**REQUEST FOR PROPOSALS (RFP)**

**ONE-STOP OPERATOR**

**KANSAS LOCAL AREA V**

**June 30, 2017 to June 30, 2018**

**(With Option to Extend for 4 Additional One-Year Periods)**

**Issue Date: January 12, 2017**

## 

## GENERAL INFORMATION

#### Services Solicited

The purpose of this RFP is to solicit proposals from qualified parties to serve as the One-Stop Operator for Local Area V (LAV). The One-Stop Operator will be responsible for coordinating one-stop partners and service providers of core program partners and other required partners working within the LAV Workforce System (LAV WFC) as required by the Workforce Innovation & Opportunity Act (WIOA) of 2014. Section 107 of the legislation and § 678.605 of WIOA Regulations state Local Workforce Boards are required to competitively procure the One-Stop Operator.

Southeast KANSASWORKS, Inc. is seeking proposals from interested parties able to communicate their ability to coordinate service delivery of the partners within the LAV WFC system and demonstrate past performance in working with partners and knowledge of the workforce system.

The Chief Elected Officials and the Local Workforce Development Board are soliciting proposals to identify a single One-Stop Operator for all of the Southeast KANSASWORKS, Inc. One-Stop Centers:

• Chanute Workforce Center, Chanute, KS

• Emporia Workforce Center, Emporia, KS

• Independence Workforce Center, Independence, KS

• Paola Workforce Center, Paola, KS

• Pittsburg Workforce Center, Pittsburg, KS

The period of performance under this proposal is June 30, 2017 through June 30, 2018. Any contracts entered into as a result of this RFP may be extended for four additional one-year periods if agreeable to both parties.

For more information on the Department of Labor, Employment & Training Administration’s vision for High-Quality One-Stop Centers, please see TEGL 4-15, “Vision for the One-Stop Delivery System under the Workforce Innovation & Opportunity Act (WIOA)”, issued August 13, 2015 (Appendix H).

A copy of the WIOA and regulations can be accessed via the U.S. Department of Labor website <https://www.doleta.gov/WIOA/>. The State of Kansas WIOA strategic plan, one-stop policies and statewide workforce development system overview may be found at [http://kansasstateboard.org/.](http://kansasworksstateboard.org/)

Interested bidders must submit one (1) original copy, along with one (1) electronic copy (in PDF format via email to [onestoprfp@sekworks.org](mailto:onestoprfp@sekworks.org)) of their proposal. All proposals must be submitted by 5:00 pm, Monday, February 15, 2017 and must meet the requirements contained in this RFP. Proposals will be rejected if not in compliance with these requirements.

For technical assistance with this RFP, you must contact [onestoprfp@sekworks.org](mailto:onestoprfp@sekworks.org).

## RFP Schedule

|  |  |
| --- | --- |
| Wednesday, January 11 thru Friday, February 17, 2017 | Southeast KANSASWORKS, Inc. issues RFP. Announcement letters are mailed to organizations on Bidders List. RFP announcement is distributed via [www.sekworks.org](http://www.sekworks.org)website, social media tools and email. Newspaper advertisements and a notice in the Kansas Register are placed announcing the RFP. Interested bidders who call or email a request will be mailed an RFP package. |
| Tuesday – January 24, 2017 | RSVPs for required pre-bid conference due by 5:00 p.m.. RSVPs must be submitted via email onestoprfp@sekworks.org. |
| Wednesday – January 25, 2017 | Required Pre-Bid Conference – 2:00 pm @ Emporia Administrative Office – first floor conference room 101 – 215 W. 6th Ave, Emporia, KS 66801. |
| Friday - February 3, 2017 | Final date to submit questions regarding the RFP due by noon.  Questions must be submitted via email [onestoprfp@sekworks.org](mailto:onestoprfp@sekworks.org). |
| Friday – February 8, 2017 | Final answers to RFP questions posted on the sekworks.org website by 3:00 pm. |
| Friday – February 17, 2017 | Sealed bid proposals are due at 215 W. 6th Ave, Suite 104, Emporia, KS 66801 by 5:00 p.m. Bids will be logged and reviewed by staff for minimum requirements. Proposals that meet the minimum requirements will be provided to the RFP Proposal Evaluation Committee. |
| Thursday – February 23, 2017 | RFP Proposal Evaluation Committee meets to review proposals and may select candidates for presentations. |
| Friday, February 24, 2017 | Bidders are notified in writing whether or not they are selected for presentations. |
| Thursday – March 2, 2017 | Selected bidder presentations at the Paola Workforce Center, 1 S. Pearl, Paola, KS. Concluding presentations, One-Stop Operator Evaluation Committee will finalize recommendations for the LAV Chief Elected Officials Board (CEOB)/Local Workforce Development Board (LAV WDB). |
| Monday - March 6, 2017 | The One-Stop Evaluation Committee will present their recommendations to the Executive/Fiscal Committee at the regularly scheduled monthly meeting. |
| Tuesday, March 7, 2017 | Presentation bidders notified of process results. |
| Wednesday, March 8 – Friday, May 5, 2017  Thursday, May 11, 2017 | Contract negotiation and implementation planning conducted.  Final CEOB/LAV WDB approval of negotiation and implementation plan. |
| Friday, June 30, 2017 | Contract effective. |

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# Introduction

This RFP was prepared based upon the Workforce Innovation and Opportunity Act of 2014 and associated U.S. Department of Labor’s Regulations and guidance. This Federal law was implemented to consolidate, coordinate, and improve employment, training, literacy, and vocational rehabilitation programs in the United States. WIOA provides the framework for a national workforce preparation system that is flexible, responsive, customer-focused, and locally managed. Mandatory core program partners include Adult, Dislocated Worker, Youth, Wagner-Peyser, Adult Education and Literacy, and Vocational Rehabilitation, along with required partners specified in the Act. Bidders are strongly encouraged to read Training and Employment Guidance Letter 04-15 issued by the U.S. Department of Labor that outlines the vision for the One-Stop system under WIOA.

The three hallmarks of WIOA include:

* The needs of businesses and workers drive workforce solutions, and local boards are accountable for this within the communities they serve.
* One-Stop Centers provide excellent customer-centric services and focus on continuous improvement.
* The workforce system supports strong regional economies and plays an active role in community and workforce development.

WIOA is built around the following key principles:

* Increase access and opportunity, particularly for those individuals with barriers to employment, to ensure success in the labor market.
* Support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system.
* Improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages, and to provide employers with the skilled workers they need to succeed in a global economy.
* Promote improvement in the structure and delivery of services to better address the employment and skill needs of workers, jobseekers, and employers.
* Increase the prosperity of workers and employers and the economic growth of communities, regions, and states, and the global competitiveness of the United States.
* Provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention and earnings of participants, and increase attainment of recognized postsecondary credentials by participants.

Southeast KANSASWORKS, Inc., is a private not-for-profit corporation formed under 501(c)(3) of the Internal Revenue Code. Southeast Kansas (Local Area V) is a 17-county area composed of mostly rural area. There are no cities in the region with more than 25,000 people. Local Area V, through the direct services model, currently serves as the One-Stop Operator and provides all WIOA Adult, Dislocated Worker, Youth, Wagner-Peyser, and TAA services throughout the local area.

The Local Area V Workforce Development Board (Board) oversees the Workforce Innovation and Opportunity Act (WIOA) funds for the following 17 counties in Southeast Kansas: Allen, Anderson, Bourbon, Chautauqua, Cherokee, Coffey, Crawford, Elk, Greenwood, Labette, Linn, Lyon, Miami, Montgomery, Neosho, Wilson and Woodson. Currently, the Chief Elected Official Board and Local Workforce Development Board serve as the Grant Recipient, Administrative Entity, One-Stop Operator, and, Service Provider for WIOA funded Youth, Adult, and Dislocated Worker Services. Allen, Gibbs and Houlik L.C (AGH) serves as the fiscal agent.

**Our Vision**

Our vision is to ensure all residents of Southeast Kansas, particularly those with barriers to employment, will have access to innovative workforce services, integrated training and education programs, and direct support services. Collaboration between Core Partners will provide the required knowledge, skills, and credentials necessary for securing sustainable employment that strengthens the local economy and meets the needs of our local business community.

