

ALABAMA STATE DEPARTMENT OF EDUCATION



**Request for Proposal
RFP ALSDE 2024-20**

**TECHNICAL ADVISORY FOR STATEWIDE ASSESSMENT & ACCOUNTABILITY
STUDENT ASSESSMENT**

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

Deadline:

**Proposals must be received no later than 4:00 p.m. on December 4, 2024.
It is required that each vendor clearly mark the envelope RFP ALSDE 2024-20 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 Procurement 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.

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Section 1.00 Administrative Overview

1.1 Purpose and Background

Purpose: The Alabama State Department of Education (“ALSDE”) through the Office of Student Assessment is soliciting competitive written proposals from qualified vendors experienced in statewide student assessment with the capacity to support and assist in the planning and coordination of the Alabama Assessment and Accountability Technical Advisory Committee (“TAC”) meetings.

Vendors must have experience in guiding TACs regarding developing, administering, scoring, and reporting statewide assessments and in educational measurement, including test development, scaling and equating, data analysis, technical reporting, and computer-based testing. The vendor must be familiar with the Alabama Course of Study Standards, ALSDE’s assessment and accountability programs, Standards for Educational and Psychological Testing by the American Educational Research Association, the American Psychological Association, the U.S. Department of Education’s Assessment Peer Review Process, and the National Council on Measurement in Education.

The vendor will support and assist in the planning and coordination of all TAC meetings. These TAC meetings are intended to support the Alabama State Department of Education assessment and accountability program’s design, development, implementation, and evaluation. The vendor will provide on-demand technical assistance associated with other strategic and operational assessment and accountability needs as well as provide TAC honoraria and travel.

A Technical Advisory Committee (TAC) will provide guidance on technical assessment matters pertaining to validity and reliability, accuracy, and fairness. Members of the TAC shall be highly regarded national/state experts who have been widely published in their fields and hold a doctorate degree. Areas of expertise include assessment design; fixed form assessments; assessment accommodations; uses of assessments; mathematics, English language arts/literacy, science, and English learners.

The vendor will also provide guidance for Accountability to make suggestions and provide feedback regarding any proposed changes to the Alabama Accountability System

The RFP requires vendors to submit technical and cost proposals that clearly delineate the vendor’s plan for delivering services for multiple years. Preparation time for these meetings should be included in the price of these services.

The ALSDE will select the vendor who displays the most subject knowledge and experience working with state departments of education and provides the most technically sound proposals that describe in detail the vendor’s experience and history working with states.

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Background:

The policy of the Alabama State Board of Education is to have a unified coordinated Student Assessment Program. The Alabama State Department of Education currently administers assessments designed to measure student progress on the *Alabama Course of Study Standards*. The vendor will support and assist the ALSDE’s TAC with guidance around the design, development, implementation, and evaluation of the assessments and accountability systems.

1.2 Anticipated Time Table

November 21, 2024	Question Submission Deadline
November 22, 2024	Question Responses Due
December 4, 2024	Proposal Submission Deadline

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, experience, and references	35 points
Budget Proposal	30 points
Management Summary	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.

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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.

Qualified bidders aggrieved in connection with the with the solicitation of a contract may protest to the Chief Procurement Officer. See generally State of Alabama Department of Finance Administrative Code Regulations at <https://finance.alabama.gov/media/rnii4ga1/administrative-code-355-4-1-01-thru-06.pdf>.

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 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. This may include requesting a presentation of top finalists for final scoring. 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.

Intent to Award

Division of Procurement will send out an intent to award to participating suppliers, defining the protest period. The Chief Procurement Officer (CPO) is the awarding authority and as such is a signatory on the agreement/contract.

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.

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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.

1.4 Conditions and Terms

Contract Terms:

The AGENCY intends to execute an initial contract with Contractor for a period of up to two (2) years, with up to three (3) one-year renewal options or another 2-year option with one year remaining, pending written agreement of the vendor and AGENCY, dependent upon required state approvals, availability of funds, performance evaluations of the project, at the full discretion of the AGENCY. The contract will commence pending CPO signature, Legislative Review Committee approval, and Governor's signature. Each contract renewal will be presented to the Legislative Oversight Committee for approval.

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 Alabama State Department of Education (“ALSDE”), through the Student Assessment Section, is soliciting competitive written proposals from qualified vendors experienced in statewide student assessment with the capacity to support and assist in the planning and coordination of the Alabama Assessment and Accountability Technical Advisory Committee (“TAC”) meetings. Vendors must respond to each of the following:

- The vendor’s chair must have a doctorate degree in measurement and/or related psychometric educational disciplines.
- Participation in national groups, such as Council of Chief School Officers (CCSSO), National Council on Measurement in Education (NCME), American Educational Research Association (AERA), Society for Research on Educational Effectiveness (SREE), to provide latest knowledge of issues in assessment and accountability.
- At least ten (10) years of experience in managing and advising a state or consortium level TAC.
- Familiarity with the Alabama Course of Study standards and the statewide assessment and accountability system
- Knowledge of current federal requirements for assessment and accountability with experience advising other states or entities on their ESSA plan, one percent cap requirements for alternate assessments, peer review, and assessment and accountability systems
- Knowledge of the development of performance-based assessments in the areas of English Language Arts (ELA), reading, mathematics, science, and writing in Grades 2-8 and at the high school level.

