

Alabama State Department of Education



**Request for Proposal**

**AMENDED RFP ALSDE 2022-11**

**Development of Meal Pattern Training Program**

**Alabama State Department of Education**

**Child Nutrition Programs**

**Note: FAXED OR E-MAILED PROPOSALS WILL NOT BE ACCEPTED.**

Inquiries and response submissions related to this RFP are to be addressed to:

Cindy Gillespie  
Office of Operations  
Alabama State Department of Education  
50 N. Ripley Street, Room P305  
Gordon Persons Building  
Montgomery, AL 36104  
Email: cgillespie@alsde.edu

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**AMENDED Deadline:**

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**Proposals must be received no later than 4:00 p.m. on September 19, 2022.**

**It is required that each vendor clearly mark the envelope RFP ALSDE 2022-11 in the lower left corner of the envelope (Response packages that are not marked will be rejected).**

The proposal package must contain the following:

1. Original proposal plus four copies with original signatures (The proposal must be signed by an official authorized to legally bind the vendor to the information provided). One (1) electronic copy on a USB flash drive in MS Word format.
2. Must be currently registered with The Alabama Department of Finance, Division of Purchasing as a State Vendor and provide vendor number. <http://www.purchasing.alabama.gov>
3. The vendor must complete the affidavit for business entity/employer/vendor. Verification of enrollment in E-verify should be presented on the form found in Appendix A.

**Proposal Opening**

**September 20, 2022**

**9:00 a.m.**

**Gordon Persons Building, Child Nutrition Conference Room**

**50 North Ripley Street**

**Montgomery, AL 36104**

**(No Visitors Due to COVID-19)**

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**Section 1.00 Administrative Overview**

**1.1 Purpose and Background**

**Purpose:**

The purpose of the RFP is to solicit competitive, sealed proposals to establish a contract for delivery of a universal Meal Pattern Training Program that would enable School Nutrition Professionals in rural Alabama school districts the opportunity to provide nutritious, palatable school meals that are compliant with USDA Meal Pattern Requirements and aligns with the Healthy-Hunger Free Kids Act (HHFKA) of 2010. Trainers will teach operators of the National School Lunch Program and the School Breakfast Program the basic meal pattern knowledge, skills, and competencies necessary to run effective and compliant programs. The training program will offer training in the areas of meal pattern standards, weekly dietary specifications, food preparation techniques, recipe standardization, school food forecasting, procurement, and promotion of the school nutrition program inclusive of students considered to be English Language Learners (ELL). Trainers will provide attendees with virtual, hands-on and classroom tutorial training to that will align with the following five goals: to make serving lines more aesthetically appealing to students, to introduce new healthy, palatable menu items that can be readily adapted to school menus, to provide students with more daily food options, to provide better customer service, and to increase student participation and satisfaction.

The Alabama State Department of Education (ALSDE) seeks to contract with vendor(s) to provide at least forty (40) hours of training for Child Nutrition Program (CNP) directors, managers, and frontline staff participating in the USDA National School Lunch Program (NSLP) and School Breakfast Program (SBP) statewide immediately upon the full execution of the contract by parties and the receipt of required governmental approvals. ALSDE is not committed to entering into any contract as a result of this RFP. All responses to this RFP become the property of ALSDE and will not be returned to the vendor(s) once opened. Responses become public documents upon submission. ALSDE's decision to award a contract will depend upon the appropriateness of the vendor(s) responses to the requirements outlined herein, the demonstration of product, and to economic considerations. The contract will be awarded to the prospective responsible vendor(s) who meets the specifications herein, exhibits an established history of providing these services in a satisfactory manner, and proposes to provide the specified services at the lowest responsible price. The ALSDE has appointed a project director, who will oversee all aspects of the review and selection of the winning vendor(s). Members of the ALSDE will review and evaluate all responses received under this RFP, select finalists for possible presentations or "best and final" requests, and make recommendations for the final winning vendor(s). ALSDE will assume responsibility for all contractual negotiations upon selection of the winning vendor(s) and will become the counterparty on the contract with the successful vendor(s).