**Our Goals**

**Goal 1:** Foster a dynamic, integrated, and ever-improving workforce development system in which employers and individuals have ready access to a network of information and services responsive to their unique employment needs.

* LAV WDB V will strategically align its workforce development programs to ensure that employment and training services provided by the core programs identified in the Workforce Innovation and Opportunity Act (Workforce Development, Wagner-Peyser, Vocational Rehabilitation and Adult Education) are coordinated and complementary so that job seekers acquire skills and credentials that meet employers’ needs.
* LAV WDB V will improve services to employers and continue to promote work based training to ensure that our services are employer driven and contribute to the economic growth and business expansion in our community.
* LAV WDB V will continue to foster regional collaboration and alignment between this region’s workforce development programs and economic development organizations to meet the needs of local and regional employers.
* Provide a ‘No Wrong Door’ approach to services by providing customers with easy access to information throughout the system.

**Goal 2**: Provide local area residents with access to the literacy, education, vocational rehabilitation programs, and workplace skills necessary for self-sufficient employment and advancement.

* LAV WDB V will work with our core program partners to facilitate the development of career pathways, especially within targeted industry sectors, as a strategy to help individuals of all skill levels, including those with disabilities to complete the education and training they need to obtain industry recognized credentials and to meet the skills requirement of businesses and in-demand industries and occupations.
* LAV WDB V will improve services to individuals with disabilities to increase their access to high quality workforce services and prepare them for competitive integrated employment.
* Promotes the integration of adult education with occupational education and training to emphasize activities within basic skills and literacy programs that increase an individual’s ability to transition to postsecondary education and obtain employment.
* Provide education and training activities that effectively use technology, including distance learning, linked social media, telephone, instant messaging and video chat to increase the amount and quality of learning.
* LAV WDB V will reinforce connections with registered apprenticeship and pre apprenticeship programs as these programs are proven models that provide workers with career pathways and opportunities to be earned while they learn.

**Goal 3**: Empower Southeast Kansas youth with the knowledge, skills, and behaviors necessary for employment and economic independence in high-skilled, high-wage careers, and lifelong learning.

* Encourage paid work based learning experiences for Youth so that may explore career options, develop universal, interpersonal and customer service skills needed in the workplace, and become self-reliant through employment as adults.
* LAV WDB V will increase the use of proven service delivery models and best practices in serving disconnected youth and other vulnerable populations.
* LAV WDB V will continue to further strengthen and improve coordinated delivery of services with the Job Corps Program.

**Goal 4**: Implement an operational, system-wide set of performance measures to monitor, evaluate, and improve the effectiveness and accountability of employment, education, and training programs.

* LAV WDB V will streamline and strengthen the strategic role of the Board so that it can provide continuous improvement that is supported through evaluation, accountability, identification of best practices, and data driven decision-making.
* LAV WDB V will support regional economic growth and economic self-sufficiency by ensuring that its employment and training programs and activities are designed and implemented, in coordination with its core program partners, to meet and/or exceed the primary indicators of performance.

For more information:

* Southeast KANSASWORKS, Inc. - [www.sekworks.org](http://www.sekworks.org).
* LAV WIOA Local Plan: <http://sekworks.org/wp-content/uploads/2016/04/LA-V-Local-WIOA-Plan-160408-1-2.pdf>

## B. Purpose of RFP and Contract Period

#### Purpose

The One-Stop Operator will be responsible for maintaining and providing continuous quality improvement of on-going functioning of the LAV’s One-Stop delivery system and center(s). The One-Stop Operator duties shall include but not be limited to:

* Coordinate service delivery among core and required partners. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Communicate mission, goals, and Board/Administrative policies and procedures to all of the LAV WDB staff and partners. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Ensure effective communication among partners, staff, supervisors, training providers and community based organizations within LAV. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Serve as point of contact regarding issues pertaining to customer or partner complaints that are substantive to the required partner’s operation in the comprehensive One-Stop Centers. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Ensure LAV WFCs maintain compliance with state and federal certification standards. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Ensure compliance with partner operational policies. Percentage of time/hours: 5% or Approximately 25-30 hours.
* Coordinate LAV partner meetings in consultation with partners to include agenda, presenters, location and frequency. Meetings must utilize electronic delivery methods facilitating attendance across multiple locations and promoting cost savings among partners. Percentage of time/hours: 35% or Approximately 175-200 hours.
* Facilitating customer flow, customer service, initial assessment, resource room usage, tracking, and referral processes are carried out as agreed upon in the WIOA MOU. Percentage of time/hours: 10% or Approximately 50-60 hours.
* Conduct quarterly reviews on WFC activities to assess quality and relevance: hops - topics, length, frequency, facilitators, location, delivery method and target audience; Job Seeker Services –resume/cover letter development, interview preparation, job search and

readiness, etc.; Business Services – job fairs, hiring events, job postings and outreach (who, what, where, when, and why – avoiding duplication business visits). Percentage of time/hours: 15% or Approx. 100-130 hours

Contract Period

The proposal which, in the opinion of the awarding body, best provides for operations of the One-Stop delivery system serving Local Area V’s development area will be invited to enter into contract negotiations. Resulting contracts will be negotiated with respect to cost, scope, and content in a manner which achieves the establishment of this System in the best interest of the LAV WDB. The successful bidder’s program will be required to coordinate services and support the partners and oversight bodies. If the LAV WDB concludes no bidders submitted an adequate application, no contract will be entered into from this RFP.

The period of performance under this proposal is June 30, 2017 through June 30, 2018. Any contracts entered into as a result of this RFP may be extended for four (4) additional one-year (1) periods if agreeable to both parties.

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## C. Eligible Bidders and Qualified Applicants

**WIOA Section 121(d)(2)(B):**

An entity (public, private or nonprofit), or consortium of entities (including a consortium of entities which, at a minimum, includes three (3) or more of the one-stop partners described in WIOA) of demonstrated effectiveness, located in the local area, which may include:

* An institution of higher education;
* An employment service State agency established under the Wagner-Peyser Act on behalf of the local office of the agency;
* A community-based organization, nonprofit organization, or intermediary;
* A private, for profit entity;
* A government agency; and
* Another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization.

Per Kansas Department of Commerce WIOA Guidance Letter 16-01 (Appendix I) - Examples of such entities include, but are not limited to:

1. Single entity or consortium of entities, including but not limited to:
   1. Public or private entities
   2. For- profit or non-profit entities
   3. One-Stop Partners
      1. If more than one partner (partner consortium), minimum 3 partners

1. Institution(s) of Higher Education, including but not limited to:
   1. Four year Colleges/Universities
   2. Community Colleges
   3. Technical Colleges

1. State Employment Service (Wagner-Peyser)

1. Organizations representative of a community or segment of a community engaged in meeting community needs (also known as Community Based Organizations), including but not limited to: a. Public or private non-profit

b. Sectarian or Non-Sectarian

1. Non-Profit Organization, including but not limited to:
   1. Humanitarian organizations such as:
      1. United Way
      2. Salvation Army
      3. Red Cross
   2. Philanthropic organizations
   3. Service organizations
   4. Constituent and special population advocacy including organizations representing:

i. Older citizens

* + 1. Veterans
    2. Individuals with disabilities
    3. Minorities
  1. Civic organization

1. Workforce Intermediaries, including but not limited to:
   1. Foundations
   2. Professional associations
   3. Trade associations
   4. Local or regional Economic Development entities

1. Private for-profit entities, including but not limited to:
   1. Professional Workforce Development entities
   2. Professional mediation/arbitration services
   3. Professional management entities
   4. Consultants

1. Governmental agencies, including but not limited to:
   1. Units of general local government
   2. Departments within units of general local government

1. Other interested organizations or entities with the capacity to perform, including but not limited to:
   1. Labor organizations
   2. Chambers of Commerce
   3. Business organizations

**Exception – elementary schools and secondary schools shall not be eligible for designation or certification as one-stop operators, except nontraditional public secondary schools and area career and technical education schools may be eligible for such designation.**

The agreement between the LAV WDB and the One-Stop Operator shall specify the operator’s role. The LAV WDB will maintain the duty of establishing one-stops and the certification of those systems, but the one stop operator must be flexible enough to handle expansion of one stops or the restriction of services based on available resources.

