



REQUEST FOR PROPOSAL (RFP)

FOR

INDEPENDENT FINANCIAL AUDITING SERVICES

Release Date: July 08, 2024 at 12:00 p.m. (CST)

Response Deadline: July 26, 2024 at 2:00 p.m. (CST)

Issued By:

The Workforce Solutions Middle Rio Grande Board
216 W Main St
Uvalde, Texas 78801

and

Middle Rio Grande Development Council
307 W Nopal
Carrizo Springs, Texas 78834

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The Workforce Solutions Middle Rio Grande Board (WFSMRGB) and Middle Rio Grande Development Council (MRGDC) is soliciting proposals from qualified individuals or firms to provide independent Financial Auditing Services.

The Workforce Solutions Middle Rio Grande Board and Middle Rio Grande Development Council appreciate your time and effort in preparing this proposal. Please note that all proposals must be received at the designated location by the deadline shown. Proposals received after the deadline **will not be considered** for the award of the contract, and shall be considered void and unacceptable.

Opening of bids is scheduled to be held:
Friday, July 26, 2024 at 3:00 P.M., CST.

**At The
Middle Rio Grande Development Council Central Office
307 W. Nopal St.
Carrizo Springs, Texas 78834**

Return Proposal To:
**Maximiliano Pereda, Finance Officer
Attn: Fiscal Department
Middle Rio Grande Development Council
307 W. Nopal St.
Carrizo Springs, Texas 78834**

If you do not wish to submit a proposal at this time, but wish to remain on the agency's bidders list, please submit a "**No Offer**" by the same time and at the same location as stated above. If a response is not received in the form of a "**Proposal**" or "**No Offer**" for three consecutive RFP's, your firm shall be removed from the bidder's list. If you wish to be removed from the bidder's list, or changed to the bidder's list for another commodity, please notify Maximiliano Pereda @ maximiliano.pereda@mrgdc.org

WFSMRGB and MRGDC are very conscious and extremely appreciative of the time and effort you have expended to submit an offer. We would appreciate if you would indicate on any "No Offer" response any requirement of this RFP, which may have influenced your decision to "No Offer".

Questions regarding the scope of services within this RFP should be directed to Maximiliano Pereda, Finance Officer of the Middle Rio Grande Development Council at the VOICE and TDD telephone number (830) 876-1207.

AUDIT SPECIFICATIONS

MRGDC is requesting proposals from licensed certified public accountant firms to audit its financial statements for the fiscal year ending September 30, 2024 thru fiscal year ending September 30, 2025, with the option of auditing its financial statements for the subsequent two (2) fiscal years. The audit to be performed shall be that of general purpose financial and compliance audit of the WFSMRGB and MRGDC 2023-2024 funds guided by: the Single Audit Act Amendment of 1996 (P.L. 104-156); Generally Accepted Government Auditing Standards (GAGAS); the American Institute of Certified Public Accountants (AICPA), Industry Audit Guide, Audits of State and Local Governmental Units; (AICPA) Industry Audit Guide, Audits of Certain Non-Profit Organization; Financial Accounting Standard Board (FASB) Statement of Position 80-2, Accounting and Financial reporting By Government Units; 2CFR; State of Texas Single Audit Circular; OMB's Compliance Supplement for Single Audits of State and Local Governments; Texas Workforce Commission, Financial Management for Grants and Contracts Manual; and all other WFSMRGB and MRGDC fund source, Financial Management Manuals. The Following is a listing of WFSMRGB and MRGDC's estimated 2023-2024 fund source revenues:

COMMISSION ON STATE EMERGENCY COMMUNICATION	\$419,018.99
TEXAS WORKFORCE COMMISSION	\$12,142,977.96
TEXAS DEPARTMENT OF AGING AND DISABILITY SERVICES	\$2,167,507.00
U.S. DEPARTMENT OF HOMELAND SECURITY	\$1,653,711.10
U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES	\$193,588.25
TEXAS CRIMINAL JUSTICE DIVISION	\$37,346.90
TEXAS COMMISSION ON ENVIROMENTAL QUALITY	\$171,561.02
<u>LOCAL REVENUES</u>	<u>\$227,915.13</u>
TOTAL	\$17,013,626.35

Contract Period

The period of performance for services will begin on or about September 1, 2024 through August 31, 2025. Workforce Solutions reserves the right to extend the contract period for two subsequent one-year periods; however, services may not be rendered beyond September 30, 2028. The Board reserves the right to terminate any contract prior to, or extend the end date, and to increase or decrease a contract awarded as a result of this RFP.

