



**Request for Proposal  
RFP #WIOA-DISLOCATED WORKER-07-16-2018**

**DISLOCATED WORKER PROGRAM  
CAREER AND TRAINING SERVICES**

*Release Date:  
July 16, 2018*

*Due Date:  
August 17, 2018, 5:00 PM PST*

*Sub-award Period:  
January 1 – June 30, 2019*

**3640 South Cedar Street, Suite E  
Tacoma, WA 98409**

**EQUAL OPPORTUNITY - EQUAL ACCESS**

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**SECTION I: OVERVIEW / PURPOSE**

**A. RFP Purpose: Dislocated Worker Program Career and Training Services**

The purpose of this Request for Proposal (RFP) is for WorkForce Central (WFC), on behalf of the Chief Local Elected Officials (CLEOs) and the Pierce County Workforce Development Council (WDC), to identify and select a qualified sub-recipient for Department of Labor (DOL) **federal funds to provide direct Dislocated Worker program career and training services** in Pierce County under the Workforce Innovation and Opportunity Act (Public Law No: 113-128 (WIOA)).

The CLEOs and the WDC have determined that for program year 2018-2025, the primary role of the Dislocated Worker Program Career and Training Services sub-recipient is to provide workforce development services to WIOA eligible Dislocated Workers. The sub-recipient will coordinate with WFC and its partners to minimize duplication and promote seamless integrated service delivery that is in alignment with the Washington State Workforce Plan “Talent and Prosperity for All”.

The successful proposer awarded a sub-award as a result of this RFP must be prepared to assume responsibility for the direct services of Dislocated Worker customers no later than January 1, 2019.

- **Target Population:** Under WIOA, all adults and Dislocated Workers are eligible for Career Services as defined in the WIOA, Section 134 and (2) (A) (1).
  - Those unlikely or unable to obtain or retain employment through Career Service are eligible for Training Services (WIOA, Section 134, (3) (I) (aa)).
  - Those who are in need of training services to obtain or retain employment (WIOA, Section 134, (3) (I) (bb)).
  - Those who have the skills and qualifications to successfully participate in the selected programs of training service (WIOA, Section 134, (3) (1) (cc)).
  - The ultimate goal is full time employment.
- **Geographic Area:** Pierce County, Washington
- **Sub-award Start Date:** No later than January 1, 2019
- **Initial sub-award End Date:** June 30, 2019
- **Type of sub-award:** Cost-Reimbursement sub-award

- **Option to Extend:** WFC may extend the sub-award for additional years in accordance with WIOA law, and depending on program performance, availability of funds, and WDC strategic direction.
- **Funding:** The proposed services will be funded under Title I of the Workforce Innovation and Opportunity Act (WIOA) to provide related services. The amount allocated for this program under Program Year 2018 is under consideration and will be published prior to the start of contract negotiations. For planning purposes proposers should estimate WIOA funding of up to **\$500,000.00. This estimate is provided solely for guidance to bidders in preparing budget and cost proposal.**

## **B. WIOA Funding Overview**

The proposed services will be funded under Title I of the Workforce Innovation and Opportunity Act (WIOA) of 2014. WIOA supersedes the Workforce Investment Act (WIA) of 1998. The WIOA was created to provide state and local areas the flexibility to collaborate across systems in an effort to better address the employment and skill needs of current employees, job seekers, and employers.

## **C. Sub-recipient Designation**

The awardee of this award will be a sub-recipient. A *sub-recipient* is a non-Federal entity that receives a sub-award from a pass-through entity to carry out all or part of a Federal program; but does not include an individual that is a beneficiary of such program. A sub-recipient may also be a recipient of other Federal awards directly from a Federal awarding agency. (2 CFR §200.93 Sub-recipient). A sub-recipient must comply with all applicable uniform administrative requirements, cost principles and audit requirements. In this situation, the pass-through agency of the funds has a responsibility to monitor the sub-recipient to ensure the grant funds are being used for authorized purposes and as required by the grant agreement and applicable regulations.

For more information see: 2 CFR Part 200; 2 CFR Part 2900; and ESD Policy 5250 Sub-recipient/Contractor Pass-Through Entity Determination Requirements.

For more information on WIOA visit <http://www.doleta.gov/WIOA>.

For more information on uniform guidance 2 CFR 200 and 2 CFR 2900 - visit <https://www.gpo.gov/fdsys/granule/CFR-2014-title2-vol1/CFR-2014-title2-vol1-part200/content-detail.html>; or <https://www.gpo.gov/fdsys/search/pagedetails.action?granuleId=CFR-2016-title2-vol1-part2900&packageId=CFR-2016-title2-vol1>

## **SECTION II: INTRODUCTION**

### **A. Workforce Innovation and Opportunity Act (WIOA)**

On July 22, 2014 President Obama signed into law the Workforce Innovation and Opportunity Act (WIOA). The WIOA supersedes the Workforce Investment Act (WIA) of 1998. WIOA is designed to improve and streamline access to federally funded employment, education, training and support services. This is the first legislative reform of the public workforce system in more than 15 years. Every year the key programs that form the pillars of WIOA help tens of millions of job seekers and workers to connect to good jobs and acquire the skills and credentials needed to obtain them. The enactment of WIOA provides an opportunity for reforms to ensure the One-Stop Delivery System is job-driven, responding to the needs of employers and preparing workers for jobs that are available now and in the future.

WIOA has six main purposes:

1. Increase access to and opportunities for employment, education, training, and support services for individuals, particularly those with barriers to employment.
2. Support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system.
3. Improve the quality and labor market relevance of workforce investment, education and economic development efforts.
4. Promote improvement in the structure and delivery of services.
5. Increase the prosperity of workers and employers.
6. Provide workforce development activities that increase employment, retention, and earnings of participants and that increase post-secondary credential attainment and as a result, improves the quality of the workforce, reduces welfare dependency, increases economic self-sufficiency, meets skills requirement of employers, and enhances productivity and competitiveness of the nation.

### **B. Washington State Strategic Workforce Plan “Talent and Prosperity for All”**

Soon after the passage of WIOA, Governor Jay Inslee directed the Workforce Training and Education Coordinating Board (Workforce Board) to work with the system’s stakeholders to shape Washington State’s Workforce Plan “Talent and Prosperity for All” (State Plan) toward three goals to maximize the workforce system’s impact:

- Help more people find and keep jobs that lead to economic self-sufficiency, with a focus on disadvantaged populations.

- Close skill gaps for employers with a focus on in-demand industry sectors and occupations, including through apprenticeships.
- Work together as a single, seamless team.

In designing the State Plan, the Workforce Board embraced the new federal workforce act as a chance to improve service delivery and remove barriers for all individuals with barriers to employment, not just those populations covered by the Americans with Disabilities Act.

