. The program's curriculum should encompass key subject areas such as reading, writing, communication skills, social studies, and math in preparation for the GED test.

A crucial component of the proposed program is the incorporation of a Career Pathways element, which should be designed to prepare participants for employment opportunities and career advancement. The Career Pathways component should offer practical guidance and resources to help participants explore different career options, identify their strengths and interests, and develop job search and employability skills.

The chosen training site should be centrally located in Monroe County, preferably near Tannersville, PA, and easily accessible via public transportation. Proposers must demonstrate experience in delivering GED classroom-training programs, along with a proven record of accomplishment of successful outcomes for their participants. The program should include pre-testing to assess participants' suitability for the program and monthly post-testing to measure reading and math skill improvements.

GED testing and associated costs must be included in the proposal, and testing should be available monthly. Proposers should also provide details of their staffing model, including instructors, program managers, and support staff, along with any required qualifications, expertise, and relevant experience.

This contracting opportunity presents a chance for qualified vendors to make a significant impact on the lives of out-of-school youth and adults in Monroe County. By providing high-quality GED classroom-training and ABE for Basic Literacy services, the selected vendor will play a vital role in empowering participants to achieve their educational and career goals, paving the way for their long-term success and personal growth.

## Background

**Pocono Counties Workforce Development Area Overview**

The Pocono Counties Workforce Development Board (WDB) is comprised of private-sector business, social service, education, labor, economic development, and community-based organization representatives. The purpose of the Board is to provide strategic oversight, direction, and focus to the employment and training services provided to residents and employers of the 4 counties that comprise the Pocono Counties Workforce Development Area (WDA) – Carbon, Monroe, Pike, and Wayne Counties.

**GED/ABE Program Overview**

The Pocono Counties Workforce Development Area has a long-standing commitment to providing educational and workforce development services to Monroe County residents. Our government has historically worked in close collaboration with local partners and training providers to offer GED classroom training programs and Adult Basic Education for Basic Literacy. These programs have been tailored to serve eligible participants under the Workforce Innovative Opportunity Act (WIOA) and have been instrumental in helping individuals achieve their educational and career goals. By focusing on essential skills such as reading, writing, communication, social studies, and math, these programs have laid the foundation for personal and professional growth. The aim of programs such as this is to empower individuals, strengthen the workforce, and contribute to the region's economic growth by providing residents with the tools and resources necessary for educational advancement and career success. This Request for Proposals serves as an opportunity for us to forge new partnerships, identify creative solutions, and enhance the overall impact of our GED and Basic Education programs.

**GED/ABE Program Needs Statement**

In Monroe County, there exists a gap between the current state of adult education and the desired outcome of a more skilled and educated workforce. The Pocono Counties Workforce Development Area aims to address this gap by providing GED classroom training programs and Adult Basic Education for Basic Literacy to eligible participants under the Workforce Innovative Opportunity Act (WIOA). Our goal is to transform the current landscape – characterized by limited educational opportunities and insufficient workforce readiness – into one where residents have increased access to high-quality educational programs that result in improved workforce skills and career prospects.

To quantify the issue, recent data indicates that a sizable portion of Monroe County's population lacks a high school diploma or equivalent. This impacts the individual's career and income potential and the region's overall economic health. Our objective is to increase the number of residents achieving their GED or enhancing their literacy skills, leading to a more competitive and capable workforce. By the end of the two-year program period, we aim to serve approximately 50 participants annually, ensuring that our target population of out-of-school youth and adults are better equipped to contribute to the county's economic growth.

The target population for this RFP includes out-of-school youth and adults in Monroe County who are eligible under WIOA and need GED and Basic Education programs. Our focus is on providing these individuals with the necessary tools and resources to improve their educational and employment prospects. By presenting a clearly defined problem statement that highlights the disparities between our current state and desired outcomes, we invite vendors to propose innovative solutions that align with our objectives. We encourage proposals that consider the unique needs and demographics of our target population, demonstrate an understanding of our community's challenges, and offer creative approaches to bridge the gap between current educational offerings and our long-term goals.

## Outcome Goals

The following outcome goals are designed to define success for this RFP, focusing on the measurable effects of the contracted activities while providing a clear framework for vendor selection, performance tracking, and contract structure

* Increase GED attainment: Our primary goal is to increase the number of out-of-school youth and adults in Monroe County who successfully complete their GED or enhance their literacy skills. By the end of the two-year program period, we aim to serve approximately 50 participants annually, thereby contributing to a more competitive and capable workforce in the region.
* Improve participant skill levels: We expect that participants who complete the program will demonstrate a significant improvement in their reading, writing, communication, social studies, and math skills. This improvement will be measured through pre- and post-testing and ongoing monthly assessments to track participants' progress and ensure they are acquiring the necessary skills for success.
* Enhance workforce readiness: By providing targeted GED and Basic Education programs, our goal is to better prepare our target population for the workforce. We will measure workforce readiness by tracking the number of participants who secure employment or advance in their careers within six months of completing the program and monitoring their job retention rates.
* Promote innovative program design and delivery: We encourage vendors to propose creative and flexible solutions that will allow us to achieve our outcome goals. Proposals should prioritize innovation and adaptability, focusing on the "what" rather than the "how," and should be designed to evolve with the changing needs of the target population and the wider community. We will evaluate the success of the selected program based on its ability to achieve the outcome goals while demonstrating a commitment to continuous improvement and operational innovation.

