



Request for Quote #2023-07

For: First Aid/CPR Training

RELEASED: Friday, October 20, 2023

SUBMISSION DUE DATE:

Friday, November 3, 2023, at 12:00 P.M. EST

QUOTE DUE TO:

EARLY LEARNING COALITION OF ORANGE COUNTY

Attn: Amy Richter
Contracts and Procurement Manager
Re: RFQ #2023-07
7700 Southland Blvd., Ste. 100
Orlando, FL 32809
arichter@elcoc.org

STATEMENT OF PURPOSE

The purpose of this Request for Quote (hereinafter referred to as “RFQ”) by the Early Learning Coalition is to **purchase First Aid and CPR Training**. Through the RFQ, the Early Learning Coalition will select one or more Proposers to provide the commodities described herein and reserves the right to execute multiple contracts as deemed necessary to provide the requested services.

It is the Proposer’s responsibility to examine this RFQ, to understand the Early Learning Coalition’s requirements and to submit its proposal (“Proposal”) in a timely, complete, and procedurally correct manner. The services described in this RFQ will be procured in accordance with s. 287.057, F.S. Contract(s) or Purchase Order(s) resulting from this solicitation, if any, are anticipated to commence **November 2023** and end by **June 30, 2024**, and will be awarded through notice to qualified and responsive Proposer(s) who(se) proposal is determined to be most advantageous to the Early Learning Coalition, taking into consideration price, quality and other criteria.

AUTHORITIES

The Proposer must comply with all applicable Federal and State laws, Florida’s Department of Early Learning and Coalition regulations, policies, action transmittals, program instructions, review guides and other directives as issued.

The following is a listing of applicable portions of laws, regulations, and policies. This listing is not intended to be inclusive of all laws, regulations, policies, etc. Most documents are available for review at: http://www.floridaearlylearning.com/statewide_initiatives/laws_and_rules.aspx and here: http://www.floridaearlylearning.com/about_us.aspx.

- A. 2 CFR § 200 Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards.
- B. State of Florida Department of Early Learning (DEL) Grant Agreement, Terms and Conditions as provided by the Florida DEL or its designee, as updated regularly and incorporated herein by reference.
- C. The Early Learning Coalition of Orange County School Readiness Plan as approved by the Department of Early Learning.
- D. 45 C.F.R. – parts 75, 93, 98 and 99 and parts 260-265
- E. Section 215.97, F.S. – State Single Audit Act.
- F. Computer Related Crimes, Chapter 815, F.S.
- G. The 2002 Access Act (July 18, 2002).
- H. Child Care Development Block Grant (CCDBG) Act of 2014 (Pub L 113-186).
- I. CCDF Discretionary Fund governing requirements – Title VI Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA) of 1996 and subsequent amendments codified at 42 USC §98.58, et seq.
- J. Section 418 of the Social Security Act, as amended by Title VI of the Personal Responsibility and Work Opportunity Reconciliation Act, 42 USC § 618.

PROPOSER DISQUALIFICATION

- A. **Convicted Vendor**. In accordance with § 287.133, F.S., persons and affiliates who have been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services and may not transact business with any public entity in excess of the threshold amount provided in § 287.017, F.S., for Category Two for a period of thirty-six (36) months following the date of being placed on the convicted vendor list. Any Proposal received from a person, entity or affiliate who has been placed on the convicted vendor list shall be rejected by the Coalition as an unresponsive Proposal and shall not be further evaluated.
- B. **Discriminatory Vendor**. In accordance with § 287.134, F.S., an entity or affiliate who has been placed on the discriminatory vendor list may not submit a proposal for a period of 36 months following the date of being placed on the discriminatory vendor list, whether as a Proposer, a member of a Proposer, or a subcontractor of a Proposer. Any Proposal received from a person, entity or affiliate who has been placed on the discriminatory vendor list shall be rejected by the Coalition as an unresponsive Proposal and shall not be further evaluated.
- C. **Failure to Perform Prior Contracts**. Failure to have performed any contractual obligations with the Coalition in a manner satisfactory to the Coalition will be a sufficient cause for disqualification.
- D. To be disqualified as a Proposer under this provision, the Proposer must have:
1. Previously failed to satisfactorily perform in a contract with the Coalition, been notified by the Coalition of the unsatisfactory performance, and failed to correct the unsatisfactory performance to the satisfaction of the Coalition; or,
 2. Had a contract terminated for cause by the Coalition, by any agency of the State of Florida, or by any Children's Services Council.
 3. The Proposer or any of its staff have participated in the development and review of the RFQ documents for this Solicitation.