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**Background:**

Alabama schools educate over 740,000 students annually. On average, over 367,000 of those children received free or reduced breakfast and lunch meals for the 2019-2020 school year. In fact, in the State of Alabama, there are over 150 school districts that serve at least 40% of students who are eligible for free or reduced-price meals and/or have schools located in rural areas. Such districts face unique constraints in operating school meal programs. In fact, rural districts at all levels of operations experience a chronic need for more highly qualified staff, better training, and improved compensation. Additionally, districts in underserved areas are more likely to experience challenges affecting school meal operations including high transportation costs, poor internet connections, limited technology training, and additional equipment requirements. Furthermore, children spend nearly half of their waking hours and consume more than half of their daily food at school. Research has found that children from food-insecure and marginally food-secure households were more likely to eat school meals and received more of their food and nutrient intake from school meals than did other children. Because of this, schools are the optimum location to help students learn to make healthy choices that will last a lifetime.

In collaboration with ALSDE, the vendor(s) will teach operators of the National School Lunch Program and the School Breakfast Program the basic meal pattern knowledge, skills, and competencies necessary to run effective and compliant programs. The training mode will be titled “*Beyond the Serving Line Training Academy*.” Through this training, staff will be trained on meal pattern standards, weekly dietary specifications, food preparation techniques, recipe standardization, and school food forecasting and procurement. Also, five other main goals of the training program will be to make serving lines more aesthetically appealing to students, to introduce new healthy, palatable menu items that can be readily adapted to school menus, to provide students with more daily food options, to provide better customer service, and to increase student participation. The *Beyond the Serving Line Training Academy* will enhance the current meal pattern training offered by incorporating additional training on the nutritional quality and marketability of school meals. The Beyond the Serving Line Training Academy will require 40 hours of meal pattern training to both School Nutrition Directors and School Nutrition Managers. Frontline Nutrition Staff will require 8 hours of training. The training will take place over a two-year period.

The *Beyond the Serving Line Training Academy* will be utilized to revamp the school meal programs in Alabama. The training academy will require 40 hours of meal pattern training for both School Nutrition Directors and School Nutrition Managers. Frontline Nutrition Staff will receive 8 hours of training. Vendor(s) will provide a wide array of training in both virtual and in-person formats. School Nutrition Directors and Managers will receive at least sixteen (16) hours of virtual training and twenty-four (24) hours of in-person training. Frontline staff will receive at least two (2) hours of virtual training and six (6) hours of in-person training.

Vendors will provide meal pattern training for up to 150 SFAs with up to 150 School Nutrition Directors, up to 600 School Nutrition Managers, and up to 400 Frontline Staff over the course of two years. Vendor will utilize virtual, classroom, and hands-on instruction methods for training, preferably in small group settings.

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**1.2 Anticipated Time Table**

September 19, 2022	Proposal Submission Deadline
September 20, 2022	Bid Opening

**1.3 Proposal Evaluation**

An Evaluation Team will review the proposals and make a recommendation. The criteria listed below will be used to evaluate the proposals for the purpose of ranking them in relative position based on how fully each proposal meets the requirements of this RFP.

Evaluation Criteria:

Vendor qualifications and experience	35 points
Budget Proposal	30 points
Detailed description and delivery of training materials, presentations, and/or modules	35 points

**Best and Final Offers:**

The ALSDE may either accept a vendor's initial proposal by award of a contract or enter into discussions with vendors whose proposals are deemed to be reasonably acceptable consideration for award. After discussions are concluded, a vendor may be allowed to submit a "Best and Final Offer" for consideration in a manner and method prescribed by the ALSDE. By submitting a proposal each vendor accepts and agrees to all conditions and requirements herein.

The ALSDE will make all decisions regarding evaluation of the proposal. The ALSDE reserves the right to judge and determine whether a request is compliant with and has satisfactorily met the requirements of the RFP. The ALSDE reserves the right to waive technical and other defects if, in its judgment, the interest of the ALSDE so requires. Any further information disclosed about the RFP during this process will be provided to all vendors in a manner and method prescribed by the ALSDE.

**Rejection of Proposal:**

ALSDE reserves the right to reject any or all proposals which are deemed to be non-responsive, late in submission, or unsatisfactory in any way. ALSDE shall have no obligation to award a contract for work, goods and/or services as a result of this RFP.

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**Confidentiality:**

All information contained in the RFP is considered to be the exclusive property of the ALSDE. Recipients of this RFP are not to disclose any information contained within the RFP unless such information is publicly available. This RFP is provided for the sole purpose of allowing Vendors to respond to these specifications.