These outcome goals are focused enough to guide vendors in developing targeted solutions, while also allowing room for operational innovation by emphasizing the desired impact on the target population. These outcome goals align with government-wide strategic outcome goals and emphasize the expected changes and results rather than focusing on the specific activities to be conducted. By achieving these goals, the selected training program will contribute to the overall mission of the Pocono Counties WDA to strengthen the local workforce and enhance the economic well-being of the community.

## Award Terms

* Duration of Contract: The duration of the contract for the Dislocated Worker Program shall be for a fixed period commencing on July 1st, 2023, and ending on June 30th, 2025. This contract shall cover twenty-four (24) months, with no possibility for extension or renewal. Upon completion of the contract term, a new procurement process will be initiated in 2025.
* Contract Type: The Dislocated Worker Program contract shall be awarded on a cost-plus basis. The selected contractor shall be reimbursed for all allowable and reasonable direct costs incurred during the performance of the contract, plus an agreed-upon fixed fee to cover indirect costs and profit. The fixed fee shall be negotiated at the time of the contract award and shall not be subject to adjustment based on the contractor's actual costs.
* Award Selection: Only one (1) award will be given for the Dislocated Worker Program contract. The award selection will be based on the evaluation of proposals submitted in response to the RFP, in accordance with the evaluation criteria outlined in the RFP documentation. The award will be made to the offeror responsible whose proposal is determined to be the most advantageous to the procuring entity, considering both technical and cost factors.
* No Renewal Options: It is expressly understood and agreed by the parties that there shall be no renewal options available for the contract. The procuring entity reserves the right to initiate a new procurement process in 2025 to select a program provider for the subsequent contract term.
* Governing Law and Regulations: The contract shall be governed by and construed in accordance with the laws and regulations of the area in which the procuring entity operates. The contractor shall be required to comply with all applicable federal, state, and local laws, rules, and regulations, as well as any additional requirements set forth by the procuring entity.
* Termination and Suspension: The procuring entity reserves the right to terminate or suspend the contract, in whole or in part, at any time during the contract period, for convenience or for cause, in accordance with the termination and suspension provisions outlined in the RFP and the resulting contract. In the event of termination or suspension, the contractor shall be entitled to receive reimbursement for all allowable and reasonable costs incurred up to the date of termination or suspension, subject to any applicable setoffs or deductions.
* Modifications: No modifications to the terms and conditions of the contract shall be binding unless made in writing and signed by the authorized representatives of both the procuring entity and the contractor. Any requested modifications must be submitted in accordance with the procedures and requirements outlined in the RFP and the resulting contract.

Indemnification and Insurance: The contractor shall indemnify and hold harmless the procuring entity, its officers, agents, and employees from all claims, losses, damages, or expenses, including reasonable attorney's fees, arising out of or in connection with the contractor's performance of the contract. The contractor shall also maintain sufficient insurance coverage, as specified in the RFP, to protect against any risks associated with the contract's performance.

# Scope of Work

The Pocono Counties Workforce Development Board (WDB) seeks a qualified and experienced proposer to provide General Education Development (GED) classroom training programs and Adult Basic Education for Basic Literacy to eligible participants in Monroe County under the Workforce Innovative Opportunity Act (WIOA). The selected proposer will be responsible for executing the following key tasks and components, and this section outlines the services, tasks, and requirements expected of the selected vendor. It is designed to be connected to the project's goals, clearly organized, and realistic in its expectations while encouraging innovation and collaboration.

## Services to be Provided

The selected vendor will be responsible for delivering the following services and primary tasks to ensure a comprehensive and effective GED/ABE program for WIOA-eligible participants in Monroe County:

* Develop and deliver a comprehensive GED classroom training program and Adult Basic Education for Basic Literacy in Monroe County, targeting approximately 50 participants per year during the two-year program period.
* Provide at least one training site located near Tannersville, PA, preferably on a public transportation route.
* Design the training program using an open entry/open exit format or alternative formats conducive to participants' schedules and learning needs, with a preference for two nights or days per week, totaling six hours weekly.
* Implement pre-testing to determine applicant suitability for the program and monthly post-testing to assess reading and math improvements for each participant.

### Service Requirements

Communication and Collaboration:

* Establish clear communication channels and reporting protocols with the Pocono Counties Workforce Development Board (WDB) to ensure a collaborative and efficient working relationship.
* Foster an open environment for sharing ideas, discussing challenges, and proposing solutions with the WDB and other stakeholders.
* Participate in regular meetings to discuss progress, challenges, and opportunities.
* Share updates and reports on program outcomes and participant experiences.

Performance Metrics and Continuous Improvement:

* Collaborate with the WDB to define and agree upon performance metrics that align with the program's outcome goals.
* Establish a system for regularly tracking, evaluating, and reporting on performance metrics.
* Use data-driven insights to continuously improve the program and address any identified gaps or areas of concern.

