

THE MISSISSIPPI PARTNERSHIP
Minimum Threshold Certification

The purpose of Minimum Threshold Certification is to collect information necessary to (1) determine whether a proposing agency qualifies as an eligible service provider and (2) rate the demonstrated effectiveness of the agency in providing the proposed services. Minimum Threshold Certification must be completed by the proposing agency for **each** proposal submitted and ***must bear the original signature of the signatory official for that agency.***

Program Organization: _____

Project/Activity: _____

Program Location: _____

MINIMUM THRESHOLD REQUIREMENTS

To be considered, a proposal must meet all Minimum Threshold Requirements. **Proposals failing to meet any Minimum Threshold Requirement will not be considered.**

Requirements for Qualification as an Eligible Service Provider:

- I. To be eligible, the proposer must be qualified to do business in the State of Mississippi as prescribed by the Mississippi Secretary of State. The Mississippi Partnership prefers that service providers be incorporated; however, a service provider may be a sole proprietorship, a commission, or another type of organization when in the best interest of the project proposed. If not already registered, entities required to be registered with the Mississippi Secretary of State must do so within seven (7) business days of being offered an award.

Required Information: Indicate below the nature of the proposing entity (e.g., public, private for-profit, private non-profit). Private entities should indicate the date and location of incorporation.

- II. To be eligible, the proposing agency or its principals:

- A. May not be debarred, suspended, declared ineligible, or voluntarily excluded from participation in procurement or non-procurement 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 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 above;
- D. Have not within a three-year period preceding this proposal had one or more public transactions terminated for cause or default.

Required Information: Provide a statement that certifies that the proposing organization adheres to all statements in this section.

III. To be eligible, the proposer must have an established financial management system in place to ensure effective control of and accountability for subgrant funds and other assets.

Required Information: Provide a description of the proposer's established financial management system.

IV. To be eligible, the agency shall not have any unresolved audit findings.

Required Information: To determine whether the proposing agency has any unresolved audit findings, the proposer **must** include as part of the proposal package the agency's most recently completed audit. If the proposing agency is a newly-created entity, the proposal package **must** include all current (dated within two months of the proposal submission date) financial statements and a business plan.

V. To be eligible, the agency or its principals shall not be convicted of any crime which indicates mismanagement or fraudulent use of funds by the agency, or insolvency or the agency.

Required Information: Provide a statement regarding any involvement of the proposing agency and/or its principals in criminal convictions and/or insolvency.

VI. To be eligible, the agency must have in place or must agree to establish certain policies and procedures (below).

Required Information: Indicate whether the proposing agency currently has or will establish the following policies and procedures.

Currently Have	Will Establish	
		1. Regular audit of all accounts;
		2. Maintenance of separate accounting records for WIOA funds;
		3. Maintenance of a fidelity bond with coverage equal to or exceeding the highest amount of funds to be received during the subgrant period;
		4. Personnel policies;
		5. Grievance procedures for staff and participants;
		6. Payroll procedures and timesheets for staff and participants;
		7. Maintenance of a WIOA property inventory system; and
		8. Travel policies

VII. CERTIFICATION STATEMENT

This certification statement is a material representation of fact. The signatory official, by signing and submitting this Minimum Threshold Certification, hereby attests that all statements contained herein are true and correct. The proposer agrees that submission of intentionally false or misleading information will result in the removal of this proposal from any consideration for funding. All information contained in this document is subject to verification.

Name of Proposing Entity

Name of Certifying Official

Signature of Certifying Official

Date

ASSURANCES

If the Mississippi Partnership enters into a contractual agreement with the proposer, the contract shall certify that the contracting entity:

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. Will initiate and complete the work within the applicable timeframe after receipt of approval of the awarding agency.
4. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in appendix A of OPM's Standards for a Merit System of Personnel Administration (5 CFR Part 900, subpart F).
5. Will comply, as stated in 29 CFR 37.20, with the nondiscrimination and equal opportunity provisions of the following laws: (a) Section 188 of the Workforce Investment Act of 1998, which 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; with all Federal statutes relating to nondiscrimination. (b) Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, national origin; (c) Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; (d) The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; (e) Title IX of the Education Amendments of 1972, as amended, and which prohibits discrimination on the basis of sex in educational programs; and (f) 29 CFR Part 37 and all other regulations implementing the laws listed above.
6. Will comply, or has already complied, with the requirements of Title II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Pub. L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
7. Will comply with the provisions of the Hatch Act (5 U.S.C. 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
8. Will comply, if applicable, with flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973 (Pub. L. 93-234), which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
9. Will comply with environmental standards which may be prescribed pursuant to the following: (a) Institution of Environmental Quality Control Measures under the National Environmental Policy Act of 1969 (Pub. L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 *et seq.*); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. 7401 *et seq.*); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (Pub. L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (Pub. L. 93-205).

10. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. 1271 *et seq.*) related to protecting components or potential components of the national wild and scenic rivers system.
11. Will assist the awarding agency in assuring compliance with section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 *et seq.*).
12. Will comply with Public Law 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
13. Will comply with the Laboratory Animal Welfare Act of 1966 (Pub. L. 89-544, as amended, 7 U.S.C. 2131 *et seq.*) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
14. Will comply with the Lead-based Paint Poisoning Prevention Act (42 U.S.C. 4801 *et seq.*) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
15. Will comply with the Resource Conservation and Recovery Act of 1976, as amended, which states that preference be given to recycled products in procurement activities by State and local governments receiving grants, loans, cooperative agreements, and other federal assistance when procuring goods made from recycled material when the amount of the procurement is equal to or more than \$10,000.
16. Will ensure that any service, product report or other information generated by a computer for a period of time that goes beyond December 31, 1999, provided by the subgrantee/contractor to the Government must be "year 2000 compliant." The definition of "year 2000 compliant" means information technology that accurately processes date/time data (including, but not limited to, calculating, comparing and sequencing) from, into and between the twentieth and twenty-first centuries and the years 1999 and 2000 and leap year calculations. Furthermore, "year 2000 compliant" information technology when used in combination with other information technology shall accurately process date/time data if the other information technology properly exchanges date/time with it.
17. Will comply with Buy American Act (41 U.S.C. 10a *et seq.*) in the case of any equipment or product that may be authorized to be purchased with financial assistance provided with WIOA funds.
18. Will comply with other applicable State, local, and federal rules.

PROVISIONS:

If the Mississippi Partnership enters into a contractual agreement with the proposer, the contract shall certify that the contracting entity has:

1. Compliance with Executive Order 11246 of September 24, 1965, entitles "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR Chapter 60) (All construction contracts awarded in excess of \$10,000);
2. Compliance with the Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3). (All contracts / subgrants for construction or repair.);
3. Compliance with the Davis-Bacon Act (40 U.S.C. 276a to 276a-7) as supplemented by Department of Labor regulations (29 CFR Part 5). (Construction contracts in excess of \$2,000 awarded when required by Federal grant program legislation.);
4. Compliance with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-330) as supplemented by Department of Labor regulations (29 CFR Part 5.) (Construction contracts in excess of \$2,000, and in excess of \$2,500 for other contracts involving the employment of mechanics or laborers.)
5. Compliance with the following to copyrights and rights in data:

- a. In accordance with Section 36(l)(8) of the OMB Circular, the Common Rule, SUBGRANTEE shall adhere to copyright, data, and patent rights requirements.
 - b. Pursuant to Common Rule, the SUBGRANTEE shall disclose to TPRDD any patent, copyright, invention, written product, or computer program developed or data assembled as a result of performance of work under this contract within sixty (60) days of invention, development, or assembly.
 - c. TRPDD, the State of Mississippi, and U.S. DOL shall have the right to patent any invention and copyright any written product or computer program developed by the SUBGRANTEE. Upon written request, the SUBGRANTEE shall transfer all pertinent information, specifications and right, title, and interest to the designated agency.
 - d. Where TRPDD, the State of Mississippi, and U.S. DOL decline to request the transfer of rights, the SUBGRANTEE shall retain the entire right, title, and interest throughout the world to each subject invention, document, program, or data. In such event, TPRDD, the State of Mississippi, and U.S. DOL shall have non-exclusive, non-transferable, irrevocable, paid up license to use subject invention, document, program, or data throughout the world.
6. Access by the Department of Labor, the Office of Grant Management, the MPWDA, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor / subgrantee which are directly pertinent to the specific contract / subgrant for the purpose of making audit, examination, excerpts, and transcriptions.
 7. Retention of all required records for three years after the MPWDA makes final payments and all other pending matters are closed.
 8. Compliance with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857(h)), Section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR Part 15). (Contracts, subcontracts, and subgrants of amounts exceeding \$100,000);
 9. Mandatory standards and policies relating to energy efficiency contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94-163, 89 Stat. 871.).

This certification statement is a material representation of fact. The signatory official, by signing and submitting this Assurance, hereby attests that they are aware of these requirements for the Mississippi Partnership to enter into a contractual agreement with an agency.

Name of Proposing Entity

Name of Certifying Official

Signature of Certifying Official

Date