**Selection Process:**

**The number of grants awarded depends on the number of proposals submitted and the quality of the proposed projects, funding availability and the best interests of the Agency.**

The ALSDE will select the vendor that provides the most technically sound and cost-effective proposal that best fits the needs of the ALSDE. Final selection of the successful vendor will not be based solely on cost. The vendor product will be evaluated primarily on the scope of the activities linked to associated costs as detailed in the RFP. RFPs will be reviewed to ascertain that minimum requirements have been met. The ALSDE reserves the right to conduct discussions with potential vendors in order to clarify information contained in their proposals, but the ALSDE has no obligation to do so. The vendor will provide notice to the ALSDE any partnership with another firm to provide parts of the solution; however, the vendor must provide management of the partner and is responsible for all project performance. Any subcontractor or partner will be subject to the same vetting process as the vendor, and the vendor is responsible for ensuring that each subcontractor acknowledges and is contractually bound by the staffing plan and other commitments listed in this RFP.

Unless provided by law, nothing in this RFP shall be construed to create any legal obligation on the part of ALSDE or any respondents. ALSDE reserves the right, in its sole discretion, to amend, suspend, terminate, or reissue the RFP in whole or in part, at any stage. In no event shall ALSDE be liable to respondents for any cost or damages incurred in connection with the RFP process, including, but not limited to, any and all costs of preparing a response to this RFP or any other costs incurred in reliance on this RFP. No respondent shall be entitled to repayment from ALSDE for any costs, expenses, or fees related to the RFP. All supporting documentation submitted in response to the RFP will become the property of the ALSDE. Respondents may also withdraw their interest in the RFP, in writing, at any point in time, as more information becomes known. If, within the confines of this RFP, the vendor provides intellectual property be it understood that all RFP contents are subject to Open Records Act laws and thus are subsequently in the public domain.

Only the final results of the ALSDE Evaluation Committee may be considered public. Any work papers, individual evaluator or consultant comments, notes, or score will not be considered public. The final results of the ALSDE Evaluation Committee will not be publicly available until a final contract has received all necessary approvals.

Open Records act requests can be made at the following website:

[https://alsde.mycusthelp.com/WEBAPP/\\_rs/\(S\(f5sv2dmcmbp2aknppsajshwn\)\)/supporthome.aspx](https://alsde.mycusthelp.com/WEBAPP/_rs/(S(f5sv2dmcmbp2aknppsajshwn))/supporthome.aspx)

**Disclaimer Notice:**

The ALSDE shall not be liable for any costs associated with the preparation of proposals or negotiations of a contract incurred by any party.

**Availability of Funds:**

It is expressly understood and agreed that the obligations of the ALSDE to proceed is conditioned upon the continued availability of funds that may be expended for these purposes.

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**1.4 Conditions and Terms**

**Contract Terms:**

The contract resulting from this RFP may be renewable for four (4) additional years pending written agreement of the vendor & ALSDE, dependent upon required state approvals, availability of funds, performance evaluations of the project, at the full discretion of the ALSDE. The contract will commence pending Legislative Review Committee approval and Governor's signature.

The vendor shall be fully prepared to commence work after full execution of the contract by parties and the receipt of required governmental approvals.

Proposals should reference each element in the RFP by number on the cover of each copy and be arranged in the same sequence. All fees and costs are to be stated in United States currency. Vendors must reply to each element of the RFP.

**Section 2.00 Scope**

**2.1 Scope of Vendor's Work and Responsibilities**

The responsibilities of the vendor(s) will include but are not limited to:

- Provide training in the following subject areas: meal pattern, nutritional quality of meals, marketability of meals, weekly requirements, food preparation techniques, recipe standardization, school food forecasting and procurement, improving overall meal service, boosting student satisfaction, and increasing participation, and improving employee performance and productivity.
- Conduct training through classroom-style teachings, virtual platforms, and hands-on work and be available to demonstrate program for ALSDE CNP staff, if requested to do so, in an institutional food service facility.
- Provide meal pattern training to School Nutrition Managers, Directors, and Frontline Staff for a two-year period
- Collaborate with ALSDE CNP staff to choose USDA compliant materials to meet grant/training program objectives and to schedule dates and locations of trainings.
- Provide training for the identified areas utilizing qualified presenters with extensive school nutrition experience. *(Each in-person training session should include one instructor with school nutrition experience and/or one Chef with school nutrition experience. All virtual training sessions will be facilitated by an instructor with school nutrition experience.)*

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- Provide USDA compliant educational and training materials including handouts which coincide with and enhance training modules for all participants and ALSDE CNP employees. Vendor will also collect evaluation data for each training session and provide results to ALSDE.
- Provide promotional and training materials for SFAs in several different languages.
- Ensure that all materials developed meet accessibility standards as referenced in Section 508 of the Rehabilitation Act of 1973 ([IT Accessibility Laws and Policies | Section508.gov](https://www.fda.gov/oc/508regs/)).
- Acknowledge the support of USDA FNS and the non-discrimination statement whenever printing and/or publicizing work under this grant:

“This project has been funded at least in part with Federal funds from the U.S. Department of Agriculture. The contents of this publication do not necessarily reflect the view or policies of the U.S. Department of Agriculture, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.”