Service Delivery:

* Design the program to provide participants, both out-of-school youth and adults, with the skills and knowledge in reading, writing, communication, social studies, and math in preparation for the GED test, enabling them to secure a Commonwealth secondary diploma or a regular high school diploma.
* Include GED testing and associated costs for tests in the proposal, ensuring testing availability monthly.
* Incorporate a Career Pathways component in all proposals, ensuring that participants are prepared for employment opportunities and career advancement.
* Implement pre-testing to determine applicant suitability for the program and monthly post-testing to assess reading and math improvements for each participant.

High-Level Work Plan and Performance Schedule:

* Develop a comprehensive work plan outlining major tasks, deliverables, and milestones to ensure successful program execution.
* Identify critical dates and establish a performance schedule that outlines the timeline for achieving key deliverables and milestones.
* Coordinate with the WDB and other stakeholders to regularly review and update the work plan and performance schedule as needed to maintain alignment with the program's goals and objectives

### General Requirements

A. Legal Requirements

* Compliance with local, state, and federal regulations, including the Workforce Innovation and Opportunity Act (WIOA), Americans with Disabilities Act (ADA), and Equal Employment Opportunity (EEO) laws.
* Adherence to all applicable licensing, permitting, and reporting requirements for workforce development services.
* Implementation of policies and procedures that ensure the protection of client confidentiality and privacy in accordance with the Health Insurance Portability and Accountability Act (HIPAA) and other relevant privacy laws.

B. Staffing and Organizational Requirements

* The staffing model should include a diverse team of professionals with experience in workforce development, case management, and job training services.
* Supervision and management of staff should ensure accountability, adherence to service standards, and continuous professional development.
* Pre-employment screening, including background checks and reference verification, must be conducted for all new hires.
* Staff training should encompass orientation, ongoing professional development, and updates on workforce development policies and best practices.
* Credentials and licensure for staff should be maintained as required by local, state, or federal regulations, or as necessary for the provision of specific services.

C. Data and Technology Requirements

* Provision of computer hardware and software necessary for the efficient operation of service delivery.
* Access to e-mail and internet capabilities for staff to facilitate communication, research, and resource sharing.
* Implementation of systems to assess client satisfaction, including regular surveys, feedback forms, and other customer experience measurement tools.
* Program evaluation should be conducted to measure outcomes, identify areas for improvement, and inform future service strategies.
* Records, data collection, and reporting must be maintained in compliance with local, state, and federal requirements, as well as PCWDA guidelines and performance metrics.

D. Financial and Compliance Requirements

* Insurance requirements must be met, including general liability, workers' compensation, and any other applicable coverage.
* Financial control procedures should be in place to ensure the appropriate use of funds, prevent fraud, and maintain financial accountability.
* Financial status reports must be submitted as requested to the PCWDA, detailing expenditures, budget adjustments, and any other relevant financial information.
* Audited financial statements should be provided as requested by the PCWDA.

E. Budget Requirements

* Adherence to cost standards and guidelines established by the PCWDA and relevant funding agencies.
* Identification of program funding sources, including federal, state, local, and private grants, as well as any in-kind contributions or other financial support.
* Proration of costs, as necessary, to allocate expenses fairly among multiple funding sources or partners.
* Compliance with third-party reimbursement policies, if applicable, ensuring accurate billing and payment processes.
* Incorporation of flat fees, fee-for-service revenues, and other funding mechanisms, as appropriate, to support program sustainability and cost-effectiveness.
* Submission of sub-consultant cost schedules, if applicable, detailing the expenses associated with any subcontracted services or partnerships.

**Role of Pocono Counties Workforce Development Area**

The PCWDA (Pocono Counties Workforce Development Area) is a government agency responsible for overseeing and implementing workforce development initiatives in the Pocono Counties region. This section outlines the role of the PCWDA in providing this service or program and supporting the vendor, including administrative and technical support, information access, and other responsibilities the PCWDB (Pocono Counties Workforce Development Board) plans to retain for which the vendor will not be responsible.

A. Administrative Support

* Contract Management: The PCWDA will manage the contractual relationship with the selected vendor, ensuring compliance with all terms and conditions, monitoring performance, and processing invoices for payment.
* Reporting and Accountability: The PCWDA will establish performance metrics and reporting requirements to ensure the vendor's alignment with the objectives of the RFP. The PCWDA will also provide oversight, conduct regular reviews, and address any performance issues.
* Coordination with Other Agencies: The PCWDA will coordinate with other government agencies, educational institutions, and community organizations to facilitate partnerships and collaboration to support the vendor's workforce development services.

B. Technical Support

* Guidance on Workforce Development Policies and Regulations: The PCWDA will provide information and guidance on federal, state, and local workforce development policies, regulations, and best practices to help the vendor navigate the complexities of the workforce system.
* Data and Labor Market Information: The PCWDA will provide access to relevant labor market information, workforce data, and other resources that can inform the vendor's service delivery and strategic planning.
* Training and Capacity Building: The PCWDA will offer training and capacity-building opportunities to enhance the vendor's ability to deliver high-quality workforce development services.

C. Information Access

* Information Sharing: The PCWDA will facilitate access to pertinent information, such as program guidelines, funding sources, and relevant stakeholders, to support the vendor's understanding of the local workforce ecosystem.
* Communication Channels: The PCWDA will maintain open lines of communication with the vendor, providing updates on policy changes, funding opportunities, and industry trends that may impact service delivery.