PREPARATION AND SUBMISSION

The audit firm selected shall be required to perform a single audit for two (2) books of accounts and provide audit reports for the WFSMRGB and MRGDC Board to include an independent auditor's final letter to management and a supplemental statement of revenues and expenditures for funds for each contract under which funds are received, including the following:

- General purpose or basic financial statements.
- An independent auditor's report on an examination of the general purpose or basic financial statements of the entity as a whole.
- An independent auditor's report on internal accounting control based solely on a study and evaluation made as part of the audit of the general purpose or basic financial statements.
- An independent auditor's report on compliance based on an audit of general purpose or basic financial statements performed in accordance with Government Auditing Standards.
- An independent auditor's report on schedule of expenditures of state and federal financial assistance program and /or awards, including the following information for each contract:
 1. Program year and title
 2. Catalog of Federal Domestic Assistance (CFDA) number
 3. Contract (grantor) number
 4. Contract award amount
 5. Cash/Accrued (or Deferred) at the beginning of audit period
 6. State and Federal grant funds received
 7. Contract expenditures
 8. Cash/Accrued (or Deferred) at end of audit period
 9. Total federal expenditures
 10. Total State expenditures
 11. Matching contributions
 12. Program income
 13. Stand-in Costs
 14. Cluster of Programs
 15. Notes that describes significant accounting policies
- A supplemental schedule of revenues and expenditures for funds by contract number including the following information:
 1. Federal flow-through revenues
 2. Non-federal matching funds
 3. Expenditures by cost categories
 4. Fund balances
- An independent auditor's report on the schedule of federal and financial assistance programs or federal awards.
- An independent auditor's report on internal controls used in administering federal programs.

- An independent auditor's report on compliance with specific requirements applicable to major federal programs.
- An independent auditor's report on compliance with general requirements applicable to major federal programs.
- An independent auditor's report on compliance applicable to non-major federal programs.
- A schedule of findings and questioned costs which should include the following; Identity of the fund title and contract (grantor) number; detailed description of findings by Financial Statements and Federal Criteria.
- Statutory Regulatory Citation
- Schedule of prior year findings and questioned costs.
- Summary Schedule of prior year Audit Findings.
- Corrective action plan:
 1. Name of person responsible
 2. Specific plan
 3. Anticipated completion date
 4. Explanation with specific reasons if auditee disagrees
- Combined balance sheet - all fund types, account groups, and component units.
- Combined Statement of Revenue, Expenditures, and Changes in Fund balance – all governmental fund types and components units.
- Combined Statement of Revenue, Expenditures, and Changes in Fund balance – budget and actual-general and special revenue fund types.
- Combined Statement of Revenue, Expenditures, and Changes in Retained Earnings - all proprietary fund types.
- Notes of financial statements.
- A copy of the management letter if applicable.
- A copy of the report on fraud, abuse, illegal acts, or indications of such acts.

The requirement listed above must be included in the letter of engagement from the independent auditor conducting the audit.

The financial audit must be performed at the Middle Rio Grande Development Council (Fiscal Agent for the WFSMRGB) office located at 307 West Nopal, Carrizo Springs, Texas. Prior to the submission of the completed audit report, the audit firm will be required to submit a draft report and management letter to the Executive Director and the Controller of the MRGDC and the Executive Director of the WFSMRGB. The audit firm will submit thirty (30) copies of the final audit report to the MRGDC and twenty (20) copies to the WFSMRGB by no later than March 31 following the end of the fiscal year audited.

Governing Provisions and Limitations

A violation of any of the following provisions may cause a proposal to be rejected.

