



**Request for Proposals
(RFP)**

Development and Implementation of a
Labor Market Study for
Grundy, Livingston and Kankakee Counties

March 4, 2010

I. GENERAL INFORMATION

A. Background

The Grundy Livingston Kankakee Workforce Board is seeking to develop and implement a Labor Market Study. The implementation of a Labor Market Study will significantly improve the planning and effectiveness of the Grundy Livingston Kankakee Workforce Board. The result is the provision of data that addresses the needs of the local Board, the needs of economic development entities in each county, the needs of existing industry and the needs of the Grundy Livingston Kankakee Workforce Board customers.

The Grundy Livingston Kankakee Workforce Board is made up of community leaders appointed by the County Board Chairpersons of Grundy, Livingston, and Kankakee Counties to address the workforce needs of the local area. The County Board Chairpersons appoint high-level individuals to serve on this Board, reflecting recognition that workforce development is a top priority and is key to the long-range economic vitality of the area.

Grundy, Livingston, and Kankakee Counties are located in the northeastern region of Illinois just south and west of metropolitan Chicago. The three counties each have one major population center and numerous small rural towns and villages. Although it is a predominately rural area, it reflects significant industrial development and business presence. It is served by three interstate highways, 57, 80, and 55, which provide direct north-south and east-west access to the area and offers major rail service, regional airports, and interstate and local bus services. The region is also served by major class 3 rail lines and is situated 45 miles south of the City of Chicago, giving it direct access to more than 65% of the labor market and businesses of the State of Illinois. The southern portion of the region is just 30 miles from Bloomington- Normal and has strong economic ties to that metropolitan area as well.

The Workforce Board is a strategic planning, policy and oversight body for the workforce area and does not conduct direct services to customers. The main funding source for activities conducted by the Workforce Board is the Workforce Investment Act (WIA).

WIA is the nation's principal workforce development legislation. Key principles of WIA include streamlining services through a workforce development network, empowering individuals through access to information and training, universal access to core employment services, increased accountability for results, integration of workforce development partners, a strong role for local workforce development boards and the private sector in shaping local workforce development systems, and increased state and local flexibility.

WIA funds are allocated to local workforce areas to make workforce development services available to local businesses, adults, dislocated workers and youth. These services are intended to increase the employment, retention, earnings and occupational skill attainment of job seeking customers. In addition to WIA funds, the organization(s) selected may also receive funds awarded under the Trade Adjustment Act (TAA) to provide training to job seekers affected by certain local qualifying layoff events.

The three county area served by the Workforce Board has economies that are diverse. Both Grundy and Kankakee Counties export as many as 25% of their workforce to other areas. All three counties offer opportunities across a wide range of education and training levels. Prosperity, however, is uneven. There are areas and demographic groups within the workforce area that have higher poverty as well as unemployment rates. Kankakee County, with the largest population in 2008 of 112,525, also has the highest unemployment rate of 14.3% as of December 2009. Livingston County, however, reports a population of only

37,682 and has typically had a lower unemployment rate than surrounding counties. Livingston County was hit hard by job losses in early 2009 as major manufacturers reduced their output, eliminating hundreds of associated jobs throughout the region. As of December 2009 Livingston County had reached 11.3% unemployment. Grundy County saw similar increases in the same period and the unemployment rate there rose to 13.7%. The unemployment rate for the workforce area as a whole (13.6%) is significantly higher than the surrounding Metropolitan Statistical Areas (MSAs). The Bloomington-Normal MSA has a rate of 7.7%; Chicago-Joliet has a rate of 10.6%.

Since July 2007 the area's workforce services offices have provided Rapid Response services to companies experiencing substantial layoffs or closure that affected several thousand individuals.

Ethnic diversity is growing dramatically due to a high immigration rate, but is particularly focused in a few communities. The more diverse communities contain higher concentrations of individuals with English communication barriers. Livingston County is 90% white, non-Hispanic and those numbers are expected to remain largely unchanged in the next 5 years. Kankakee County has a total minority population of nearly 25% which includes a Hispanic population of 7%, while Grundy County reports 12% minority population, nearly 8% of which is Hispanic. These numbers have significantly increased in the last 5 years and are expected to continue to rise. By 2013, the workforce area is expected to have a total minority population of close to 20%, of which nearly 8% are expected to be Hispanic.

