

**SACRAMENTO EMPLOYMENT AND TRAINING AGENCY**

**2013 - 2014**

**REQUEST FOR PROPOSALS**

**FOR AUDIT SERVICES**

**Date Released: February 7, 2014**

**Due Date: February 28, 2014**

**Sacramento Employment & Training Agency  
925 Del Paso Blvd., Suite 100  
Sacramento, CA 95815-3512**

**Telephone: 263-3800**

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**Sacramento Employment and Training Agency  
A Financial and Compliance Examination of the Agency**

SECTION I: INTRODUCTION AND GENERAL INFORMATION

You are invited to submit a proposal for furnishing independent audit services to SETA. The purpose of these audit services will be: (1) to express an opinion on the fairness of the presentation of the Agency's financial statements for the twelve (12) months ending June 30, 2014; and (2) to perform a single audit in accordance with OMB Circular No. A-133. We are requesting each firm to provide SETA with a proposal to perform the work as outlined in Section III.

SETA is a Joint Powers Agency created under authority of Government Code Section 6500 et. seq. by the City and County of Sacramento to provide human services to the residents of the area. SETA is governed by a five member board whose make-up includes two City Council members, two County Supervisors and a public member appointed by the City of Sacramento and the County of Sacramento.

SETA is an equal opportunity employer and contractor and does not discriminate in contracting on the basis of sex, marital status, age, race, creed, color, disability or physical or mental condition, religion, national origin or ancestry, political affiliation or belief, or heritage. In order to comply with federal procurement regulations and SETA's Procurement Policies, consideration in the contracting process will be given to small and minority owned firms, women's business enterprises and labor surplus area firms, all of which are encouraged to respond to this Request for Proposals.

The Director of Finance of Sacramento County is the Chief Financial Officer of SETA. Accounting, financial records and statements are under the direct control of the Director of Finance of Sacramento County.

SETA adheres to the accounting principles, standards and procedures prescribed by the State Controller's Office as set forth in the manual on Accounting Standards and Procedures for Counties.

A. GENERAL INSTRUCTIONS AND CONDITIONS

(1) Inquiries

All inquiries concerning this Request for Proposals must be in writing and delivered to:

MS. LORETTA SU  
FISCAL DEPARTMENT CHIEF  
SACRAMENTO EMPLOYMENT AND TRAINING AGENCY  
925 DEL PASO BLVD., SUITE 100  
SACRAMENTO, CALIFORNIA 95815-3512

(2) Ambiguity - Conflict or Other Errors in RFP

If a proposer discovers any ambiguity, conflict, discrepancy, omission or other errors in the RFP, the proposer shall immediately notify SETA of such error in writing and request modification or clarification of the document. Modifications will be made by issuing a revision and will be given by written notice to all parties who have been furnished with the RFP, without divulging the source of the request for same.

If the proposer fails to notify SETA prior to the date and time fixed for submission of proposals of an error, or an error that reasonably should have been known, the proposal shall be submitted at the proposer's own risk. If selected, the proposer shall not be entitled to additional compensation or time by reason of the error or its later correction.

SETA may also modify the RFP, prior to the date and time fixed for submission of proposals, by issuance of a revision to all parties who have received the RFP.

(3) Proposers' Conference

A proposers' conference will be held so that proposers may have the opportunity to raise any questions they may have pertaining to the development of their proposals. It is not the intent of this conference to offer personalized technical assistance, but rather to provide examples, clarify information or answer questions relevant to the RFP. Attendance is optional. The conference will be held on February 14, 2014 at 10:00 a.m. in SETA's Board Room, 925 Del Paso Blvd., Sacramento, California.

(4) Submission of Proposal

(a) Number of Copies

Five (5) copies of the proposal must be submitted, typed double spaced.

(b) Master Copy

One of the five (5) copies of the proposal shall be clearly marked "MASTER COPY". If discrepancies between two or more copies of the proposal are found, the master copy will provide the basis for resolving such discrepancies.

(c) Proposal Preparation Cost

Costs for developing proposals are entirely the responsibility of the proposers and shall not be chargeable to SETA.

(d) Signature of Proposal

A transmittal letter, which shall be considered an integral part of the proposal, shall be signed by an individual who is authorized to bind the proposer contractually. If the proposer is a corporation, the legal name of the corporation shall be provided together with the signature of the officer or officers authorized to sign on behalf of the corporation. If the proposer is a partnership, the true name of the firm shall be provided with the signature of the partner or partners authorized to sign. If the proposer is an individual, that individual shall sign. If signature is by an agent, other than an officer of a corporation or a member of a partnership, a power of attorney or an equivalent document must be submitted to SETA prior to or with the submission of the proposal.