An applicant, to be eligible to receive funding under this RFP, must demonstrate the ability to repay such amounts found to be disallowed as a result of an audit or other program monitoring. The ability to repay shall be demonstrated if the applicant is a taxing entity or has sufficient cash reserves or other non-federal assets used to resolve such disallowances. Bidder must include a separate attachment demonstrating it meets this requirement (i.e., copy of financial statements showing nonfederal reserves, documentation verifying taxing entity status, etc.)

Each applicant shall demonstrate they have a financial management system which; provides for adequate control of WIOA funds and other assets; ensures the accuracy of financial data; provides for operational efficiency and internal controls to avoid conflict-of-interest situations; prevents irregular transactions or activities; and follows generally accepted accounting principles. The applicant shall ensure its financial management system meets the standards below.

Reporting procedures shall provide accurate, current, and complete disclosure of the financial results of the awarded contract grant in accordance with reporting requirements.

Records shall be maintained which adequately identify the source and application of funds for WIOA supported activities. The records systematically assemble information concerning WIOA awards and authorizations, obligations, unobligated balances, assets, liabilities, outlays, and income into a balance sheet for internal control purposes. Records are to be maintained by grant (title and number) and program year. Fiscal records are to be retained for three (3) years and Southeast KANSASWORKS, Inc. must provide permission prior to the destruction of any records.

Effective control over the accountability for all project funds, property and other assets shall be maintained. Assets will be safeguarded and shall be used solely for authorized purposes. Title to all equipment procured under a WIOA grant remains with Southeast KANSASWORKS, Inc.

Awarded agencies must obtain and submit, prior to final execution of any contract, proof of insurance coverage, including general liability, property loss, worker’s compensation and a fidelity bond or criminal dishonesty policy in the amount of $100,000 or an amount equal to the contract award. The U.S. Department of Labor, the State of Kansas and Local Area V Dba Southeast KANSASWORKS, Inc., assume no liability with respect to bodily injury, illness, or any other damages or losses, or with respect to any claims arising out of any activities undertaken as a result of the awarded contract. The awarded bidder shall insure or otherwise protect itself concerning activities under the contract.

All applicants must agree to ensure equal opportunity to all persons in all aspects of employment and have a policy of non-discrimination toward staff and participants on the basis of race, disability, color, creed, religion, gender, age, genetics, national origin, ancestry, citizenship, military status, political affiliation or non-job related factors.Bidders must agree to comply with the Americans with Disabilities Act.

Minority and female owned firms are encouraged to respond.

## D. Submission of Proposals and Technical Assistance

Interested bidders must submit one (1) original copy (with signatures), along with one (1) electronic copy (in PDF format via email) of the proposal by Monday, February 15, 2017, no later than 5:00 p.m. to Southeast KANSASWORKS, Inc., 215 W. 6th Ave, Suite 104, Emporia, KS 66801. Faxed proposals are **not** acceptable. The face of the envelope must clearly identify the name of the proposing vendor, the words "SEALED PROPOSAL – One-Stop Operator", and the name and telephone number of the person authorized to answer questions concerning the proposal.

Emphasis should be concentrated on the Request for Proposals instructions, responsiveness to requirements, completeness and clarity of content. If the bidder’s proposal is presented in such a fashion causing evaluation difficulty or overly time consuming, it is likely points will be lost in the evaluation process. Elaborate and lengthy proposals are neither necessary nor desired. Bidders are encouraged to follow the sequence of the sections of this RFP as they develop their bids.

Data contained in the proposal and all documentation provided therein, become the property of the LAV. The data and documentation contained will not become public information until a contract is approved and signed. If the bidder wishes to have any information withheld from the public after the contract is signed, such information must fall within the definition of proprietary information contained in public record statutes. A separate sheet must be provided clearly stating which sections have been submitted as proprietary or have copyrighted materials. Bidders may not mark their entire RFP as proprietary. Bidder’s cost information may not be marked as proprietary information. Failure of the bidder to follow the instructions for submitting proprietary and copyrighted information may result in the information being viewed by other bidders and the public.

All proposals must be submitted by the due date/time and must meet the requirements contained in this RFP. Proposals will be rejected if not in compliance with these requirements.

Southeast KANSASWORKS, Inc., is not liable for any costs incurred by bidders prior to awarding the contract or prior to contract begin date.

For technical assistance with this RFP, you must contact onestoprfp@sekworks.org.

## E. Pre-Bid Conference and Questions

A **mandatory** Pre-Bid Conference will be held on Wednesday, January 25, 2017 at 2:00 p.m. – Southeast KANSASWORKS, Inc. Administrative Office, 215 W. 6th Ave., Suite 101, Emporia, KS 66801. **Interested bidders are required to attend.**  RSVP to onestoprfp@sekworks.org by 5:00 p.m. Tuesday, January 24, 2017 to attend the pre-bid conference.

Attendees are encouraged to submit questions in writing by Monday, January 23, 2017, to

onestoprfp@sekworks.org. Questions submitted by January 23, 2017, will be answered at the pre-bid conference. Questions posed during the pre-bid conference will be answered to the extent possible and allowable, but will not be considered official. Official responses will be published in writing at [www.sekworks.org](http://www.sekworks.org).

Final questions to this RFP are due to onestoprfp@sekworks.org by Friday, February 3, 2017, 5:00 p.m. All questions and answers will be posted to [www.sekworks.org](http://www.sekworks.org)by Wednesday, February 8 at 3:00 p.m.

## F. General Procurement Statements

Southeast KANSASWORKS, Inc., encourages competition at all levels and interested bidders are encouraged to submit a bid. Prospective bidders should inform us if the specifications or other bidding requirements are faulty, unnecessary, or inhibit competition. If we agree with the prospective bidder, an amendment will be issued. Our principal objective in purchasing services is to acquire quality services and to maximize the purchasing value of our funds.

Awarded bidders will be considered “sub-recipients” of Southeast KANSASWORKS, Inc., due to the nature and scope of services to be provided. This means all federal requirements that we must adhere to for being a recipient of U.S. Department of Labor funding passes through to the awarded agency. All prospective bidders must adhere to the applicable Office of Management and Budget (OMB) circulars and any applicable KANSAS State Board and LAV WDB policies and regulations.

Southeast KANSASWORKS, Inc., will provide various technical assistance and program training opportunities for performance and fiscal requirements throughout the contract period to aid in the delivery of quality services. The awarded agency is expected to assign an individual to complete the monthly vouchers, attend training and communicate with us for fiscal questions and guidance.

This Request for Proposals does not commit the LAV WDB to fund any proposals submitted before execution of a contract.

The LAV WDB reserves the right to accept or reject any or all proposals received or to negotiate terms of the proposal with a qualified bidder.

No contracts will be awarded as a result of this RFP without approval of the LAV WDB and LAV CEOB. Further, the LAV WDB reserves the right to withdraw from negotiations at any time before a contract is executed.

Funding availability is subject to change for subsequent program years; therefore, bidders should be aware succeeding contract amounts, if any, are subject to change from year to year. If funds awarded for a contract year are not fully expended by a contractor by the end of a contract year (June 30), unexpended funds will revert back to LAV WDB.

Any contract entered into may be terminated for fiscal necessity, convenience, or for breach as required by the United States Department of Labor.

## G. Availability of Funds

WIOA funding is the primary support for the LAV WDB operations and the allocations fluctuate annually. For planning purposes, the respondent to this RFP should assume level funding for each program year of the budget. It is the responsibility of the bidder to budget what costs are necessary and allocable to this RFP and WIOA to perform the duties in the scope of services.

Please note that the LAV WDB, is and will remain the lease holder for the One-Stop Center’s in the local area. The LAV WDB currently pays all occupancy costs and will continue to pay those costs. These funds are not to be included in the One-Stop Operator proposal. It will be the duty of the bidder to include in its bid what facility space will be needed to carry out its duties described in the proposal.