B. Purpose

The purpose of the Request for Proposals (RFP) is to solicit proposals to establish a contract through competitive procurement for the purchase of services to develop and implement a Labor Market Study by the Grundy Livingston Kankakee Workforce Board designed to serve Grundy Livingston and Kankakee Counties.

The Labor Market Study brings together information on economic and labor market trends to support both strategic planning and WIA program operations. The Labor Market Study will position the Workforce Board and its economic development partners to make informed decisions about funding of local initiatives, design of training programs, and business attraction and retention strategies.

C. Duration & Type of Contract

The Labor Market Study must be completed with final deliverables provided to the Grundy Livingston Kankakee Workforce Board no later than December 31, 2010.

The type of contract will be a fixed price contract negotiated with the successful bidder. Negotiated fixed price will be based on a required itemized listing of project costs to perform the requested work.

Specific payment points will be negotiated as a part of contract negotiations. Final payment will not be made until such time as the Labor Market Study report is accepted by the Grundy Livingston Kankakee Workforce Board. The contractor must submit invoices to the following address:

Grundy Livingston Kankakee Workforce Board
Executive Director
187 S. Schuyler Ave.
Suite 560
Kankakee, IL 60901

D. Evaluation Process & Criteria

Prospective bidders are advised that the selection of a bidder for contract award is to be made after a careful evaluation of the proposals reviewed by a panel of specialists within the Workforce Board's organization, including representatives from each county's economic development organizations. Each panelist will evaluate the proposals for acceptability, with emphasis on the various factors enumerated below, and will assign to that factor a numerical weight. The scores will then be used to select an bidder or develop a list of bidders with whom negotiations can be conducted, if desirable and necessary.

II. SCOPE OF WORK

The Grundy Livingston Kankakee Workforce Board is soliciting proposals from qualified sources to conduct a Labor Market Study. The Labor Market Study must utilize the most current local labor market data as outlined below and perform the following analysis of that data.

A. Labor Market Data to be Utilized

At a minimum, the most current labor market information relative to the following areas must be utilized in the Labor Market Study and also provided to the Grundy Livingston Kankakee Workforce Board as source documents/references for the Labor Market Study. Additional information must be utilized if necessary to properly prepare the Labor Market Study.

1. Top 50 area employers and their current employment
2. Industry employment projections for the next 5 years
3. Occupational employment projections for the next 5 years
4. Occupational wage data
5. Population growth/age distribution
6. Per capita income
7. Unemployment trends
8. Employment by industry
9. Employers by size of establishment
10. Employment by size of establishment
11. Average weekly wage
12. Training requirements for growth occupations

B. Jurisdictions to be Included in the Labor Market Study

Grundy, Livingston, and Kankakee Counties must be included in the Labor Market Study.

C. Labor Market Study Analysis

The Labor Market Study must specifically address the following components:

1. Geographic Scope for the Study

The Labor Market Study must evaluate and analyze information for the all three counties within the Grundy Livingston Kankakee Workforce Area. Data and analysis should be prepared by county and in aggregate.

2. Data Identification and Documentation

Identification, gathering and complete documentation of existing economic and workforce related data available to the area from sources such as state labor market information, Census data and private data sources.

3. Demand Side Analysis

Analyze the major industries in the Grundy Livingston Kankakee area. Report on the structure of each industry sector (employment base, large or small employer, occupations, average wage, etc.) and historical trends by industry.

4. Supply Side Analysis/Current Workforce Profile

Examine the characteristics of the area's labor force and make a determination on how closely it matches the needs of the area's existing and emerging industries. Also, evaluate to determine current workforce gaps.

5. Community Assets Mapping

Identify programs and services available in the workforce area that address economic and workforce development challenges as well as new avenues and partnerships that can be accessed to address specific economic and workforce development challenges.

6. Sector and Cluster Analysis

Based on national trends and current local characteristics, identify growth industries and their associated growth occupations. Identify the industries that have regional, competitive advantages when compared to other regions of the state and nation.

7. Occupational and Skills Analysis

Provide occupational and skill requirements with specific focus on emerging and growth industries and occupations. Provide detailed information about the changing character of jobs and skill requirements in growth industries and occupations.