(e) Delivery of Proposals:

Address the proposal to:

MS. LORETTA SU  
FISCAL DEPARTMENT CHIEF  
SACRAMENTO EMPLOYMENT AND TRAINING AGENCY  
925 DEL PASO BLVD.  
SACRAMENTO, CALIFORNIA 95815-3512

Proposals must be received no later than 5:00 p.m., P.S.T., on February 28, 2014 (see Section V. Proposal Deadline and Submittal Procedure).

(f) Proposal Obligation

The contents of the proposal and any clarification thereto submitted by the

successful proposer may, at the sole option of SETA, become part of the contractual obligation and be incorporated by reference into the ensuing contract.

(g) Implied Requirements

Products and services not specifically mentioned in this RFP, but which are necessary to provide the functional capabilities described by the proposer, shall be included in the proposal.

(5) Withdrawal of Proposal

The proposer may withdraw a proposal by submitting a written request for its withdrawal to Ms. Loretta Su, Fiscal Department Chief, and signed by the proposer or an authorized agent at any time prior to the proposal submission deadline. The proposer may thereafter submit a new proposal prior to the deadline. Modifications offered in any manner, oral or written, will not be considered after the deadline.

(6) Status of Proposal

(a) Disposal of Proposal

All proposals become the property of SETA and will not be returned to the proposer.

(b) Disclosure of Proposal Content

It is the responsibility of proposers to identify information in their proposals that they consider to be confidential under the California Public Records Act. To the extent that SETA agrees with that designation, such information will be held in strict confidence. All other information will be considered public.

In the event any information is considered confidential pursuant to the foregoing, and any person makes a request for disclosure of such information, SETA shall notify the proposer submitting such information that such a request has been made.

Unless the proposer immediately agrees to assume the defense of such request and pay all costs associated therewith (including any attorney's fees which might be awarded to the prevailing party), SETA shall have no further obligation to the proposer to retain the information as confidential. Further, the proposer shall expressly agree to indemnify SETA against any costs resulting from nondisclosure of the information.

(7) Contractual Development

SETA intends to enter into a contractual agreement with the successful proposer substantially in accordance with SETA's standard Audit Services Contract, a copy of which is attached to this RFP as Exhibit A. Contract negotiation will follow selection of the apparent successful proposer. Because of the complex nature of this acquisition, it is likely that an award will be made directly on the basis of proposal content. However, SETA reserves the right to negotiate further with one or more proposers. The content of the RFP and the successful proposal will become an integral part of the contract, but may be modified by the provisions of the contract. Proposers must be amenable to inclusion, in a contract, of any information provided either in response to this RFP or subsequently during the selection process.

(8) Schedule of Events

Activity

Distribution of RFP	February 7, 2014
Proposers' Conference	February 14, 2014
<b>Proposals Due</b>	<b>February 28, 2014</b>
Evaluations Completed and Vendor Notification	March 14, 2014
SETA Governing Board Final Award Decision	April 3, 2014
Preliminary Report Completion	October 20, 2014
Final Report Submission	November 3, 2014

(9) Contract Extension

SETA may, in its sole discretion, renew the contract for two (2) additional one-year terms upon the same terms and conditions, except that the scope of service, including the timeline for submission of Preliminary and Final Reports, and the fee for any additional term will be subject to renegotiation based upon required performance. Any increase will not exceed 5% or the Annual Consumer Price Index, whichever is smaller. If additional services are required during the initial term or any additional term, a fee will be negotiated consistent with the fee established for the services otherwise provided.



(10) Limitation

The Request for Proposals does not, in any way, commit SETA to award a contract. SETA reserves the right to accept or reject any or all proposals received in response to this request, to negotiate with all qualified sources, or to cancel in part or in its entirety, this RFP if it is in the best interest of SETA to do so.

(11) MBE/WBE Participation

SETA encourages the utilization of Minority Business Enterprises (MBE) and Women's Business Enterprises (WBE) in the procurement of goods and services whenever possible. To encourage the participation of MBE/WBE businesses in its procurement, SETA actively solicits qualified MBE/WBE businesses to respond to its Requests for Proposals. If subcontracting is anticipated for services, SETA requires respondents to demonstrate good-faith efforts to obtain qualified MBE/WBE subcontractors. For this Request for Proposals, SETA does not anticipate that any services will be subcontracted and, therefore, no good-faith efforts will be required. Nevertheless, to assist SETA in monitoring its usage of qualified MBE/WBE firms, certified MBE/WBE businesses should submit proof of such certification with their response to this Request for Proposals.