WIOA Sec 3 (24) identifies the following individuals with barriers to employment:

- Displaced homemaker
- Low-income individuals
- Indians, Alaska Natives and Native Hawaiians
- Individual with disabilities
- Older individuals
- Ex-offenders
- Homeless individuals
- Youth who are in or have aged out of the foster care system.
- Individuals who are English language learners, low levels of literacy or facing substantial cultural barriers
- Eligible migrant and seasonal farm workers
- Individuals within 2 years of exhausting lifetime eligibility under Part A of Title IV of the Social Security Act
- Single parents (including pregnant women)
- Long-term unemployed

For more information about the State of Washington’s “Talent and Prosperity for All”: The Strategic Plan for Unlocking Washington’s Workforce Potential, see the Washington State’s Workforce and Educational Training Coordinating Board’s website at: <http://wtb.wa.gov/default.asp>.

**C. WIOA’s Local Governing Body: WFC Executive Board, Pierce County Workforce Development Council (WDC), and WorkForce Central (WFC)**

An inter-local agreement between the City of Tacoma and Pierce County provides the foundation for workforce development initiatives across Pierce County. Elected officials from the City of Tacoma and Pierce County, as well as a representative of business, form our governing body (Executive Board) which works closely with and appoints members to the Pierce County Workforce Development Council (WDC). Together, their mission is to ensure the coordination of the WorkSource Pierce system.

The Governor certified WDC is a business-led council comprised of community leaders with expertise in the public, private and philanthropic sectors. With a wealth of expertise, the WDC works side-by-side with the Chief Local Elected Officials to address workforce deficiencies, to upskill workers, to develop potential employees and to ensure the workforce development system offers the highest quality service to its customers.

In partnership with the Executive Board, the WDC has established a local workforce development plan that strategically supports the State’s “Talent and Prosperity for All” and the full implementation of WIOA including the integrated service delivery system. The local service delivery area encompasses incorporated and unincorporated Pierce County.

### **SECTION III: SOLICITATION AND GENERAL INFORMATION**

#### **A. Solicitation Timetable**

Request for Proposal (RFP) Release:	Monday, July 16, 2018
Proposer Conference*:	Friday, July 27, 2018; 10:00 AM PST (Video conferencing available)
Deadline for Written Questions:	<b>Wednesday, August 1, 2018; 5:00 PM PST</b> (Emailed with RFP number in title to: procurement@workforce-central.org)
WFC Question Answers Posted to WEBS and WFC Website:	Friday, August 3, 2018
Proposal Package Due:	<b>Friday, August 17, 2018; 5:00PM PST</b> (Emailed with RFP number in title to: procurement@workforce-central.org)
Technical Review:	August 20-21, 2018
Proposal Evaluations & Oral Presentations:	August 22-31, 2018
Announcement of Award:	September 3, 2018
Sub-award Negotiations and Development:	September 4-14, 2018
Sub-award Starts:	No later than January 1, 2019

\*Proposer Conference Location: 3640 S Cedar St., Suite E, Tacoma, WA 98409



## **B. Eligible Entities**

WFC is soliciting proposals from qualified organizations to direct federal Department of Labor (DOL) WIOA Title I funds towards career and training services using evidenced-based practices and/or demonstrated successful performance history. Eligible entities may include:

- Private for profit businesses
- Non-profit organizations
- Business associations
- Public agencies
- A collaboration of above entities with at least one organization designated as the lead agency and primary sub-recipient.

## **C. WFC Procurement**

WFC conducts all procurements in a manner providing full and open competition as required under 2 CFR 200, other federal and state laws and regulations and WFC Procurement policy. This RFP identifies all relevant requirements, evaluation factors, technical review process and scoring point range. Technical, financial and organizational evaluations will be made of all proposals received on time and found to be responsive to the RFP.

WFC reserves the right to revise any part of the RFP at any time before the submission deadline date if necessary. These revisions will become addendums to the RFP and will be posted on WFC website: [www.workforce-central.org](http://www.workforce-central.org). Proposers are responsible for checking the website frequently to remain informed about the procurement process. Each proposer must amend its RFP package as necessary. Failure to acknowledge any addendum will result in disqualification of the proposal.

The entire cost for the preparation and delivery of the proposal or any related communication shall be at the expense of the proposer. A submitted proposal may be withdrawn by a written request to [procurement@workforce-central.org](mailto:procurement@workforce-central.org).

## **D. Proposal Submission and Minimum Requirements**

To be considered for review, proposals must follow the instruction in the RFP, provide the information required in the response package and include all of the required attachments (signed and dated) by your organization's representative.

The successful bidder will be required to agree to the General Terms and Conditions contained in the WFC's contract and must also comply with all applicable federal and state laws and regulations and local policies established by the WDC.

## **E. Submission Instructions**

All proposals must be received at WFC electronically (via email) by **Friday, August 17, 2018 at 5:00 PM PST**. Proposals not submitted by this date and time will be automatically disqualified.

**Please submit proposals by email and include the RFP number in the title of the email. Email proposal to: [procurement@workforce-central.org](mailto:procurement@workforce-central.org)**

## **F. Written Questions**

Questions related to this Request for Proposal must be emailed to [procurement@workforce-central.org](mailto:procurement@workforce-central.org) by **Wednesday, August 1, 2018; 5:00 PM PST**. Any additional information that may come out after this Request for Proposal release will be posted on the WorkForce Central website: [www.workforce-central.org](http://www.workforce-central.org).

## **G. Incurred Proposal Costs**

The entire cost for the preparation and delivery of the proposal or any related communication shall be at the expense of the proposer.

## **H. Withdrawal**

A submitted proposal may be withdrawn by a written request to [procurement@workforce-central.org](mailto:procurement@workforce-central.org).

## **I. Termination Due to Non-Availability of Funds**

When funds are not appropriated or otherwise made available to the Pierce County Workforce Development Area to support continuation of the RFP or any sub-award(s) herein, they shall be cancelled as of the effective date set forth in the termination notice.

## **J. Negotiation/Discussion**

WFC and the Chief Local Elected Officials/WDC reserve the right to conduct discussions with proposers in order to ensure a full understanding of the proposal. Selection of an organization as a sub-recipient does not constitute approval of the sub-award proposal as submitted. Before the sub-award is awarded, WFC may enter into negotiations about such items to include, but not be limited to, program components, allowable activities, staffing, funding levels and administrative systems in place to support program implementation. If the negotiations do not result in a mutually acceptable submission, WFC reserves the right to terminate the negotiations and decline to fund the proposal. Proposers will be

accorded fair and equal treatment with respect to any opportunity for discussion and revisions concerning their proposals.

#### **K. Misrepresentation**

If in the course of the RFP process it is determined that the proposer has made a false statement, misrepresentation or that inaccurate information has been provided, the proposer may be terminated from the RFP process.

#### **L. Disallowed Costs**

The sub-recipient (s) selected as a result of this RFP must have sufficient funds available to reimburse any determined disallowed costs that occur during the sub-award period.

#### **M. Monitoring**

Successful proposers awarded a sub-award will be monitored by WFC. Sub-recipient will also be required to develop internal monitoring procedures to ensure that program operations and accounting processes are conducted in compliance with WIOA Final Rules and Regulations, 2 CFR 200 and 2 CFR 2900. The sub-recipient will be responsible for monitoring any sub-awards it may make.

#### **N. Assurances and Certifications**

The sub-recipient(s) selected from this RFP that certified and made assurances (Appendix D & E) must comply with all federal, state and local requirements and all applicable WIOA regulations.

