



**SERCO, Inc. dba SERCO of Texas, Inc.**

**305 East Ramsey Road  
San Antonio, Texas 78216**

**Request for Qualifications  
(RFQ) For Agent of Record**

**Release Date: June 13, 2022**

**Bidder's Conference: Thursday, June 16, 2022 at  
2:00 p.m. CST**

**Response Due: Tuesday, June 28, 2022  
by 2:00 p.m. CST**



RFQ links:

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## **PART 1.0 – GENERAL INFORMATION**

### **1.1 PURPOSE OF REQUEST FOR QUALIFICATIONS (RFQ)**

The SERCO Inc. (SERCO) is soliciting responses from qualified individuals and firms that are licensed to provide agent of record services for fringe benefits related to employees' insurance and benefits in the State of Texas (excluding 401K). SERCO needs are described herein, as in accordance with the terms, conditions, and specifications contained in this RFQ.

### **1.2 BACKGROUND**

#### **A. SERCO, Inc.**

SERCO, Inc. is incorporated as a private, for-profit organization in the State of Texas and maintains a federal ID number. SERCO serves as the governing board for the regional workforce system, a network of service providers and contractors that brings people and jobs together. Our business reflects the diverse constituencies of the regional community business, economic development, education, labor, community organizations, and government.

### **1.3 ELIGIBLE RESPONDENTS**

Individuals or firms possessing the capacity and demonstrated ability to perform successfully under the terms and conditions of a contract with SERCO may respond to this RFQ.

Entities that are presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any federal department or agency are not eligible to respond to this RFQ or receive a contract.

### **1.4 QUALIFICATIONS**

A prospective respondent, by submitting a response, represents that it meets the following requirements:

- Have a minimum of five (5) years of demonstrated actual work experience in providing requested services in working with similar entities (related to size of group);
- Is able to comply with the required or proposed solicitation;
- Have a satisfactory record of integrity and ethics; and
- Be otherwise qualified and eligible to receive an award.
- Be in good standing with the applicable national or state professional associations and licensure/certification agencies/boards.



## 1.5 SERVICES SOLICITED

SERCO staff include approximately sixty to seventy employees. A range of insurance and other benefits are provided. All of our health insurance plans are fully insured.

The following benefits are currently provided:

- Health insurance
- Wellness plan with health insurance provider
- Dental insurance
- Vision
- Life insurance
- ADD
- Short/Long-term disability
- Supplemental plans:
  - Accidents
  - Cancer Care
  - Hospital Confinement "Hospitalization"
  - Specific event
  - Term Life
  - Whole Life

The selected proposer shall assist with the strategic plan, design, and negotiations of the most cost-effective programs as well as the implementation and ongoing servicing of those plans. Furthermore, the proposer must provide a superior level of service and must be able to develop benefits that are comparable to those currently available.

This Request for Qualifications is to obtain an Agent of Record services for fringe benefits related to SERCO's employees. Depending on the responses received, SERCO has the right to contract with one or more firm(s) or individual(s) to provide the services requested for the different plans, i.e., health insurance and other related employee benefits. Respondents have the option of providing the services requested related to a combination of the plan benefits or for all of the above-listed benefits.

SERCO is seeking to have an agreement with a firm(s) or individual(s) that will perform an extensive review of our current plan and make recommendations on the health insurance and employee benefits. The firm(s) or individual(s) will test the market by preparing competitive quotes. The Agent of Record must provide a full range of services. Specific responsibilities include but are not limited to:

- **Plan renewal for July 1, 2022 & July 1, 2023 plan design**
- Request, review, and negotiate plan proposals and rate quotes from existing insurance renewals or recommended alternative insurance carriers for renewals.
- Provide an analysis and recommendations for benefit plan designs, cost savings, and enhancements.
- Assist with implementation of changes.

- Conduct annual enrollment.
- Prepare insurance application.
- Assist with resolution of claims.
- Conduct periodic plan review and provide plan design recommendations which will result in more effective benefits and cost saving opportunities with annual budget analysis.
- Prepare comprehensive Employee Benefit Guide and other educational material, as requested.
- Coordinate with Section 125 Cafeteria plan, HIPAA, Healthcare Reform issues.
- Assist with the Developing year-round educational materials, meetings, and other initiatives to raise employee awareness and understanding of their benefits.
- Provide and administer annual employee survey(s) to determine areas of employee concerns and/or needs for improvement with existing benefits.
- Organize at least two direct contact meetings with employees to assist them with benefit decisions.
- Identify new benefit plans on the market and provide analysis and recommendations
- Benefits statements reviewed monthly for reconciliation purposes
- Ability to facilitate online enrollments
- Post open enrollment for new hires and salary adjustments
- Collaborate and facilitate the benefits administration with SERCO's Professional Employer Organization (PEO)

## **1.6 AUTHORITY**

All contracts awarded as a result of this RFQ must fully comply with applicable federal, state and local laws, rules, regulations and policies. SERCO's policies and plans are available upon request. Respondents are expected and presumed to be knowledgeable of all applicable federal, state and local laws, rules, regulations, and policies.