To qualify for MBE/WBE status, a respondent must be certified as a MBE and/or WBE by the City of Sacramento, Office of Minority, Women and Small Business or such other agency that provides for comparable certification consistent with Part 23 of Title 49 of the Code of Federal Regulations (CalTrans and the Sacramento Regional Transit Authority are examples of such comparable certification agencies). For purposes of this provision, the following definitions apply:

MBE: An MBE must be an independent business concern which is at least 51% owned and controlled by a minority group member. Ownership and control are measured by a variety of factors including: (1) responsibility for performance of the work; (2) management responsibility and control; (3) at least 51% share of profits and risks; (4) other data (such as voting rights) that may be related to ownership and/or control.

Minority individuals who qualify for consideration in the establishment of an MBE are listed below:

- (1) Black Americans: persons having origins in any of the black racial groups of Africa;
- (2) Hispanic Americans: persons of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish or Portuguese culture or origin regardless of race;
- (3) Native Americans: persons having origins in any of the original peoples of North America;
- (4) Asian/Pacific Islanders: persons whose origins are from Bangladesh, Cambodia, China, Guam, India, Indonesia, Japan, Korea, Laos, Malaysia, Northern Marianas, Pakistan, Philippines, Samoa, Singapore, Taiwan, the U.S. Trust Territories of the Pacific and Vietnam.

WBE: A WBE must be an independent business concern which is at least 51% owned and controlled by a woman or women. Ownership and control are measured by a variety of factors including: (1) responsibility for performance of the work; (2) management responsibility and control; (3) at least 51% share of profits and risk; (4) other data (such as voting rights) that may be related to ownership and/or control.

## B. EVALUATION AND SELECTION PROCESS

### (1) Evaluation Process

The proposals will be evaluated in detail. Proposers may be asked to present and explain their proposals at management and technical levels. The proposal which then appears functionally most favorable will be compared to other proposals for cost purposes. This analysis will examine difference in costs and benefits. Cost differences must be justified by the value of greater benefits.

The detailed evaluation may result in selection of several proposers. Before final award, SETA may meet with these proposers for staff interviews. Upon selection of a proposer(s) by the SETA Governing Board, contract negotiations will be started as soon as possible. If a contract for any reason cannot be negotiated, another proposer may be selected. SETA reserves the right to negotiate a contract with one or more proposers.

Only one contract, however, will be awarded.

(a) Evaluation Criteria

An objective evaluation procedure will be utilized to assist in the comparative analysis of alternatives and the selection process. The procedure will enable evaluators to weight factors to each of the criteria used for evaluation (Exhibit B).

(b) Evaluation Committee

The evaluation will be performed by a minimum of three individuals from local government. The SETA Governing Board will make the final selection decision. SETA may require representatives of the proposer to make oral presentations or to provide written clarification of the proposal. The assessment of points shall be based upon the judgement of the evaluators from their reviews of the documentation provided in the proposals and any clarification thereto in accordance with the predetermined evaluation criteria (Exhibit B).

(2) Right of Rejection

SETA reserves the right to reject any or all proposals.

C. PROTEST PROCEDURES TO RESOLVE PROCUREMENT DISPUTES

All protests to resolve disputes concerning this Request for Proposals shall be written, must specify in detail the grounds of the protest, the facts and evidence in support thereof and the remedy sought. The written protest must be delivered to the Clerk of the Boards at SETA no later than five (5) calendar days prior to the date of any funding determination by the Governing Board. In the absence of a timely and properly submitted written protest, no party responding to this Request for Proposals shall be eligible for any remedy.

The SETA Governing Board shall resolve any protest based upon the written protest and any oral or written response thereto provided by staff. Any SETA Governing Board resolution of the protest shall be made prior to any funding determination under this Request for Proposals and such resolution by the SETA Governing Board shall be deemed final.