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language), should contact the responsible state or local agency that administers the program or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant’s name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

**1. mail:**

U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or

**2. fax:**

(833) 256-1665 or (202) 690-7442; or

**3. email:**

[program.intake@usda.gov](mailto:program.intake@usda.gov)



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This institution is an equal opportunity provider.

The full non-discrimination statement is available at the link below. Please ensure you are using the most updated statement:

<https://www.fns.usda.gov/civil-rights/usda-nondiscrimination-statement-other-fns-programs>

The shorter version of the funding and non-discrimination statements may be used when space is limited (i.e., smaller materials such as recipe cards, brochures etc.).

“This project was funded using U.S. Department of Agriculture grant funds.”

“This institution is an equal opportunity provider.”

For more information and the nondiscrimination statement in other languages:

<https://www.fns.usda.gov/cr/fns-nondiscrimination-statement>

- Demonstrate the capability to train up to 1,150 School Nutrition Professionals over a two-year period. *(CNP Directors and Food Service Site Managers will receive at least sixteen (16) hours of virtual training and at least twenty-four (24) hours of in-person training. Frontline staff will receive at least two (2) hours of virtual training and at least six (6) hours of in-person training.)*
- Collaborate with ALSDE CNP to conduct welcome meetings, either virtually or in-person, for all new training participants. Vendor(s) will collaborate with ALSDE to provide welcome packages or bags for each participant.
- Collaborate with ALSDE CNP to create an electronic registration process for selected participants that includes, but is not limited, to the following information:
  - Name of Participant
  - Name of School Food Authority
  - Name of School, if applicable
  - Position Title
  - Number of Years in Position
  - Physical Address
  - Mailing Address
  - Phone Number
  - Email Address
  - Level of Education
  - Demographic Information
    - Gender
    - Ethnicity
    - Race
    - Disability/Serious Health Condition
    - Primary Language Spoken
  - Request for Accommodations
- Collaborate with ALSDE CNP to conduct two (2) training academies (1<sup>st</sup> Round and 2<sup>nd</sup> Round).
- Agree to cooperate with ALSDE CNP to complete all grant reporting requirements by May 31, 2024.

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- Agree to complete all training and grant requirements by May 31, 2024.

**Expectations of Training Format:**

Training sessions should:

- Include session sign-in sheets to record accurate attendance and/or documentation of virtual attendance.
- Provide pre-testing and post-testing for participants and submit data to ALSDE CNP.
- For in-person sessions, be conducted through classroom style teaching and hands-on work in an institutional food service facility.
  - include basic culinary skills and techniques through demonstration and practice for participants.
  - include classroom instruction in nutrition requirements of meal pattern to be enhanced through culinary training.
- Be conducted jointly by a Registered Dietitian (RD), chef, or person with School Nutrition Experience.
- Reflect trainers' knowledge and incorporation of USDA meal pattern regulations throughout the training.
- Utilize standardized recipes to include both nutritional and crediting information as required by USDA in meeting meal pattern requirements.
- Provide participants with copies of standardized recipes used which are conducive to meeting USDA meal pattern requirements; and should serve a minimum of 50 servings.
- Provide participant evaluations to be collected and evaluated by the vendor(s) for each session and submitted to ALSDE CNP.
- Provide completion of training certificates to be distributed to each participant at the end of each training session.

Suggestions for topics in developing USDA compliant training materials for the RFP include but are not limited to:

1. Meal Pattern
2. Culinary Basics
3. Fruits
4. Vegetables
5. Whole Grain-Rich Foods
6. Meat/Meat Alternate

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7. Food Safety
8. Customer Service
9. Marketing Menu Items
10. Revamping Serving Lines and Improving Presentation Skills
11. Seasoning alternatives (i.e., herbs and spices) to decrease fat and sodium in recipes.