1. The purpose of this RFP is to ensure maximum, open and free competition in the solicitation and procurement of services. This RFP is not to be construed as a purchase agreement or contract or as a commitment of any kind; nor does it obligate WFSMRGB / MRGDC to award any contract or to pay for costs incurred prior to the execution of a formal contract, unless such costs are specifically authorized in writing by WFSMRGB / MRGDC. All contracts are contingent upon the availability of funds from funding sources.
2. WFSMRGB / MRGDC reserves the right to accept or reject any or all proposals received, or to cancel or reissue this RFP in part or its entirety.
3. WFSMRGB / MRGDC reserves the right to award a contract for any services or group of services solicited via the RFP in any quantity WFSMRGB / MRGDC determines is in its best interests. It further reserves the right to make no award as a result of this solicitation for any services or group of services if it is in the best interest of WFSMRGB / MRGDC.
4. WFSMRGB / MRGDC reserves the right to withdraw or reduce the amount of any award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other specific funding sources of WFSMRGB / MRGDC.
5. WFSMRGB / MRGDC reserves the right to correct any error(s) and/or make any changes to this RFP as deemed necessary. Any corrections/changes will be posted on the Board's website.
6. WFSMRGB / MRGDC reserves the right to negotiate the final terms of any contract awarded as a result of this solicitation with the bidder selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended to successfully meet the needs of WFSMRGB / MRGDC.

7. WFSMRGB / MRGDC reserves the right to contact any individual or entity listed in the proposal that may have knowledge of the proposer's experience, performance and qualifications.
8. Proposers shall not, under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of WFSMRGB / MRGDC for the purpose of having an influencing effect on this procurement. In addition, no officer, member, employee, or agent of WFSMRGB / MRGDC shall participate in the selection, award or administration of a contract if a conflict of interest, real or apparent, would be involved.
9. Proposers shall not engage in any activity which would restrict or eliminate competition. This does not preclude joint ventures or partnerships.
10. The contents of a successful proposal may become a contractual obligation if selected for award. Failure of the proposer to accept this obligation may result in cancellation of the award. **No plea of error or mistake shall be available to a successful proposer as a basis for release of proposed services at stated price/cost.**
11. WFSMRGB / MRGDC reserves the right to request clarification of, explanation for, or verify any aspect of a response to this RFP, and to require the submission of any price, technical, or other revision to the response that results from contract negotiations.
12. WFSMRGB / MRGDC reserves the right to award to other than the lowest price/cost proposer.
13. WFSMRGB / MRGDC reserves the right to award without discussion.
14. WFSMRGB / MRGDC reserves the right to reject any proposal that fails to conform to the requirements and specifications of the RFP.
15. WFSMRGB / MRGDC reserves the right to extend, shorten, increase or decrease any contract awarded as a result of this RFP.
16. WFSMRGB / MRGDC reserves the right to cancel any contract awarded if the contractor fails to perform as agreed, or for convenience if it is determined to be in the best interest of WFSMRGB / MRGDC.
17. All proposals and their accompanying attachments will become the property of WFSMRGB / MRGDC after submission and will not be returned.
18. As a condition of the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant

authorized to work in United States or participation in any WIOA Title I financially assisted program or activity.

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin.

Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities.

The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age.

Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in education programs.

The proposer also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title financially assisted program or activity.

In addition, the applicant's assurance that it will fully comply with the nondiscrimination and equal opportunity provisions of the following:

The Americans with Disabilities Act of 1990, as amended.

The Non-Traditional Employment for Women Act of 1991, as amended.

PART I - Proposal Format Required

All bidders or potential service providers must adhere to the following format when submitting responses to this RFP. In the event that some part of the format does not pertain to your entity please submit a non-applicable response with an explanation to that particular item. The narrative section of the format allows you the opportunity to explain in detail the specifications of your proposal in response to the "RFP". Your narrative should include sufficient information that you feel is pertinent to your response. In addition, it is an opportunity to demonstrate that your organization has the experience and capacity to successfully fulfill the requirements of the "RFP". All information contained in the narrative must be factual and supported by your proposal.

The Proposal Narrative section should address the four categories reflected in **Part III Proposal Evaluation Criteria** of this RFP packet.

Each and every potential bidder responding to this RFP must return a proposal packet that contains all sections of the proposed format. In the event that some of the certifications included within this RFP packet are not applicable to your entity, please indicate by writing in "not applicable" on the form.