## SECTION II: SCOPE OF EXAMINATION

- (1) The examination of SETA shall be a single audit in accordance with the Federal Single Audit Act of 1984, as amended.
  - (a) The financial audit shall be as described in the AICPA Industry Audit Guide, State and Local Governments and statements promulgated by the Governmental Accounting Standards Board.
  - (b) The Compliance Audit shall be in accordance with OMB Circular A-133, revised June 27, 2003, and the Compliance Supplement for Single Audits of State and Local Governments.
  - (c) Additional supplemental schedules will be required for the State Department of Education Childcare Block Grant and the Community Services Block Grant program.
  
- (2) The financial examination shall be conducted in accordance with generally accepted auditing standards leading to the expression of an opinion in compliance with Rule 58.1 of the California State Board of Accountancy as well as in accordance with the Statements on Auditing Standards published by the American Institute of Certified Public Accountants, and Government Auditing Standards (the "Yellow Book") issued by the Comptroller General of the United States (2003 Revision, and any amendments thereto).
  
- (3) If conditions are discovered which lead to the belief that material errors, defalcations, or other irregularities may exist, or if any other circumstances are encountered that require extended services, the auditor will promptly advise SETA and the State Controller's Office.  
  
No extended services will be performed unless they are authorized in a contractual agreement or in an amendment to the agreement.
  
- (4) The intent of SETA is for the auditor to render an opinion on its General Purpose Financial Statements as set forth in the Governmental Accounting and Financial Reporting Standards (Section 2200).

(5) The Grants included in the examination are:

Funding Agency	Program	Grant/Contract Amount
State Workforce Investment Division	WIA Title I (Adult) WIA Title I (Youth) WIA Title I (Dislocated Worker) Rapid Response Additional Assistance 25% NEG OJT Regional Industry Clusters 15% VEAP NEG Multisector Disability Employment Initiative DOL Evaluation 15% Incentive	\$ 8,662,550 4,161,437 2,954,405 1,057,966 3,481,545 277,000 250,000 214,286 150,000 30,000 26,400 17,799
State Department of Education	Childcare Block Grant Child & Adult Care Food Program	\$ 3,017,818 1,600,000
State Department of Social Services	Refugee Employment Social Services Targeted Refugee Assistance Program	\$ 561,840 404,791
State Department of Community Services and Development	Community Services Block Grant	\$ 1,964,128
State Department of Corrections and Rehabilitation	County of Sacramento – Second Chance City of Sacramento - Ceasefire	\$ 266,100 125,000
State of California Health Benefit Exchange	Covered California	\$ 666,667
State of California Employment Training Panel	Employment Training Panel	\$ 313,661
Federal Social Security Administration	Ticket-to-Work	\$ 40,000
Federal Department of Health and Human Services	Head Start Program Early Head Start Program Victims of Trafficking Program	\$ 40,782,607 7,020,870 287,412
Sacramento County Department of Human Assistance	CalWORKs One-Stop Share of Cost CalWorks OJT/Subsidized Employment	\$ 4,000,000 2,314,500
<b>Total</b>		\$ 84,648,782

- (6) SETA retains the right to make additions and/or deletions to the Grants listed in Section II (5) above.
- (7) Addenda to the Compliance Supplement may be required by SETA's cognizant agency, the National Audit Managers – Non-Federal Audits, HHS National External Audit Resources. Any planning efforts, including development of testing methods, should therefore be coordinated with the National Audit Managers – Non-Federal Audits, HHS National External Audit Resources.

### SECTION III: REPORT ON EXAMINATION OF SETA

- (1) This report shall set forth the scope of the examination, together with an opinion, in compliance with Rule 58.1 of the State Board of Accountancy.
- (2) The report shall include the financial statements customarily associated with reports on funds of governmental units.
- (3) The report shall include such explanatory footnotes as considered necessary to disclose all material items.
- (4) The report shall comment on the compliance with all federally-funded programs in accordance with OMB Circular A-133, revised June 27, 2003, and the Compliance Supplement for Single Audits of State and Local Governments.
- (5) Draft of the final report shall be reviewed with the Agency's Fiscal and Administrative Staff.
- (6) The report shall be addressed to:

GOVERNING BOARD  
SACRAMENTO EMPLOYMENT AND TRAINING AGENCY  
925 DEL PASO BLVD. SUITE 100  
SACRAMENTO, CALIFORNIA 95815-3608

- (7) Copies of the auditor's report shall be delivered to the State Controller's Office. Distribution will be made by this office.
- (8) Twenty-five (25) copies of the final report shall be delivered to SETA.