It is understood that funds will fluctuate from year-to-year. The contract agreement shall be modified to increase or decrease funding as needed to reflect actual federal funds received during the contract period. The successful Contractor will be awarded a cost-reimbursement contract pursuant to this RFP. The LAV WDB may expand the scope of the contract to include other workforce programs, funding or requirements that the LAV WDB deems necessary and appropriate.

All agreements are subject to the availability of funds for the One Stop Operator. This RFP does not commit Southeast KANSASWORKS, Inc., to fund any proposals submitted before execution of a contract. Southeast KANSASWORKS, Inc., reserves the right to accept/reject any/all applications received or to negotiate terms of the proposal with a qualified applicant. No contracts will be awarded as a result of this RFP without approval of the LAV CEOB & LAV WDB. Further, Southeast KANSASWORKS, Inc. reserves the right to withdraw the bid at any time before a contract is executed.

## H. Incorporation of RFP into Contract

All conditions contained in this Request for Proposal and any statements contained in the bid proposals themselves will be incorporated into any contract regarding this matter. Failure of the firm to accept these obligations may result in the cancellation of the selection. The contractor shall assume responsibility for all services offered in their bid proposal whether or not they were produced. The contractor will be responsible for all material errors and omissions in the performance of the contract.

## I. Payment Process

The LAV WDB will use a cost-reimbursement contract. The selected contractor will be reimbursed for allowable actual service delivery costs on a monthly basis after submittal and approval of payment vouchers as instructed in the contract.

Contractors will be reimbursed for expenditures on a monthly basis after submittal and approval of payment vouchers as instructed in the contract. Payment vouchers will be due by the 10th of each month following the month reported. Payment vouchers are to be submitted **every month** even if there are zero expenditures for the month reported. Contracts **may** be reduced by 5% of the initial contract amount for each month not reported or reported after the due date.

In addition to the provisions of this RFP and the awarded proposal, which shall be incorporated by reference in the contract, any additional clauses or provisions required by the terms and conditions will be included as an amendment to the contract.

Bidders are required to provide support for WIOA service providers, co-located and non-co-located partners.

It is not anticipated income will be generated related to the duties requested through this RFP. However, any revenues generated by the one stop operator including interest income or other program generated income, must be disclosed to the LAV WDB and charged against expenses for continued operation of the system.

The contractor will be responsible for all benefits (leave, retirement, insurance, etc.) and withholdings as any staff of the contractor will remain staff of the contractor and will not become employees of the LAV WDB. The contractor will be solely responsible for its personnel.

Any contract entered into may be terminated for fiscal necessity, convenience, or for breach as required by the United States Department of Labor.

## J. Subcontracting

The LAV WDB does not see the need for a potential contractor to subcontract any portion of this RFP. If the bidder is proposing a subcontract it must be cost beneficial to the system.

## K. Selection Process

The proposal criteria provide a guideline for proposers and reviewers; however, the final decision for contract award rests solely with the LAV WDB and the CEOB. The LAV WDB is not required to contract with the entity receiving the highest score as a result of the proposal review process.

Proposals not meeting minimum standards will be considered nonresponsive.

**Minimum standards:**

* Proposers must attend the mandatory pre-bid conference at 2:00 pm on January 25, 2017.
* The original signed proposal and electronic copy must be received by 5:00 p.m. on Monday, February January 10, 2017.
* Proposals must meet the proposal requirements contained in Section I(A). Proposal Narrative Requirements.
* Proposers must be eligible bidders as described in Section I(B). Eligible Bidders and Qualified Applicants
* The proposer’s authorized signatory authority must sign the proposal and all signature forms contained therein.

The Proposal Evaluation Committee (Committee) will meet to discuss the proposals and develop recommendations. The top finalists may be invited to make a 15 to 30-minute presentation to the Committee followed by an opportunity to respond to questions. The Committee may request additional information from any proposer prior to developing a recommendation for consideration by the Board.

Upon conclusion of the review process, the Committee will develop a recommendation for the LAV Executive Team/Fiscal team to consider during the Board meeting March 6, 2017, with contract negotiations to follow. The target date of contract execution/implementation is June 30, 2017.

The primary consideration in selecting agencies or organizations shall be the effectiveness of the agency or organization in delivering comparable or related services based on demonstrated performance. This determination shall take into consideration such matters as whether the organization has:

* The ability to meet the program design specifications at a reasonable cost;
* Adequate financial resources;
* A satisfactory record of past performance in operator-related activities;
* The ability to work with community partners and make referrals as needed;
* A satisfactory record of integrity, business ethics, and fiscal accountability;
* The necessary organization, experience, accounting, and operation controls; and
* The technical skills to perform the work.
* The ability to provide one-stop operator services for all four (5) LAV WFC locations, Chanute, Emporia, Independence, Paola and Pittsburg;
* Innovation and the use of technology and social media;
* Familiarity/experience with workforce development systems, employer needs, job seeker needs, training programs and occupations in demand;
* Staff qualifications; and
* Debarment and Suspension status.

**Limitations**:

The LAV WDB is not liable for any cost associated with responding to this RFP and will not authorize such costs as part of the contract with the selected organization.

The LAV WDB reserves the right to accept or reject any or all proposal received, to cancel or reissue this RFP in part, or its entirety.

The LAV WDB reserves the right to award a contract for any items/services solicited via this RFP in any quantity the LAV WDB determines is in its best interest.

The LAV WDB reserves the right to correct any error(s) and/or make changes to this solicitation as it deems necessary. Changes will be posted to [www.sekworks.org](http://www.sekworks.org).

The LAV WDB reserves the right to negotiate the final terms of any and all contracts or agreements with proposers selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended in order to successfully meet the needs of the LAV WDB.

The LAV WDB reserves the right to contact any individual, agency, employer or grantees listed in the proposal, to contact others who may have experience and/or knowledge of the proposer’s relevant performance and/or qualifications; and to request additional information from any and all bidders.

The LAV WDB reserves the right to conduct an on-site review of records, systems, procedures, including credit and criminal background checks, etc. of any entity selected for funding. Any staff member located onsite may be subject to a criminal background check, if not recently completed by the employer. Any crimes revealed will be reviewed, and the LAV WDB will make the final determination if this staff member may locate at any of LAV WDB’s facilities. This may occur either before or after the award of a contract or agreement. Misrepresentation of the proposer’s ability to perform as stated in the proposal may result in cancellation of any contract or agreement awarded. The LAV WDB reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the funding source or other funding sources.

Proposers shall not under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the LAV WDB for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder. No employee, officer, or agent of the LAV WDB shall participate in the selection, award or administration of a contract supported by WIOA funds, if a conflict of interest, or potential conflict, would be involved.

Bidders shall not engage in any activity restricting or eliminating competition. Violation of this provision may cause a bid to be rejected. This does not preclude partnerships or subcontracts. All proposals submitted must be an original work product of the bidders. The copying, paraphrasing or otherwise using substantial portions of the work product from other entities and submitted hereunder as original work of the proposer is not permitted. Failure to adhere to this instruction may cause the proposal to be disqualified and rejected. Items under public domain are exempt.

The contents of a successful proposal may become a contractual obligation if selected for award of a contract. Failure of the proposer to accept this obligation may result in cancellation of the award. No plea of error or mistake shall be available to successful proposer as a basis for release of proposed services at the stated price/cost. Any damages accruing to the LAV WDB as a result of a proposer’s failure to contract may be recovered from the bidder.

A contract with the selected bidder may be withheld, at the LAV WDB’s sole discretion, if issues of contract or questions of non-compliance, or questioned/disallowed costs exist, until such issues are satisfactorily resolved. The LAV WDB may withdraw award of a contract if the resolution is not satisfactory to the LAV WDB.

## L. Right to File a Grievance

Any bidder may file a grievance with Southeast KANSASWORKS, Inc., following this competitive bidding process. Once a selection is made, bidders will be notified in writing of the results. The written communication mailed to bidders will inform them they may have a right to appeal the decision. Information on the organization’s appeal procedures will be made available to all prospective contractors or sub-grantees upon request, including the name and address of a contact person, and a deadline for filing the grievance. Grievances are limited to violations of federal laws or regulations, or failure of the Organization to follow its own procurement policies.