#### **O. Reports**

Routine monthly reports and quarterly written programmatic reports will be required. Specific required reports will be negotiated during the negotiation process. Sub-recipients must have the capability of generating and/or providing required reports. Other reports may be required during the sub-award period.

#### **P. Conflict of Interest**

Every reasonable course of action will be taken by the selected sub-recipient in order to maintain the integrity of sub-award expenditures and to avoid any favoritism or illegal conduct. The sub-award from this RFP will be administered in an impartial manner, free from improper personal, financial, or political gain.

## SECTION IV: PROGRAM DESCRIPTION

### A. Dislocated Worker Program Services Role and Responsibilities

Bidders responding to this RFP must offer, in collaboration with Pierce County WorkSource System partners, the following Career Services to WIOA Title I eligible Dislocated Workers per WIOA Section 134(c)(2)(A). Career Services must be accessible at a minimum at the WorkSource Pierce Job Center.

#### Basic Career Services

- Eligibility determination for Title I Dislocated Worker Program services.
- Outreach, intake, and orientation to the information and other services available through the one-stop delivery system.
- Initial assessment of skill levels (including literacy, numeracy, and English language proficiency) aptitudes, abilities and supportive service needs.
- Labor exchange services including job search and placement assistance.
- Referrals to and coordination of activities with other programs and services within the one-stop delivery system.
- Provision of workforce and labor market information.
- Provision of performance and program cost information.
- Provision of information on supportive services including referrals to those services.
- Provision of information and assistance regarding filing claims for unemployment compensation.
- Assistance in establishing eligibility for programs of financial aid assistance.

#### Individualized Career Services must be made available (if determined to be appropriate in order for an individual to obtain or retain employment)

- Comprehensive and specialized assessments of the skill levels and service needs.
- Development of an individual employment plan.
- Supportive services including information and coordination with community resources.
- Career planning and individual and group counseling.
- Short-term pre-vocational services.
- Internships and work experiences that are linked to careers.
- Workforce preparation.
- Financial literacy services.
- Access to internships, work experience, On-the-Job Training (OJT).
- Out of area job search.
- English language acquisition and integrated education and training programs.
- Follow-up services following job placement.

### Participation in Layoff Aversion and Rapid Response Activities

- Participate in layoff aversion through incumbent worker training or other forms of layoff aversion activities
- Convene a governance and community partner workgroup to coordinate process improvement and layoff aversion strategies
- Address dislocated worker's employment needs by providing direct services

### Enrollment Requirements

Eligible WIOA Dislocated Workers must be enrolled and considered a customer for performance purposes when seeking services from staff. Any staff involvement which includes an assessment of customer's skills, education level or career objectives as it relates to job search, job referral, assessing personal barriers to employment, training and related services is defined as significant staff involvement and will require enrollment.

Enrollment is required for:

- Any group activities, such as job fairs, workshops and short term pre-vocational services as part of an employer customized activity, which:
  - Require that an individual is pre-screened or assessed by a staff member of their skills, education and/ or career objectives.
  - Are not available to the general public.

**All eligible WIOA Dislocated Workers must be registered prior to expending WIOA funds such as supportive services, training funds or work-based learning activities.**

In addition, the WDC requires the successful Bidder to:

- Provide integrated services that combine all local resources to help each individual find, and keep the right job and receive continued support to advance their career.
- Leverage non-WIOA resources and coalitions that result in innovative, responsive and cohesive services.
- Align educational opportunities that lead to industry-recognized qualifications, skills, and academic credentials.
- Focus on key populations with barriers who face significant challenges in obtaining living-wage jobs.

## **B. Dislocated Worker Eligibility Criteria, Priority of Service**

### Eligibility for the Title I WIOA Dislocated Worker Program:

Dislocated Workers must meet the following eligibility criteria for the WIOA Title I Dislocated Worker Program:

- U.S. citizen or otherwise legally entitled to work in the U.S.
- Selective Service Registration (males who are 18 or older and born on or after January 1, 1960) unless an exception is justified.
- One of the Dislocated Worker categories:
  - a) General dislocation
  - b) Dislocation from facility closure/substantial layoff
  - c) Self-employed dislocation
  - d) Displaced homemaker
  - e) Dislocated separating military service members
  - f) Spouses of military service members

Veterans and other covered persons who qualify for the Dislocated Worker Program are given priority for services according to the Jobs for Veterans Act. (JVA 2002) (20 CFR 1010)

## **C. Required Program Design Elements**

- Ensure there is an Employability Plan with each customer which identifies appropriate objectives and services for the customer to achieve their career goals.
- Ongoing and uninterrupted active case management for customers.
- Have a strong industry focus in services provided, working directly with WFC Business Services sub-recipient and WFC on program design and training components.
- Ensure in-demand job placements, training-related placements, placements in targeted or demand occupations.
- Include WorkSource and other community partners that are already providing similar and related services.

## **D. Dislocated Worker Performance Measures**

All WIOA funding is in part, based on achieving US Department of Labor's performance measures regarding employment and training. The selected sub-recipient will be responsible for meeting all performance measures as laid out by the US Department of Labor.

## Performance and Case Management Tracking:

The state-managed database that will support statewide employment and training business operations by integrating employment and training program services and WIOA. The database provides customer tracking and enables Washington State to report on federal and state-mandated WIOA reporting requirements to the Department of Labor (DOL).

- The successful proposer will be required to use this system to record and track all client activities and program services. Reports generated from this system will be used to determine program performance by the service provider, WDC, and the state. Therefore, knowledge of the system, accuracy, and timely entry of information are critical. Initial system training will be facilitated through the WDC, but it is the sub-recipient's responsibility to ensure on-going staff expertise and compliance.
- In addition, the sub-recipient may be asked to provide additional documentation or information not accessible through this database system to evaluate performance outcomes, as well as program strengths and weaknesses.
- All WIOA customers must be registered in this database system.

## **SECTION V: PROPOSAL REQUIREMENTS**

In order to simplify the review process and obtain maximum degree of comparison the proposal must be organized as follows:

### **A. Proposal Content Requirements**

1. Proposal Cover Sheet – Appendix A **(Required)**
2. Table of Contents – with Page Numbers **(Required)**
3. Proposal Narrative **(Required) – Total of 100 Points**
  - A. Dislocated Workers Services – **Worth 40 Points** – Max. Eight (8) Pages
  - B. Demonstrated Ability / Past Performance – **Worth 35 Points** – Max. Eight (8) Pages
  - C. Conflict of Interest – **Worth 5 Points** – Max. Two (2) Pages
  - D. Budget – **Worth 20 Points**
    - Budget Narrative **(Required)**
    - Budget Worksheet **(Appendix B Required)**
  - E. WFC Assurances and Certification – Appendix D **(Required)**
  - F. WIOA Assurances and Certification – Appendix E **(Required)**
  - G. Miscellaneous – Max. Five (5) Pages **(Optional)**

## **B. Proposal Format Requirements**

Font: 12 point – Times New Roman  
Spacing: Double Spaced  
Pages: Single sided and numbered (do not number the title page and table of contents)  
Margins: 1 inch  
Paper: 8 ½ x 11

## **SECTION VI: PROPOSAL NARRATIVE AND BUDGET**

### **A. Dislocated Worker Career & Training Services – Worth 40 Points (Max of 8 Pages)**

The proposer should thoroughly describe how they will deliver Career and Training Services to customers. The proposer should adequately explain how their delivery of services will lead to employment for customers. Proposers are encouraged to utilize evidence-based, promising practices, best practices and/or research in developing their program designs. The activities and services described in the proposals can be provided by a lead agency or through partnerships. Please state the question/request before each answer.