#### SECTION IV: PROPOSAL REQUIREMENTS

The proposal submitted by your firm shall specifically address the following items:

- (1) Address and telephone number of firm's office in, or nearest to, Sacramento, California.
- (2) Name of firm's representative designated as contact.
- (3) Name of engagement manager, if different from representative designated at time of contact.
- (4) A statement of your firm's background and experience in providing auditing and management consulting services to large governmental organizations.
- (5) A declaration of your firm's ability and willingness to commit and maintain staffing, both number and level, to successfully conclude an engagement of this magnitude.
- (6) Names of key individuals to be assigned to the engagement in the respective specialties considered necessary to undertake and complete the examination. A statement of the qualifications of the key individuals so identified, including their experience in the auditing of governmental units, auditing in general, and any specialized expertise such individuals might have which is applicable to this engagement.
- (7) A statement of the ability to staff the engagement locally, i.e., the availability of staff in a local office with requisite qualifications and experience in the respective areas of specialization required to successfully complete the engagement.

- (8) A statement of the education and training program provided to, or required of, the staff identified for participation in the engagement, particularly with reference to governmental accounting and auditing, governmental practices and procedures, and governmental affairs.
- (9) A statement of any arrangements that your firm has regarding liaison with, or access to, offices of the state and federal governments for the purpose of obtaining prompt response to inquiries arising from technical and procedural questions developed in the course of the examination. This statement should include your approach to the audit required by Circular A-133 and extent of coordination with SETA's cognizant agency.
- (10) A statement of your estimated time and charges should be provided.  
The following information should be included:
  - (a) The classification of staff assigned to the examination identified to areas of specialization, as appropriate;
  - (b) The rate per hour for each separate classification and area of specialty; and,
  - (c) The total estimated hours and maximum fee (not to exceed amount) to complete the examination and to prepare and submit a final report on the examination.
- (11) A statement describing your firm's ability to identify audit costs attributable to each grant, which may be used to assist in charging each organization for their share of audit costs.
- (12) A statement acknowledging that if your firm is awarded a contract, you will retain the audit work papers and related audit reports for a minimum period of three years or longer if required by SETA or if any dispute involving the audit is unresolved, and understand that staff of the Government Accounting Office and/or the cognizant agency and the state are authorized under OMB Circular A-133 to review any and all work papers.
- (13) An expression of your estimated space and equipment requirements. Please state the maximum number of desks/locations that you would need on-site.



- (14) An expression of your ability to accomplish this engagement during normal office hours.
- (15) Any other information considered relevant to the proposal.
- (16) If your firm intends to subcontract for segments of the engagement, your proposal should be specific as to details.
- (17) The proposer should provide three references from locally-served audit clients. It is SETA's intention to verify these references prior to making final selection of the successful bidder. Please provide the name, address, telephone number, and contact person for each reference.
- (18) The proposer must complete and submit Exhibits C, D and E with the proposal.

**SECTION V: PROPOSAL DEADLINE AND SUBMITTAL PROCEDURE**

- (1) All proposals must be in the SETA office and time-stamped by the SETA receptionist no later than 5:00 p.m., P.S.T., February 28, 2014. Proposals mailed to SETA must be received in the SETA office and time-stamped by the SETA receptionist no later than 5:00 p.m., P.S.T., February 28, 2014. In accordance with the policy of the SETA Governing Board, proposals delivered after 5:00 p.m., P.S.T., will not be accepted - **NO EXCEPTIONS. NO APPEALS WILL BE ACCEPTED FOR LATE PROPOSALS.**

The following process will apply to all proposals submitted:

- \* All proposals submitted on a timely basis will be received and placed in an envelope. No determination will be made on the responsiveness to the RFP at the time of submittal.
- \* No proposal will be accepted from any person after the submittal deadline.
- \* Staff will inform the Governing Board of any nonresponsive proposals to the RFP and those wishing to address the above circumstances will be allowed to do so before the SETA Governing Board.

- (2) Five (5) copies of your proposal shall be delivered.
- (3) All proposals shall be firm for a period of forty-five (45) days following the required date of submission.

SECTION VI: LITIGATION STATUS

- (1) You are requested to furnish any information on the nature and magnitude of any litigation whereby, during the past two years, a court has ruled against your firm in any matter relating to the professional activities of your firm. In addition, you are asked to describe the nature, magnitude and status of any litigation current or pending against your firm in any manner related to your professional activities.
- (2) Recognizing the need to maintain confidentiality in this matter, you may provide this information in a separate letter directly to the following:

MS. LORETTA SU  
FISCAL DEPARTMENT CHIEF  
SACRAMENTO EMPLOYMENT AND TRAINING AGENCY  
925 DEL PASO BLVD., SUITE 100  
SACRAMENTO, CALIFORNIA 95815-3512

- (3) If you prefer to do so, this information on litigation may be included as part of your formal proposal.