8. Vacancy Survey

Identify and forecast workforce shortages and pinpoints areas of unemployment. Data must be provided on job openings to guide program, placement and training activities.

9. Skills Shortages Identification

Enumerate skill shortages in tight labor markets. This component must address where the area lacks trained workers to compete in the emerging economy.

10. Commuting Patterns

Identify commuting patterns, both into and out of our 3 counties.

D. Labor Market Study Conclusions

The analysis of data performed as a part of the Labor Market Study and the conclusions drawn from the analysis must address the following questions relative to the three-county area:

1. Based upon data analyzed, summarize the local economic climate in Grundy, Livingston, and Kankakee Counties.
2. What are the workforce training needs of the identified industrial growth sectors of this area?
3. Conduct a gap analysis comparing the current workforce and training programs with the needs of current businesses in the three-county area.
4. Based on the identification of future growth industries in the three-county area, what are the gaps in future workforce and training needs?
5. Analyze existing training delivery mechanisms and recommend opportunities for improvement.

E. Optional Data

Each proposer is encouraged to add additional categories or information to that being required in this RFP in order to better enhance the quality of the product being produced. Any additional categories or information included must be in line with the purpose and intent of this RFP.

F. Labor Market Study Report Submission Requirements

1. One hard copy and one electronic version on CD of the draft Labor Market Study must be submitted to the Grundy Livingston Kankakee Workforce Board for review. The submission timeline will be negotiated with the successful proposer.
2. Once the draft Labor Market Study report has been approved by the Grundy Livingston Kankakee Workforce Board, the final report in hard copy and electronic CD version must be submitted to the Workforce Board within 30 days.

III. SUBMISSION OF PROPOSALS

Proposals shall be signed by an authorized representative of the Bidder. All information requested must be submitted. Failure to submit all information requested may result in the Workforce Board requiring prompt submission of missing information and/or giving a lowered evaluation of the proposal. The Grundy Livingston Kankakee Workforce Board may reject proposals which are substantially incomplete or lack key information.

A. Technical Specifications

All proposals must meet the following technical specifications

- Typewritten on 8 ½ by 11 un-ruled paper, single sided
- Font size of 12 point
- Single line spacing
- 1 inch side, top and bottom margins
- Pages numbered consecutively at the bottom of the page

B. Specific Proposal Requirements

All proposals must be organized and assembled according to the requirements of this section and in the order described:

1. **Proposal Cover Sheet.** A required format for the Proposal Cover Sheet is included as Proposal Attachment 1. All items of the Proposal Cover Sheet must be completed.
2. **Executive Summary.** Each proposal must include an executive summary which at a minimum describes the respondent organization, summarizes its relevant experience and qualifications and outlines the scope of services being proposed. The Executive Summary is limited to two (2) pages.
3. **Narrative.** A written narrative statement to include:
 - Experience and background of bidder in providing services requested in this RFP, including a record of past performance, the ability to meet specifications, and the technical skills to accomplish the work. Bidder should exhibit knowledge of the national workforce system funded in part by the Workforce Investment Act, and the relationship of the system with key economic stakeholders
 - Specific plan for the collection, analysis, and reporting of data, including the approach in accomplishing the Labor Market Study, including a plan for publication, distribution and implementation
 - Names, qualifications and experience of personnel to be assigned to the project.
 - A budget and timeline setting forth specific deliverables and dates with a final delivery date of final report no later than December 31, 2010.
4. **Assurances and Certifications Statement.** Each respondent is required to review and sign the Certification regarding Debarment included as Proposal Attachment 3 and the Assurances and Certifications Statement included as Proposal Attachment 4.

5. **Letters of Reference.** Each proposal may include up to five (5) signed letters of reference from entities for whom the bidder has provided services.
6. **Optional Bidder Attachments.** Attachments will not be included in the evaluation; the respondent should address RFP requirements within the narrative. Optional attachments are limited to five (5) pages.

C. Proprietary Information

All information gathered and utilized to prepare the Labor Market Study report as well as the report itself is considered proprietary information and may not be sold or utilized for other purposes unless specifically approved by the Grundy Livingston Kankakee Workforce Board.