- Proposal Summary Sheet
- Proposal Narrative
- Signature Authorization Certification
- Suspension/Debarment Certification
- Middle Rio Grande Development Council Code of Conduct
- Drug Free Workplace Certification
- Disclosure of Lobbying Activities

PROPOSAL SUMMARY SHEET

A. IDENTIFICATION OF BIDDER

- a. Name of Organization
- b. Address
- c. Telephone Number
- d. Contact Person and Telephone Number
- e. Tax Identification Number

B. HISTORY OF BIDDER

- a. Years in Business
- b. List of other agencies similar service has been provided to
- c. Provide resume of all staff that will be taking part in the proposed services (Certifications, experience, etc.)

C. DESCRIPTION OF BIDDER

- a. Corporation
- b. Sole ownership
- c. Other

D. COST OF SERVICES PROPOSED

- a. Itemize the cost for service proposed. At a minimum the budget will have the following information:
 - 1. Salary for staff - amount per hour x total hours worked
 - 2. Travel - destination site, miles to be traveled x amount per mile.

PROPOSAL NARRATIVE

The narrative should address each of the following categories outlined below:

I. PROPOSED AUDIT SERVICES

- Provide a description of your firm's understanding of the work to be performed as per the Audit Specification section in this RFP. State the type of audit being proposed to include all general purpose financial statements that will be produced.
- Provide a list of all associates (and their qualifications, i.e.: resumes, certifications, etc..) hired by your firm that will comprise the audit team performing the audit.

II. QUALITY OF REFERENCES

- Provide a list of references of governmental units, agencies, or business for which your firm provided a similar type of audit as requested by this RFP within the last two (2) years. The list should include names, addresses, and telephone numbers of the entities.

III. COST PROPOSED

- Address the price reasonableness and competitiveness of your firm to provide the proposed audit and capacity to stay within the budget.

IV. AUDIT SCHEDULE

- Provide a detailed and realistic audit schedule with completion dates for services connected with the performance of the audit.

SIGNATURE AUTHORIZATION CERTIFICATE

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

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

Signature of Authorized Agent: _____

Typed Name: _____

Title: _____

Date: _____

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY, AND VOLUNTARY EXCLUSION - LOWER TIER
COVERED TRANSACTION**

This certification is required by Regulations implementing Executive Order 12549, Government-wide Debarment and Suspension, for the Dept. of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Dept. of Education (34 CFR Parts 85, 668 and 682), and Dept. of Health and Human Services (45 CFR Part 76). Participants, responsibilities.

The undersigned contractor certifies that it or its principals:

Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency

Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

Are not presently indicted or otherwise criminally or civilly charged by a government entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph 2 of this certification; and

Have not within a three-year period preceding this contract had one or more public transactions (federal, state, or local) terminated for cause or default. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Bidder/Organization

Print or Type Name and Title of
Authorized Representative

Signature

Date

INSTRUCTIONS FOR CERTIFICATION REGARDING DEBARMENT

1. By signing and submitting this proposal, the prospective participant is providing the certification as set out on the form itself.
2. The certification is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.
3. The prospective participant must provide immediate written notice to the Middle Rio Grande Development Council if at any time the prospective participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded" as used in the certification have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the Middle Rio Grande Development Council for assistance in obtaining a copy of these regulations.
5. The prospective participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the U.S. Department of Labor.
6. The prospective participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion-Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower-tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Federal Non procurement List.
8. Nothing contained in the foregoing may be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the U.S. Department of Labor may pursue available remedies, including suspension and/or debarment.
10. Write in the name of the bidder (individual or organization) and the name and title of the authorized representative of the bidder. The authorized representative signs where noted and dates the signature.

CODE OF CONDUCT

By signature of this proposal, Bidder covenants and affirms that:

- (1) no manager, employee or paid consultant of the Bidder is a member of WFSMRG/MRGDC, the Executive Director, or an employee of the WFSMRG/MRGDC;
- (2) no manager or paid consultant of the Bidder is married to a member of WFSMRG/MRGDC, the Executive Director, or an employee of the WFSMRG/MRGDC;
- (3) no member of WFSMRG/MRGDC, the Executive Director or employee of WFSMRG owns or controls more than a 10 percent interest in the Bidder;
- (4) no spouse or member of WFSMRG, Executive Director or employee of the WFSMRG/MRGDC is a manager or paid consultant of the Bidder;
- (5) no member of WFSMRG/MRGDC, the Executive Director or employee of the WFSMRG/MRGDC receives compensation from Bidder for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- (6) Bidder has disclosed within the Proposal any interest, fact or circumstance which does or may present a potential conflict of interest;
- (7) should Bidder fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Bidder shall not be entitled to the recovery of any costs or expenses incurred in relation to any contract with the WFSMRG/MRGDC and shall immediately refund to the WFSMRG/MRGDC any fees or expenses that may have been paid under the contract and shall further be liable for any other costs incurred or damages sustained by the WFSMRG/MRGDC relating to that contract.