SECTION VII: EVALUATION OF PROPOSALS

- (1) Proposals will be evaluated by the Evaluation Team using the following criteria to determine the proposal which best meets the needs of SETA:
  - (a) Responsiveness of the proposal in clearly stating the understanding of the work to be performed.
  - (b) Cost, although a significant factor, may not be the dominant factor. Cost is particularly important when all the other evaluation criteria are relatively equal.
  - (c) Technical experience of the firm.
  - (d) Experience and professional activities of the audit team.
  - (e) Size and structure of the firm.
  - (f) Past performance of the proposer on work previously done for SETA or similar government agencies.

- (2) SETA reserves the right to reject any and all proposals submitted and/or to request additional information from proposers.

#### SECTION VIII: PROGRESS REPORTS

- (1) It is expected that progress reports on the conduct of the work will be provided to SETA not less than bi-weekly during the course of the work.
- (2) Either SETA or the firm conducting the work may, with reasonable notice, request a meeting at any time during the course of the work.

#### SECTION IX: BILLING OF FEES

- (1) Compensation for the performance of the work will be paid monthly upon review and approval of invoices by SETA. Invoices must be substantiated by such detailed itemization as required by SETA.
- (2) Each monthly invoice submitted, when approved as to compliance with SETA's requirements, will be paid at a rate of 90%. The remaining 10% retained will be paid upon submittal and approval of a final invoice after all required reports and letters have been accepted by SETA.

#### SECTION X: ADDITIONAL DATA

Other records and financial data necessary for the preparation of your proposal will be made available by SETA upon request.

EVALUATION CRITERIA

Evaluation of each proposal will be based on the following criteria:

<u>FACTOR</u>	<u>POINT RANGE</u>
A. Prior experience auditing or designing and installing accounting systems.	
1. Auditing programs financed by the federal government.	0 - 15
2. Auditing state, county, or local government activities.	0 - 10
3. Auditing non-profit organizations.	0 - 5
4. Designing and/or installing accounting systems.	0 - 5
B. Organization size and structure of offeror's firm (considering size in relation to audits to be performed).	0 - 20
C. Qualifications of staff assigned to the audits to be performed. This will be determined from resumes submitted. Education, position in firm, years and types of experience will be considered.	
1. Audit team makeup.	0 - 20
2. Overall supervision to be exercised.	0 - 5
D. Responsiveness of the proposal in clearly stating an understanding of the work to be performed.	
1. Appropriateness and adequacy of proposed procedures.	0 - 10
2. Reasonableness of time estimates.	0 - 5
3. Appropriateness of assigned staff levels.	<u>0 - 5</u>
MAXIMUM POINTS	100

Each proposal will be independently evaluated on Factors A through D by two or more qualified individuals. Their raw scores will be averaged to obtain a composite raw score.

The proposals will be ranked according to total score. Total score along with a consideration of price will be used to select the offeror for the contract. Should that offeror be unable to accept the contract, a subsequent selection may be made.

**COMPLIANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 84308**

In order to comply with the provisions of California Government Code Section 84308 and the Regulations of the California Fair Political Practices Commission, each respondent must fully complete the "Party Disclosure Form" attached to this Request for Proposals and file the form with the proposal. Additionally, all participants (as defined in the attached "Participant Disclosure Form") identified by the respondent in the proposal must file the "Participant Disclosure Form" attached to this Request for Proposals. If other individuals or entities become or are identified as parties or agents during the time the Workforce Investment Board or Sacramento Employment and Training Agency is considering a respondent's proposal, additional Party Disclosure Forms must be filed with the Sacramento Employment and Training Agency. Participants who are later identified will be requested to file a "Participant Disclosure Form".

Government Code Section 84308

**PARTICIPANT DISCLOSURE FORM**  
Information Sheet

**SACRAMENTO EMPLOYMENT AND TRAINING AGENCY**

This form must be completed by participants in a proceeding involving a license, permit, or other entitlement for use, including a subgrant or contract, pending before the Sacramento Employment and Training Agency.