D. Oral Presentation

Bidders who submit a proposal in response to this RFP may be required to give an oral presentation of their proposal to the Grundy Livingston Kankakee Workforce Board Executive Committee. This provides an opportunity for the Bidder to clarify or elaborate on the proposal. This is a fact finding and explanation session only and does not include negotiation.

E. Proposal Submission Timelines

One proposal containing original signatures plus five (5) copies must be submitted to the following address prior to 4:00 p.m. on April 23, 2010:

Ms. Elisabeth Dunbar
Executive Director
Grundy Livingston Kankakee Workforce Board
187 S. Schuyler Ave.
Suite 560
Kankakee, IL 60901

Proposals received after the deadline will not be considered.

F. Questions Regarding the RFP

Inquiries regarding this RFP should be directed to Ms. Dunbar at the above address, by fax at 815.936.3766, or via email to edunbar@glkwb.com.

IV. GENERAL PROVISIONS

- A. Any verbal comments or discussion concerning this solicitation cannot add, delete or modify any written provision of this Request for Proposal. Only changes to the requirements of this RFP issued in writing will have force.
- B. Upon request, respondents may be asked to furnish satisfactory evidence of their ability to successfully provide the services requested by this RFP. This evidence may include copies of reports on prior independent audits of the respondent. The Grundy Livingston Kankakee Workforce Board reserves the right to make the final determination as to the respondent's capabilities.
- C. The Grundy Livingston Kankakee Workforce Board reserves the right to cancel this Request for Proposal for any reason, or accept or reject any or all proposals for any reason or to negotiate with any and all respondents on modifications to proposals.
- D. All costs incurred in conjunction with the preparation of a proposal are the sole responsibility of the respondent, and will not be paid nor reimbursed.

- E. The proposal submitted by the successful respondent, modified as necessary through negotiations, will become part of a contractual agreement between the Grundy Livingston Kankakee Workforce Board, Kankakee County (as the fiscal agent) and the successful respondent.
- F. All data, material and documentation originated or prepared by the respondent pursuant to a contract award shall belong exclusively to the Workforce Board, and be subject to disclosure under the Freedom of Information Act.
- G. The successful respondent will be required to provide regular and detailed service and expenditure reports to the Grundy Livingston Kankakee Workforce Board at a frequency and in a manner prescribed by the Board.
- H. The successful respondent will be prohibited from disseminating products and information developed under the award without the prior written consent of the Grundy Livingston Kankakee Workforce Board.
- I. Successful respondents must ensure compliance with the following as applicable: 20 CFR Part 652 et al.; 48 CFR Part 31; OMB Circulars A-21, A-87, A-110, A-122, and A-133 as applicable.
- J. The Grundy Livingston Kankakee Workforce Board reserves the right to conduct discussions with respondents. Respondents will be accorded fair and equal treatment concerning any opportunity for discussion of their proposals. Respondents may be required to make oral presentations, participate in negotiations and to re-write portions of proposals as agreed during negotiations.

IV. PROPOSAL REVIEW AND SELECTION PROCESS

A. Review Panel

Prospective bidders are advised that the selection of a bidder for contract award is to be made after a careful evaluation of the proposals reviewed by a panel of specialists within the Workforce Board's organization, including representatives from each county's economic development organizations. Each panelist will evaluate the proposals for acceptability, with emphasis on the factors enumerated below, and will assign to that factor a numerical weight. The scores will then be used to select a bidder.

B. Review Criteria

The following criteria and scoring system will be used to evaluate each response:

- 1. Experience and background of bidder in providing services requested in this RFP, including a record of past performance, the ability to meet specifications, and the technical skills to accomplish the work **25 points**
- 2. Specific plan for the collection, analysis, and reporting of data, including the approach in accomplishing the Labor Market Study, including a plan for distribution and implementation **35 points**
- 3. Names, qualifications and experience of personnel to be assigned to the project. **20 points**
- 4. A budget and timeline setting forth specific deliverables and dates with a final delivery date of final report no later than December 31, 2010. **20 points**

100 points

C. Anticipated Timetable for Selection

The following timetable has been established for the selection process.