LIMITATIONS ON CONTACTING COALITION PERSONNEL

Effective on the release of this solicitation, and ending at the end of the 72-hour period following the Coalition's posting the Notice of Intended Award excluding Saturdays, Sundays and State holidays, no person, entity or other organization (or any person, entity or organization acting on his/her/its behalf) that anticipates submitting a Proposal pursuant to this solicitation shall discuss with any member of the Coalition's Board of Directors or members of the RFQ Procurement Committee, or any coalition staff or any member of the executive or legislative branch regarding any matter that pertains to this solicitation. Any person, entity, or other organization that knowingly violates this "no contact provision" may be disqualified from responding to this solicitation.

Allowable Communications. The following communications are allowable during the "No contact provision" period:

- A. **Written** Communications are allowable at any time, but only if addressed to the designated contact person. Such communication is limited to matters of process and procedure already contained in the corresponding solicitation document and should be conducted by the due date located on the procurement schedule below.
- B. **Oral** communications before Procurement Committee meetings provided such communication is limited to matters of process or procedure already contained in the corresponding solicitation document and/or clarification related to Proposer's response.

PROCUREMENT SCHEDULE

Request for Quotes Released	Friday, October 20, 2023	Newspaper and ELCOC website, www.elcoforangecounty.org
Last day for submission of Notice of Intent Form and Questions to the ELCOC	By 12:00 PM, Friday, October 27, 2023	Via email to arichter@ELCOC.org
ELCOC's response to written inquiries from Proposers	Monday, October 30, 2023	Responses will be posted on ELCOC website, www.elcoforangecounty.org
Quotes due to ELCOC	By 12:00 PM Friday, November 3, 2023	Via email to arichter@ELCOC.org And a flash drive to 7700 Southland Blvd. Suite 100, Orlando, FL 32809 ATTN: Amy Richter
Review by ELCOC Procurement Review Team	TBD	ELCOC Orlando, FL 32808

POINT OF CONTACT

The contact person listed below is the single point of contact for this RFQ.

Amy Richter
Contracts and Procurement Manager
Early Learning Coalition of Orange County
7700 Southland Blvd. Suite 100
Orlando, FL 32809
Email: arichter@elcoc.org

NOTICE OF INTENT TO SUBMIT A PROPOSAL

- A. As a condition of submitting a proposal, Proposers are requested to submit a *Notice of Intent to Submit a Proposal Form* (Exhibit 1) bearing the original signature of an authorized agent of the Proposer, no later than the date on the Procurement Schedule, to the point of contact and address listed above. Please be advised that submissions of the Notice of Intent Form by facsimile will not be accepted.
- B. The *Notice of Intent to Submit a Proposal Form* is to provide the Coalition with the proper address and contact person for each Proposer so that any notices of action or changes can be forwarded appropriately. Failure to submit a Notice of Intent to Submit a Proposal Form by the deadline on the Procurement Schedule shall result in no further notice about this RFQ being sent to the Proposer.

Specifications (Must include all specifications with quote):

Provide First Aid and CPR training for School Readiness and VPK contracted childcare provider

staff so they can obtain their certification. This includes renewals and new certifications. The focus of this RFQ is on the health and safety of the children in care at these programs and satisfies the DCF licensing requirements.

The agency or individual must be approved and certified through the eCPRVerify Electronic Verification System (EVS) national register for certified professionals.

Dates for trainings are from November 2023 – June 15, 2024. The proposer must be available on weekends and evenings and host several courses as needed during the contract term. The ELCOC will provide the space, but the Proposer must come with all equipment necessary for training and testing. The trainings will be located at the Coalition and other sites within the community if needed.

INVOICING AND PAYMENT OF INVOICES

The Contractor must submit to the Early Learning Coalition a detailed invoice for services rendered. Contractor shall submit invoices to the Early Learning Coalition, accounts payable. Contractor's invoice must be accompanied by all required documentation (i.e., Vendor information, detailed description, quantity, price per item, any fees, no sales tax, etc.) to support all charges and clearly identify the Purchase Order or Contract number. Any invoice submitted to the Early Learning Coalition in an improper format or without the required information or documentation will be returned unpaid to contractor for correction and resubmission. **Any payment for goods and/or services will not be processed without verifiable receipt of goods and/or services by the Early Learning Coalition.**

Timing of payment of invoices by the Early Learning Coalition to the Contractor and similar issues regarding payment is governed by s. 215.422, F.S.