Important Notice

Basic Provisions of Section 84308

- I. You are prohibited from making a campaign contribution of \$250 or more to any Workforce Investment Board or Sacramento Employment and Training Agency board member or any candidate for such a position. This prohibition starts on the date you begin to actively support or oppose an application of a license, permit, or other entitlement for use pending before the Workforce Investment Board or Sacramento Employment and Training Agency, and continuing until three months after a final decision is rendered on the application or proceeding by the Workforce Investment Board or Sacramento Employment and Training Agency.

No Workforce Investment Board or Sacramento Employment and Training Agency board member or candidate may solicit or receive a campaign contribution of \$250 or more from you and/or your agent during this period if the board member or candidate knows or has reason to know that you are a participant.

- II. The attached disclosure form must be filed if you or your agent have contributed \$250 or more to any Workforce Investment Board or Sacramento Employment and Training Agency board member or candidate for the Workforce Investment Board or Sacramento Employment and Training Agency during the 12 month period preceding the beginning of your active support or opposition. It will assist the board members in complying with the law.
- III. If you or your agent have made a contribution of \$250 or more to any Workforce Investment Board or Sacramento Employment and Training Agency board member or candidate during the 12 months preceding the decision in the proceeding, that board member must disqualify himself or herself from the decision. However, disqualification is not required if the board member or candidate returns the campaign contribution within 30 days of learning about both the contribution and the fact that you are a participant to the proceeding.

## EXHIBIT C

This form should be completed and filed the first time that you lobby in person, testify in person before, or otherwise directly act to influence the vote of the members of the Workforce Investment Board or Sacramento Employment and Training Agency.

1. An individual or entity is a "participant" in a proceeding involving an application for a license, permit or other entitlement for use, including a subgrant or contract, if:
  - A. The individual or entity is not an actual party to the proceeding, but does have a significant financial interest in the decision of the proceeding before the Workforce Investment Board or Sacramento Employment and Training Agency.

AND

- B. The individual or entity, directly or through an agent, does any of the following:
  - (1) Communicates directly, either in person or in writing, with a member of the Workforce Investment Board or Sacramento Employment and Training Agency for the purpose of influencing the member's vote on the application or proposal;
  - (2) Communicates with an employee of the Workforce Investment Board or Sacramento Employment and Training Agency for the purpose of influencing a member's vote on the application or proposal; or
  - (3) Testifies or makes an oral statement before the Workforce Investment Board or Sacramento Employment and Training Agency during a proceeding on a license, permit or other entitlement for use for the purpose of influencing the decision of the Workforce Investment Board or Sacramento Employment and Training Agency.
2. A proceeding involving "a license, permit or other entitlement for use" includes all business, professional, trade and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor or personal employment) and all franchises.
3. Your "agent" is someone who represents you in connection with a proceeding involving a license, permit or other entitlement for use. If an agent is acting in his or her capacity as an employee or member of a law, architectural, engineering, consulting firm, or similar business entity or corporation, both the business entity or corporation and the individual are agents.

## **EXHIBIT C**

4. To determine whether a campaign contribution of \$250 or more has been made by a participant or his or her agent, contributions made by the participant within the preceding 12 months must be aggregated with those made by the agent within the preceding 12 months or the period of the agency, whichever is shorter. Campaign contributions made to different Workforce Investment Board or Sacramento Employment and Training Agency board members or candidates are not aggregated.

This notice summarizes the major requirements of Government Code Section 84308 of the Political Reform Act and 2 Cal. Adm. Code Sections 18438.1 - 18438.8. For more information, contact MICHELLE O'CAMB, Program Officer, Sacramento Employment and Training Agency, 925 Del Paso Blvd., Sacramento, California, 95815-3512, (916) 263-3868 or the Fair Political Practices Commission, 428 J Street, Suite 620, Sacramento, California, 95814, (916) 322-5660.



**Participant Disclosure Form**

SACRAMENTO EMPLOYMENT AND TRAINING AGENCY

Participant's Name: \_\_\_\_\_

Participant's Address: \_\_\_\_\_  
(Street)

\_\_\_\_\_  
(City)

\_\_\_\_\_  
(State) (Zip) (Phone)

Title of Request for Proposals for which proposal is hereby submitted:

\_\_\_\_\_

Workforce Investment Board or Sacramento Employment and Training Agency board member to whom you and/or your agent made campaign contributions in aggregation of \$250 or more and dates of contributions:

Name of Board Member: \_\_\_\_\_

Name of Contributor (if other than Participant): \_\_\_\_\_

Date(s): \_\_\_\_\_

Amount: \_\_\_\_\_

Name of Board Member: \_\_\_\_\_

Name of Contributor (if other than Participant): \_\_\_\_\_

Date(s): \_\_\_\_\_

Amount: \_\_\_\_\_

(Use additional sheet, if necessary)

No Contributions Made.