April 23, 2010	All proposals due by 4:00 pm to the Workforce Board office, 187 S. Schuyler Ave., Suite 560, Kankakee, IL
April 24, 2010 to May 4, 2010	Invited respondents may be asked to make presentations to Evaluation team
June 9, 2010	Evaluation team recommendations go to the Grundy Livingston Kankakee Workforce Board Executive Committee
June 15, 2010	Grundy Livingston Kankakee Workforce Board acts on Task Force recommendations

V. Information References

Interested parties may obtain access to a wealth of information about the Grundy Livingston Kankakee Workforce Board and the Workforce Investment Act, including the law, regulations, policies and other documents and resources through the following websites:

- www.illinoisworknet.com
- www.commerce.state.il.us
- www.doleta.gov
- www.glkwb.com
- www.workforceboardsmetrochicago.com

**RFP Attachment 1
Response Cover Sheet
Proposal to Provide WIA Services in Grundy Livingston and Kankakee Counties**

Name of Respondent Organization: _____

Type of Organization:

Public entity

Private not-for-profit organization

Private for profit organization

Other

Address: _____

City, State, Zip Code: _____

Telephone Number: _____

Fax Number: _____ Federal Employer ID Number: _____

Name of Authorized Representative: _____

Authorized Representative email Address: _____

Statement of Certification

The information contained in this proposal fairly represents the proposed operating plans and budget necessary to conduct the activities described. The respondent organization assures that it is prepared to implement the activities described in the proposal. This proposal has been duly authorized by the governing body of the respondent organization. I certify that I am authorized to sign this statement on behalf of the organization submitting this proposal.

Typed Name of Authorized Representative

Title

Signature of Authorized Representative

Date

**Proposal Attachment 3: Certification Regarding Debarment, Suspension, and other
Responsibility Matters Lower Tier 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).

Before signing the certification, read the following instructions which are an integral part of the certification:

1. By signing and submitting this proposal, the prospective recipient of Federal assistance funds is providing the certification 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 Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the Department of Labor (DOL) or The Workforce Board, may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of Federal assistance funds shall provide immediate written notice to the DOL and to The Workforce Board if at any time the prospective recipient of Federal assistance funds learns 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 the rules implementing Executive Order 12549. You may contact the DOL for assistance in obtaining a copy of those regulations.
5. The prospective recipient of Federal assistance funds agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
6. The prospective recipient of Federal assistance funds further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions", provided by the DOL, 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 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. Each participant may, but is not required to, check the List of Parties Excluded From Procurement or Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may terminate this transaction for cause or default.

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.

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.

Name and Title of Authorized Representative

Signature Date

Name of Applicant Agency

Proposal Attachment 4: Assurances and Certifications

The Contractor hereby assures and certifies compliance with each of the requirements where applicable:

1. Program Requirements as provided for under Section 181, 183, 184, 186, 187, 189 and 195 of the Act.
2. 20 CFR Part 667.264(a)(2) prohibiting utilization of funds to carry out public service employment programs under Title I of the Workforce Investment Act.
3. The limitations on the use of funds as provided for under 20 CFR Part 667.264(a) and 20 CFR Part 66 the policy on lobbying restrictions as established.
4. Section 189(h) of the Act, by assuring that each individual participating in any program established under the Act, or receiving any assistance under the Act, has not violated Section 3 of the Military Selective Service Act (50 U.S.C.appl. 453).
5. Permit and cooperate with federal investigations undertaken in accordance with Section 185 of the Act.
6. Contractors must ensure access to services by individuals with disabilities pursuant to the Americans with Disabilities Act.
7. Section 134(e)(3) of the Act and 20 CFR Parts 663.815, 663.820, 663.825, 663.830 and 663.840 in making needs-based payments to individuals participating in a training program.
8. Record retention requirements contained in 29 CFR 95.53 or 29 CFR 97.42.
9. 29 CFR Part 667.270 which prohibits replacing a currently employed worker with any WIA participants.
10. Serve non-economically disadvantaged participants in accordance with Section 129(c)(5) of the Act.
11. 20 CFR Part 667.262(a), prohibiting funds to be used for employment generating activities, economic development and other similar activities unless they are directly related to training for eligible individuals.
12. Require all lower tier subcontractors to comply, with the policy on lobbying restrictions as established in accordance with 29 CFR Part 93.
13. The policy on debarment and suspension regulations as established in accordance with 29 CFR Part 98.
14. Require all commercial organizations, which are lower tier subcontractors and which expend more than the minimum level specified in OMB Circular A-133 (300,000 as of April 15, 1999), have either an organization-wide audit conducted in accordance with A-133 or a program specific financial and compliance audit.
15. Sections 134(d)(4)(F)(iii) and 134(d)(4)(G) of the Act.
16. Equal Employment Opportunity – All contractors shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and as supplemented by regulations at 41 CFR Part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity Department of Labor.
17. The Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subcontractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which one is otherwise entitled. The recipient shall report all suspected or reported violations to the Federal awarding agency.
18. The Davis-Bacon Act as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provision Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of a contract shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the Federal awarding agency.
19. Sections 102 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. §327-330) as supplemented by Department of Labor regulations (29 CFR Part 5). Under Section 102 of the Act, each contractor shall be required to compute

