



REQUEST FOR QUOTES

TO: Staffing Firms, Temporary Employment Providers And Other Eligible Entities

FROM: Nathan Ramsey, Executive Director

DATE: December 2, 2024

SUBJECT: Request for Quotes —Staffing Firms, Temporary Employment Providers and Other Eligible Entities to Support National Dislocated Worker Grant for Hurricane Helene Disaster

Mountain Area Workforce Development Board has received funding from the United States Department of Labor (USDOL) Employment and Training Administration (ETA) to support disaster recovery jobs in the aftermath of Hurricane Helene serving Buncombe, Henderson, Madison and Transylvania Counties. This National Dislocated Worker Grant supported by the Workforce Innovation and Opportunity Act of 2014 allows the North Carolina Department of Commerce, Division of Workforce Solutions to provide temporary disaster-relief jobs for cleanup and delivery of humanitarian assistance to address immediate, basic needs for those displaced by Hurricane Helene. To learn more about this grant visit [US Department of Labor approves up to \\$10M in initial funding to support disaster recovery jobs, training for North Carolina after Hurricane Helene | U.S. Department of Labor](#)

Hurricane Helene has significantly impacted Western North Carolina with billions of dollars in damages. The region's unemployment rate has increased from the lowest in North Carolina for the month of September 2024 to the highest in North Carolina for October 2024. Mountain Area Workforce Development Board is seeking quotes from staffing firms, temporary employment providers and other eligible entities to serve as the "employer of record" for this program. The "employer of record handles payroll, benefits – including insurance, state and federal deposits – and employee taxes, supportive services and weekly reporting.

Interested parties must be prepared to begin providing services by December 23, 2024.

To be considered, each submittal must include:

- The bill rate percentage inclusive of workers' compensation, unemployment insurance and all applicable taxes.
- Must provide services in Buncombe, Henderson, Madison and Transylvania Counties.
- Must be prepared to begin providing services by December 23, 2024.

Mountain Area Workforce Development Board contractors are reimbursed on a monthly basis. Contractors must have sufficient capital on hand to provide services. Reimbursement from Mountain Area Workforce Development Board may take as long as 60 days after receipt of invoice.

Submit quotes via email to Nathan@landofsky.org by 5:00 pm Monday, December 16, 2024.

General National Dislocated Worker Grant Requirements:

Limitation on Duration of Participation and Wages – Temporary jobs created under this grant shall be public (federal, state, city, county), for-profit, or non-profit entities. Mountain Area Workforce Development Board has the sole discretion to select the appropriate worksite pursuant to federal and state law. The temporary jobs are limited to 2,000 hours in a calendar year and no more than 40 hours per week. The temporary jobs must pay a minimum of \$15 per hour and the job pay rate shall be market competitive to comparable jobs in the region. Mountain Area Workforce Development Board will determine the appropriate pay rate for the temporary job.

Overtime is not allowed.

Workers' Compensation – Where state workers' compensation law is applicable, workers' compensation benefits in accordance with such law shall be available to all participants. Where a participant is not covered under a state-workers' compensation law, the participant shall be provided with adequate on-site medical and accident insurance for work-related activities.

Health Benefits – All participants shall be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work. Health benefits must be provided as required by federal and state law.

Retirement – No contribution to retirement funds shall be made on behalf of project participants from grant funds.

State UI and FUTA – Participants working as temporary employees for National Dislocated Worker Grants for Hurricane Helene disaster are covered for UI purposes. UI tax and FUTA taxes must be paid.

Prohibitions and Assurances – Any entity awarded these funds must adhere to the following clause that will be included in the contractual agreement:

ASSURANCES AND CERTIFICATION

General Assurances

- A. The Program Applicant (hereinafter referred to as the "Contractor") assures that it will fully comply with the requirements of the Workforce Innovation and Opportunity Act and its regulations, and the WIOA Local Area Plan approved by MAWDB, the Chief Elected Official for the Mountain Area Workforce Development Consortium, and the North Carolina Division of Workforce Solutions.
- B. The Contractor assures that it will administer its services under the WIOA in full compliance with safeguards against fraud and abuse as set forth in the WIOA regulations; that no portion of its service will in any way discriminate against, deny benefits to, deny employment to, or exclude from participation any person on the grounds of race, color, national origin, religion, age, sex, disability, or political affiliation or belief; that it will target employment and training services to those most in need of them.
- C. The Contractor assures that it will administer its services funded under the WIOA in accordance with these provisions: (1) a trainee will receive no payments for training activities in which the trainee fails to participate without good cause; (2) on-the-job training participants will be compensated by the employer at the same rate, including periodic increases, as similarly situated employees or trainees and in accordance with applicable law, but in no event less than the higher of the rate specified in Section 6(a)(1) of the Fair Labor Standards Act of 1938 of the applicable State Minimum Wage Law; and (3) participants employed in activities authorized under the Act must be paid wages which will not be less than the highest

of (a) the minimum wage under Section 6(a)(1) of the Fair Labor Standards Act of 1938, (b) the minimum wage under the applicable State Minimum Wage Law, or the prevailing rates of pay for individuals employed in similar occupations by the same employer.