DATE: \_\_\_\_\_

\_\_\_\_\_  
(Signature of Participant and/or Agent)

**Certification Regarding  
Debarment, Suspension, Ineligibility and Voluntary Exclusion  
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 COMPLETING CERTIFICATION, READ INSTRUCTIONS FOR CERTIFICATION)

- (1) The prospective recipient of federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.
- (2) Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

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Name And Title of Authorized Representative

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Signature

Date

**Instructions for Certification**

1. By signing and submitting this proposal, the prospective recipient of federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the federal government, the Department of Labor (DOL) may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of federal assistance funds shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective recipient of federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to which this proposal is submitted 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", 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 Non-procurement 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 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the federal government, the DOL may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION REGARDING LOBBYING**  
Certification for Contracts, Grants, Loans, and Cooperative Agreements

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

- (1) No federal appropriated funds have been paid or will be paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

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

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Organization

\_\_\_\_\_  
Date

**DISCLOSURE OF LOBBYING ACTIVITIES**

ATTACHMENT 2

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(See reverse for public burden disclosure.)

<p><b>1. Type of Federal Action:</b> a. contract</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p><b>2. Status of Federal Action:</b> a. bid/offer/application</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>b. initial award c. post-award</p>	<p><b>3. Report Type:</b> a. initial filing</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>b. material change</p> <p><b>For Material Change Only:</b> year _____ quarter _____ date of last report _____</p>
<p><b>4. Name and Address of Reporting Entity:</b></p> <p>Prime                      Subawardee</p> <div style="border: 1px solid black; height: 25px; width: 100%;"></div> <p style="text-align: right;">Tier _____, if known:</p> <p><b>Congressional District, if known:</b></p>	<p><b>5. If Reporting Entity in No. 4 is Subawardee, Enter Name and Address of Prime:</b></p>   <p><b>Congressional District, if known:</b></p>	
<p><b>6. Federal Department/Agency:</b></p>	<p><b>7. Federal Program Name/Description:</b></p> <p>CFDA Number, if applicable: _</p>	
<p><b>8. Federal Action Number, if known:</b></p>	<p><b>9. Award Amount, if known:</b> \$</p>	
<p><b>10. a. Name and Address of Lobbying Entity</b> (if individual, last name, first name, MI):</p> <p><b>b. Individuals Performing Services</b> (including address if different from No. 10a) (last name, first name, MI):</p> <p>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>		
<p><b>11. Amount of Payment</b> (check all that apply):</p> <p>\$ _____ actual    planned</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	<p><b>13. Type of Payment</b> (check all that apply):</p> <p>a. retainer</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>b. one-time fee</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>c. commission</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>d. contingent fee</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>e. deferred</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>f. other; specify: _____</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div>	
<p><b>12. Form of Payment</b> (check all that apply):</p> <p>a. cash</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p>b. in-kind; specify: nature _____</p> <div style="border: 1px solid black; height: 15px; width: 100%;"></div> <p style="text-align: right;">value _____</p>		
<p><b>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in Item 11:</b></p>		

*(attach Continuation Sheet(s) SF-LLL-A, if necessary)*

**15. Continuation Sheet(s) SF-LLL-A attached:**            Yes    No

**16.** Information requested through this form is authorized by title 31 U.S.C. section 1352.

This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection.

Any person who fails to file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

**Signature:** \_\_\_\_\_

**Print Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

**Telephone No.:** \_\_\_\_\_ **Date:** \_\_\_\_

**Federal Use Only:**

**Authorized for Local Reproduction  
Standard Form - LLL**

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

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

1. Identify the type of covered federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered federal action.
2. Identify the status of a covered federal action.
3. Identify the appropriate classification of this report. If this is a follow-up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime federal recipient. Include Congressional District, if known.
6. Enter the name of the federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the federal program name or description for the covered federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate federal identifying number available for the federal action identified in item 1 (e.g., Request for Proposals (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered federal action where there has been an award or loan commitment by the federal agency, enter the federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered federal action.  
 (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with federal officials. Identify the federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES  
CONTINUATION SHEET**

**EXHIBIT E**  
Approved by OMB  
0348-0046

Reporting Entity: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_