This does not prohibit the bidder from seeking resolution beyond what is described above.

# V. Response Content & Instructions

## 

## A. Format Requirements

#### Pages

Proposals must be typed, single spaced, one-sided and submitted on 8 ½ by 11-inch plain white paper in 12-point font with 1 inch margins. Each page of the proposal, with the exception of the cover sheet should be numbered as “page \_\_ of \_\_), with the name of the bidder on each page. Use the same topic headings, in the same order, as described in Proposal Narrative Requirements section below.

#### Page Limit

Avoid extraneous narrative and data. While this RFP does not limit the number of pages and attachments, the successful Proposer will demonstrate its ability to communicate relevant information to the LAV WDB for objective decision-making in a clear and concise manner.

#### Number of copies

One complete original, (marked as original) with executed certificates (original signatures of the authorized signatory), along with one (1) electronic copy (in .pdf format via email). Any proposal lacking either the original copy or the electronic copy will be considered non-responsive. Completeness of submission is the sole responsibility of the proposer.

#### Authorized Signatory Authority

The proposer’s authorized signatory authority must sign all signature documents in the proposal. This individual must have the authority to negotiate and enter into and sign contracts on behalf of the proposer’s organization.The only exception is Attachment C – Fiscal/Administrative Responsibility Certification, which should be signed by the chief financial officer of the organization.

#### Responsiveness

Proposers who fail to follow the requirements set forth in this document regarding minimum requirements, number of copies and format will be considered non-responsive. The Board reserves the right to reject any or all proposals at their sole discretion.

#### Contact Information

Proposers will be required to provide contact information for the individual(s) responsible for responding to questions regarding the proposal. The contact person should be the individual(s) who are knowledgeable of the proposal and who are authorized to provide information on behalf of the proposer.

#### Order of Submission

Transmittal Form/Signature Sheet – Appendix A

Table of Contents

Executive Summary Proposal Narrative

Budget & Budget Narrative – Appendix B

Fiscal/Administrative Responsibility Certification – Appendix C

Contractual Provisions – Appendix D

Debarment – Appendix E

Certification Regarding Lobbying – Appendix F

Required Attachments – resumes, position descriptions, organizational chart, letters of support, certificates of insurance and documents demonstrating bidder meets fiscal requirements (i.e. copy of financial statements showing non-federal reserves, documentation verifying taxing entity status, etc.).

Other Information - may be attached at bidder’s discretion, but bear in mind the LAV WDB’s desire to limit extraneous narrative and data. Elaborate or expensive bindings, videos, colored displays and promotional materials are neither necessary nor desired.

## B. Proposal Narrative Requirements

### 1. Bidder Eligibility

Demonstrate your organization’s eligibility to participate as a WIOA One-Stop Operator, as described in WIOA as a minimum and Section I.C. in this request. Please include your organization’s incorporation status and where incorporated.

### 2. Organizational Capacity

**Alignment with WIOA Program Goals.** Briefly describe the organization’s mission and/or vision. How does it align with this funding opportunity and goals? Why is your organization in the best position to coordinate an innovative One-Stop delivery system? How does the proposed program of work align with the economy and workforce needs of LA V?

**Experience**. Provide examples of types of relevant contracts the bidder has previously entered into, including type of contracting entity, location of the work, and general types of services provided. Include a description of similar services or the bidder’s past experience which is comparable with the One-Stop service delivery model under WIA/WIOA. Describe any major workforce development achievements the organization has experienced.

**Data and Performance Management**.

The One-Stop Operator will be responsible for reviewing, analyzing and evaluating processes to collect, manage and utilize information regarding the local workforce area from the existing information system. Is success adequately being measured for the One-Stop delivery system? How are outcomes effectively tracked? Describe how your proposed strategies will help the LAV workforce system achieve federal and state performance standards and local objectives. (See Section V. B 4 – Program Outcomes and Deliverables)

**Organizational Structure and Proposed Staff.** The operator will be required to either name an individual who will carry out the duties or describe the desired qualifications of a new hire.

The awarded agency is expected to assign an individual to complete the monthly vouchers, attend training and communicate with Southeast KANSASWORKS, Inc., for fiscal questions and guidance.

Describe any other staff the bidder believes would be necessary to the success of the operator function. The proposal must include position descriptions for all positions in the organization affiliated with the One-Stop delivery system. Additionally, resumes are required for all organization personnel working under this contract. For any positions for which no staff have been identified, describe the qualifications sought and the process by which individuals will be selected.

Provide an organizational chart.

How will communication be managed? How will the process for addressing center grievances (internal and external) be managed?

If the entity has a board, please identify board members with names and organization affiliation.

### 3. Program Elements/Implementation Plan

The LAV WDB has established a One-Stop Delivery system serving as a community resource for both job seekers and employers to increase the efficiency with which the right person is matched with the right job, and offer an abundance of career exploration and job readiness resources in a user-friendly, customer-focused and results-driven environment. Goals for the LAV WFC system are listed on page 6

To help achieve the above goals, we are requesting the following program elements be provided by the One-Stop Operator:

* Coordinate service delivery among core and required partners
* Communicate mission, goals, and Board/Administrative policies and procedures to all of the LAV WDB staff and partners.
* Ensure effective communication among partners, staff, supervisors, training providers and community based organizations within LAV.
* Serve as point of contact regarding issues pertaining to customer or partner complaints that are substantive to the required partner’s operation in the comprehensive One-Stop Centers.
* Ensure LAV WFCs maintain compliance with state and federal certification standards.
* Ensure compliance with partner operational policies.
* Coordinate LAV partner meetings in consultation with partners to include agenda, presenters, location and frequency. Meetings must utilize electronic delivery methods facilitating attendance across multiple locations and promoting cost savings among partners.
* Facilitating customer flow, customer service, initial assessment, resource room usage, tracking, and referral processes are carried out as agreed upon in the WIOA MOU.
* Conduct quarterly reviews on WFC activities to assess quality and relevance: hops - topics, length, frequency, facilitators, location, delivery method and target audience; Job Seeker Services –resume/cover letter development, interview preparation, job search and

readiness, etc.; Business Services – job fairs, hiring events, job postings and outreach (who, what, where, when, and why – avoiding duplication business visits

Describe how required activities will be provided. Describe creative or innovative ideas for the one-stop system services and how to implement those ideas (demonstrate knowledge of best practices or evidence-based practices).

Describe any past experience in creating/maintaining integration, business plans and partner organizing which could be relevant/transferrable to this request.

Include letters from key partners you plan to collaborate with (community based organizations and/or partner programs).

Describe experience in working with industry partnerships and/or sector initiatives. How will you emphasize this in the proposal and what are the suggestions for implementation?

### 4. Program Outcomes and Deliverables

Achievement of measurable Performance Outcomes is a critical expectation of WIOA. There are performance measures for all required partners. These measures emphasize employment, retention, earnings, credential attainment and skills increase of job seekers along with employer satisfaction.

Provide a description of how, as the One-Stop Operator you will assist/support WIOA service providers and all core partners in their attempt to attain their goals? What tactics will be used to support reaching goals?

Describe your approach to continuous improvement. How may feedback be evaluated? How will the one stop operator work with the partners to address concerns and service gaps?

Discuss the organization’s approach to managing performance outcomes, including prior experience with mandated performance or similar deliverables.

Bidders are encouraged to describe any additional outcome or measure they feel will adequately evaluate their performance. Using prior experiences relate those to the objectives outlined for the one-stop operator.

### 5. Fiscal Accountability and Budget

**Financial Capacity.** Provide a description of the administrative and financial management capabilities of the organization. How will financial information be made available for monitoring and auditing purposes? What are the qualifications of the organization’s key program management and financial staff, and to what extent will they be involved with this project?

If the proposal includes a subcontracting model, what experience exists in managing subcontracts for services, including monitoring of subcontractors? How are proper fiscal oversight and accountability of subcontractors ensured?