**2.2 Scope of Alabama State Department of Education's Work and Responsibilities**

Specific responsibilities of the ALSDE are stated below:

- Identify CNP project director, project coordinator or state designee who will work closely with the vendor(s) to ensure that operations flow smoothly without interruption to applicant services.
- Develop an application process for participant selection.
- Collaborate with Vendor(s) to schedule dates and locations of trainings.
- Collaborate with Vendor(s) to create electronic registration process

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**Section 3.00 General Requirements**

**3.1 Requirements of Proposal**

The vendor must provide the following mandatory information. **Failure to provide this information may be cause for the proposal to be rejected.** Qualifications, experience, and cost will be evaluated for contract award. The proposal may be submitted under the same cover with Vendor Requirements and Cost Proposal in two distinct sections. E-verify information is required to be submitted for all employees to include contractors of the vendors if necessary and applicable.

**Part I**

**Signed Cover Letter:**

The cover letter shall serve as the first page of the vendor's proposal. The vendor shall complete the cover letter and attach it to the proposal in response to the RFP. The cover letter must be signed by an official authorized to legally bind the vendor. It will state that the vendor is a legal entity that will meet the specifications. The cover letter must accompany the submitted proposal. The letter accompanying the proposal must have original signatures and must include contact numbers and e-mail addresses for the authorized official signing the letters.

**Part II**

**Vendor Qualification and Experience:**

Vendor shall provide satisfactory evidence of the vendor's capability to coordinate the types of activities and to provide the services described in the RFP in a timely manner. Special attention should be given to the discussion of qualifications. The discussion shall include a description of the vendor's background and relevant experience as related to the required activities in the RFP.

**Part III**

Vendor shall provide a detailed plan describing how the services will be performed to meet the requirements of the RFP. The description shall encompass the requirements of this RFP. The response must be prepared and organized in a clear and concise manner that is easily understandable.

**Vendor Organization:**

Describe your organizational structure and explain how your organization qualifies to be responsive to the requirements of this RFP.

**References:**

The vendor shall provide a minimum of three (3) references that can support and validate training and/or projects and outcomes, including names or persons who may be contacted, position of person, addresses, and phone numbers where similar training and/or projects to that described in this RFP have been conducted.

**Executive Summary:**

An executive summary is required. This summary will condense and highlight the contents of the vendor's proposal.

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**Part IV**

**Cost Proposal:**

Vendor shall include the fee structure and pricing for the training sessions/program. The vendor shall submit a cost proposal in addition to other required information.

Flat rates for half and/or whole day training sessions should be inclusive of travel and/or supplies and materials costs and identify if the training is in person or virtual, and the proposed number of participants. Flat rates for consulting, coaching, and/or professional services should stipulate the cost per hour and the proposed number of hours. Project costs must include all proposed necessary charges to be made by the grantee in accomplishing the objectives of the grant during the specified grant period (initial grants are generally for a one-year period unless otherwise noted).

**Subcontractor Disclosure:**

If the execution of work to be performed requires the hiring of Subcontractors, **you must clearly state this in the bid proposal and provide qualification for such individuals.** Sub-Contractors must be identified and the services they will provide or work they will perform must be clearly defined. The ALSDE will not refuse a proposal based upon use of a Sub-Contractor; however, the ALSDE reserves the right to refuse the Sub-contractor you have selected. Contractor and associated personnel shall remain solely responsible for the performance of all work, including work that may be sub-contracted.

Describe your rationale for utilizing Subcontractors including relevant past experience partnering with stated Subcontractor(s). Documents for E-verification of subcontractors are the sole responsibility of the contractor and must be available upon request to ensure compliance.

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**Section 4.00 General Terms and Conditions**

**4.1 Governance**

This RFP and its terms shall be governed and construed according to the laws of the State of Alabama. Any dispute arising out of this RFP shall be brought in the State of Alabama, with venue in Montgomery County, Alabama. Vendors agree to comply with all applicable federal and state laws and regulations.

**4.2 Immigration**

The proposal must contain a statement that the firm is aware of and in compliance with the requirements of the Beason-Hammon Alabama Taxpayer and Citizen Protection Act; a statement that the vendor is enrolled in the E-Verify as required by Section 31-13-9 (b), Code of Alabama 1975, as amended:

**BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT**

**COMPLIANCE**

**The Beason-Hammon Alabama Taxpayer and Citizen Protection Act (31-13-1 et seq, Code of Alabama, 1975 as amended by Act 2012-491) regulates illegal immigration in the State of Alabama. All contracts with the State or political subdivision thereof must fully comply with each provision as provided by law.**

A proposal must include a statement that the vendor has knowledge of this law and is in compliance. Before a contract is signed, the vendor awarded the contract must submit a Certificate of Compliance using the form at Appendix A. E-Verify enrollment can be accomplished at the website of the United States Department of Homeland Security at <http://www.uscis.gov>.