D. Responsibilities Retained by the Pocono Counties Workforce Development Board

* Strategic Planning and Prioritization: The PCWDA will be responsible for establishing the strategic direction of workforce development initiatives in the region, including setting priorities, identifying target industries, and allocating resources.
* Policy Development and Advocacy: The PCWDA will advocate for effective workforce development policies and practices, engaging in policy discussions at the federal, state, and local levels.
* Stakeholder Engagement and Partnership Building: The PCWDA will continue to engage stakeholders across the region, fostering collaboration and partnerships to support the overall workforce development ecosystem.

The Pocono Counties Workforce Development Area plays a critical role in providing administrative and technical support, information access, and strategic direction to the selected vendor for the provision of workforce development services. By partnering with the PCWDA, the vendor will benefit from the Board's expertise, resources, and commitment to building a skilled workforce that meets the needs of the local economy.

## Performance Metrics and Contract Management

### Performance Metrics

The Pocono Counties Workforce Development Area wants to identify metrics to work with the awarded vendor(s) to monitor and improve performance during the contract's life. The Pocono Counties Workforce Development Area has identified initial metrics of interest and looks forward to working with the awarded vendor(s) to add to or refine this list during contract negotiations. The final set of performance metrics and frequency of collection will be negotiated by the successful proposer and the Pocono Counties Workforce Development Area prior to the finalization of an agreement between parties and may be adjusted over time as needed.

The selected vendor's progress towards contract goals will be assessed using the following performance metrics, which include a mix of output and outcome measures:

1. Enrolled number of Participants: Serve 50 Participants per year:
   1. Track the number of participants enrolled in the GED classroom-training programs, including out-of-school youth and adults, quarterly, yearly, and throughout the total contract.
2. GED Course Completion Rate:
   1. Monitor the percentage of participants who successfully complete the GED classroom-training programs within the specified time.
3. GED Test Pass Rate:
   1. Assess the percentage of participants who pass the GED test after completing the classroom-training program.
4. Participant Reading and Math Skill Improvements:
   1. Measure the average increase in reading and math skills for each participant in the program, as determined by the pre-testing and monthly post-testing evaluations.
5. Post-Program Employment or Further Education:
   1. Evaluate the percentage of participants who secure employment or enroll in further education within six months of completing the GED program.

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| **Performance Metric** | **Data Source** | **Data Collection Frequency** | **Data Collection Responsibility** | **Data Review Cadence** |
| Participants Served: 50 participants/year | Performance Reports | Quarterly, yearly, total contract length | Vendor, PCWDA Staff | Quarterly, yearly, contract length. |
| Program Completions | Performance Reports | Quarterly, yearly, total contract length | Vendor, PCWDA Staff | Quarterly, yearly, contract length. |
| GED Test Pass Rate | Performance Reports, CWDS Data | Quarterly, yearly, total contract length | Vendor, PCWDA Staff | Quarterly, yearly, contract length. |
| Participant Reading and Math Skill Improvement | Performance Reports, CWDA Data | Quarterly, yearly, total contract length | Vendor, PCWDA Staff | Quarterly, yearly, contract length. |
| Post Program Employment or Further Education | Performance Reports, CWDS Data | Quarterly, yearly, total contract length | Vendor, PCWDA Staff | Quarterly, yearly, contract length. |

### Contract Performance Monitoring

As part of the Pocono Counties Workforce Development Area’s commitment to improved outcomes, the Pocono Counties Workforce Development Area seeks to actively and regularly collaborate with awarded vendors to enhance contract management, improve results, and adjust service delivery based on learning what works. Reliable and relevant data is necessary to drive service improvements, facilitate compliance, inform trends to be monitored, and evaluate results and performance. As such, Pocono Counties Workforce Development Area reserves the right to request/collect other key data and metrics from vendors.

A. Communication and Reporting

* The selected vendor is required to maintain regular communication with the PCWDA, providing updates on progress, challenges, and any changes in the scope of work or service delivery.
* Performance reports must be submitted to the PCWDA as specified in the contract. These reports should include, but are not limited to, the following information:
  + A summary of services provided during the reporting period.
  + Progress towards achieving the contract's goals and performance metrics.
  + Any challenges encountered and proposed solutions.
  + Any changes in staffing, resources, or other factors affecting service delivery.
* Performance reports must be submitted in a format specified by the PCWDA and in compliance with any applicable local, state, or federal reporting requirements.

B. Progress Tracking and Performance Metrics

* The PCWDA and the selected vendor will jointly establish performance metrics and targets to measure the success of the contract and track progress towards achieving its goals.
* The selected vendor must consistently track and report on these performance metrics, using the data to inform service delivery improvements and course corrections as needed.

C. Collaboration and Course Corrections

* The PCWDA will actively collaborate with the selected vendor to address challenges and design course corrections throughout the contract's duration.
* The PCWDA may schedule regular meetings, site visits, or conference calls with the selected vendor to discuss progress, challenges, and potential adjustments to the scope of work or service delivery approach.
* The selected vendor is expected to be proactive in identifying challenges and proposing solutions, working closely with the PCWDA to ensure the successful implementation of the contract's goals.