Describe any experience with cost reimbursement contracts. How will the organization provide and fund the start-up costs of the operation? Describe how the Bidder’s organization will financially support the costs of doing business until an invoice can be submitted and paid.

Describe the organization’s major funding sources. If the proposal is from two or more organizations, whether partners or subcontractors, describe the major funding sources for each.

A Certificate of Insurance should be furnished with the proposal. In the event a certificate of insurance cannot be furnished with the proposal, a letter from the bidder’s insurance broker/company indicating in the event the bidder successfully obtains this contract, the required insurance would be available for certification before the contract becomes effective. The LAV WDB shall be named as additional insured under the General Liability if awarded the contract. Bidder should also provide a certificate of good standing from the Secretary of State and certify all Kansas State Taxes are current, and proof the organization is not included in the excluded parties list for federal awards.

Certification of Insurance Coverage should include:

1. Comprehensive, all risks general liability coverage for personal injury and property damage

Liability of not less than $1 million for each occurrence and $2 million annual aggregate;

1. Professional Liability Insurance in the amount of $l million each wrongful act/$2 million aggregate.

**Budget and Budget Narrative.** A budget and detailed budget narrative must be submitted using Appendix B. Costs included in the proposed budget cannot already be paid by another source; they must be actual costs incurred in delivering the proposed services, and these funds cannot supplant funds already received by the proposing organization. Even though an “other” category is included on the form, costs should be categorized as “other” judiciously. All costs should be accounted for in the budget line items supported by a strong narrative justifying why the funds are needed/critical to the program. In the narrative, show methods of computation (i.e., insurance = salary x 2.35%).

Give details of the organization's cost allocation method if one is used; e.g., prorating the cost of supplies based on the number of staff, or the cost of salaries based on percentage of time spent on this contract. Please also include details of the organization’s indirect cost rate, if one is used, along with how it was determined.

State what contingency plans are in place to repay LAV WDB in the event there are any disallowed costs as a result of an audit or monitoring review.

## C. References

Provide three (3) references. Include: Name of organization, name of contact person, address, phone number, e-mail address, how this contact is familiar with your work, the nature of the work performed, and the start/end dates of the work delivered.

**VI. Appendices**

1. Transmittal Form & Signature Sheet
2. Budget Form
3. Fiscal/Administrative Responsibility Certification
4. Contractual Provisions
5. Debarment
6. Certification Regarding Lobbying
7. Evaluation Criteria Sheet
8. TEGL 4-15 Vision for the One-Stop Delivery System under WIOA
9. Appendix I – Kansas Department of Commerce WIOA Guidance Letter 16-01



#### APPENDIX A

TRANSMITTAL FORM & SIGNATURE SHEET

##### Bidder Organization Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Federal Tax ID: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DUNS #:

Director/Chairperson: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Address: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Proposal Contact Person/Position (If different from above): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Phone No. of Proposal Contact Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email of Proposal Contact Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##### Fiscal Contact Person & Position: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

##### Phone No. of Fiscal Contact Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Email of Fiscal Contact Person: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Type of Organization (School, Public or Private Non-Profit Corp., Foundation, etc.)

##### \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

■ Is Your Organization a SMALL, MINORITY OR FEMALE owned Business?

YES ❐ NO ❐

If yes, indicate the appropriate category(s): SMALL ❐ MINORITY ❐ FEMALE ❐

##### **■** Total Funding Requested: $ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The undersigned hereby certifies that the information in this proposal is correct to the best of their knowledge and belief

Organization's Authorized Signature Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Typed Name and Title

KS LAV One-Stop Operator RFP Appendix A Transmittal Form/Signature Sheet



#### APPENDIX B

##### **PROPOSAL BUDGET FORM**

BIDDER ORGANIZATION NAME: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATES OF BUDGET:

06/30/2017 to 06/30/2018 (budgets for subsequent contract years to be determined on annual basis)

**OPERATING COSTS:**

|  |  |
| --- | --- |
| **ITEM** | **TOTAL** |
| Staff Salaries |  |
| Fringe Benefits |  |
| Supplies |  |
| Communications |  |
| Travel |  |
| Equipment |  |
| Premises |  |
| Other |  |
|  |  |
| **TOTAL OPERATING BUDGET** |  |

**Note: Bid must also include a detailed budget narrative explaining above**

**costs.** Show methods of computation (i.e., insurance = salary x 2.35%)

KS LAV One-Stop Operator RFP Budget Form/Narrative



#### APPENDIX C

FISCAL/ADMINISTRATIVE RESPONSIBILITY CERTIFICATION

By the signing below, I agree to and understand the following:

1. I am the assigned person responsible for ensuring our agency complies with all fiscal and administrative requirements regarding any award as a result of this bid. To fully understand all requirements, I (or my designee) will attend all fiscal/administrative responsibility training as required by Southeast KANSASWORKS, Inc.

1. I understand if our bid is awarded, any final contract signing will be contingent upon my participation in the Fiscal/Administrative Responsibility training.

1. I understand the funds awarded from this bid are U.S. Department of Labor Workforce Opportunity & Investment Act (WIOA) funds.

1. I understand if our bid is awarded and a contract is executed, our agency will be considered a “sub-recipient” of SOUTHEAST KANSASWORKS, INC., and any federal requirements SOUTHEAST KANSASWORKS, INC., must fulfill as a recipient of WIOA funds will pass down to our agency. These requirements include compliance with the Workforce Investment and Opportunity Act (Public Law 105-220), its final rules and regulations published August 19, 2016 and OMB 2 CFR part 200. Some requirements found in the above include, but are not limited to: minimum financial system standards; policies and procedures must be in written format; and timesheets (or personnel activity reports) must be used to support the distribution or charging of salaries and wages to the federal award.

1. I understand if our bid is awarded, the contract will be a cost-reimbursement contract. This will require the submittal of monthly payment vouchers by the 10th of each month following the month being reported, even if there are zero expenditures for the month being reported. I will designate a fiscal employee to complete and submit the monthly voucher. I also understand the contract will allow SOUTHEAST KANSASWORKS, INC., to reduce the contract amount by 5% (of the original contract amount) for each month a payment voucher is not submitted.

1. I understand any funds not expended at the end of each contract period will revert back to SOUTHEAST KANSASWORKS, INC. Unexpended funds may not carry over into the next contract period and it will be disallowed costs to charge a subsequent contract period’s costs to an expired contract period’s funds.

|  |  |  |
| --- | --- | --- |
| KS LAV One-Stop Operator RFP |  | Fiscal/Admin Certification |



#### APPENDIX D - CONTRACTUAL PROVISIONS ATTACHMENT

Important: This form contains mandatory contract provisions and must be attached to or incorporated in all copies of any contractual agreement. If it is not attached to the vendor/contractor’s standard contract form, then that form must be altered to contain the following provision: “**The provisions found in Contractual Provisions Attachment, which is attached hereto and executed by the parties to this agreement, are hereby incorporated in this contract and made a part hereof.”** The undersigned parties agree that the following provisions are hereby incorporated into the contract to which it is attached and made a part thereof, said contract being dated the \_\_\_\_\_\_\_\_ day of , 20 .

1. TERMS HEREIN CONTROLLING PROVISIONS

It is expressly agreed that the terms of each and every provision in this attachment shall prevail and control over the terms of any other conflicting provision in any other document relating to and a part of the contract in which this attachment is incorporated.

1. AGREEMENT WITH KANSAS LAW

All contractual agreement shall be subject to, governed by, and construed according to the laws of the State of Kansas.

1. TERMINATION DUE TO LACK OF FUNDING APPROPRIATION

If, in the judgement of the Southeast KANSASWORKS, Inc., Inc. Local Area V Board of Directors, sufficient funds are not appropriated to continue the function performed in this agreement and for the payment of the charges hereunder, Southeast KANSASWORKS, Inc., Inc. may terminate this agreement. Southeast KANSASWORKS, Inc., Inc. agrees to give written notice of termination to contractor at least 30 days in advance, but Contractor shall not cause any penalty to be charged to Southeast KANSASWORKS, Inc., Inc.