NOTICE OF CONTRACT AWARD

The Contract(s) shall be awarded to the Proposer whose Proposal is determined to be the most advantageous to the Coalition. The Coalition will post a Notice of its Intended Award at the Coalition's website following the selection of the Successful Proposer. If the notice of award is delayed, in lieu of posting the notice of intended award, the Coalition will post a notice of the delay and a revised date for posting the notice of intended award.

PROPOSAL CONTENT

A. A completed Proposal consists of the following:

- 1) Title Page containing the following:
 - a) Early Learning Coalition of Orange County
 - b) Title of RFQ for First Aid and CPR Training
 - c) RFQ #2023-07
 - d) Proposer's Name, address and all persons and entities having an interest in the Proposal. Title Page must be signed in blue ink by an authorized representative of Proposer. Electronic signatures are also accepted.
 - e) Brief history of your organization
 - f) W-9 form
 - g) Certificate of insurance
 - h) All the Required Appendices

- i) Quote, specifications, and availability

SUBMISSION

To be considered, the following **must be received by the** Early Learning Coalition of Orange County, **Attention: Amy Richter, Contracts and Procurement Manager** | 7700 Southland Blvd Ste 100, Orlando, FL 32809 **on or before 3:00 p.m. (EST)** on the date noted in the Schedule of Events. The outside cover of the original shall be clearly marked as "ORIGINAL."

- **One (1) Labeled flash drive of the Proposal.**
- **One (1) emailed copy of the Proposal.**

The Coalition cautions Proposers to assure actual delivery of their Proposal either hand delivered or mailed via U.S. mail or overnight courier, directly to the address and contact above, no later than the deadline set for submission of the Proposals. Proposals and modifications to Proposals received after the time and date specified herein for Proposal submission will not be considered.

PROPOSALS RECEIVED AFTER THE SUBMISSION DEADLINE SHALL NOT BE
CONSIDERED. NO CHANGES, MODIFICATIONS, OR ADDITIONS TO THE
PROPOSALS SUBMITTED WILL BE ACCEPTED BY THE COALITION AFTER THE
SUBMISSION DEADLINE HAS PASSED.

APPENDICES AND REQUIRED PROPOSER'S STATEMENT OR CERTIFICATIONS

Each copy of the Proposal must include a copy of those forms, affidavits, certifications, and statements which comprise the Appendices. All submissions requiring a signature shall be executed by an Authorized Official of the Proposer. An "Authorized Official" means an officer of Proposer's organization who has legal authority to bind the Proposer to the provisions of the RFQ. This is usually the President, Chair of the Board, Executive Director, or owner of the entity.

COST OF PREPARATION OF PROPOSAL

The Coalition is not liable for any costs incurred by the Proposer in responding to this RFQ.

Selection Criteria

Proposal will be evaluated based on the following criteria:

- Total cost
- Availability
- Qualifications

Exhibit 1

NOTICE OF INTENT TO SUBMIT A PROPOSAL FORM

FIRST AID AND CPR TRAINING

Date: _____

Request for Quote- **RFQ #2023-07**

Solicitation #

Name of Proposer

Proposer Contact Person

Title

Proposer Address (includes street address, suite numbers and zip code)

Telephone _____

Fax _____

E-mail:

Name of Proposer's Project Director (if known)

Signature of Authorized Official

Print Name/Title

“Authorized Official” means an officer of Proposer's organization who has legal authority to bind the Proposer to the provisions of the RFQ.

Appendix A

ELCOC (ELCOC)

REQUEST FOR QUOTE #2023-07- Acknowledgement

Proposer Name

Proposer Mailing Address

City State Zip

Telephone Number Web Page Email
address

Number of Pages in the Quote: _____

I certify that this Proposal is made without prior understanding, agreement, or connection with any corporation, firm, or person submitting an offer for the same material, supplies, equipment, or services and in all respects fair and without collusion or fraud. I agree to abide by all conditions of this Proposal and certify that I am authorized to sign this response and that the offer is in compliance with all requirements of the Request for Quote, including but not limited to, certification requirements.