The proposer should describe the following:

#### **1. Approach:**

- Describe how your program design will provide comprehensive programmatic services for customers - include the progression from recruitment and enrollment through exit to follow-up.
- Describe your program's unique and innovative approaches to workforce development program design that will benefit the workforce area and support the Washington State Strategic Workforce Plan and Pierce County WDC's vision. In your response, please include your plan to collaborate with other system partners in providing services. Please list Memorandum of Understandings with partner organization, if applicable.
- Describe how you plan to provide services to targeted populations as listed in WIOA Sec 3 (24) and priority groups mandated by the US Department of Labor. How will you ensure that those customers receive services that address their barriers to employment?

#### **2. Program Staffing and Case Management Strategy:**

- Provide your program staffing structure from CEO to front-line staff, the roles of each position, and the knowledge/education/experience of each staff member who will be engaged in this sub-award.
- Provide your staff to customer ratio.
- Describe how you will ensure that front-line staff will have sufficient time and support to provide the highest quality programmatic services.
- Describe your organization's staff training and customer service commitment. All staff funded in whole or in part must have customer service training. Also, include how your



staff will be continuously made aware of ongoing DOL directives, WIOA regulations and the WDC policies.

- If sub-awarding, describe the role of the sub-awardee and how you will work with them. Include your experience in working with sub-contractors or sub-awardees.
3. Outreach:
    - Describe how you will provide targeted outreach and engagement to eligible Dislocated Workers, including any initiatives to serve those mandated by WIOA to receive priority of service. Include methods to reach out to eligible individuals with barriers to employment as described in WIOA Sec 3 (24).
  4. Individual Employment Plan (IEP):
    - Describe your strategy, including customer input, in developing the IEP and how you will address barriers to their employment, including establishing specific and realistic objectives and follow-up.
    - Describe how you will determine supportive service needs and specifically how you will work with other WorkSource partners and community organizations to identify and refer customers to supportive services.
  5. Training and Work-Based Learning Activities:
    - Describe your approach toward offering or referring customers to a wide range of training services, such as occupational skills training, work-based learning and on-the-job training (OJT), which will result in positive outcomes. For work-based activities such as OJT, work experience, and incumbent worker training, you are expected to collaborate with WFC's Business Services sub-recipient to align and coordinate contact with employers, and to coordinate with community and technical colleges and other training organizations for advanced training.
  6. Performance Management:
    - Describe the methods that will be employed to manage performance as a customer progresses through the program from enrollment, employment, and retention.
    - Describe your exit strategy to ensure customers will achieve required performance measures.
    - Describe how you will ensure continuous improvement of your services and outcomes.

## **B. Demonstrated Ability and Past Performance – Worth 35 Points (Max of 8 Pages)**

Proposers must describe demonstrated ability in the following areas, clearly articulating years of experience and measurable outcomes including the roles of specific partners involved in achieving program goals. Please state the question/request before each answer.

1. Your organization's mission, services provided, current customer base, funding sources, and funding stability. Describe how your proposal to serve WIOA eligible Dislocated Workers align with your organization's goals.

2. How you have operated and managed a workforce development program of similar size and scope to the one proposed, and how you addressed customer employment and training needs.
3. How you have collaborated and executed a project with multiple stakeholders. Include the distinct roles of each partner and the steps taken to achieve positive outcomes.
4. If you have operated a WIOA Dislocated Worker program, please give the performance measures outcomes. If not, provide similar program performance measure information.
5. Summarize the relevant qualification, experience, and expertise of the proposing agency in managing federal funds and operating federally funded programs/activities.

### **C. Conflict Of Interest – Worth 5 Points (Max of 2 Pages)**

Exhibit A contains the WDC's Conflict Of Interest Policy. Please explain your plan to comply with our Conflict of Interest Policy specifically addressing items 1, 8, and 9 listed below as it relates to your organization.

- Item #1: Each sub-recipient must maintain a written code of standards or conduct governing the performance of persons engaged in the award and administration of WIOA sub-awards.
- Item #8: Sub-recipient must disclose any potential conflicts of interest arising from relationships with training providers and other service providers. [WIOA Section 121 (d) (4)]
- Item #9: Any organization that has been selected, or otherwise designated to perform more than one function related to WIOA, must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and this conflict of interest policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed to by both the WDC and the Executive Board.

### **D. Budget Section Requirements – Worth 20 points**

#### **Part I: Budget Narrative**

1. Describe the organization and fiscal staff experience with managing and administering federal funds.
2. Describe the organization's familiarity with federal financial management standards and discuss how the organization ensures compliance with those standards.
3. Describe any leveraged community and partner resources.
4. Summary and total WIOA funds requested plus leveraged funds, if any.
5. State the sources and specifics of leveraged funds, if any.

6. How many direct service staff are included in your budget? (FTEs)
7. How many non-direct service staff or administrative are included in your budget? (FTEs)
8. Have you included an indirect rate (does not include shared or allocated costs) in your proposed budget? (Y/N): If yes, attach a copy of your current indirect cost rate approval letter.
9. For facility cost, include estimated total square feet available and cost per square foot.
10. Please provide a copy of your most recent audit report. If you do not have annual audits, attach a copy of your most recent financial statements.

**Part II: Budget Worksheet**

Proposer is required to submit a budget worksheet using Appendix B. State that all cost included are reasonable, allowable, necessary and allocable among the cost categories using cost principles from 2 CFR 200 and CFR 2900, as appropriate. The budget narrative must offer sufficient details to allow an assessment of cost reasonableness.

Please use Appendix C for job description of WIOA funded staff.

**SECTION VII: PROPOSAL REVIEW AND EVALUATION**

**A. Technical Review**

The Technical Review Team will conduct a review to ensure that all technical requirements of the RFP have been met. Those proposals passing the technical review will be forwarded to the Evaluation Committee for review, evaluation and scoring.

**B. Selection Process**

The proposal review and evaluation process will be conducted utilizing a fair and objective process that adheres to WFC’s Procurement Policy and all other applicable state and federal regulations. All proposals will be evaluated by impartial evaluators and scored using a scoring guide.

**C. Evaluation Scoring**

<u>Section</u>	<u>Point Range</u>
Dislocated Worker Services	0-40
Demonstrated Ability & Past Performance	0-35
Conflict of Interest	0-5
Budget	0-20
 Total Points Possible:	 100

WFC may select a proposal based on the initial information received without modification; however, WFC reserves the right to request additional data, conduct oral interviews, and/or conduct a WFC management review of the evaluation process prior to making a recommendation of an award to the WDC and Executive Board. Proposers may be requested to participate in oral presentations. WFC staff will schedule the time and location for these interviews. The objectives of the oral interviews are to address areas of the proposal that may need additional clarification and/or to ensure that the proposer has the requisite ability, capacity, etc.