the wages of every mechanic and laborer on the basis on a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than 1½ times the basic rate of pay for all hours worked in excess of 40 hours in the work week. Section 107 of the Act is applicable to construction work and provides that no laborer or mechanic shall be required to work in surroundings or under working conditions that are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

20. Compliance with all requirements relating to the performance of experimental, developmental, or research work including providing for the rights of the Federal Government and the recipient in any resulting invention in accordance with 37 CFR Part 401.
21. All applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. §7401 et. seq.) and the Federal Water Pollution Control Act as amended (33 U.S.C. §1251 et. seq.). Violations shall be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
22. The provisions of the Byrd Anti-Lobbying Amendment (31 U.S.C. §§1352). Contractors who apply or bid for an award of \$100,000 or more shall file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. §1352. Each tier shall also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the recipient. See 29 CFR Part 98.
23. The provisions of Debarment and Suspension (E.O.'s 12549 and 12689) – No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Nonprocurement Programs in accordance with E.O.'s 12549 and 12689, "Debarment and Suspension." This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractors with awards that exceed the small purchase threshold shall provide the required certification regarding its exclusion status and that of its principal employees.
24. This program is subject to the provisions of the "Jobs for Veterans Act," Public Law 107-288, which provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by the Department of Labor. DOL ETA Training and Employment Guidance Letter (TEGL) No. 5-03 provides general guidance on the scope of the veterans priority statute and its effect on employment and training programs.
25. This program is subject to the Child Labor Law which regulates the employment of workers less than 18 years of age. The law protects children by (1) requiring employment certificates. The certificate confirms that a minor is old enough to work, physically capable to perform the job, and that the job will not interfere with the minor's education; (2) prohibiting work in hazardous occupations; and (3) limiting working hours. All work before 7 a.m. and after 7 p.m. is prohibited. However, work until 9 p.m. is allowed from June 1 through Labor Day.
26. Contractors must agree to abide by the Equal Pay Act of 2003 which prohibits employers with four or more employees from paying unequal wages to men and women for doing the same or substantially similar work, requiring equal skill, effort, and responsibility, under similar working conditions for the same employer in the same county, except if the wage difference is based upon a seniority system, a merit system, a system measuring earnings by quantity or quality of production, or factors other than gender.

APPLICABLE STATUTES

1. **Drugfree Workplace Act (30 ILCS 580/1. et.seq.)** Contractor will make the certification required in this Agreement and will comply with all of the provisions of the Drugfree Workplace Act, which are applicable to the Grantee. False certification or violation of the requirements of the Drugfree Workplace Act may result in sanctions including, but not limited to, suspension of grant payments, termination of this Agreement and debarment of contracting or grant opportunities with The Workforce Board for at least one (1) year but not more than five (5) years.
2. **Freedom of Information Act (5 ILCS 140/1 et. seq.)** Applications, programmatic reports and other information obtained by The Workforce Board under this Agreement shall be administered pursuant to the Freedom of Information Act.
3. **Historic Preservation Act (20 ILCS 3420/1 et. seq.)** The Contractor will not expend funds under this Agreement which results in the destruction, alteration, renovation, transfer or sale, or utilization of a historic property, structure or structures, or in the introduction of visual, audible or atmospheric elements to a historic property, structure or structures, which will result in the change in the character or use of any historic property.
4. **Land Trust/Beneficial Disclosure Act (765 ILCS 405/2.1)** No grant award funds shall be paid to any trustee of a land trust, or

any beneficiary or beneficiaries of a land trust, for any purpose relating to the land which is the subject of such trust, any interest in such land, improvements to such land or use of such land unless an affidavit is first filed with the Illinois Department of Employment Security identifying each beneficiary of the land trust by name and address and defining such interest therein.