The Proposer offers and agrees that if this Proposal is awarded, the Proposer will convey, sell, assign, or transfer to **ELCOC (ELCOC)** all rights, title, and interest in and to all causes of action it may now or hereafter acquire under the Anti-trust laws of the United States and the State of Florida for price fixing relating to the particular commodities or services purchased or acquired by **ELCOC**. At **ELCOC's** discretion, such assignment shall be made and become effective at the time **ELCOC** tender's final payment to the Proposer.

_____ Date: _____
Authorized Signature

Printed Name of Authorized Signer and Title

Appendix B

ACCEPTANCE OF CONTRACT TERMS AND CONDITIONS-RFQ #2023-07

If _____ should be awarded this Contract, it will comply with all the terms and conditions contained in the Contract.

(See elcoforangecounty.org/Who We Are/Financials/Procurement for contract draft).

Signature of Authorized Official

Date

Name (Print)

Title (Print)

*An authorized official is an officer of the Proposer's organization who has legal authority to bind the Proposer to the provisions of the Proposal. This usually is the President, Chairman of the Board, Executive Director, or owner of the entity. A document establishing delegated authority must be included with the Proposal if signed by other than the President, Chairman, Executive Director, or owner.

Appendix C

RFQ #2023-07

STATEMENT OF ASSURANCES

The Proposer assures the following itemized requirements and conditions will be met:

- 1) The Proposer has the ability to provide directly, or through sub-contract, all products/services described in this **RFQ** and resulting Contract.
- 2) The Proposer will accept accountability for meeting the performance standards established by the **ELCOC** and as may be required by the State and Federal government related to the products/services described in this **RFQ**.
- 3) The Proposer assures the establishment of sufficient working capital to meet and to maintain product order volume.
- 4) The Proposer assures that there are no continuing or frequently recurring conflicts between the Proposer's private interests and the performance of the Proposer's duties in the public interest.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Witness

Date

Appendix D

RFQ #2023-07

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS
PRIMARY COVERED TRANSACTIONS**

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).

The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from covered transactions by any Federal department or agency.

Have not within a three (3) year period preceding this Contract been convicted of 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 for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph 1.b. of this certification.

Have not within a three (3) year period preceding Proposal had one or more public transactions (Federal, State, local) terminated for cause or default.

Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this Proposal.

Signature of Authorized Representative

Date

Name and Title of Authorized Representative

Appendix E

RFQ #2023-07

**SWORN STATEMENT PURSUANT TO SECTION 287.133(3) (A),
FLORIDA STATUTES ON PUBLIC ENTITY CRIMES**

THIS FORM MUST BE SIGNED AND SWORN TO IN THE PRESENCE OF A NOTARY PUBLIC OR OTHER OFFICIAL AUTHORIZED TO ADMINISTER OATHS.

1. This sworn statement is submitted by _____
for _____, whose business address
is _____ and (if applicable) its Federal
Employer Identification Number (FEIN) is _____. (If the entity has no FEIN,
include the Social Security Number of the individual signing this sworn statement:
_____)
2. I understand that a “public entity crime” as defined in Paragraph 287.133(1)(g), Florida Statutes, means a violation of any state and federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or of the United States, including, but not limited to, any bid or Contract for goods and services to be provided to any public entity or any agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy or material misrepresentation.
3. I understand the “convicted” or “conviction” as defined in Paragraph 287.133(l) (b), Florida Statutes, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, non-jury trial, or entry of a plea of guilty or nolo contendere.
4. I understand that an “affiliate” as defined in Paragraph 287.133(l) (a), Florida Statutes, means:
 - a. A predecessor or successor of a person convicted of a public entity crime; or
 - b. An entity under the control of any natural person who is active in the management of the entity who has been convicted of a public entity crime. The term “affiliate” includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value an arm’s length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.
5. I understand that a “person” as defined in Paragraph 287.133(1) (e), Florida Statutes, means any natural person or entity organized under the laws of any state or of the United States with

the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods and services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in management of an entity.

6. Based on information and belief, the statement, which I have marked below, is true in relation to the entity submitting this sworn statement. [Indicate which statement applies.]

_____ Neither the entity submitting this sworn statement, nor any of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, nor any affiliate or the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989.