# Submission Instructions

## Proposal Content

To ensure a complete and comprehensive proposal, proposers must submit a response workbook, any additional attachments as required in the response workbook, and complete all forms found in the Appendix (Section 6) of the RFP. Incomplete proposals may be considered non-responsive and may be disqualified from the evaluation process.

A. Pocono Counties Workforce Development Area RFP Application

Proposers must submit the Response workbook that may include the following information as required for each RFP, executive summary, organizational background, service delivery approach, staffing and resources, high-level budget summary, or performance metrics and outcomes.

B. Additional Attachments

Proposers must submit any additional attachments as required and stated in the RFP Application, which may include organizational charts, information on staff who will be responsible for required letters of support or references, sample reports, workplans, or other documents that demonstrate the proposer's ability to effectively track and report on performance metrics.

C. Appendix Forms

Proposers must complete all forms found in the Appendix (section 6) of this RFP.

## 3.2 Submission Instructions

To ensure a fair and transparent process, all proposers must adhere to the submission guidelines outlined below. Failure to comply with these instructions may result in disqualification.

A. How to Submit

* Proposals may be submitted electronically to the Pocono Counties Workforce Development Board Office via email at [shellen@pcwia.org](mailto:shellen@pcwia.org).
* Proposals may be submitted in person or by mail at the Pocono Counties Workforce Development Area Administrative office at:

811 Blakeslee Blvd Dr. E. Suite 85

Lehighton, PA 18235

* Respondents may contact the office at (484) 464-2494 or email [shellen@pcwia.org](mailto:shellen@pcwia.org) to request a secure submission link.

B. Helpful Tips for Developing a Successful Proposal

* Clearly demonstrate your understanding of the scope of services and requirements outlined in the RFP.
* Provide detailed information on your organization's experience, qualifications, and capacity to deliver the required services.
* Offer innovative solutions and strategies to address the needs of the Pocono Counties Workforce Development Area.
* Be concise, well-organized, and ensure your proposal is free of grammatical errors.

C. Maximum Page Counts

* The entire proposal, including all attachments and appendices, must not exceed 30 pages.
* The main narrative of the proposal should not exceed 10 pages, excluding cover letter, table of contents, and attachments.

D. Modifications of Submissions

* Any changes to the submitted proposal must be made in writing and submitted before the RFP deadline.
* Modifications must clearly indicate the changes made and reference the specific section(s) being modified.

E. Procedures for Submitting Questions

* Proposers may submit questions regarding the RFP via email to [shellen@pcwia.org](mailto:shellen@pcwia.org).
* All questions must be submitted no later than ten (10) business days before the RFP deadline.
* Answers to submitted questions will be compiled and shared with all proposers via email or posted on the PCWDA website at [www.pcwia.org](http://www.pcwia.org/).

Adherence to these submission instructions is crucial to ensuring a fair and efficient procurement process. By carefully following these guidelines, proposers can increase their chances of submitting a successful proposal and avoid potential disqualification.

# How We Choose

## Minimum Qualifications

To ensure the successful implementation of contracted services, the Pocono Counties Workforce Development Area (PCWDA) has established the following minimum qualifications for vendors interested in bidding on this opportunity. These qualifications have been carefully considered to maintain a competitive procurement process while ensuring the selected vendor meets essential standards.

1. Proposers must be legally authorized to conduct business where the Pocono Counties Workforce Development Area (WDA) is located.
2. Proposers must not have been debarred, suspended, or otherwise disqualified from doing business with federal, state, or local government agencies.
3. Proposers must have at least three years of experience in workforce development, job training, or a closely related field.
4. Proposers must hold all necessary licenses, certifications, or accreditations required by local, state, or federal regulations to provide the specified services under this RFP.

The respondent may be a private for-profit, non-profit, or a government agency. Elementary and secondary schools are not eligible bidders. Eligible respondents include:

1. Institutions of higher education.
2. Community organizations;
3. Non-traditional public schools, e.g., night, or adult school, career, or technical education school.
4. Workforce intermediaries.
5. Business organizations, including chambers of commerce.
6. Labor organizations.
7. Staffing or talent companies;
8. A consortium of public agencies. If the consortium is made up of career center partners, it must include a minimum of three of the WIOA required partners.

Respondents may submit proposals in which subcontractors are identified to provide program components. Respondents may also identify organizations with which they will collaborate to enhance the project design.

Successful respondents must be able to innovate, design and develop complex programs with multiple funding sources, achieve, track and report outcomes, and meet government accounting and expense requirements. The agreement between the Pocono Counties Workforce Development Area and the contractor shall specify the contractor’s role.

## Evaluation Criteria

The selection committee will first evaluate and rank responsive RFP submissions on the following selection Evaluation Criteria and weighing factors listed below and assess that score. A respondent may receive the maximum points, a portion of this score, or no points at all, depending upon the merit of its response, as judged by the selection committee in accordance with:

**Experience and Technical Competence:** This will include a review of the organization’s qualifications, experience, and capacity in program management and as a fiduciary, as documented in the RFP Application.

**Quality of Program Design:** This will include a review of program design, innovative strategies that will be utilized, staffing plan, and financial plan, as documented in the RFP Application.