## **1.7 PROCUREMENT STANDARD**

It is the policy of SERCO to conduct procurement in a manner that provides for full and open competition. An award will be made only to an individual or entity possessing the qualifications and demonstrated ability to perform successfully under the terms and conditions of a contract. The services solicited under this RFQ are procured under the Competitive Response Method outlined in Chapter 14 of the SERCO Financial Manual for Grants and Contracts (FMGC).

## **PART 2.0—CONTRACT INFORMATION**

### **2.1 AWARD**

The response most advantageous to SERCO in terms of demonstrated competence, qualifications and customer service response plan will be recommended for contract negotiations.

### **2.2 CONTRACT PERIOD**



The contract period will be from the date of the award through June 30, 2023. SERCO may opt to extend the term of a contract for up to four (4) one-year periods. In no event shall the total term of a contract exceed 60 months. Any contract extension shall be at the sole discretion of SERCO and shall be based upon SERCO's evaluation of the Agent's performance and compliance under the terms and conditions of the contract. **SERCO reserves the right to terminate a contract at any time based on Agent's performance or non-compliance, or compliance related expectations.**

### 2.3 REASSIGNMENT

In the event a contractor fails to perform as required, SERCO reserves the right to terminate a contract early with a failing or non-compliant company and assign a contract in whole or in part to another successfully bidder obtained through this procurement, subject to successful contract negotiations.

### 2.4 SUCCESSORS AND ASSIGNS

SERCO and the contractor each binds itself, its partners, successors, assigns and legal representatives to the other party to this agreement and their respective successors, assigns and legal representatives in respect to all covenants of the agreement.

## PART 3.0—GOVERNING PROVISIONS AND LIMITATIONS

Failure to comply with any of the following provisions may cause a response to be disqualified and rejected from consideration.

1. Response, if accepted, will become the basis for the contract scope of work.
2. Respondents must submit a comprehensive response for all services solicited. Any response that is not comprehensive will be deemed non-responsive.
3. A response to this RFQ does not commit SERCO to a purchase agreement or contract, or to pay any costs incurred in the preparation of such a response.
4. The only purpose of this RFQ is to ensure uniform information in the solicitation of responses for the procurement of response evaluators. This RFQ is not to be construed as a purchase agreement, contract or as a commitment of any kind; nor does it commit SERCO to pay for costs incurred prior to the execution of a formal contract unless such costs are specifically authorized in writing by SERCO.
5. SERCO reserves the right to accept or reject any or all responses received, to cancel or reissue this RFQ in part, or its entirety.
6. SERCO reserves the right to award a contract(s) for any services solicited in this RFQ in any quantity SERCO determines is in its best interests.
7. SERCO reserves the right to extend, shorten, increase or decrease any contract awarded as a result of this RFQ.
8. SERCO reserves the right to request additional information, clarification of or explanation for any aspect of a response to this RFQ.
9. SERCO reserves the right to waive any defect in this procurement process or to correct any error(s) and/or make changes to this solicitation it deems necessary. SERCO will provide notifications of any changes in this RFQ to all Respondents recorded in the SERCO official distribution log and receipts record as having requested or received a copy of this RFQ.

10. SERCO reserves the right to negotiate the Best and Final Offer terms of any and all contracts or agreements with selected Respondents and any such terms negotiated as a result of this RFQ may be renegotiated and/or amended in order to successfully meet the needs of SERCO.
11. SERCO reserves the right to contact any individual, agency, employer or granting agencies listed in a response, contact others who may have experience and/or knowledge of the bidder's relevant performance and/or qualifications; and to request additional information from any and all Respondents.
12. SERCO reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this RFQ if adequate funding is not received by SERCO from TWC or other funding sources or due to legislative changes.
13. Respondents shall not, under penalty of law, offer or provide any gratuities, favors or anything of monetary value to any officer, board member, employee, response evaluator, or agent of SERCO or elected official for purposes of having an influencing effect on this procurement.
14. Respondents shall not attempt in any manner to advocate for, lobby or otherwise attempt to influence any officer, board member, employee, response evaluator, or agent of SERCO or elected official for purposes of having an influencing effect on this procurement.
15. No officer, board member, employee, response evaluator, or agent of SERCO shall participate in the selection, award or administration of a contract supported by workforce development funds if a conflict of interest, or potential conflict, is involved.
16. Respondents shall not engage in any activity that will restrict or eliminate competition. Violation of this provision will cause the response to be disqualified and rejected. This does not preclude joint ventures or subcontracts.
17. The contents of a successful response will become a contractual obligation if selected for the award of a contract. Failure of a proposer to accept this obligation may result in cancellation of an award. No plea of error or mistake shall be available to successful proposer as a basis for release from proposed services at the stated price/cost. Any damages accruing to SERCO as a result of a successful bidder's failure to contract with SERCO may be recovered from the proposer.
18. A contract with a selected proposer may be withheld, at the sole discretion of SERCO, if issues of contract or questions of non-compliance issues exist, until such issues are satisfactorily resolved. SERCO may withdraw the award of a contract if the resolution is not satisfactory to SERCO.
19. The solicitation and selection of responses must conform to all relevant federal, state, and local laws, regulations, rules, and policies governing the procurement of goods and services. Respondents are responsible for familiarizing themselves with such matters.