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- Knowledge of the required elements around English Language Proficiency assessments.
- Knowledge of the United States Department of Education Peer Review Guidance and assistance on meeting statutory and regulatory requirements under Title I of the *Elementary and Secondary Education Act of 1965* (ESEA), as amended by the *Every Student Succeeds Act* (ESSA), for implementing valid and reliable state assessment systems.
- Access to expertise and resources within their field.
- Ability to nominate and lead the Alabama TAC that is composed of five (5) subject matter experts with extensive knowledge of psychometric work in assessment and accountability systems.

The vendor must describe how experiences and qualifications will enable the delivery of the services listed below:

- The Vendor will chair the ALSDE TAC meetings including meeting discussions and be prepared to facilitate conversations.
- The vendor will work to establish the meeting date(s) and coordinate the availability of TAC members and ALSDE.
- The Vendor will set the agenda and advise the ALSDE and the ALSDE vendors on appropriate agenda items and how to prioritize these items during the meeting to maximize the use of time during TAC meetings.
- The Vendor will review submitted documents from ALSDE vendors prior to meeting to ensure the agenda items are relevant; provide all documents submitted by the ALSDE and the ALSDE vendors to TAC members digitally prior to meeting. The Vendor will provide digital sharing space for all documents for TAC and ALSDE to review prior to each meeting.
- The Vendor will take notes during the TAC meetings to share recommendations and actions with the ALSDE leadership.
- The Vendor will share meeting notes with all TAC members and the ALSDE within assigned time following the TAC meeting.
- The Vendor will provide stipends and expenses for the TAC members to include all pre-meeting preparation, TAC meeting, and travel costs. The vendor must provide a detailed description of cost associated with these meetings and Honoria costs.
- The Vendor will interact with advisory committees, task forces, legislative groups, education groups, or contractors as needed by the ALSDE.
- The vendor will assist the ALSDE in evaluating the work of the state's assessment vendors/contractors to ensure their work meets professionally accepted standards, for example, as outlined in *Standards for Educational and Psychological Testing* (American Educational Research Association [AERA], American Psychological Association [APA], & National Council on Measurement in Education [NCME], 2014) .
- The Vendor will assist ALSDE with technical requirements and decisions to ensure the assessment and accountability systems are technically defensible and reflect federal/state guidelines.
- The Vendor will provide guidance for Accountability; this will require additional research and preparation time as needed. The Vendor will make suggestions and provide feedback regarding any proposed changes to the Alabama Accountability System.

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Responsibilities of Vendor:

Upon approval of the bid, the vendor shall assign a dedicated Program Manager/Lead/Chair to the project who will be responsible for assisting the TAC and ensuring implementation of this project, including the following:

- Support the ALSDE assessment/accountability program's design.
- Support the ALSDE assessment/accountability program's development.
- Support the ALSDE assessment/accountability program's implementation.
- Support the ALSDE assessment/accountability program's evaluation.
- Provide on-demand technical assistance associated with other strategic and operational assessment and accountability needs
- Provide TAC Honoraria and travel.

Data Ownership and Privacy:

ALSDE will be the sole owner of materials produced and data collected. The vendor must comply with all data security, data privacy, and appropriate use laws, regulations, policies, and procedures required by the ALSDE. The vendor agrees to abide by and maintain adequate data security measures to protect Student Data from unauthorized disclosure or acquisition by an unauthorized person.

The vendor shall agree at all times to maintain network system and application security that, at minimum, conform to: State of Alabama Cyber Security Policies, and current cyber security standards set forth and maintained by the Center for Internet Security, which can be found at <http://www.cisecurity.org>. The vendor must agree to document all cyber security expectations to State of Alabama Policies and Standards in response to this RFP. Special consideration must be made to ensure the security of Personally Identifiable Information (PII) stored or processed by the system. The system will be subject to security reviews by the Office of Information Technology (OIT), Cyber Security. The vendor shall describe the overall approach to security in its proposed system. Challenges that the vendor may encounter for meeting cyber security standards during this project and how those challenges can be mitigated shall also be identified. The vendor shall discuss the features of its system which prevent infiltration.

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

Leadership is critical in the development, implementation, and sustainability of successful programs. The ALSDE provides guidance and technical assistance throughout the year regarding policies and procedures, as well as on strategies to improve outcomes. The ALSDE is responsible for initiating contracts, processing and paying invoices, articulating deadlines, and assisting with the delivery of information to the vendor from assessment and accountability projects. The ALSDE is responsible for contract management and identifying a liaison between the ALSDE and vendor.

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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 email 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) state agency 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 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 management and operation of the TAC. The vendor shall submit a cost proposal in addition to other required information that includes a detailed pricing schedule of technical assistance and costs associated with TAC meetings including Honoria.

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.** Subcontractors 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 subcontractor; 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.

Per the current FPPM: Non-appropriation and Proration (Section 41-4-144(c)).

<https://comptroller.alabama.gov/fiscal-policy-procedures/>

When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the contract shall be cancelled, and, to the extent permissible by law, the supplier shall be reimbursed for the reasonable value of any non-recurring costs incurred but not amortized in the price of the supplies or services delivered under the contract. To the extent permissible by law, this cost of cancellation may be paid from any appropriations available for that purpose.

In the event that proration of appropriated funds from which the State is to pay the supplier is declared by the Governor pursuant to Section 41-4-90 of the Code of Alabama, the contractor shall have the option, in addition to the other remedies of the contract, of renegotiating the contract to extend or change payment terms or amounts, or terminating the contract. In all circumstances, it is agreed that the terms and commitments of this contract shall not constitute a debt of the State of Alabama in violation of Section 213 of the Constitution of Alabama, as amended.”

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.

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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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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