**Demonstrated Performance History and Ability to Meet Goals:** This will include a review of past performance history and goals and objectives including, without limitation, competency, responsiveness, work quality, and the ability to meet performance goals, as documented in the RFP Application

**Costs, Budget Justification, and Leverage of Funds:** This section will include a review of the Price Proposal’s line-item budget and/or budget narrative, as defined in the RFP Application. This section will also include a review of the cost effectiveness of the proposed budget. Due to the requested services, the Price Proposal will be evaluated on the percentage of administrative costs, including indirect and management fees/profit (if applicable), compared to direct program/participant costs.

|  |  |
| --- | --- |
| **EVALUATION CRITERIA** | **% ALLOCATION** |
| **Experience and Technical Competence**   * Demonstrated experience in providing GED classroom-training programs, particularly for out-of-school youth and adults. Relevant qualifications, expertise, and knowledge of the proposing team, including instructors, program managers, and support staff. (15%) * Ability to successfully implement the program in compliance with the Workforce Innovative Opportunity Act (WIOA) and Adult Basic Education for Basic Literacy requirements. (10%) | 25% |
| **Quality of Program Design**   * Effectiveness and innovation in the proposed program design, incorporating the required features such as the training site location, open entry/open exit format, program capacity, career pathways element, and GED test preparation. (15%) * Clarity, comprehensiveness, and feasibility of the proposed work plan and performance schedule, detailing tasks, deliverables, and milestones. (15%) * Effective internal controls or processes to meet program requirements (10%) | 40% |
| **Demonstrated Performance History and Ability to Meet Goals**   * Proven record of accomplishment of success in implementing similar programs. (10%) * Evidence of achieving desired outcomes, such as job placement and enrollment in skilled training programs. (5%) * Demonstrated capacity to internally monitor ongoing performance (5%) | 20% |
| **Costs, Budget Justification, and Leverage of Funds**   * Review of the Proposal’s line-item budget and/or budget narrative. (10%) * Review of the cost effectiveness of the proposed budget. (5%) | 15% |

## Selection Process, Award, and Protest Procedures

### Selection Schedule

|  |  |
| --- | --- |
| **Schedule** | |
| **Event** | **Date(s)** |
| RFP issue date | April 10th, 2023 |
| Deadline for questions | April 28th, 2023 |
| **Proposals due** | **May 12th, 2023** |
| Anticipated contract award date | June 7th, 2023 |
| Anticipated contract execution date | July 1st, 2023 |

### Selection and Award Process

The selection and award process are designed to ensure fair, transparent, and competitive procurement, resulting in the selection of the most qualified vendor to meet the needs of the Pocono Counties Workforce Development Area.

A. Round One: Responsiveness Review

* In the first round, the Pocono Counties Workforce Development Board (PCWDB) will conduct a responsiveness review to determine the completeness of required documents.
* Proposals that do not meet the minimum qualifications or fail to provide all required documents may be disqualified.

B. Round Two: Evaluation Committee Assessment

* In the second round, an evaluation committee comprising PCWDB members and staff will review and score the written proposals based on the criteria outlined in the RFP.
* The evaluation committee will assess each proposal's demonstrated experience, qualifications, proposed service delivery approach, and cost-effectiveness.
* The top-scoring proposers will be invited to participate in a round three interview or demonstration.

C. Round Three: Interviews, Presentations, or Demonstrations

* In the third round, shortlisted proposers may be required to participate in interviews, presentations, or demonstrations to further demonstrate their qualifications and proposed service delivery approach.
* The evaluation committee may also request site visits to gain additional insights into the proposer's operational capabilities and service quality.

Award Decision

* Following the completion of all evaluation rounds, the evaluation committee will recommend the highest-scoring proposer to the Pocono Counties Workforce Development Board for a contract award.
* The PCWDA reserves the right to negotiate with the selected proposer to refine the scope of work, deliverables, and contract terms.
* The award decision will be based on the best overall value, considering qualifications, proposed service delivery approach, and cost-effectiveness.

### Protest and Appeals Process

PCWDA reserves the right to reject all proposals received because of this RFP. All proposals received will be retained by PCWDA. PCWDA will notify all applicants as to the acceptance or rejection of proposals, and those not selected will be given an opportunity to file an appeal of their rejection, in writing, within thirty (30) days of the receipt of the rejection letter. Once the appeal has been received, the Executive Director of PCWDA will contact the rejected applicant to explain the appeal process.

# Terms and Conditions

This proposal package must be completed for all class size funding requests submitted to the Pocono Counties Workforce Development Board (WDB). All proposals must be designed in full compliance with the format provided in this Request for Proposal (RFP) packet. Failure to abide by this policy will result in the rejection of your proposal.

The application resulting from these instructions does not commit the Pocono Counties Workforce Development Board to award any contract for services or supplies, nor to pay for any costs incurred in preparing this application. The Pocono Counties Workforce Development Board reserves the right to accept or reject any proposals, to negotiate with all applicants, and/or cancel any part of this application package. The Pocono Counties Workforce Development Board may request the applicant to participate in negotiations or to submit revisions to the proposal.

Application approval does not guarantee funding as funding for training is dependent upon receipt of funds under the Workforce Innovation and Opportunity Act and other funding sources.