_____ The entity submitting this sworn statement, or one or more of its officers, directors, executives, partners, shareholders, employees, members, or agents who are active in the management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989. However, there has been a subsequent proceeding before a Hearing Officer of the State of Florida, Division of Administrative Hearings and the Final Order entered by the Hearing Officer determined that it was not in the public interest to place the entity submitting this sworn statement on the convicted vendor list. [Attach a copy of the final order]

I UNDERSTAND THAT THE SUBMISSION OF THIS FORM TO THE CONTRACTING OFFICER FOR THE PUBLIC ENTITY IDENTIFIED IN PARAGRAPH 1 (ONE) ABOVE IS FOR THAT PUBLIC ENTITY ONLY AND THAT THIS FORM IS VALID THROUGH DECEMBER 31 OR THE CALENDAR YEAR IN WHICH IT IS FILED. I ALSO UNDERSTAND THAT I AM REQUIRED TO INFORM THE PUBLIC ENTITY PRIOR TO ENTERING INTO A CONTRACT IN EXCESS OF THE THRESHOLD AMOUNT PROVIDED IN SECTION 287.017, FLORIDA STATUTES, FOR CATEGORY TWO OF ANY CHANGE IN THE INFORMATION CONTAINED IN THIS FORM.

_____ Date: _____
Signature of Authorized Representative

Sworn to and subscribed before me this _____ day of _____
20____.

Personally known___or produced identification

Name of Notary: _____

Notary Public Signature: _____

State of _____

My commission expires: _____

(Printed typed or stamped Commissioned name of notary public)

Appendix F
RFQ #2023-07

STATEMENT OF NON-DISCRIMINATION

Public Law 105-220, Sec. 188 Nondiscrimination

(a) In General. --

- (1) Federal financial assistance.—For the purpose of applying the prohibitions against discrimination on the basis of age under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), on the basis of disability under section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), on the basis of sex under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), or on the basis of race, color, or national origin under title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.
- (2) Prohibitions of discrimination regarding participation, benefits, and employment. —No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education amendments of 1972), national origin, age, disability, or political affiliation or belief.
- (3) Prohibition on assistance for facilities for sectarian instruction or religious worship.— Participants shall not be employed under this title to carry out the construction, operation, or maintenance of any part of any facility that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).
- (4) Prohibition on discrimination on the basis of participant status. —No person may discriminate against an individual who is a participant in a program or activity that receives funds under this title, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.
- (5) Prohibition of discrimination against certain noncitizens. —Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

The undersigned has read and agreed to the statements described above.

Signature of Authorized Representative

Date

Printed Name and Title of Authorized Representative

Appendix G

RFQ #2023-07

CERTIFICATION REGARDING LOBBYING

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 an employee of any agency, a member of congress, an officer or employee of congress, or an employee or 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 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 Form to Report Lobbying", in accordance with its instructions.

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

This certification is 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 by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Date

Printed Name and Title of Authorized Representative

*NOTE: - In these instances, "All" in the Final Rule is expected to be clarified to show that it applies to covered Contract/Grant transactions over \$100,000 (per OMB).

Appendix H

RFQ #2023-07

CERTIFICATION REGARDING DRUG-FREE WORKPLACE

Pursuant to the Drug-Free Workplace Act of 1988 and its implementing regulations codified at 29 CFR 98, Subpart F. I, _____, the undersigned, in representation of _____, attest and certify that the Contractor will provide a drug-free workplace by the following actions.

- A. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition.

- B. Establishing an ongoing drug-free awareness program to inform employees concerning:
 - The dangers of drug abuse in the workplace.
 - The policy of maintaining a drug-free workplace.
 - Any available drug counseling, rehabilitation, and employee assistance programs.
 - The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

- C. Making it a requirement that each employee to be engaged in the performance of the Contract be given a copy of the statement required by paragraph 1.

- D. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the Agreement, the employee will:
 - 1. Abide by the terms of the statement.
 - 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 (5) calendar days after such conviction.

- E. Notifying the agency in writing ten (10) calendar days after receiving notice under subparagraph 4.b. from an employee or otherwise receiving actual notice of such conviction. We will provide such notice of convicted employees, including position title, to every Grant officer on whose grant activity the convicted employee was working. The notice shall include the identification number (s) of each affected Contract/Grant.

- F. Taking one of the following actions, within thirty (30) calendar days of receiving notice under subparagraph 4.b., 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.
2. Requiring such employee to participate satisfactorily in drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local, health, law enforcement or other appropriate agency.

G. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5, and 6.