## **PART 4.0 - SUBMISSION INFORMATION**

### **4.1 RESPONSE DEADLINE**

All proposals must be officially received and recorded by SERCO no later than **June 28, 2022 by 2:00 p.m. CST in order to be considered**. Official receipt of proposals submitted will be by entry on a proposal receipt log through the email time stamp. Proposals must be emailed prior to the stated deadline to Katherine Taveras, Administrative Coordinator, at [ktaveras@sercohq.com](mailto:ktaveras@sercohq.com).

Responses received after the due date and time will not be accepted or considered under this procurement. No exceptions will be made to this requirement for any reason. The timely delivery of responses is the sole responsibility of the respondent.

Modifications or amendments to a response must comply with the requirements and response deadline. A respondent may withdraw a response at any time during the procurement process by submitting a written request to Katherine Taveras, at [ktaveras@sercohq.com](mailto:ktaveras@sercohq.com).



#### 4.2 PROCUREMENT SCHEDULE \*

<b>RFQ Issue Date</b>	June 13, 2022
<b>Bidder's Conference</b>	June 16, 2022 @ 2 p.m. CST
<b>Deadline for Questions</b>	June 17, 2022 @ 2:00 p.m. CST
<b>Response Deadline</b>	June 28, 2022 by 2:00 p.m. CST
<b>Submission Email Address</b>	<a href="mailto:ktaveras@sercohq.com">ktaveras@sercohq.com</a>  Katherine Taveras Administrative Coordinator
<b>Contract Start Date</b>	Approximately July 1, 2022

#### 4.3 BIDDER'S CONFERENCE (NON-MANDATORY)

- A. SERCO will hold a Bidder's conference on June 16, 2022 at 2:00 p.m. CST., virtually via Webex Online Conference Call. **Attendance is not mandatory; however, interested parties may participate via Webex.**

To join the meeting from your computer, tablet, or smartphone, go to:

<https://sercohq.my.webex.com/sercohq.my/j.php?MTID=md5f40e2b373aa78808383749c24494fe>

##### Join by meeting number

Meeting number (access code): 2558 200 6273

Meeting password: serco123

##### Join by phone

+1-510-338-9438 USA Toll

Access code: 2558 200 6273

**ALL QUESTIONS REQUESTING CLARIFICATION ADDRESSED AT THE BIDDER'S CONFERENCE MUST BE SUBMITTED VIA E-MAIL TO SERCO BY 2:00 PM CST ON JUNE 17, 2022 TO [ktaveras@sercohq.com](mailto:ktaveras@sercohq.com)** answers provided, however proposers should clearly understand that the only official answer or position of SERCO would be in writing.



- B. SERCO will accept questions submitted via electronic mail no later than 2 pm CST on Friday, June 17, 2022.
- C. Any Addendums to the RFQ, to include all questions received via email or during the conference will be available on SERCO's website. Questions will not be answered over the phone.
- D. No other representative of SERCO is allowed to accept or respond to questions related to this solicitation other than:

**Katherine Taveras**  
**Administrative Coordinator**  
[ktaveras@sercohq.com](mailto:ktaveras@sercohq.com)

- E. Other than the Respondents written questions submitted to SERCO via email, Respondents are prohibited from making contact with SERCO staff or Board of Directors at any time during this procurement process regarding the RFQ, the evaluation process, recommendation and/or award of contracts, or to gain any other information that could provide a competitive advantage of one bidder over another. **Violations of this prohibition will result in the disqualification of the offending respondent.**
- F. Other than as specified above, all members of the SERCO Board, SERCO staff, individuals that have reviewed the RFQ prior to its release, authorized representatives or agents of SERCO are precluded from entertaining or answering questions concerning this RFQ or the procurement process.

#### 4.4 AVAILABILITY OF RFQ

The RFQ will be posted on SERCO's website.

#### 4.5 PROPRIETARY INFORMATION AND THE PUBLIC INFORMATION ACT

Bidder is hereby notified that SERCO strictly adheres to all statutes, court decisions and the opinions of the Texas Attorney General with respect to disclosure of public information. SERCO may seek to protect from disclosure all information submitted in response to this RFQ until such time as a final agreement is executed. Upon execution of a final agreement, SERCO will consider all information, documentation, and other materials requested to be submitted in response to this RFQ to be of a non-confidential and non-proprietary nature and, therefore, subject to public disclosure under Chapter 552.001. Proposer will be advised of a request for public information that applies to their materials and will have the opportunity to raise any objections to disclosure to the Texas Attorney General. Certain information that may be protected from release are noted in Sections 552.101, 552.110, 552.113 and 552.131 of the Government Code.