**Monitoring**

The Deputy Director of the Pocono Counties WDB is responsible for reviewing all in-house and contractual operations. The primary purpose of monitoring is to evaluate program effectiveness, ensure compliance with mutually agreed goals, and to offer technical assistance and/or recommendations for corrective action to subgrantees as deemed necessary.

All proposal submitters funded will be monitored by the Pocono Counties WDB Monitor periodically. The visits may include the following areas: training, fiscal, participant files, administrative records, participants' terminations (plan vs. actual), follow-up, participant responses, monitor's observations, and problem areas.

**Financial Records, Personnel, and Close-Out Procedures**

All proposing organizations shall be responsible for keeping their own financial records. Included are regular maintenance of timesheets, individual payroll records, payroll journals, quarterly and yearly tax returns, and general ledger records. Timely tax deposits should be made with Federal, State, and local governments. Any technical assistance required will be given by the Pocono Counties WDB provided there is a mutually agreed need for such assistance.

All contractors must submit a formal close-out package to the Pocono Counties WDA within 30 days of the program's conclusion.

# Appendix

The Appendix section of this RFP provides essential forms and documents that proposers must review, complete, and submit as part of their proposal package. These forms and documents ensure compliance with various regulations, policies, and requirements associated with the provision of services. By completing and submitting these forms, proposers demonstrate their commitment to adhering to all necessary legal and ethical standards throughout the contract period.

Assurances and Certifications: This form requires proposers to review and acknowledge their understanding of, and agreement to, various assurances and certifications related to the delivery of One-Stop Operator services. These assurances and certifications include compliance with all applicable federal, state, and local laws, regulations, and policies.

B. Concurrence of the Collective Bargaining Agent: If applicable, proposers must obtain and submit a statement of concurrence from the relevant collective bargaining agent(s), indicating their agreement with the proposer's plans and approach to providing One-Stop Operator services.

C. Certification Regarding Drug-Free Workplace Requirements: Proposers must certify their commitment to maintaining a drug-free workplace in compliance with the Drug-Free Workplace Act of 1988. This certification ensures that the proposer's organization has implemented a policy to prevent the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances in the workplace.

D. Lobbying Certification Form: This form requires proposers to certify that no federal funds have been used for lobbying activities related to the One-Stop Operator RFP. Proposers must disclose any lobbying activities and associated expenditures in accordance with federal requirements.

E. Certification Regarding Debarment, Suspension, and Ineligibility: Proposers must certify that their organization and its principals are not debarred, suspended, or otherwise ineligible to participate in federally funded contracts or programs. This certification ensures that the proposer is in good standing and capable of delivering One-Stop Operator services without risk to the PCWDB or the community it serves.

By reviewing, completing, and submitting the required forms and documents, proposers demonstrate their commitment to compliance and ethical standards in the delivery of One-Stop Operator services. Failure to submit these forms may result in the disqualification of a proposal from the evaluation process. Proposers are encouraged to carefully review and complete all forms in the Appendix to ensure a complete and compliant proposal package.

**ASSURANCES AND CERTIFICATIONS**

1. The Subcontractor certifies that no Federal appropriated funds awarded under this agreement will be used for lobbying activities, and that any funds other than Federal appropriated funds that have been or will be used for lobbying activities have been properly disclosed.
2. The Subcontractor agrees to provide a drug-free workplace in accordance with the requirements of the Drug-Free Workplace Act.
3. The Subcontractor certifies that neither it, nor its principles are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. The Subcontractor certifies that it shall provide immediate written notice to the Contractor if at any time the Subcontractor learns that its certification was erroneous when submitted or has become erroneous because of changed circumstances.
4. The Subcontractor assures us that it has adequate administrative and accounting controls, adequate supervisory and training capacity, and sufficient materials and supplies to fulfill its obligations under the terms of this agreement.
5. Both the Contractor and Subcontractor agree to prohibit their employees from using their positions for a purpose that is, or give the appearance of, being motivated by a desire for private gain for themselves, particularly those with whom they have family, business, or other ties.
6. The Subcontractor cannot subcontract any aspect of this agreement without the written approval of the Contractor.
7. The Subcontractor assures that it will comply fully with the Nondiscrimination and Equal Opportunity provisions of the Workforce Innovation and Opportunity Act, including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1974, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including, but not limited to 29 CFR part 34, Copeland Anti-Kickback Act; Davis Bacon Act; Compliance with all applicable standards, orders, or requirements issued under the Clean Air Act, Clean Water Act, Environmental Protection Agency regulations for contacts/grants exceeding $100,000; Mandatory standards and policies relating to energy efficiency that are contained in the state energy conservation plan issued in compliance with Energy Policy and Conservation Act; Patent rights; and Copyrights and rights to data.
8. The Subcontractor assures us it complies with their respective State's Unemployment Compensation and Workers Compensation Laws.
9. The Subcontractor assures that it will comply with Section I-111 of the Pennsylvania School Code (24 P.S. ' 1-111) and its regulations at 22 PA Code § 8.1 - 8.4.
10. The Subcontractor assures us it will fully comply with the requirements of the Workforce Innovation and Opportunity Act and all Federal and State Regulations.
11. The Subcontractor assures us that it will abide by the Pocono Counties WDB property purchase procedures when purchasing any non-expendable property. This applies to any non-expendable property purchased using funds from this agreement. Written approval for the purchase of non-expendable property must be received from Pocono Counties WDB prior to its acquisition. Please contact Pocono Counties WDB regarding these procedures.
12. The Subcontractor will comply with the Pennsylvania Right-To-Know Law, 65 P.S. §§ 67.101-3104 (“RTKL”).
13. The Subcontractor will comply with the Federal, State, and Local Child Labor Laws; the WIOA program regulations published in the Federal Register; the Title I Youth Policies and Procedures published by the Bureau of Workforce Development Partnership.
14. The Subcontractor assures it will comply with the Contract Work Hours and Safety Standards Act. (40 U.S.C. §§ 327-333).
15. The subcontractor assures that they will comply with the Confidentiality Policy of the Pocono Counties Workforce Investment Area. (A primary obligation of all Workforce Innovation and Opportunity Act personnel, contractors and sub-contractors are to safeguard all information, either written or spoken, regarding any client. Agency personnel are defined as anyone who functions in any service and/or administrative capacity. These individuals are bound by WIOA policy not to reveal the identity circumstances of any past or current clients, except to authorized school or agency personnel working with our clients or by consent of the client.
16. The Subcontractor will assure that no funds under WIOA shall be used to assist, promote, or deter Union organization.
17. The Subcontractor assures it will comply with Minimum Wage Requirements.