Disclosure of Potential Conflict of Interest (Please describe): _____

Name of Organization _____

Signature of Authorized Representative _____

Date _____

Typed/Printed Name and Title of Authorized Representative _____

DRUG FREE WORKPLACE CERTIFICATION

Drug-Free Workplace: This certification is required by the Federal Regulations, implementing Sections 5151-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701; for the Dept. of Agriculture (7 CFR Part 3017), Dept. of Labor (29 CFR Part 98), Dept. of Education (34 CFR parts 85, 668 and 682) and Dept. of Health and Human Services (45 CFR Part 76).

The undersigned contractor certifies that it shall provide a drug-free workplace by:

Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the work place and specifying the actions that will be taken against employees for violation of such prohibition;

Establishing an on-going drug-free awareness program to inform employees of the dangers of drugs in the workplace, the Contractor's policy of maintaining a drug-free workplace, the availability of drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed on employees for drug abuse violations occurring in the workplace;

Providing each employee with a copy of the Contractor's policy statement;

Notifying the employees in the Contractor's policy statement that, as a condition of employment under the grant, employees will abide by the terms of the policy statement and notifying the Contractor in writing within five days after conviction for a violation of a criminal drug statute in the workplace;

Notifying the grantor agency, WFSMRG/MRGDC in writing, within 10 calendar days of the Contractor's receipt of a notice of conviction of an employee; and

Taking appropriate personnel action against an employee convicted of violating a criminal drug statute or requires such employee to participate in a drug abuse assistance or rehabilitation program.

These certifications are 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.

Signature of Authorized Agent: _____

Typed Name: _____

Title: _____

Entity: _____

Date: _____

DISCLOSURE OF LOBBYING ACTIVITIES

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352

1. Type of Federal Action a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance	2. Status of Federal Action: a. bid/offer/application b. initial award c. post award	3. Report Type: a. Initial filing b. material change For Material Change Only: Year _____ Quarter _____ Date of last report _____
4. Name and Address of Reporting Entity: Prime Sub awardee Tier _____, it known: Congressional District, if known:	5. If Reporting Entity in No. 4 is Sub awardee, Enter a Name and Address of Prime: Congressional District, if known:	
6. Federal Department/Agency:	7. Federal Program Name/Description: CFDA Number, if applicable:	
8. Federal Action Number, if known:	9. Award Amount, if known: \$	
10. a. Name and Address of Lobbying Entity	b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI): (attach continuation Sheet(s) SF-LLL-A if necessary)	
11. Amount of Payment (check all that apply): \$ _____ actual planned	13. Type of Payment (check all that apply): a. retainer b. one-time fee c. commission d. contingent fee e. deferred f. other; specify:	
12. Form of Payment (check all that apply): a. cash b. in-kind; specify: nature value		
14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including Officers), employee(s), or Member(s) contacted, for Payment Indicated in Item 11: (attach continuation sheets) SF-LLL-A if necessary)		
15. Continuation Sheet(s) SF-LLL-A attached: Yes No		
16. Information requested through this form is authorized by Act 31 U.S.C. Section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000.00 and not more than \$100,000.00 for each such failure.	Signature: Print Name: Title: Telephone No.: _____ Date: _____	
Federal Use Only:	Authorized for Local Reproduction Standard Form • LLL	

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

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

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub award recipient. Identify the tier of the sub awardee, e.g., the first sub awardee of the prime is the 1st tier. Sub awards include but are not limited to subcontracts, sub grants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Sub awardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (Item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number, grant announcement number; the contract, grant or loan award number the application/proposal control number assigned by the Federal agency), include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box (es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box (es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered, include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing Instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget Paperwork Reduction, Project (0348-00-46), Washington, D.C. 20503.