See Section 10 for additional language required by Section 10(k) of the Act to be included in the contract.

*Rev.5-24-13*

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**4.3 Conflict of Interest**

The vendor attests that no employee, officer, or agent of the vendor shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest may be involved. A conflict would arise when the employee, officer, agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in the organization selected for an award. The officers, employees, and agents of the vendor, if selected as the career planning system vendor, shall neither award nor offer gratuities, favors, nor anything of monetary value from vendors or subcontractors.

**4.4 Discrimination**

**Alabama Non-Discrimination Statement:**

No person shall be denied employment, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any program or activity on the basis of disability, gender, race, religion, national origin, color, age, genetic information, or any other category protected under the law. Ref: Sec. 1983, Civil Rights Act, 42 U.S.C.; Title VI and VII, Civil Rights Act of 1964; Rehabilitation Act of 1973, Sec. 504; Age Discrimination in Employment Act; the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008; Equal Pay Act of 1963; Title IX of the Education Amendment of 1972; Title II of the Genetic Information Nondiscrimination Act of 2008. Title IX Coordinator, P.O. Box 302101, Montgomery, Alabama 36130-2101 or call (334) 694-4717.

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## **USDA Nondiscrimination Statement**

**For all other FNS nutrition assistance programs, state or local agencies, and their subrecipients, must post the following Nondiscrimination Statement:**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

1. **mail:**  
U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410; or
2. **fax:**  
(833) 256-1665 or (202) 690-7442; or
3. **email:**  
[program.intake@usda.gov](mailto:program.intake@usda.gov)



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**APPENDIX "A"**

State of \_\_\_\_\_ )  
County of \_\_\_\_\_ )

CERTIFICATE OF COMPLIANCE WITH THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535, as amended by ACT 2012-491)

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

RE Contract/Grant/Incentive (describe by number or subject):

\_\_\_\_\_ by and between  
\_\_\_\_\_ (Contractor/Grantee) and  
\_\_\_\_\_ (State Agency, Department or Public Entity)

The undersigned hereby certifies to the State of Alabama as follows:

1. The undersigned holds the position of \_\_\_\_\_ with the Contractor/Grantee named above and is authorized to provide representations set out in this Certificate as the official and binding act of that entity and has knowledge of the provisions of THE BEASON-HAMMON ALABAMA TAXPAYER AND CITIZEN PROTECTION ACT (ACT 2011-535 of the Alabama Legislature, as amended by ACT 2012-491) which is described herein as "the Act."
2. Using the following definitions from Section 3 of the Act, select and initial either (a) or (b), below, to describe the Contractor/Grantee's business structure.

**BUSINESS ENTITY.** Any person or group of persons employing one or more persons performing or engaging in any activity, enterprise, profession, or occupation for gain, benefit, advantage, or livelihood, whether for profit or not for profit.

a. Self-employed individuals, business entities filing articles of incorporation, partnerships, limited partnerships, limited liability companies, foreign corporations, foreign limited partnerships, and foreign limited liability companies authorized to transact business in this state, business trusts, and any business entity that registers with the Secretary of State.

b. Any business entity that possesses a business license, permit, certificate, approval, registration, charter, or similar form of authorization issued by the state, any business entity that is exempt by law from obtaining such a business license, and any business entity that is operating unlawfully without a business license.

**EMPLOYER.** Any person, firm, corporation, partnership, joint stock association, agent, manager, representative, foreman, or other person having control or custody of any employment, place of employment, or of any employee, including any person or entity employing any person for hire within the State of Alabama, including a public employer. This term shall not include the occupant of a household contracting with another person to perform casual domestic labor within the household.

\_\_\_\_ (a) The Contractor/Grantee is a business entity or employer as those terms are defined in Section 3 of the Act.

\_\_\_\_ (b) The Contractor/Grantee is not a business entity or employer as those terms are defined in Section 3 of the Act.

3. As of the date of this Certificate, the Contractor/Grantee does not knowingly employ an unauthorized alien within the State of Alabama and hereafter it will not knowingly employ, hire for employment, or continue to employ an unauthorized alien within the State of Alabama;
4. The Contractor/Grantee is enrolled in E-Verify unless it is not eligible to enroll because of the rules of that program or other factors beyond its control.

Certified this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

\_\_\_\_\_  
Name of Contractor/Grantee/Recipient  
By: \_\_\_\_\_  
Its \_\_\_\_\_

The above Certification was signed in my presence by the person whose name appears above, on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
Printed Name of Witness