



Commonwealth of Kentucky

CONTRACT

IMPORTANT

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Doc Description: Jefferson Co BOE ESP-2015-027

Doc ID No: PON2 415 1400003483 1

Procurement Folder: 3415374

Procurement Type: Memorandum of Agreement

Administered By: Ashley Smither

Cited Authority: KRS164.020-22

Telephone: 502-573-1555

Issued By: Ashley Smither

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JEFFERSON COUNTY PUBLIC SCHOOLS TREASURER

GRANTS AND AWARDS ACCOUNTING

PO BOX 34020

LOUISVILLE

KY 40232-4020

US

Line	CL Description	Due Date	Quantity	Unit Issue	Unit Price	Contract Amt	Total Price
1	Employability Skills Pilot(Perkins Funding)		0.00		0.00000	1,500.00	1,500.00

Extended Description

Programs involved in the KYAE Employability Skills Pilot(Perkins Funding) are authorized to purchase resources that meet the criteria listed below. The total expense cannot exceed \$1,500.00 and must be submitted to KYAE for approval before purchasing. Following approval, funds must be expended (purchases in hand) and final invoices submitted to KYAE by September 30, 2014.

1. The resource is respectful/non-biased and free of obvious stereotypes.
2. The resource aligns with instruction that is based on college and career ready standards.
3. The resource includes clear information or instructions on how the resource should be used, including in-person, computer-based and independent study.
4. The resource is transportable to other adult education instructional settings.
5. The resource provides evidence of impact on preparing adults for entry-level employment.

Effective dates: 7/1/2014-9/30/2014 Budgeted source of funds: 100% Federal. Method of payment: Cost-reimbursement upon receipt and approval of monthly KYAE Expenditure Report submitted online. All costs must be reasonable, allowable and actual.

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COUNCIL ON POSTSECONDARY ED - KY ADULT ED

1024 CAPITAL CTR DR

KY ADULT EDUCATION SUITE 320

FRANKFORT

KY 40601

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Total Order Amount:

1,500.00

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**Memorandum of Agreement Terms and Conditions for Agreements
Between A State Agency and Other Governmental Body or Political Subdivision
Terms and Conditions**

Scope of Services:

(Agency to complete – agency shall provide a detailed description of all services being provided.)

Pricing:

(Agency to complete – insert contract amount and applicable payment information such as hourly rate and number of hours, not to exceed amounts, or budget information. Provide as much information as necessary to clearly explain the amount and method of payment for the service(s) being provided.)

Cancellation clause:

Either party may cancel the contract at any time for cause or may cancel without cause on 30 days' written notice.

Funding Out Provision:

The state agency may terminate this contract if funds are not appropriated to the contracting agency or are not otherwise available for the purpose of making payments without incurring any obligation for payment after the date of termination, regardless of the terms of the contract. The state agency shall provide the contractor thirty (30) calendar days written notice of termination of the contract.

Reduction in Contract Worker Hours

The Kentucky General Assembly may allow for a reduction in contract worker hours in conjunction with a budget balancing measure for some professional and non-professional service contracts. If under such authority the agency is required by Executive Order or otherwise to reduce contract hours, the contract will be reduced by the amount specified in that document.

Access to Records

The state agency certifies that it is in compliance with the provisions of KRS 45A.695. "Access to contractor's books, documents, papers, records, or other evidence directly pertinent to the contract." The contractor, as defined in KRS 45A.030(9) agrees that the contracting agency, the Finance and Administration Cabinet, the Auditor of Public Accounts, and the Legislative Research Commission, or their duly authorized representatives, shall have access to any books, documents, papers, records, or other evidence, which are directly pertinent to this contract for the purpose of financial audit or program review. Records and other prequalification information confidentially disclosed as part of the bid process shall not be deemed as directly pertinent to the contract and shall be exempt from disclosure as provided in KRS 61.878(1)(c). The contractor also recognizes that any books, documents, papers, records, or other evidence, received during a financial audit or program review shall be subject to the Kentucky Open Records Act, KRS 61.870 to 61.884.

Effective Date:

All Memorandum of Agreements are not effective until the secretary of the Finance and Administration Cabinet or his authorized designee has approved the contract and until the contract has been submitted to the government contract review committee. However, Memoranda of Agreements \$50,000 or less are exempt from review by the committee and need only be filed with the committee within 30 days of their effective date for informational purposes only as provided under KRS 45A.700.