NONDISCRIMINATION AND EQUAL OPPORTUNITY PROVISIONS CERTIFICATION

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the recipient assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

- Section 188 of the Workforce Innovation and Opportunity Act (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity;
- Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin;
- Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
- Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age;
- Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs;
- Public Law 101-336, Americans with Disabilities Act of 1990, as amended; and implementing regulations in 29 CFT Parts 31 and 32.

The recipient also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the recipient's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the recipient makes to carry out the WIOA Title I-financially assisted program or activity. The recipient understands that the United States has the right to seek judicial enforcement of this assurance.

Signature of Authorized Agent: _____

Typed Name: _____

Title: _____

Entity: _____

Date: _____

PART II - SPECIAL CONDITIONS AND REQUIREMENTS

This section presents special conditions and requirements pertaining to proposal submission. Bidders should be aware of the conditions contained herein and, submitted proposals must be in compliance with the requirements.

A. Procedural Conditions and Requirements

1. **Period of Performance**

The period for the performance of the audit shall be negotiated with the selected firm; however, the 2023 - 2024 audit report shall be due by March 31, 2025. The WFSMRGB and MRGDC reserve the right to negotiate on a year to year basis with the selected firm for FY 2024 - 2025 and FY 2025 - 2026 audits and the two option years if exercised.

2. **Deadline for Submission**

Audit firms responding to this RFP shall submit at least one (1) original and three (3) additional complete copies of their proposal. The deadline for submission of proposal is **Friday, July 26, 2024 at 2:00 P.M.. CST.** Proposals received after that date will not be considered. **Proposals may NOT be faxed or Electronically mailed in.**

Middle Rio Grande Development Council
Maximiliano Pereda, Finance Officer
P.O. Box 1199
Carrizo Springs, Texas 78834
Ph: (830)876-3533

B. Bidder Conditions and Requirements

1. Eligibility of Bidder

Open to potential bidders that have provided the same type of service, products, or materials as proposed in this request for proposals.

2. Pre-Award Survey

Bidders selected as a result of this request for proposals may be subject to a pre-award survey prior to contract award.

C. Program Conditions

1. WFSMRGB AND MRGDC reserves the right to accept or reject any and all proposals submitted; select only one to the exclusion of all others; or consolidate or breakout this procurement among several bidders to obtain a more economical purchase.
2. This RFP does not commit WFSMRGB *and* MRGDC to pay for any costs incurred prior to the execution of any contract or purchase order, and/or prior to availability of funds from the Texas Workforce Commission.
3. WFSMRGB AND MRGDC will not provide any technical assistance in the preparation of proposals.
4. The intent of this RFP is to identify the various prospective contractor alternatives and estimates of costs of services, products or materials being solicited, and WFSMRGB AND MRGDC is under no legal requirement to execute a contract or issue a purchase order on the basis of any proposal.
5. WFSMRGB AND MRGDC specifically reserves the right to vary the provisions set forth herein any time prior to the execution of a contract where such variance is deemed necessary and in the best interest of the WFSMRGB AND MRGDC
6. WFSMRGB AND MRGDC reserves the right to negotiate an extension of any executed contract or purchase order issued through this proposal solicitation process for a period not to exceed two additional years beyond the period of performance, provided that additional appropriate funding is available.
7. If selected for contractual negotiations, bidder may be required to prepare and submit additional information prior to final contract or execution of a purchase order, to delineate terms agreeable to both parties for the provision of the services or materials.
8. All proposals and their accompanying attachments become the property of WFSMRGB AND MRGDC upon submission. Materials submitted will not be returned.
9. All bidders selected must meet performance goals as well as shipping dates as specified in the final negotiated contract or purchase order.
10. All bidders or service providers approved under this RFP may be required to procure audits for services as provided and explained in

detail in the executed contract for services.

11. Contract negotiations may be undertaken with all bidders responding to this RFP whose performance, as determined by WFSMRGB AND MRGDC shows them to be the most qualified, responsible, and capable of delivering the services, materials or products. Price and schedules may be negotiated with the selected bidders deemed responsive to this RFP and the final award may differ from the bid submitted when it is in the best interest of the WFSMRGB AND MRGDC.