5. **State of Illinois Discrimination Laws (775 ILCS 5/1-101, et. seq.)** In carrying out the performance required under this Agreement, the Contractor shall comply with all applicable provisions of the Illinois Human Rights Act, and rules and regulations promulgated by the Illinois Department of Human Rights, prohibiting unlawful discrimination in employment. The Contractor's failure to comply with all applicable provisions of the Illinois Human Rights, or applicable rules and regulations promulgated thereunder, may result in a determination that the Contractor is ineligible for future contracts or subcontractors with The Workforce Board, and this Agreement may be canceled or voided in whole or in part, and such other sanctions or penalties may be imposed or remedies invoked as provided by statute or regulation.
6. **Unemployment Insurance Act (820 ILCS 405/1900)** In the context of performance under this Agreement, the Contractor will or may have access to documents, files, records or other information that is confidential within the meaning of Section 1900 of the Unemployment Insurance Act and agrees to comply with all provisions set forth in Section 1900 of said Act regarding nondisclosure of any such information, including penalties for noncompliance.

STATE OF ILLINOIS REQUIRED CERTIFICATION

1. **AMERICAN WITH DISABILITIES ACT** The Americans with Disability Act (ADA) (42 U.S.C. 12101 et. seq.) and the regulations thereunder (28 CFR 35.130) prohibit discrimination against persons with disabilities by the State, whether directly or through contractual agreements, in the provision of any aid, benefit or services. As a condition of receiving this Agreement, the Contractor certifies that services and activities under this Agreement are, and will continue to be in compliance with ADA.
2. **ANTI BRIBERY** The Contractor certifies that neither it nor its employees have been convicted of bribing or attempting to bribe an officer or employee of the State of Illinois or has made an admission of such quilt as defined in the Illinois Procurement Code (30 ILCS 500 et. seq.).
3. **BID-RIGGING/BID ROTATING** The Contractor certifies that it has not been barred from contracting with a unit of State or local government as a result of a violation of Section 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33 E-3 and 5/33 E-4).
4. **COMPLIANCE WITH APPLICABLE LAW** The Contractor certifies that it shall comply with all applicable provisions of Federal, State and local law in the performance of its obligations pursuant to this Agreement.
5. **DEFAULT ON EDUCATIONAL LOAN** The Contractor certifies that this Agreement is not in violations of the Educational Loan Default Act (5 ILCS 385/3) prohibiting certain contracts to individuals who are in default on an educational loan.
6. **DISCRIMINATION/ILLINOIS HUMAN RIGHTS ACT** The Contractor certifies that it will not commit unlawful discrimination in employment in Illinois as defined in Article 2 of said Act; it will comply with the provisions of Article 5; it will comply with the policies and procedures established by the Department of Human Rights under Article 7 of the Act. The Contractor certifies that, if applicable, it will comply with "an act to prohibit discrimination and intimidation on account of race, creed, color, sex, religion, physical or mental handicap unrelated to ability or national origin in employment under contracts for public buildings or public works." (775 ILCS 10/0.01 et.seq.).
7. **INTERNATIONAL ANTI-BOYCOTT CERTIFICATION** The Contractor certifies that it nor any substantially owned affiliate company is participating or will participate in an international boycott, as defined by the provisions of the U.S. Export Administration Act of 1979, or as defined by the regulations of the U.S. Department of Commerce, promulgated pursuant to that Act (30 ILCS 582/1 et. seq.).
8. **SEXUAL HARASSMENT** The Contractor certifies that it has written sexual harassment policies that shall include, at a minimum, the following information: the illegality of sexual harassment; the definition of sexual harassment under state law; a description of sexual harassment; internal complaint process including penalties; legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission; directions on how to contact the Department and Commission and protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act (775 ILCS 5/2-105 (B)(5)).

Name and Title of Authorized Representative

Signature Date

Name of Applicant Agency