CONCURRENCE OF THE COLLECTIVE BARGAINING AGENT

To ensure the most effective development of employment and training opportunities, the Subcontractor must obtain written concurrence from the appropriate bargaining agent where a collective bargaining agreement exists with the participating employer covering occupations in which training or subsidized employment is proposed. Such concurrence shall apply to the elements of the proposed activity which affect the bargaining agreement, such as occupation, wages, and benefits.

Is the occupation(s) in which employment and training is to be offered subject to a collective bargaining agreement?

YES \_\_\_\_\_\_\_\_\_\_ NO \_\_\_\_\_\_\_\_\_\_

If yes, has the appropriate bargaining representatives agreed on the employment and training activities associated with it?

YES \_\_\_\_\_\_\_\_\_\_ NO \_\_\_\_\_\_\_\_\_\_

If no, please comment \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Please indicate the name, title, and union affiliation of the appropriate bargaining representative.

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(Signature) (Title) (Date)

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(Union Affiliation)

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(Signature of Chief Administrator)

**CERTIFICATION REGARDING DRUG-FREE**

**WORKPLACE REQUIREMENTS**

1. The Subcontractor certifies that it will or will continue to provide a drug-free workplace by:
   1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Subcontractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition:
   2. Establishing an ongoing drug-free awareness program to inform employees about--
      1. The dangers of drug abuse in the workplace;
      2. The grantee's policy of maintaining a drug-free workplace;
      3. Any available drug counseling, rehabilitation, and employee assistance programs; and
      4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
   3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
   4. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
      1. Abide by the terms of the statement; and
      2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
   5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position, title, to every grant officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant;
   6. Taking one of the following actions within 30 calendar days of receiving notice under subparagraph (d)(2) with respect to any employee who is so convicted—
      1. Taking appropriate personnel action against such an employee, up to and including termination. Consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
      2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
   7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e) and (f).
2. The Subcontractor may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:
3. Place of Performance (Street Address, City, County, State, Zip Code)

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Check ( ) if there are workplaces that are not identified here.

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Name of Organization

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  
Name and Title of Authorized Signatory

Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date:\_\_\_\_\_\_\_\_\_\_\_\_\_

LOBBYING CERTIFICATION FORM

Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

(1) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any 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.

(2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed under 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 such failure.

SIGNATURE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

TITLE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND INELIGIBILITY**

Subcontractor's Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Employer ID Number \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The contract you are entering into involves the payment of State and or Federal Funds. Please complete and sign this Contract Certification.

**STATE FUNDED CONTRACT CERTIFICATION**

This certification is required by Management Directive 215.9, which implements Executive Order 1990-3.

The prospective recipient of State funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, or declared ineligible, from participation in this transaction by any State or Federal Department or agency.

**FEDERALLY FUNDED CONTRACT CERTIFICATION**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension. 29 CFR Part 98. Section 98.510, Participants responsibilities. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160-19211).

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.

**Before completing this certification, read the instructions for certification on the reverse of this form.**

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Name and Title of Authorized Representative

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Signature Date

#### Instructions for Certification

1. By signing this certification and submitting it with this proposal, the prospective recipient of State and/or Federal assistance funds is providing certification as set out below.

2. 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 State and/or Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the State and/or Federal Government may pursue available remedies, including suspension and/or debarment.

3. The prospective recipient of State and/or Federal assistance funds shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective recipient of State and/or Federal assistance funds 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 this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.

5. The prospective recipient of State and/or Federal assistance funds further agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transactions with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department.

1. The prospective recipient of State and/or 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.
2. A participant covered transaction may rely upon certification of a prospective participant in a lower tier covered transaction that it 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. For contracts involving Federal funds, each participant may, but is not required, to check the List of Parties Excluded from Procurement or Nonprocurement Programs.
3. Nothing contained in the foregoing shall be construed to require establishment of a system or records 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.
4. 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 State and/or Federal Government, the Department may pursue available remedies, including suspension and/or debarment.