Proposers will also be evaluated on their demonstrated ability to provide services for the targeted population as indicated in this RFP as well as:

- The ability to successfully pass the review process to determine the minimum eligibility requirements have been met. Ineligible proposers will be informed in writing.
- The ability to participate in an oral interview if deemed appropriate by WFC. The results of the oral interview may be considered when determining final funding recommendations.
- The ability to submit to a site inspection and/or telephone conference if deemed appropriate by WFC.

Note: Any bid may be rejected if it is determined to be in the best interest of the Pierce County Workforce Development Area.

#### **D. Award Process**

Each proposer submitting a proposal will be notified in writing of WFC's decision concerning their proposal. Formal notification to award sub-awards and the actual execution of a sub-award are subject to the following conditions:

- Approval by the WDC and the Executive Board.
- Receipt of WIOA funds from federal and state administering agencies.
- Continued availability of WIOA funds.

If the results of the review indicate, in the opinion of WFC, that the proposed service provider may not be able to fulfill sub-award expectations, WFC reserves the right not to enter into the sub-award with the organization, regardless of the ranking and/or approval of the applicant's proposal.

WFC may require selected service providers to participate in negotiations and modify their proposals based on the outcome of those negotiations. WFC may decide not to fund part or all of the proposal, even though it is found to be in the competitive range, if in the opinion of WFC the

services proposed are not needed, the goals of the proposal do not align with goals of WFC, or the costs are higher than WFC finds reasonable in relation to the overall funds available.

WFC reserves the right to modify or alter the requirements and standards as set forth in this RFP based on program requirements mandated by state or federal agencies. In such instances, WFC will not be held liable for provisions of the RFP package that becomes invalid.

Additional funds received by WFC may be used to expand existing sub-awards or to fund competitively rated proposals not initially funded under this RFP. These decisions shall be at the discretion of WFC.

#### **E. Debriefing of Unsuccessful Proposers**

Upon request, a debriefing conference will be scheduled with an unsuccessful proposer. **A written request for a debriefing conference must be emailed to [procurement@workforce-central.org](mailto:procurement@workforce-central.org) within three (3) business days after the Notification of Unsuccessful Proposal letter is e-mailed to the proposer.** WFC will acknowledge receipt of debriefing request within three (3) business days.

Discussion will be limited to a critique of the requesting proposer's proposal. Comparisons between proposals or evaluations of the other proposals will not be allowed. Debriefing conferences may be conducted in person or on the telephone and will be scheduled for a maximum of one hour.

#### **F. Protest Procedure**

This procedure is available to proposers who submitted a response to this solicitation document and who have participated in a debriefing conference. Upon completing the debriefing conference, the proposer is allowed three (3) business days to file a protest of the acquisition with the RFP Coordinator. Protests shall be submitted by email to [procurement@workforce-central.org](mailto:procurement@workforce-central.org).

Proposers protesting this procurement shall follow the procedures described below. Protests that do not follow these procedures shall not be considered. This protest procedure constitutes the sole administrative remedy available to proposers under this procurement.

All protests must be in writing and signed by the protesting party or an authorized agent. The protest must state the grounds for the protest with specific facts and complete statements of the action(s) being protested. A description of the relief or corrective action being requested should also be included.

Only protests identifying an issue of fact concerning the following subjects shall be considered:

- A matter of bias, discrimination or conflict of interest on the part of the Evaluation Committee.
- Non-compliance with procedures described in the RFP document.

Protests not based on the above will not be considered. Protests will be rejected as without merit if they address issues such as: 1) An evaluator's professional judgment on the quality of a proposal, or 2) agency's assessment of its own and/or other agencies' needs or requirements.

Upon receipt of a protest, a protest review will be held by WFC. WFC Chief Executive Officer or her designee will consider the record and all available facts and issue a decision within ten (10) business days of receipt of the protest. If additional time is required, the protesting party will be notified of the delay.

In the event a protest may affect the interest of another proposer, such proposer will be given an opportunity to submit its views and any relevant information on the protest.

The final determination of the protest shall:

- Find the protest lacking in merit and uphold the agency's action.
- Find only technical or harmless errors in the agency's acquisition process and determine the agency to be in substantial compliance and reject the protest.
- Find merit in the protest and provide the agency options which may include:
  - Correct the errors and re-evaluate all proposals.
  - Reissue the solicitation document and begin a new process.
  - Make other findings and determine other courses of action as appropriate.

If the agency determines that the protest is without merit, the agency will enter into a sub-award with the apparent successful sub-recipient. If the protest is determined to have merit, one of the alternatives noted in the preceding paragraph will be taken.

## **SECTION VIII: DISCLAIMERS AND GENERAL PROVISIONS**

The following are disclaimers and general provisions of the Pierce County Workforce Development / WorkForce Central.

1. This RFP does not commit the Pierce County Workforce Development Council (WDC) or WorkForce Central to award a sub-award.
2. No costs will be paid to cover the expense of preparing a proposal or procuring a sub-award for services or supplies under Workforce Innovation and Opportunity Act.

3. All data, material, and documentation originated and prepared by the proposer pursuant to the RFP shall belong exclusively to the WDC and WFC and be subjected to disclosure under the Freedom of Information Act.
4. Formal notification to award a sub-award and the actual execution of a sub-award are subject to the results of negotiations between selected proposers and WFC and continued availability of Workforce Innovation and Opportunity Act funds.
5. Any changes to the Workforce Innovation and Opportunity Act regulations and guidance, funding level or board direction may result in a change in the sub-award. In such instances, the WDC and WFC will not be held liable for what is in the proposer's proposal or this Request for Proposals package.
6. Proposals submitted for funding consideration must be consistent with, and if funded, operated according to, the federal Workforce Innovation and Opportunity Act legislation, all applicable federal regulations, State of Washington policies and laws, and WDC policies and procedures.
7. Proposers selected for funding must also ensure compliance with the following, as applicable: U.S. DOL regulations 29 CFR Parts 93, 37, 2 and 98; and Office of Management and Budget (OMB) 2 CFR 200 and 2 CFR 2900.
8. Additional funds received by the WDC/WFC may be contracted by expanding existing programs or by consideration of proposals not initially funded under this RFP, if such proposals were rated in the competitive range. These decisions shall be at the discretion of the WDC/WFC.
9. The WDC/WFC may decide not to fund part or all of a proposal even though it is found to be in the competitive range if, in the opinion of the WDC/WFC, the services proposed are not needed, or the costs are higher than the WDC/WFC finds reasonable in relation to the overall funds available, or if past management concerns lead the WDC/WFC to believe that the proposer has undertaken services that it cannot successfully carry out.
10. The WDC/WFC may choose not to award a sub-award to the proposers with lowest cost or highest rating when taking into account other factors such as balancing services to customers.
11. Any proposal approved for funding may be contingent on the results of a pre-award site visit conducted by the WFC. This site visit will establish, to the WDC's/WFC's satisfaction, whether the proposer is capable of conducting and carrying out the provisions of the proposed sub-award. If the results of the site visit indicate, in the opinion of the WDC/WFC, that the proposer may not be able to fulfill sub-award expectations, the WDC/WFC reserves the right not to enter into sub-award with the organization, regardless of WDC/WFC approval of the proposer's proposal.
12. The WDC/WFC is required to abide by all Workforce Innovation and Opportunity Act legislation and regulations. Therefore, the WDC/WFC reserves the right to modify or alter the requirements and standards set forth in this RFP based on program requirements mandated by state or federal agencies.
13. Proposers will be expected to adhere to WDC/WFC procedures to collect and verify data and submit required monthly reports as well as invoices to the WFC.