### PART 5.0 – RESPONSE REQUIREMENTS

Responses will become SERCO's property and will not be returned.

#### 5.1 RESPONSE FORMAT

- A. Responses must contain all required elements in the order prescribed.
- B. Responses that do not conform to this requirement will be considered non-responsive and excluded from consideration under this procurement.

## **5.2 NUMBER OF COPIES**

- A. Proposers must submit one electronic original with all executed (i.e. original signatures) forms and certificates.
- B. The original proposal must be clearly marked "Original" on the Cover Sheet and bear original signatures.

## **5.3 ORDER OF RESPONSE CONTENT**

Responses must follow the format and must be clearly labeled in the exact order shown below. Compile the response in the following order:

- A - Cover Sheet
- B – Response Narrative
- C - Certification of Legal and Signatory Authority
- D - Certification Regarding Lobbying, Debarment and Drug-Free Workplace
- E - Certification of Non-Discrimination & Equal Opportunity
- F - Certification Regarding Texas Corporate Franchise Tax
- G - Certification Regarding State Assessment Certification
- H - Certification Undocumented Worker Certification
- I - Certification Regarding Conflict of Interest
- J - Certification of Proposer
- K – Resumes, W-9, and Certification of Historically Under-utilized Business, if applicable (other materials requested or referred to in the narrative should be labeled and included here, e.g. licenses)
- L – References
- M - List of number of employer plans and current companies that may submit quotes (for our group).

## **5.4 COVER SHEET**

Each response must be accompanied by a complete response Cover Sheet. Respondents must designate a contact person responsible for all communications concerning the response and notification of award. Respondents must also designate a person with documented signatory authority and for contract negotiations.

## **5.5 RESPONSE VALIDITY PERIOD**

Each response will remain valid for SERCO's acceptance for a minimum of one ninety (90) days after the submittal deadline, to allow for evaluation, selection and Board action, if applicable.



## 5.6 RESPONSE NARRATIVE

### SECTION A – STATEMENT OF QUALIFICATIONS

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Present a statement of qualification that describes knowledge, experience and expertise, professional judgment and capacity to perform the services and activities requested under this RFQ.

#### **Proposer's Profile**

Provide a clear description of each of the following:

Organizational type, size, and whether local, regional, or national in scope of operations.

Location of business headquarters, location of office that would provide services to SERCO and the number of professional staff at that office or any office, which would provide services.

Range of services performed by the office e.g., types of services.

In the event you do not sell all lines, list any other partners or vendors that might be included along with similar information as requested.

#### **Proposer's Qualifications**

Identify the responsible individual(s) from your firm that will be assuming the lead role(s) in this contract. If other individuals from your firm will be involved in this contract, submit resumes for each individual (including for lead person), and specific experience should be indicated as well as their respective credentials. Additionally, for the person assuming the lead role in this contract, please indicate their current responsibilities and how many account he/she handles.

- List the experience that key personnel have in this profession and experience in the type of work that the RFQ entails. Additionally, list the number of agents in the firm that can write policies and support staff.
- Provide a listing of number of employer plans that your company is writing and number of employees and current companies that you can request quotes for our group.

In the order specified below, please provide a written response to each of the following questions. (Note: points will be deducted for questions not answered.)

#### **General Information**

1. Describe the specific services and line of products your firm proposes to provide to meet the requirements of the RFQ. Additionally, provide information on any ancillary services which employees may have access to such as, a flex-spending card, etc. (Note: The specific services should address and demonstrate your understanding of the type of services requested.).
2. Describe your expertise or involvement in the insurance/employee benefit industry and experience in providing agent of record services similar to those requested.
3. Describe the resources your firm will dedicate to this contract and your ability to perform work in a timely manner. Additionally, briefly describe your action plan and timetable for assuming these responsibilities and for future design.
4. Describe your firm's expertise/credentials. Does your firm intend to subcontract any work out to other individuals or firms? If your response is **YES**, please state what work would be

Subcontracted, the reasons for subcontracting, and to whom. Example: Ancillary products such as cancer or accidental insurance.

5. State how often you would meet with SERCO staff.
6. Describe any tools you may use to provide or improve SERCO's benefit coverage.
7. Briefly describe your service philosophy and how you would respond to customer questions and the average response time.

### **Relationships**

- Submit a sample plan used for a similar entity for renewal and related materials. Describe the process of renewal and meeting with the employer throughout the year. Time line.
- List names of up to five (5) Group Life/Health carriers/PPO Networks with whom you have a current working relationship.
- List by grouping the companies your firm can place coverage with and percentage of business with that carrier.
- Provide a breakout by carrier of dollar amount of your current group health insurance business.