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KRS 45A.695(7) Payments on personal service contracts and memoranda of agreements shall not be authorized for services rendered after government contract review committee disapproval, unless the decision of the committee is overridden by the secretary of the Finance and Administration cabinet or agency head, if the agency has been granted delegation authority by the secretary.

Violation of tax and employment laws

KRS 45A.485 requires the contractor to reveal to the Commonwealth, prior to the award of a contract, any final determination of a violation by the contractor within the previous five (5) year period of the provisions of KRS chapters 136, 139, 141, 337, 338, 341, and 342. These statutes relate to the state sales and use tax, corporate and utility tax, income tax, wages and hours laws, occupational safety and health laws, unemployment insurance laws, and workers compensation insurance laws, respectively.

To comply with the provisions of KRS 45A.485, the contractor shall report any such final determination(s) of violation(s) to the Commonwealth by providing the following information regarding the final determination(s): the KRS violated, the date of the final determination, and the state agency which issued the final determination.

KRS 45A.485 also provides that, for the duration of any contract, the contractor shall be in continuous compliance with the provisions of those statutes which apply to the contractor's operations, and that the contractor's failure to reveal a final determination as described above or failure to comply with the above statutes for the duration of the contract, shall be grounds for the Commonwealth's cancellation of the contract and the contractor's disqualification from eligibility for future state contracts for a period of two (2) years.

Contractor must check one:

☐ The contractor has not violated any of the provisions of the above statutes within the previous five (5) year period.

☐ The contractor has violated the provisions of one or more of the above statutes within the previous five (5) year period and has revealed such final determination(s) of violation(s). A list of such determination(s) is attached

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Approvals

This contract is subject to the terms and conditions as stated. By affixing signatures below, the parties agree that electronic approvals may serve as electronic signatures. In addition, the parties verify that they are authorized to bind this agreement between parties and that they accept the terms of the agreement.

1st Party:

Signature Title

Printed Name Date

2nd Party:

Signature Title

Printed Name Date

Approved as to form and legality:

Attorney

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Council on Postsecondary Education
Title VI of the Federal Civil Rights Act

Sub recipient Acknowledgement Form
2014-15

Accompanying this acknowledgment form is the Council's current Title VI plan, which is applicable to the following federal programs administered by the Council: Improving Educator Quality, Adult Education, and GEAR-UP Kentucky. We appreciate your cooperation completing and returning this form timely in order for the Council to continue to assure we are meeting our Title VI responsibilities.

Title VI of the Civil Rights act of 1964 (42 U.S.C. 2000d) provides:

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

In addition Executive Order 13166, August 11, 2000 requires that programs and services be made available to individual participants with Limited English Proficiency (LEP).

Federal Program Name: Board of Education of Jefferson County Kentucky

Program Director Name and Title: Joyce Griffith, Adult & Continuing Education

Return the completed form within 30 days to the CPE grant contact identified below:

(scanned attachments and faxes are acceptable)

1 Board of Education of Jefferson County is a sub recipient and/or contractor of the federal program listed above and has received a copy of the Council's current Annual Title VI Implementation Plan and is in compliance with the policies stated therein. A copy of the current plan can be always be obtained at <http://cpe.ky.gov/about/titlevi.htm>

- II. As a requirement of the Title VI plan, the sub recipient/contractor will follow the Council's Title VI plan or the sub recipient/contractor's Title VI plan.
Please check which plan will be followed.

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___ Council on Postsecondary Education Title VI Plan

___ Sub recipient / Contractor Title VI plan

Please provide the name and contact information of the sub recipient's/ contractor's responsible Title VI reporting official:

Dr. Georgia Hampton, Director of Compliance

C.B. Young Service Center

3001 Crittenden Dr.

Louisville, KY 40209-1104

III. As a sub recipient/contractor, Board of Education of Jefferson County Kentucky
_____ agrees to the following:

v Maintain adequate records on beneficiaries' participation to ensure the federal program is open to all individuals regardless of race, color, or national origin and submit compliance reports if required by Department of Education. Upon request, this information shall be provided to the Council on Postsecondary Education.

v Promote public outreach by ensuring Title VI posters are posted prominently in the beneficiary's views.

v Ensure that all employees involved in the federal program are notified of the Title VI responsibilities and complaints procedures.

v Implement procedures to assist beneficiaries with limited English proficiency (LEP).

v Forward all complaints and their resolutions, if applicable, to the Council on Postsecondary Education's Title VI Coordinator, Rebecca Bowman, 1024 Capital Center Drive, Frankfort, KY 40601.

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(Signature and Date)

Dr. Donna Hargens, Superintendent

(Printed Name and Title)