14. All proposers must ensure equal opportunity to all individuals. No individual in the Pierce County local area shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any Workforce Innovation and Opportunity Act funded program or activity because of race, color, religion, sex, national origin, age, disability, English proficiency, or political affiliation or belief.
15. All proposers must ensure access to individuals with disabilities pursuant to the Americans with Disabilities Act.
16. Proposers must accept liability for all aspects of any Workforce Innovation and Opportunity Act program conducted under sub-award with the WFC. Proposers will be liable for any disallowed costs or illegal expenditures of funds or program operations conducted.
17. Reductions in the funding level of any sub-award resulting from this solicitation process may be considered during the sub-award period should a proposer fail to meet expenditure, customer, and/or outcome goals specified in the sub-award or when anticipated funding is not forthcoming from federal or state governments.
18. Sub-recipients will allow local, state, and federal representatives access to all its records and financial statements, Workforce Innovation and Opportunity Act records, program materials, staff, and customers. In addition, sub-recipients are required to maintain all Workforce Innovation and Opportunity Act records for three years, beginning on the last day of the program year. (2 CFR 200.333-337).
19. The sub-award will not be final until the WFC and the successful proposer have executed a mutually satisfactory contractual agreement. WFC reserves the right to make an award without further discussion of the proposal submitted. No program activity may begin prior to final WFC Executive Board approval of the award and execution of a contractual agreement between the successful proposer and WFC.
20. The WDC/WFC reserves the right to cancel an award immediately if new state or federal regulations or policy makes it necessary to change the program purpose or content substantially, or to prohibit such a program.
21. The WDC/WFC reserves the right to determine both the number and the funding levels of sub-awards finally awarded. Such determination will depend upon overall fund availability and other factors arising during the proposal review process. Bids submitted which are over the maximum amount of funds specified for this RFP will be rejected.



# EXHIBITS

## EXHIBIT A



### Workforce Innovation and Opportunity Act Policies and Procedures

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## CODE OF CONDUCT and CONFLICT OF INTEREST POLICY

**Policy Number: 3006**

**Effective Date: 07-01-2015**

**SUPERSEDES:** Conflict of Interest Policy # 42-52-1212, effective December 6, 2012

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### **PURPOSE:**

The Pierce County Workforce Development Council (WDC) is committed to maintaining the highest of standards of ethical conduct and to guard against problems arising from real, perceived, or potential conflict of interest. All partners at all levels of participation in the WorkSource System funded by the Workforce Innovation and Opportunity Act (WIOA) are expected to read, understand and apply this policy to ensure system integrity and effective oversight of the WorkSource System.

Standards of conduct covering conflicts of interest governing the performance of WorkForce Central employees may be found in WorkForce Central's Personnel Rules and Regulations, Article 11.

### **BACKGROUND**

Grantees, sub-recipients and contractors funded under WIOA must implement codes of conduct and conflict of interest policies and procedures as stipulated in WIOA law, regulations and guidance; Office of Management and Budget (OMB) Circulars; State regulations; and State WIOA policies. A conflict of interest policy is required to ensure that individuals or representatives of organizations entrusted with public funds will not personally or professionally benefit from the award, administration, or expenditure of such funds.

In addition, the Pierce County WDC recognizes that by its very composition, conflicts of interest and issues concerning the appearance of fairness may arise. Therefore, it is essential for the WDC members to be sensitive and error on the side of caution when potential or real conflict or fairness matters occur.

To accomplish these purposes, the WDC establishes the following definitions, actions, and guidelines for interpretation.

### **Code of Conduct:**

During the performance of duties, your actions are a reflection upon the Pierce County WDC as well as a reflection upon you. It is extremely important that all WDC and committee members, including sub-recipients, contractors and WorkSource Partners act in a courteous, friendly, helpful and prompt manner in dealing with the public, customers and officials.

### **Ethical Principles:**

- **Compliance with the Law:** It is the WDC's policy to be knowledgeable of and comply with all applicable laws and regulations of the United States and the State of Washington in a manner that will reflect a high standard of ethics. Compliance does not comprise one's entire ethical responsibility; rather it is a minimum, and an essential condition for adherence to mission and duties.
- **Professional Standards:** It is the WDC's policy that its representatives be knowledgeable of emerging issues and professional standards in the field and conduct themselves with professional competence, fairness, efficiency and effectiveness.

### **Guidelines for Interpretation:**

Areas of concern are those actions or lack of actions which may lead to conflict of interest or the appearance of conflict of interest or to a perception of unfairness related to WDC business outside Council and Committee meetings. Specific areas which may pose problems include but are not limited to, comments made in public, information sharing, and disclosure of associations.

**Comments Made in Public:** WDC and committee members are encouraged to act in a public relations capacity for the Pierce County WDC. This includes public speaking engagements and comments in a public forum. Because there is interest in WDC actions, members should differentiate between descriptive comments, which relate to actions already taken by the Council, and statements, which imply future WDC decision-making, or the ability to influence decision-making.

**Information Sharing:** WDC and committee members are encouraged to share information with the community about WDC activities. To the extent possible, access to information regarding procurement of services should be available at the same time and under the same circumstances to all parties. Such information includes the Operations Plan, request for proposals, and notice of meetings, meeting minutes, and policies.

**Disclosure of Associations:** WDC and committee members have professional and personal associations throughout the community. Such associations have been and will continue to be of significant benefit to the WDC. Where a direct or indirect financial conflict of interest exists, a WDC or committee member may not vote or serve on a rating team. When associations raise

appearance of fairness as an issue, WDC and committee members should qualify statements in public by disclosing the association and minutes of the meeting should reflect the disclosure.