### **Change of Carriers**

Please indicate your firm's willingness and ability to provide the following services:

- Draft, revise and finalize the contract and benefit summaries and the Specific Plan Design booklets for employees.
- Develop a detailed installation plan for our review and approval.
- Representatives will conduct on-site new member orientations.

### **Privacy and Confidentiality**

What steps have you instituted to ensure privacy and confidentiality of protected data?

### **Member Complaints and Questions**

To what degree do you become involved with participant complaints and questions? And how do you respond to them?

### **Technology**

What current technology does your firm provide or use that would benefit SERCO in terms of keeping up with the benefits provided?

Disclose and describe all publicly recorded legal actions stemming from performance of professional responsibilities in which anyone being proposed for this project has been named;

- Describe the outcome of all actions or declare the current status if litigation is pending;

## **SECTION B – REFERENCES**

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Provide a minimum of three (3) references for agent of record services performed in the last 5 years, including the names, addresses, and telephone numbers of client officials. Ideally those reference might be similar as our in size.

A questionnaire may be send out to the firms/individuals listed as references. The questionnaire will consist of questions such as: Who is your primary contact? Number of years with company? Briefly describe the renewal process?

## **SECTION C – HISTORICALLY UNDERUTILIZED BUSINESS**

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A "Historically Underutilized Business" is an entity with its principal place of business in Texas, and is at least 51% owned by an Asian Pacific American, Black American, Hispanic American, Native American and/or American woman who reside in Texas and has a proportionate interest and demonstrate active participation in the control, operations and management of the entity's affairs.

Five bonus points will be awarded to responsive responses submitted by a HUB certified by the Texas Comptroller of Public Accounts, or other bona fide certifying agency. HUBs must identify their certifying agency on the cover sheet, and attach a copy of the notice of certification to be eligible for points awarded under this section. Certifications that have not yet been awarded, are expired or do not meet the criteria specified shall not be considered for the five additional points.

## **PART 6.0 – RESPONSE REVIEW AND SELECTION PROCESS**

### **6.1 EVALUATION PROCESS**

The evaluation process will consist of:

- A. An initial review of responsiveness and compliance with the technical specifications and other criteria specified in the RFQ by SERCO staff.
- B. All responsive responses will be evaluated and scored by an internal SERCO team of reviewers. Responses will be evaluated on specific criteria by reviewers using a standardized instrument.
- C. Summary of scoring.
- D. Presentation of scoring and recommendations to the COO.

### **6.2 RESPONSE EVALUATION CRITERIA**

1. Respondents must achieve an overall score of at least **70 points** to be considered. It is required that respondents have the necessary professional experience, prior training and applicable professional judgment to perform the activities proposed as requested by this RFQ. **Costs will not be considered a factor as part of the rating. SERCO expects the Agent of Record to be compensated by the insurance companies whose services are engaged to provide benefits for the SERCO's employees.**

The review and evaluation of responses shall be based upon the following criteria:

- A. **Statement of Qualifications, and Credentials** **60 points**  
This criterion examines the qualifications, knowledge and skills of the respondent which have been derived from actual work experiences including a minimum of five (5) years of relevant prior



experience providing agent of record services. Respondent must be currently licensed in the State of Texas in the work requested.

**B. Quality of Proposal**

**20 points**

This criterion examines the overall quality of the response submitted. The evaluation process will take into account the number and type of products the respondent provides.

**C. Demonstrated Ability/References**

**20 points**

The references/past experiences will be evaluated in terms of the amount of experience in working in the field of work requested. A minimum of three (3) references of active clients and number of participants for agent of record services must be provided. The active clients must be current customers at the time of response submission and must be three distinct customers.

**D. Historically Underutilized Business / Bonus**

**5 bonus**

Responses that document HUB status will be awarded five bonus points. HUBs must attach a copy of the notice of certification to be eligible for points awarded under this section.

**TOTAL POSSIBLE POINTS**

**105 points**

**6.3 ACCEPTANCE OF EVALUATION METHODOLOGY**

By submitting a response, respondent acknowledges:

- Respondent's acceptance of the Response Evaluation Process;
- The criteria for selection;
- Respondent's recognition that some subjective judgments must be made by SERCO and the internal evaluators during the RFQ process.

**6.4 ORAL PRESENTATION/INTERVIEWS**

Firms submitting a proposal in response to this RFQ may be required to give an oral presentation or their proposal. Additional technical and/or cost information may be requested for clarification purposes, but in no way will change the original proposal submitted.

Interviews are optional and may or may not be conducted. If an interview is conducted, it is essential that the personnel to be assigned to the work, as well as key representatives, be present at and participate in the interview.