In the event that a potential bidder wishes to protest the solicitation or selection process; the process of protest or inquiry shall be the following:

The bidder may choose to request an informal conference. The purpose of the informal conference is to give the parties an opportunity to resolve a complaint. The request of an informal hearing must be submitted in writing within ten (10) days of the notification of the award to the:

**Executive Director
Middle Rio Grande Development Council
307 West Nopal
Carrizo Springs, TX 78834**

All responses to a request for an Informal Conference shall be mailed within ten (10) days by the Executive Director of the Middle Rio Grande Development Council. The Informal Conference shall be scheduled by the Equal Opportunity Officer (EO Officer) within seven (7) days of receipt of a properly completed Grievance Information form. The EO Officer shall serve as Chairperson and moderator of the Informal Conference. Only those issues presented at the Informal Conference may be addressed in subsequent hearings. All parties shall make a good faith effort to reach a mutually acceptable resolution of the complaint at the Informal Conference. The Chairperson shall adjourn the Informal Conference when a satisfactory resolution of the complaint has been reached or when it appears to the Chairperson that no such resolution is possible. A written determination of the Informal Conference shall be prepared by the Chairperson and shall be final and void of any appeal.

The complainant may request a Hearing if dissatisfied with the outcome of the Informal Conference. When an informal resolution has not been successful, notification of the opportunity for a hearing along with a copy of the State agency's Request for Hearing form and all procedures to be followed must be sent to the complainant.

PART III - PROPOSAL EVALUATION CRITERIA

Proposals judged to be in response to this RFP will be evaluated by a rating team composed of four (4) WFSMRGB members and three (3) MRGDC board members, based on terms and criteria as listed in this section. All proposals will be reviewed and assessed for detail, clarity, and comprehensiveness. The evaluation will be based upon the following criteria:

CRITERIA		VALUE
I.	Proposed Audit Services	10
II.	Quality of References	40
III.	Cost Proposed	20
IV.	Audit Schedule	10
V.	Interview/Presentation Process	15
VI.	Historically Under Utilized Business	5

NOTE: ALL PROPOSALS MUST SCORE ABOVE 70 POINTS IN ORDER TO BE CONSIDERED RESPONSIVE AND ELIGIBLE FOR THE INTERVIEW/PRESENTATION PROCESS.

I. PROPOSED AUDIT SERVICES

Criteria under this category will be evaluated as to the extent to which the bidder is knowledgeable and capable to provide audit services to meet the need of the WFSMRGB & MRGDC as per the RFP. Points will be awarded based upon the bidder's ability to demonstrate that the firm is capable and qualified to perform annual audits.

II. QUALITY OF REFERENCES

Criteria under this category will be evaluated as to the extent to which the proposed services and activities relate to the goals, objectives, and desired outcomes. Points will be awarded based upon the quality of approach, the effectiveness of the methods proposed, and experience in performing governmental audits requiring the type of compliance items as listed in the Audit Specification section.

III. COST PROPOSED

Criteria under this category requires that the proposal addressed the price reasonableness and competitiveness of the firm to provide an audit in response to this RFP. Cost of the audit proposed will be compared with cost of other audits performed for similar entities.

IV. AUDIT SCHEDULE

This category will require that the proposal address and provide details on the proposed audit schedule to be followed by your firm in response to this RFP. Inquiries on the firm's ability to stay within a proposed audit schedule with other entities for which similar work was performed will be undertaken by the rating team. Deviations from proposed audit schedules provided to other entities will be noted.

V. INTERVIEW/PRESENTATION PROCESS

Audit firms scoring seventy (70) points or more will be deemed responsive to this RFP and invited to deliver an oral presentation on their qualifications and proposed audit services before the WFSMRGB /MRGDC Audit Selection Committee. The committee will schedule interviews with responsive audit firms, time and place to be determined at a later time. The WFSMRGB /MRGDC Audit Selection Committee will ask pertinent questions during the presentation relative to the proposals received for audit services.

VI. HISTORICALLY UNDER UTILIZED BUSINESS

Audit firms at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American, American woman and/or Service-Disabled Veteran, who reside in Texas and actively participate in the control, operations and management of the entity's affairs will be awarded additional points. Firms must appear on the Texas Comptrollers HUB Directory in order to qualify.