H. Notwithstanding, it is not required to provide the workplace address under the Agreement. As of today, the specific sites are known and we have decided to provide the specific addresses with the understanding that if any of the identified places change during the performance of the Contract, we will inform the agency of the changes. The following are the sites for the performance of work done in connection with the specific Contract including street addresses, city, county, state, and zip code:

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

Check () if any additional page is required for the listing of the workplaces.

CERTIFICATION

I declare under penalty of perjury under the laws of the United States and under the penalties set forth by the Drug-Free Workplace Act of 1988, that this certification is true and correct.

Signature of Authorized Representative

Date

Typed Name and Title of Authorized Representative

Appendix I

RFQ #2023-07

AUDIT REQUIREMENTS

FINANCIAL AND COMPLIANCE AUDIT

This attachment is applicable if the Contractor is any state or local government entity, non-profit organization, or for-profit organization. For State or local government entities, a Single Audit performed by the Auditor General shall satisfy the requirements of this attachment. If the Contractor does not meet any of the requirements below, no audit is required by this attachment.

PART I: FEDERAL AUDIT REQUIREMENTS

This part is applicable if the recipient is a State or local government or a non-profit organization as defined in OMB Circular A-133, as revised.

In the event that the recipient expends \$500,000 or more in Federal awards in its fiscal year, the recipient must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. In determining the Federal awards expended in its fiscal year, the recipient shall consider all sources of Federal awards.

The determination of amounts of Federal awards expended should be in accordance with guidelines established by OMB Circular A-133, as revised. An audit of the recipient conducted by the Auditor General in accordance with the provisions of OMB Circular A-133, as revised, will meet the requirements of this part. In connection with the audit requirements, the recipient shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.

The reporting package shall include a schedule that discloses the amount of expenditures by Contract number for each Contract with **ELCOC** in effect during the audit period. Compliance findings related to contracts with **ELCOC** shall be based on Contract requirements including any rules, regulations, or statutes referenced in the Contract. The reporting package shall disclose whether or not the matching requirement was met for each applicable Contract. All questioned costs and amounts due to **ELCOC** shall be fully disclosed in the report with reference to **ELCOC** Contract involved.

For recipients who are subject to both Part I and Part II below, the audit must also address applicable State audit requirements.

PART II: STATE REQUIREMENTS

In the event the recipient expends a total amount of State financial assistance to carry out state projects equal to or in excess of \$300,000 in any fiscal year of such recipient, the recipient must have a Single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Executive Office of the Governor and the Comptroller, and Chapter 10.600, Rules of the Auditor General. In determining the State financial assistance expended in its fiscal year, the recipient shall consider all sources of State financial assistance, including State funds received from **ELCOC**, except that amounts received by a non-state entity for Federal program matching requirements shall be excluded from consideration.

In connection with the audit requirements addressed in the preceding paragraph, the recipient shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes.

This includes submission of a reporting package as defined by Section 215.97(2) (d), Florida Statutes, and Chapter 10.600, Rules of the Auditor General.

The reporting package shall include a schedule that discloses the amount of expenditures by Contract number for each Contract with **ELCOC** in effect during the audit period. Compliance findings related to Contracts with **ELCOC** shall be based on Contract requirements including any rules, regulations, or statutes referenced in the Contract. The reporting package shall disclose whether or not the matching requirement was met for each applicable Contract. All questioned costs and amounts due **ELCOC** shall be fully disclosed in the audit report with reference to the specific Contract involved.

PART III: SUBMISSION OF REPORTS

For any of the above requirements, copies of the audit report and any management letter by the independent auditors shall be submitted within 180 days after the end of the Contractor's fiscal year or within 30 days of the recipient's receipt of the audit report, whichever occurs first, directly to each of the following, unless otherwise required by Florida Statutes:

A. Purchasing/Contracts Specialist of **ELCOC**.

B. Copies of reports for audits conducted in accordance with OMB Circular A-133, as revised, and required by Part I of this Contract shall be submitted, when required by Section .320(d), OMB Circular A-133, as revised, by or on behalf of the recipient directly to the Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320(d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Auditing Clearinghouse), at the following address:

Federal Audit Clearinghouse Bureau of the Census
1201 East 10th Street
Jefferson, IN 47132

and other Federal agencies and pass-through entities in accordance with Sections .320(e) and (f), OMB Circular A-133, as revised.

PART IV: RECORD RETENTION

The Contractor shall ensure that audit working papers are made available to **ELCOC**, or its designee, upon request for a period of five years from the date the audit report is issued, unless extended in writing by **ELCOC**.