**6.5 LIABILITY INSURANCE**

Professional Liability Insurance: The respondent shall have and maintain in effect professional liability insurance for the services provided, covering general professional liability, errors or omissions for the duration of the agreement in the amount of One-Million Dollars and No Cents (\$1,000,000) per claim, One Million Dollars and No Cents (\$1,000,000) aggregate, minimum coverage. The policy must provide coverage for the term of the contract or;

General Liability Insurance: The respondent shall have and maintain a general liability policy in the amount of One Million Dollars and No Cents (\$1,000,000) per occurrence, One Million Dollars and No Cents (\$1,000,000) aggregate, minimum coverage.

The respondent shall submit to SERCO certificates of insurance, detailing coverage for the respondent and each of his/her consultants and/or contractors, for SERCO's review and records, updated as required for changes in coverage, terms and/or conditions.



## 6.6 PROCUREMENT DISPUTE RESOLUTION

SERCO is the responsible authority for handling complaints or protests regarding the procurement and response selection process. This includes, but is not limited to, disputes, claims, protests of selection or non-selection for award, or other matters of a contractual or procurement nature. Matters concerning violation of laws shall be referred to such authority as may have proper jurisdiction.

All Respondents will be notified in writing of the final results of the procurement process within ten (10) working days of the decision. SERCO has established the following process for handling appeals of any procurement decisions:

Step 1 – Written Notice of Appeal: Proposers not selected by this procurement process may appeal the decision by submitting a written Notice of Appeal to SERCO within ten (10) business days from date of the announcement of the award. This written notice must clearly state that it is an appeal and identify (1) the solicitation decision being appealed; (2) the specific grounds of the appeal, including a description of any alleged acts or omissions by SERCO that forms the basis for the appeal; (3) any written information the appealing party believes relevant to the grant award; (4) the basis for the appealing party interest in the grant award; and (5) the name, address, phone and fax number (if available) of the appealing party(ies). The Notice of Appeal must be addressed to and as follows:

Manuela Zarate, COO  
SER Metro Detroit  
9301 Michigan Avenue  
Detroit, MI 48210  
Dated Material Enclosed

Fax or emails shall not be accepted at any stage of the appeals process. Written acknowledgement of receipt of the Notice of Appeal will be provided to the appealing party within three (3) working days of receipt of the Notice of Appeal. Such acknowledgement will include specific instructions for completing the appeals process and the date, time and place of the next step, the Informal Hearing.

The filing of an appeal within the specified time frame and in the manner required is a non-waivable requirement. There is no relief accorded to appellants for not filing within the published deadlines or following instructions.

Step 2 – Informal Hearing: An Informal Hearing will be held at the offices of SERCO within fifteen (15) working days of the receipt of the Notice of Appeal. The Chief Operating Officer of SERCO shall act as the Hearing Officer, and will meet with the appealing party to discuss their concerns and the specific grounds of the appeal. Materials provided in the Informal Hearing will include a blank copy of the evaluation instrument used by the independent evaluators, a spreadsheet of the scoring results and/or rankings provided to SERCO, and the scoring results and/or ranking of the appellant's bid.

The Hearing Officer may recommend to the SERCO Board of Directors any appropriate actions allowable under applicable rules and regulations and consistent with agency policies to resolve issues raised at the Informal Hearing. If the appealing party agrees, the appeal may be ended at this point.

Step 3 – Request for a Formal Hearing: If the appealing party is not satisfied with the results of the Informal Hearing, they must inform the Hearing Officer, in writing, no later than three (3) working days from the date of the Informal Hearing of intent to proceed with the appeal. Request for Formal

Appeal must state the specific grounds for the appeal and the remedy(ies) requested. Within ten (10) working days of the receipt of this written request, the Hearing Officer will respond, in writing, to inform the appealing party of the time, date and place of Step 4, the Formal Hearing.

**Step 4 –Formal Hearing:** The Formal Hearing shall be conducted within thirty (30) days of the date of the Request for Formal Hearing, or sooner if possible. An independent hearing officer selected by SERCO will conduct the Formal Hearing of the appeal. The Hearing Officer will deal only with those issues identified in the Request for Formal Hearing. The Hearing Officer will consider the facts presented as the grounds for the appeal and remedies requested. The Hearing Officer may request additional information from SERCO staff or the appealing party. After full review, the Hearing Officer will issue his/her decision not later than fifteen (15) days after the Formal Hearing.

Should the Hearing Officer’s determination result in a different outcome for the bidder, such recommendation shall be presented to the Board for consideration and possible action at its next scheduled meeting. The Board is NOT obligated to accept the Hearing Officer’s determination and/or recommendations. The Board’s decision shall be the final decision and end the appeals process at the local level.

**Request for Debriefing:** A request for a debriefing may be submitted within fifteen (15) days of the receipt of notification of the procurement decision by any unsuccessful bidder not filing an appeal. The purpose of the debriefing is to promote the exchange of information, explain the procurement process, including response evaluation process, and help unsuccessful Respondents understand why they were not selected. Debriefings serve an important educational function for proposers, which hopefully will help them to improve the quality of any future responses.