**CONFLICT OF INTEREST POLICY:**

1. Each grant recipient and sub-recipient must maintain a written code of standards or conduct governing the performance of persons engaged in the award and administration of WIOA contracts and sub grants.
2. No individual in a decision-making capacity shall engage in any activity if a conflict of interest (real, implied, apparent, or potential) is involved. This includes decisions involving the selection, award, or administration of a sub grant or contract supported by Workforce Innovation and Opportunity Act (WIOA) or any other federal funds.
3. A WDC member or a member of a WDC committee cannot cast a vote or participate in any decision-making about providing services by such member (or by any organization that member directly represents) or on any matter that would provide any direct financial benefit to the member or to the member's organization.
4. Before any public discussions regarding the release of a Request for Proposal, or any matter regarding the release of funding or the provision of services, a WDC member or a member of a WDC committee must disclose any real, implied, apparent, or potential conflicts of interest before engaging in the discussion. The minutes of the meeting should reflect the disclosure.
5. WDC members or a member of a WDC committee or agents of the agencies making awards cannot solicit or accept gratuities, favors, or anything of monetary value from awardees, potential awardees, or other parties to agreements. However, the WDC allows for situations where the gift is an unsolicited item of nominal value worth \$50.00 or less.
6. Disciplinary actions may be taken up to and including termination of board membership for violation of this policy by any individual. The WDC Coordinating Committee may evaluate any violations of these provisions on a case-by-case basis and recommend to the Executive Board, if and what penalties, sanctions or other disciplinary action are appropriate.
7. Individuals shall not use for their personal gain, for the gain of others, or for other than officially designated purposes, any information obtained as a result of their committee, board or working relationships with the WDC where that information is not available to the public at large, or divulge such information in advance of the time decided by the WDC for its release.

8. One Stop Operators must disclose any potential conflicts of interest arising from relationships with training providers and other service providers. [WIOA Section 121 (d)(4)]
9. Any organization that has been selected or otherwise designated to perform more than one function related to WIOA must develop a written plan that clarifies how the organization will carry out its multiple responsibilities while demonstrating compliance with WIOA, corresponding regulations, relevant Office of Management and Budget circulars, and this conflict of interest policy. This plan must limit conflict of interest or the appearance of conflict of interest, minimize fiscal risk, and develop appropriate firewalls within that single entity performing multiple functions. The plan must be agreed to by both the WDC and the Executive Board.
10. Membership on the WDC, or being a recipient of WIOA funds to provide training or other services, is not itself a violation of conflict of interest provisions of WIOA or corresponding regulations.

#### **DEFINITIONS:**

Conflict of Interest - Conflict between the official responsibilities and the private interests of a person or entity that is in a position of trust. A conflict of interest would arise when an individual or organization has a financial or other interest in or participates in the selection or award of funding for an organization. Financial or other interest can be established either through ownership or employment.

Immediate Family - Immediate Family consists of the individuals' parents (including step-parents), spouse, domestic partner, children (including step-children), siblings, grandchildren, grandparents, and any relative by marriage (an "in-law")

Individual - (1) an individual; i.e., officer, or agent, or (2) any member of the individual's immediate family (spouse, partner, child, or sibling), or (3) the individual's business partner.

Organization - A for-profit or not-for-profit entity that employs, or has offered a job to, an individual defined above. An entity can be a partnership, association, trust, estate, joint stock company, insurance company, or corporation, whether domestic or foreign, or a sole proprietor.

#### **REFERENCES:**

- Public Law 113-128 Section 101(f) - State Board Conflict of Interest
- Public Law 113-128 Section 102(b) (2) (E) - State Plan Conflict of Interest Assurance
- Public Law 113-128 Section 107(h) - Local Board Conflict of Interest
- Public Law 113-128 Section 121(d) (4) - One-Stop Operators

- Proposed 20 CFR 679.430 Proposed 679.130(f) (1) through (3) - Criteria to certify One Stops
- Proposed 20 CFR 679.410(a) (3) and (c) - Local board must avoid inherent conflict of interest
- Proposed 20 CFR 679.430 - Entities performing multiple functions
- Proposed 20 CFR 683.200(c) (5) - Administrative Rules, Costs, Limitations – Title I WIOA and Wagner-Peyser
- 29 CFR 97.36(3)
- 2 CFR Part 200.112 and 200.318 and Part 2900 - Office of Management and Budget Uniform Guidance on administrative, cost, and audit provisions for federal grants
- Revised Code of Washington (RCW) 42.20.070 - Misappropriation and falsification of accounts by a public officer; RCW 42.20.080 – Other violations by officers
- RCW 42.52.160 – Use of persons, money or property for private gain

# APPENDICES





**APPENDIX B**

**Budget Worksheet (1)**

<b>Submitted By:</b>	<b>Dislocated Worker Services</b>			
	<b>Performance Period January 1 to December 31, 2019</b>			
<b>PROGRAM PERSONNEL EXPENSES</b>	\$	\$	\$	\$
Salaries & Wages	\$	\$	\$	\$
Taxes & Benefits	\$	\$	\$	\$
<b>ADMINISTRATION EXPENSES (2)</b>	\$	\$	\$	\$
Personnel	\$	\$	\$	\$
Operational	\$	\$	\$	\$
<b>PROGRAM OPERATING EXPENSES (3)</b>	\$	\$	\$	\$
Supplies	\$	\$	\$	\$
Staff Travel	\$	\$	\$	\$
Occupancy (Rent & Utilities, Maintenance & Janitorial)	\$	\$	\$	\$
Equipment Rental & Maintenance	\$	\$	\$	\$
Equipment Purchase (add approval requirement information)	\$	\$	\$	\$
Staff Training	\$	\$	\$	\$
Insurance	\$	\$	\$	\$
<b>CUSTOMER EXPENSES*</b>	\$	\$	\$	\$
Training	\$	\$	\$	\$
Paid WEX/OJT/Internship	\$	\$	\$	\$
Support Services	\$	\$	\$	\$
<b>TOTAL</b>	\$	\$	\$	\$

- (1) Total expense allocations using projections assuming full funding.
- (2) 10% of the total amount awarded may be used for administrative expenses.
- (3) Can include other allowable non-salary budget items, e.g., fringe benefits, audit cost, telephone, etc.

**APPENDIX C**  
**SUB-RECIPIENT STAFF**  
**JOB DESCRIPTIONS**

Using this format, complete a separate Job Description for each Position/Job Classification that will provide WIOA services under the terms of this agreement, whether funded in full, in part, or not at all, with WIOA funds from this program. Please identify the following:

1. Job Title and Program
2. Describe actual job duties or tasks to be performed in relation to the above named WIOA program and job title (or attach job description).
3. Minimum education, experience, and qualifications of the person to perform the above job duties.
4. What is the anticipated amount of time this staff person will provide WIOA-funded services:
  - a. \_\_\_\_\_ hours per day
  - b. \_\_\_\_\_ hours per week
  - c. \_\_\_\_\_ office location(s)
5. What is the anticipated amount of time this staff person will provide WIOA-funded services:
  - a. \_\_\_\_\_ Dislocated Worker
  - b. \_\_\_\_\_ Others
6. Name of Immediate Supervisor: (If position needs to be filled, indicate this.)
7. Will the staff person(s) assigned to this position work in other sections/departments with the agency? If so, please describe.