- D. The Contractor assures that it will administer its services under the WIOA in full compliance with health and safety standards established under State and Federal law and those conditions of employment and training are appropriate and reasonable in light of such factors as the type of work, geographical area and proficiency of the participant.
- E. The Contractor assures that all staff and participants/enrollees paid from the grant funds and employed in any service will be covered by workers compensation benefits in accordance with State law; that enrollees in WIOA work-related training will be provided accident or medical insurance to cover any injury resulting from participation in the program; and that enrollees employed in subsidized jobs will be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.
- F. The Contractor assures that no funds available under the WIOA will be used for contributions on behalf of any enrollee to retirement systems or plans; to impair existing conditions for services or collective bargaining agreements; to assist, promote, or deter union organization; and to displace any currently employed worker.
- G. The Contractor assures that no enrollee will be employed or fill a job opening when any other individual is on layoff from the same or substantially equivalent job, or when the employer terminates the employment of any regular employee or otherwise reduces its workforce with the intention of filling vacancies so created by hiring participants subsidized under the Act; and no funds may be used to create promotional lines that infringe upon any current promotional opportunities.
- H. The Contractor assures compliance with all federal rules and regulations which prohibit the use of WIOA funds to lobby the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant or loan. If lobbying has occurred utilizing other than Federal appropriated funds, the contractor agrees to file a disclosure report if applicable.
- I. The Contractor assures and certifies that it is following Federal rules and regulations, Debarment and Suspension, 29 CFR Part 98 and is not presently debarred, suspended, for debarment, declared ineligible, or involuntarily excluded from participation in this transaction by any Federal department or agency.

- J. The Contractor assures and certifies that the Contractor has in place an established grievance procedure to be utilized for grievances or complaints about its program and activities from participants/enrollees, sub-grantees, and subcontractors and other interested parties.
- K. The Contractor will comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646) which requires fair and equitable treatment of persons displaced because of Federal and federally assisted programs.
- L. The Contractor will comply with the provisions of the Hatch Act which limits the political activity of certain State and Local government employees.
- M. The Contractor will comply with NC-GS-234 which contains a provision that prohibits public officials and employees from having a personal interest in any contract to which s/he is also a party in an official capacity.
- N. The Contractor assures and certifies that it will comply with restrictions regarding conducting business with businesses on the Environmental Protection Agency's List of Violating Facilities. Contracts and subcontracts more than \$100,000, or circumstances where the Division of Workforce Solutions has determined that orders under an 'indefinite quantity financial agreement' in any year will not exceed \$100,000, or if a facility to be used has been the subject of a conviction under the Clean Air Act [42 U.S.C. 1319 (c)] and is listed by the Environmental Protection Agency (PA) or is not otherwise exempt, the Contractor assures that: (1) no facility to be utilized in the performance of the grant has been listed on the EPA List of Violating Facilities; and (2) it will notify the MAWDB, prior to award of the receipt of any communication from the Director of Federal Activities, U.S.E.P.A., indicating that a facility to be utilized for a contract is under consideration to be listed on the EPA List of Violating Facilities.
- O. The Contractor assures and certifies that it, and all of its subcontractors, will comply with applicable provisions of the following laws as they relate to employment and training procedures:
 - The Drug-Free Workplace Act
 - The Immigration Reform Act
 - The American's with Disabilities Act
 - The Davis-Bacon Act
 - Child Labor Laws
 - The Fair Labor Standards Act

Certification

This is to certify that all specifications contained within this document have been read, understood, and addressed in the business plan; that the required format has been followed; that all of the information contained in this proposal is true and correct; that the Contractor organization will comply with all of the above assurance; and that this proposal has been duly authorized by the governing body of the Contractor organization.

Signature of Authorized Representative

Date

Name

Title

STATEMENT OF COMPLIANCE

As the authorized signatory official for:

Submitting Firm/Organization

I hereby certify:

that the above-named proposer is duly approved to submit this application requesting funding under the Workforce Innovation and Opportunity Act (P. L. 113-128);

that the above-named proposer does hereby agree to execute all work related to this application in accordance with the Workforce Innovation and Opportunity Act (P. L. 113-128) and the North Carolina Division of Workforce Solutions Issuances/Policy Statements, Mountain Area Local Area policies and guidelines, and other administrative requirements issued by the Governor of North Carolina. The vendor shall notify MAWDB within 30 calendar days after issuance of any amended directives if it cannot comply with the amendments.

that the above-named proposer will ensure special efforts to prevent fraud and other program abuses, such as but not limited to, deceitful practices, intentional misconduct, willful misrepresentation, and improper conduct which may or may not be fraudulent in nature.

that the contents of the application are truthful and accurate, and the above-named proposer agrees to comply with the policies stated in this application.

that this application represents a firm request subject only to mutually agreeable negotiations.

that the above-named proposer agrees that the Mountain Area Local Area reserves the right to accept or reject any proposal for funding.

that the above-named proposer has not been debarred or suspended from receiving federal grants, contracts, or assistance; and that if awarded a contract for the proposed service, assures that no subcontracts, grants or assistance will be made, or permitted, to any debarred or suspended organization as provided under Executive Order 12549; and

that the above-named proposer waives any right to claims against the members and staff of Land of Sky Regional Council, Mountain Area Workforce Development Board, Mountain Area Workforce Development Consortium, or Mountain Area Local Area in their individual capacities.

Authorize Representative Signature

Notary Name/Date

Typed Name/Title

Affix Notary Seal

Certification Regarding Debarment, Suspension, and Other Responsibility Matters
Primary Covered Transactions

- (1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency.
 - (b) have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - (d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
- (2) Where the prospective primary participant is unable to certify any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Certification Regarding Debarment, Suspension, and Other Responsibility Matters
Instructions for Certification – Primary Covered Transactions

1. By signing and submitting the certification signature page with this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, the failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participants, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered, it shall not knowingly enter any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "A Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR Part 9, Subpart 9.4, 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 Federal Procurement and Non-Procurement programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records 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.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Printed Name and Title of Authorized Administrative Entity Signatory Official

Signature

Date