SERCO will acknowledge receipt of the request for debriefing in writing within ten (10) working days of receipt, along with the time, date and place of the scheduled debriefing. The debriefing shall be scheduled as soon as possible but no later than thirty (30) days from the receipt of the Request for Debriefing.



## SERCO, Inc. dba SERCO of Texas, Inc.

### ATTACHMENT A COVER SHEET

Bidder's Name	
Legal Name	
Mailing Address	
City, State, Zip	
Physical Address (if different)	
Contact Person	
Contact Person phone/Email	
Federal Employer ID #	
Type of Organization	<input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Ownership <input type="checkbox"/> Private for-profit <input type="checkbox"/> Private non-profit <input type="checkbox"/> Other (describe)
HUB	<input type="checkbox"/> YES <input type="checkbox"/> NO <b>**Attach a copy of current certification.</b>
Authorized Representative-Contact Information	Name: _____ Phone: _____ E-mail: _____
Signature and Date	



**ATTACHMENT B  
RESPONSE NARRATIVE**

Present a statement of qualification that describes knowledge, experience and expertise, education, professional judgment and capacity to perform the services and activities requested under this RFQ. Follow **SECTION A-STATEMENT OF QUALIFICATIONS.**





**ATTACHMENT D**  
**CERTIFICATONS REGARDING LOBBYING, DEBARMENT, SUSPENSION**  
**AND OTHER RESPONSIBILITY MATTERS, AND DRUG-FREE WORKPLACE REQUIREMENTS**

**Lobbying:** This certification is required by the Federal Regulations, implementing Section 1352 of the Program Fraud and Civil Remedies Acts, Title 31 U.S. Code, for the Department of Agriculture (7 CFR part 3018), Department of Labor (20 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned contractor states that:

No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or any employee of a Member of Congress in connection with the awarding of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan or cooperative agreement.

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, and 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.

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.

\*\*\*\*\*

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

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.



\*\*\*\*\*

**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 Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR parts 85, 668 and 682) and Department 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 (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace.

Notifying the grantor agency, SERCO in writing, within ten (10) calendar days of the Contractor’s receipt of a notice of conviction of an employee.

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.

\_\_\_\_\_  
Name of Applicant/Organization

\_\_\_\_\_  
Name and Title of Authorized Representative

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date



**ATTACHMENT E**

**Certification Regarding Implementation of the Non-Discrimination & Equal Opportunity Provisions and the Workforce Innovation and Opportunity Act (WIOA)**

As a condition to the award of financial assistance from the Department of Labor (DOL) under Title I of the Workforce Innovation and Opportunity Act (WIOA), the bidder assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

Section 188 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;

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

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

The bidder also assures that it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the bidder’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 I-financially assisted program or activity. The bidder understands that the United States has the right to seek judicial enforcement of this assurance.

Applicant’s signature below indicates organization is agreeing to comply fully with the assurance and certifications as part of its responsibilities as a successful contractor.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name and Title of Authorized Representative



**ATTACHMENT F  
CORPORATE FRANCHISE TAX CERTIFICATION**

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Pursuant to Article 2.45, Texas Business Corporation Act, SERCO may not contract with for-profit corporations that are delinquent in making state franchise tax payments. The following certification that the corporation making this contract is current in its franchise taxes must be signed by the individual authorized on Form 2031, Corporate Board of Directors Resolution, to sign the contract for the corporation.

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**The undersigned certifies that the following statement is true and correct and that the undersigned understands making a false statement will prevent SERCO, Inc. from contracting with the organization.**

Indicate the certification that applies to your corporation by checking the appropriate box:

The corporation is a for profit corporation and certifies that it is not delinquent in its franchise tax payments to the State of Texas.

The corporation is a nonprofit corporation or is otherwise not subject to payment of franchise taxes to the State of Texas for the following reason(s):

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Not applicable. Applicant is not a corporation.

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Signature of Authorized Representative

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Name of Applicant's Organization

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Name and Title of Authorized Representative

---

Date



**ATTACHMENT G**  
**STATE ASSESSMENT CERTIFICATION**

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Applicant must certify that they are current in all Unemployment Insurance taxes, Payday and Child Labor Law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas. Applicants must also certify that they have not outstanding Unemployment Insurance overpayment balances due to the State of Texas.

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The undersigned authorized representative of the Applicant certifies that the following statements are true and correct and that the undersigned understands that making a false statement will prevent SERCO from contracting with the organization.

The corporation certifies, by checking the boxes below, that:

- It is current in Unemployment Insurance taxes, Payday and Child Labor Law monetary obligations, and Proprietary School fees and assessments payable to the State of Texas.
  
- It has no outstanding Unemployment Insurance overpayment balance payable to the State of Texas.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Name of Applicant's Organization

\_\_\_\_\_  
Name and Title of Authorized Representative

\_\_\_\_\_  
Date



**ATTACHMENT H  
UNDOCUMENTED WORKER CERTIFICATION**

Effective September 1, 2007, HB 1196 amended Subtitle F, Title 10, of the Texas Government Code to add Subsection 2264. Chapter 2264 directs public agencies, state or local taxing jurisdictions, and economic development corporations (public entities) to require that any business submitting an application to receive public subsidies include in the application a statement certifying that the business, or branch, division or department of the business does not and will not knowingly employ an undocumented worker.