**APPENDIX D**

**WORKFORCE CENTRAL  
ASSURANCES AND CERTIFICATIONS**

1. I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related sub-award(s):
2. I/we declare that all answers and statements made in the proposal are true and correct.
3. The prices and/or cost data have been determined independently, without consultation, communication, or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
4. The attached proposal is a firm offer for a period of 60 days following receipt, and it may be accepted by WorkForce Central without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
5. In preparing this proposal, I/we have not been assisted by any current or former employee of the WorkForce Central whose duties relate (or did relate) to this proposal or prospective sub-award, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
6. I/we understand that the WorkForce Central will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of the WFC, and I/we claim no proprietary right to the ideas, writings, items, or samples, unless so stated in this proposal.
7. Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the proposer and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other proposer or to any competitor.
8. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached sample sub-award and general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to this document.
9. No attempt has been made or will be made by the proposer to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.
10. I/we grant the WorkForce Central the right to contact references and others, who may have pertinent information regarding the proposer's prior experience and ability to perform the services contemplated in this procurement.
11. I/we accept and will abide by WorkForce Central's Code of Conduct and Conflict of Interest as provided in Exhibit A.

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Signature of Proposer

Title

Date

## APPENDIX E

### WIOA ASSURANCES AND CERTIFICATIONS

As an organization requesting WIOA funding, we assure and certify that our organization will comply with the following provisions:

1. That it will exclusively use the statewide/regional brand name for the Pierce County workforce development system in lieu of traditional workforce development language and organizational names in the marketing and delivery of services and programs; furthermore, that it will credit the Pierce County Workforce Development Council and WorkForce Central for funding on all marketing and other collateral.
2. That it will consistently identify individual programs and activities in user-friendly terms.
3. That it will designate appropriate job titles for staff who work with WIOA customers and detailed job descriptions will be available for each job title. These job titles will consistently be used with external customers.
4. That it will maintain customer files according to local area policies and guidance and adhere to data validation expectations.
5. That it will fully comply with the requirements of the WIOA; all Federal regulations issued pursuant to the Act; the Washington State Strategic Plan; the WDC Strategic Plan; and Pierce County Workforce Development Area.
6. That it will administer the program in full compliance with safeguards against fraud and abuse as set forth in the law and regulations; that no portion of its program will in any way discriminate against, deny benefits or employment to, or exclude from participation any person on the grounds of race, color, national origin, religion, age, sex, disability, sexual orientation, or political affiliation, or any other non-relevant factor.
7. That it will house all WIOA service provider staff at the career center to the greatest extent possible for which it receives a sub-award and will accept all associated workforce roles and responsibilities.
8. That it will operate the program in full compliance with health and safety standards established under State and Federal law and that conditions of employment and training will be appropriate and reasonable in light of such factors as the type of work, geographical area, and proficiency of the customers.
9. That ineligible applicants will be referred to other appropriate services, including career services available at the career center.
10. That other resources will be exhausted prior to using WIOA funds.
11. That all WIOA customers participating in on-the-job training activities or individuals employed in other activities under WIOA be compensated at the same rates, including periodic increases and working conditions, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills and such rates shall be accordance with applicable law. In no event shall the wage be less than the applicable state or local minimum wage law.
12. That no customer will be employed to fill a job opening when any other person is on layoff from same or equivalent job, or when employer terminates the employment of any regular employee or otherwise reduces its workforce with the intention of filling vacancies with WIOA customers.

13. That no WIOA funds will be used for contributions on behalf of any customers to retirement systems or plans; to impair existing sub-awards for services for collective bargaining agreements; to assist, promote, or deter union activities; or to displace any currently employed worker.
14. That reports to the WFC or its staff will be provided in a timely fashion, as requested.
15. That all customer information will be keyed into the client management information system, WorkSource Integrated Technology, in accordance with state and local policy, both in terms of content and timeframe expectations.
16. That eligibility verification will be completed and documented in accordance with Federal, State, and local policy.
17. That customer loans will not be made from WIOA funds.
18. That total project costs will not exceed the amount agreed upon during sub-award negotiations and included in sub-awards.
19. That it will coordinate training site visits by WFC staff and WDC members on request and will fully cooperate with monitoring reviews and other site visits by any representative of the WIOA.
20. That it will, in carrying out the sub-award, refrain from activities involving either actual or the appearance of conflict of interest according to WFC Code of Conduct and Conflict of Interest Policy.
21. That it will adhere to the Washington State records retention policy and all WIOA financial and programmatic records (including customer files) will be maintained by each service provider for a minimum of five years from the date the program year audit is completed.
22. That it will have an annual single audit performed in accordance with current Federal regulations and that upon receipt of completed audit, sub-recipient will submit a copy to the WFC/WDC within thirty days (30) unless a longer period is agreed to.
23. That it will comply with Title VI of the Civil Rights Act of 1964 (PL 88-352).
24. That it will comply with the nepotism provisions as they relate to federally funded programs;
25. That it will comply with the Immigration Reform and Control Act of 1986 by completing and maintaining on file an I-9 form for each customer receiving WIOA wages.
26. That it will comply with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (PL 91-646) which requires fair and equitable treatment of persons displaced as a result of federally assisted programs.
27. That the organization is not debarred, suspended, proposed for debarment, or declared ineligible from participation in this project.
28. That it does not use federal funds for lobbying purposes. If lobbying has occurred utilizing funds other than federal funds, the sub-recipient agrees to file a disclosure report, if applicable.
29. That no funds will be used to develop or implement education curricula for school systems in the state as referenced.
30. That no WIOA funding will be used for sectarian activities and that employees paid from WIOA funds will not participate in sectarian religious activities in the execution of their job duties.
31. That no WIOA funds will be used to encourage or induce the relocation of a business.
32. That no WIOA funds will be used for customized or skill training and related activities after the relocation of a business until after 120 days.
33. That no WIOA funds will be used for foreign travel.
34. That no WIOA funds will be used to duplicate services available in the area.

35. That customers will not be charged fees for placements or referrals.
36. That no WIOA financial assistance will be provided to any program that involves political activities and the sub-recipient agrees to comply with the provisions of the Hatch Act which limits the political activity of certain state and local government employees and enrollees in federally funded programs.
37. That all WIOA customers and WIOA funded staff are aware of grievance procedures and the sub-recipient assures and certifies that the sub-recipient has in place an established grievance procedure to be utilized for grievances or complaints about its program and activities from customers/enrollees, sub-recipients and other interested parties.
38. The sub-recipient will comply with Washington State Statutes, which prohibits public officials and employees from having a personal interest in any sub-award to which s/he is also a party in an official capacity.
39. The sub-recipient assures and certifies that it will comply with applicable provisions of the following laws as they relate to employment and training procedures:

The Drug Free Workplace Act	The Davis-Bacon Act
The Immigration Reform Act	Child Labor Laws
The American's with Disabilities Act	The Fair Labor Standards Act

**Note:** If all general Terms and Conditions changes, to include official WIOA guidance as well as 2 CRF 2900 and Super Circular 2 CFR 200 guidance have not been issued at the time the sub-award is executed, a modification will be issued when new terms and conditions are issued.

For more information on WIOA visit <http://www.doleta.gov/WIOA>.

This is to certify that all specifications contained in the RFP have been read, understood, and addressed in the proposal; that the required format has been followed; that all of the information contained in this proposal is true and correct; that the sub-recipient organization will comply with all of the above assurances; and that this proposal has been duly authorized by the governing body of the sub-recipient organization.

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Signature of Authorized Representative

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Date