In the event that a business grantee is found in violation of 8U.S.C. subsection 1324a(f), consistent with the requirements of Texas Government Code subsection 2264, Boards are permitted to bring a civil action to recover any amounts owed, as well as court costs and reasonable attorney’s fees.

Penalties incurred by business grantees shall be assessed damages at a rate of 20% of contract award. Said damages shall be made payable to SERCO within 120 days of receiving the notice of violation.

**DEFINITION OF TERMS**

Public Subsidy – is broadly defined Texas Government Code §2264.001 (3) as a public program or public benefit or assistance of any type that is designed to stimulate the economic development of a corporation, industry, or sector of the state’s economy or to create or retain jobs in Texas. The term includes, among other things, bonds, grants, loans, loan guarantees, benefits relating to an enterprise or empowerment zone, infrastructure development and improvements designed to principally benefit a single business or defined group of businesses, and matching funds. The Commission’s Office of General Counsel has found that HB 1196 does not apply to the acquisition of goods and services.

Undocumented Worker – is defined as an individual who, at the time of employment, is not lawfully admitted for permanent residence in the United States, or is not authorized under law to be employed in that manner in the United States. CERTIFICATION Contractor certifies that no undocumented workers will be employed during the execution of this contract. By the signature indicated below, the contractor verifies their understanding of the terms and conditions of this requirement.

**CERTIFICATION**

Name of Individual or Organization submitting application:

\_\_\_\_\_

Name and Title of Authorized Signatory:

\_\_\_\_\_

Signature of Authorized Representative:

\_\_\_\_\_

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



**ATTACHMENT I**  
**CERTIFICATE REGARDING CONFLICT OF INTEREST**

By signature of this Certificate, Applicant covenants and affirms that:

- 1) No manager, employee or paid consultant of the Applicant is a member of the Policy Board, the Executive Director, or an employee of SERCO;
- 2) No manager or paid consultant of the Applicant is married to a member of the Policy Board, the Executive Director, or an employee of SERCO;
- 3) No member of the Policy Board, the Executive Director or an employee of SERCO owns or controls more than a 10 percent share in the Applicant's organization;
- 4) No spouse of a member of the Policy Board, Executive Director, or employee of SERCO receives compensation from Applicant for lobbying activities as defined in Chapter 305 of the Texas Government Code;
- 5) Applicant has disclosed within the proposal response any interest, fact or circumstance which does or may present a potential conflict of interest;
- 6) Should Applicant fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Applicant shall not be entitled to the recovery of any costs or expenses incurred in relations to any contract with SERCO and shall immediately refund to SERCO any fees or expenses that may have been paid under the contact and shall further be liable for any others costs incurred or damages sustained by SERCOrelating to that contract.

Name of Individual or Organization submitting application:

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Name and Title of Authorized Signatory:

---

Signature of Authorized Representative:

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Date:

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**ATTACHMENT J  
CERTIFICATION OF PROPOSER**

I hereby certify that the information contained in this proposal and any attachment is true and correct and may be viewed as an accurate representation of proposed services to be provided by this organization. I certify that no employee of SERCO, director or agent has assisted in the preparation of this application. I acknowledge that I have read and understand the requirements and provisions of the RFP and that this organization will comply with SERCO policies and other applicable local, state, and federal regulations and directives governing this procurement process.

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_  
(Typed Name) (Title)

of the corporation, committee, commission, association, or public agency named as Proposer herein I am authorized to sign this proposal and submit it to SERCO on behalf of said organization by authority of its governing body or owners. I authorize the board to verify references and stated performance data and to conduct other background checks, as it deems necessary.

**ATTEST:**

\_\_\_\_\_  
(Proposer's Signature)

\_\_\_\_\_  
(Typed Name)

\_\_\_\_\_  
(Typed Title)

\_\_\_\_\_  
(Date)



**ATTACHMENT K  
RESUMES AND OTHER RESPONSE INFORMATION**

Resume(s)

Certification(s)  
(if applicable)

Historically Underutilized Business  
(if applicable)



**ATTACHMENT L  
REFERENCES FORM**

**DEMONSTRATED ABILITY/REFERENCES**

**Failure to provide and include the following information with your response by the submission date may result in disqualification from further consideration for an award resulting from this solicitation. Each reference will be contacted for evaluation purposes.**

**REFERENCE #1:**

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (To/From) Dates	

**REFERENCE #2:**

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (To/From) Dates	

**REFERENCE #3:**

Company Name	
Contact Name	
Address, City, State, Zip	
Phone Number	
Fax Number	
E-Mail Address	
Types of Services Provided	
Contract Term (To/From) Dates	