1. DISCLAIMER OF LIABILITY

Southeast KANSASWORKS, Inc. shall not hold harmless or indemnify any contractor for any liability whatsoever.

1. ANTI-DISCRIMINATION CLAUSE

The contractor agrees: (a) to comply with the Kansas Act Against Discrimination (K.S.A. 44-1001 *et seq*.) and the Kansas Age Discrimination in Employment Act (K.S.A. 44-1111 *et seq*.) and the applicable provisions of the Americans With Disabilities Act (42 U.S.C. 12101 *et seq*.) (ADA) and to not discriminate against any person because of race, religion, color, sex, disability, national origin or ancestry, or age in the admission or access to, or treatment or employment in, its programs or activities; (b) to include in all solicitations or advertisements for employees, the phrase “equal opportunity employer;” (c) to comply with the reporting requirements set out at K.S.A. 44-1031 and K.S.A. 44-1116; (d) to include those provisions in every subcontract or purchase order so that they are binding upon such subcontractor or vendor: (e) that a failure to comply with the reporting requirements of (c) above or if the contractor is found guilty of any violation of such acts by the Kansas Human Rights Commission, such violation shall constitute a breach of the contract and it may be canceled, terminated or suspended in whole or in part by Southeast KANSASWORKS, Inc., Inc.; (f) if it is determined that the contractor has violated applicable provisions of ADA, such violation shall constitute a breach of contract and it may be canceled, terminated or suspended, in whole or in part by Southeast KANSASWORKS, Inc., Inc.. Parties to this contract understand that the provisions of this paragraph (with the exception of those provisions relating to the ADA) are not applicable to a contractor who employs fewer than four employees during the term of such contract or whose contracts with Southeast KANSASWORKS, Inc., Inc. cumulatively total $5,000 or less during Southeast KANSASWORKS, Inc., Inc. fiscal year.

As a condition to the award of financial assistance from the Department of Labor under Title I of WIOA, the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation and Opportunity Act of 2014 (WI)A), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIOA Title I-financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color, and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs. The grant applicant also assures that it will comply with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to grant applicant’s operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

1. ARBITRATION, DAMAGES, WARRANTIES

Notwithstanding any language to the contrary, no interpretation shall be allowed to find that Southeast KANSASWORKS, Inc., Inc. has agreed to binding arbitration, or the payment of damages or penalties upon the occurrence of a contingency. Further, Southeast KANSASWORKS, Inc., Inc. shall not agree to pay attorney fees and late payment charges or interest beyond those available under the KS Prompt Payment Act (K.S.A. 75-6403); and no provision will be given effect which attempts to exclude, modify, disclaim or otherwise attempt to limit implied warranties of merchantability and fitness for a particular purpose.

1. REPRESENTATIVE’S AUTHORITY TO CONTRACT

By signing this document, the representative of the contractor thereby represents that such person is duly authorized by the contractor to execute this document on behalf of the contractor and that the contractor agrees to be bound by the provisions thereof.

1. RESPONSIBILITY FOR TAXES

Southeast KANSASWORKS, Inc., Inc. shall not be responsible for, nor indemnify a contractor for, any federal, state or local taxes which may be imposed or levied upon the subject matter of this contract.

1. INSURANCE

Southeast KANSASWORKS, Inc., Inc. shall not be required to purchase any insurance against loss or damage to any personal property to which this contract relates.

The vendor or lessor shall bear the risk of any loss or damage to personal property which vendor or lessor holds title.



**Appendix E**

**Certification Regarding**

**Debarment, Suspension, and Other Responsibility Matters**

**Primary Covered Transactions**

This certification is required by the regulations implementing Executive Order, 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants’ responsibilities. The regulations were published as Part VV of the May 26, 1988 Federal Register (pages 19160-19211).

(BEFORE COMPLETING CERTIFICATION, READ INSTRUCTIONS ON THE BACK OF THIS FORM WHICH

ARE AN INTEGRAL PART OF THE CERTIFICATION)

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
   1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded by any Federal department or agency.
   2. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
   3. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
   4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

1. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative

Signature Date

(Rev. 2/1/06)

KS LAV One-Stop Operator RFP Certification Debarment/Suspension

**Instructions for Certification - Primary Covered Transactions**

1. By signing and submitting this proposal, the prospective primary participant is providing the certification set out below.

1. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency’s determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.

1. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

1. The prospective primary participant shall provide immediate written notice to the person, department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

1. The term “covered transaction,” “debarred,” “suspended,” “ineligible,” “Lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.

1. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

1. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion - Lower Tier Covered Transactions,” provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

1. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR part9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement or Non-Procurement Programs.

1. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

1. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntary excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

KS LAV One-Stop Operator RFP Appendix E Certification Debarment/Suspension

##### **APPENDIX F - Page 1 of 4**



**CERTIFICATION REGARDING LOBBYING**

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, or a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

1. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.

1. The undersigned shall require that the language of this certification to be included in the award documents for all\* sub awards at all tiers (including subcontracts, sub grants and contracts under grants, loans, and cooperative agreements) and that all\* sub recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Grantee/Contractor Organization Program/Title

Name of Certifying Official Signature Date

\*Note: In these instances, "All", in the Final Rule is expected to be clarified to show that it applies to covered contract/grant transactions over $100,000 (per OMB).

**Appendix F 2 of 4**

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S. C. 1352 (See attached instruction page for public burden disclosures)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 1. Type of Action: | 2. Status of Federal Action: | | | 3. Report Type: |
| 4. Name and Address of Reporting Entity | | 5. If reporting Entity is No. 4 is Sub awardee, Enter Name and Address of Prime: | | |
| 6. Federal Department/Agency: | | 7. Federal Program Name/Description:        *CFDA Number, if applicable:* \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ | | |
| 8. Federal Action Number, *if known*: | | 9. Award Amount, *if known*:    $ | | |
| 10.a. Name and Address of Lobbying Entity:  *(if individual, last name, first name, MI)* | | 11.b. Individuals Performing Service (*including address, if different* *from No. 10.a.) (last name, first name, MI)* | | |
| *(Attach Continuation Sheet(s) SF-LLL-A, if necessary)* | | | | |
| 11. Amount of Payment *(check all that apply):*      $ actual planned | | 13. Type of Payment *(check all that apply)*: $actual planned     1. retainer 2. one-time fee 3. commission 4. contingent fee 5. deferred 6. other; specify: | | |
| 12. Form of Payment *(check all that apply)*     1. cash 2. in-kind; specify: nature   value | |
| 14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) Contacted, for Payment Indicated in item:                    *(attach Continuation Sheet(s) SF-LLL-A, if necessary)* | | | | |
| 15. Continuation Sheet(s) SF-LLL-A attached:  Yes No | | | | |
| 16. Information requested through this form is authorized by title 31: U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fail to file the required disclosure shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure. | | Signature:      Print Name:      Title:      Telephone No. Date: | | |
| Federal Use Only: | | | Authorized for Local Reproduction Standard Form-LLL | |

INSTRUCTIONS FOR COMPLETION OF SF-LLL, DISCLOSURE OF LOBBYING ACTIVITIES

This disclosure form shall be completed by the reporting entity, sub awardee or prime Federal recipient, at the initiation or receipt of covered Federal action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.

1. Identify the status of the covered Federal action.

1. Identify the appropriate classification of this report. If this is a follow up report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.

1. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or sub award recipient. Identify the tier of the sub awardee, e.g., the first sub awardee of the prime is the 1st tier. Sub awards include but are not limited to subcontracts, sub grants and contract awards under grants.

1. If the organization filing the report in item 4 checks "Sub awardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.

1. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.

1. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.

1. Enter the most appropriate Federal Identifying number available for the Federal action identified in item 1(e.g., Request for proposal (RFP) number; Invitation for Bid (IFB) number; grant announcement number; the contract, grant, or loan award number; the application/proposal control number assigned by the Federal agency). Include prefixed, e.g., "RFP-DE-90-001".

1. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.

1. (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.

(b) Enter the full names of the individual(s) performing services, and include full address if different from 10(a). Enter Last Name, First Name, and Middle Initial (MI).

1. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this a material change report; enter the cumulative amount of payment made or planned to be made.

1. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.

1. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.

1. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), Member(s) of Congress that were contacted.

1. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.

1. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**Appendix F - Page 3 of 4**

#### DISCLOSURE OF LOBBYING ACTIVITIES

CONTINUATION SHEET

Reporting Entity Page of \_\_\_\_\_

**Appendix F -**  **Page 4 of 4**

##### **APPENDIX G**

SOUTHEAST KANSASWORKS, INC. RFP FOR ONE-STOP OPERATOR ACTIVITIES

EVALUATION CRITERIA SHEET

Name of Bidder:

Minimum qualification criteria:

Did the CEO or authorized signatory sign the proposal and are the necessary attachments specified in the RFP included? YES ❐ NO ❐

|  |  |  |
| --- | --- | --- |
| Did the bidder provide one original copy plus one electronic copy of the proposal? | | YES ❐ NO ❐  Score  (20 max)  (10 max)  (10 max)  (10 max)    (20 max)  (10 max)  (5 max)  (5 max)  (10 max)  (10 max)  (10 max)  (5 max) |
|  | PROGRAM DESIGN  ■ Proposal is innovative and effectively addresses the required elements.  ■ Proposal includes coordination with other agencies.  ■ Objectives of the proposal are realistic and relate to WIOA and LAV goals.  ■ Proposal demonstrates clear understanding of RFP objectives and One-Stop Operator’s role.    BUDGET/FISCAL  ■ Budget and budget narrative are reasonable, cost effective and clearly identify/explain costs.  ■ Bidder has the ability to adequately track federal funds and demonstrates fiscal responsibility.  ■ Bidder has the resources to cover disallowed costs. ■ Bidder will utilize a fiscal designee to prepare/submit the monthly voucher for reimbursement.    PROPOSER’S QUALIFICATIONS  ■ Bidder has experience coordinating services with other entities.  ■ Bidder staff are qualified and resumes/position descriptions included. ■ Past performance in activities related to required elements has been successful and is clearly documented in the proposal ■ Bidder is a small, minority and/or female owned business.    TOTAL BASE SCORE (125 possible)  Bidder is selected for presentation YES ❐ NO ❐ |
| **KS LAV One-Stop Operator RFP Appendix H DOLETA TEGL 4-15** | |  |

##### **APPENDIX H**

|  |  |  |
| --- | --- | --- |
| **EMPLOYMENT AND TRAINING**  **ADMINISTRATION**  **ADVISORY SYSTEM**  **U.S.**  **DEPARTMENT** |  | CLASSIFICATION  VISION FOR THE ONE- |
| CORRESPONDENCE SYMBOL ETA OWI |
| DATE  August 13, 2015 |

**ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO: 4-15**

**OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA or Opportunity Act)**

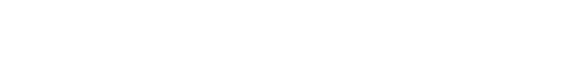
|  |  |
| --- | --- |
| **TO:** | STATE AND LOCAL STAKEHOLDERS IN THE  WORKFORCE INNOVATION AND OPPORTUNITY ACT  STATE WORKFORCE ADMINISTRATORS STATE WORKFORCE LIAISONS  STATE AND LOCAL WORKFORCE BOARD CHAIRS AND DIRECTORS AMERICAN JOB CENTER DIRECTORS  SECTION 166 INDIAN AND NATIVE AMERICAN GRANTEES |
| **FROM:** | PORTIA WU /s/  Assistant Secretary |
| **SUBJECT:** | Vision for the One-Stop Delivery System under the Workforce Innovation and Opportunity Act (WIOA) |

**1. Purpose.** This Training and Employment Guidance Letter (TEGL) lays out the vision for the one-stop delivery system under the Workforce Innovation and Opportunity Act (WIOA) and links to key technical assistance resources to support states and local areas as they integrate this vision into their one-stop delivery system

[(http://www.doleta.gov/wioa).](http://www.doleta.gov/wioa)) This guidance is also being issued by the Department of

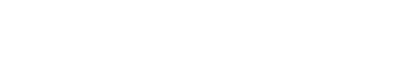
Education’s Office of Career, Technical, and Adult Education and Office of Special Education and Rehabilitation Services. It was developed in collaboration with these agencies, as well as the Department of Health and Human Services, Administration for Children and Families. The Employment and Training Administration (ETA) will soon issue additional guidance to other programs administered by DOL that covers governance, operational, and service delivery topics related to the one-stop delivery system.

WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes titles I and V of the Workforce Investment Act of 1998 (WIA), and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973.



RESCISSIONS

None



EXPIRATION DATE

Continuing

The Departments of Labor and Education published a set of proposed regulations for implementing WIOA through the posting of five Notice of Proposed Rulemaking (NPRMs) documents. These NPRMs were open for public comment until June 15, 2015, and thousands of comments were received by both Departments. The Federal agencies will review, analyze, consider, and respond to the comments received. The Final WIOA rules will be issued in 2016.

In order to continue implementation prior to the final rule, a series of WIOA Operating

Guidance documents are being issued in the form of Training and Employment Guidance Letters (TEGLs). These Operating Guidance documents on WIOA will inform the workforce system on how to begin the important planning and organizational work necessary to comply with the WIOA statutory requirements. The Operating Guidance TEGLs will provide a framework for program activities until the regulations are finalized. This TEGL is one in a series of WIOA Operating Guidance.

**2. References.** See Attachment.

1. **Background.** The vision for the one-stop delivery system contained in this TEGL reflects the long-standing and ongoing work of dedicated workforce professionals around the country to align a wide range of publicly- and privately-funded education, employment, and training programs while also providing high-quality customer service to job seekers, workers, and businesses through the one-stop delivery system.

The creation of one-stop centers (currently branded as American Job Centers) was a cornerstone of WIA when it passed in 1998. In the years between the passage of WIA and WIOA—and longer for those communities that piloted one-stop centers under the Job Training Partnership Act of 1982—the workforce system has tested a variety of approaches to maximize the benefits of one-stop centers to its direct customers and their communities. In the last 10 years, technological advancements have opened up new avenues of service delivery, and the increased availability of evidence-based models has strengthened our shared understanding of the best of these approaches. In addition, the Obama Administration worked intensively with federal agencies in 2013 and 2014 to reform federal employment, education, and training programs to create a more integrated, job-driven service delivery system. A job-driven service delivery system is one that results in linking our nation’s diverse talent with employers and businesses. As a result of this work, one-stop centers continue to be a valued community resource, known both locally and nationally as an important source of assistance for those looking for work or workers, and those looking for opportunities to grow their careers.

WIOA recognizes the value of the one-stop delivery system, and provides the workforce system with important tools to enhance the quality of its one-stop centers. The law strengthens the ability of States, regions, and local areas to align investments in workforce, education, and economic development to regional in-demand jobs. It also places greater emphasis on achieving results for job seekers, workers, and businesses. Finally, it reinforces the partnerships and strategies necessary for one-stop centers to provide job seekers and workers with the high-quality career services, education and training, and the supportive services they need to obtain good jobs and stay employed; and to help businesses find skilled workers and access other supports, including education and training for their current workforce.

Since the one-stop delivery system was established, technology has made lasting changes to our economy and society. Mobile workers and businesses with regional and national footprints that cross municipal borders are much more common. For that reason, there is an increased customer demand for consistent, high-quality education, employment, and training services across the country. The passage of WIOA supports the workforce system in meeting that demand, and the adoption of a national vision for the one-stop delivery system and its one-stop centers is an important first step in that work.

1. **Vision for the One-Stop Centers under WIOA**. The publicly funded workforce system envisioned by WIOA is quality-focused, employer-driven, customer-centered, and tailored to meet the needs of regional economies. It is designed to increase access to, and opportunities for, the employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment. It aligns workforce development, education, and economic development programs with regional economic development strategies to meet the needs of local and regional employers, and provide a comprehensive, accessible and high-quality workforce development system. This is accomplished by providing all customers access to high quality one-stop centers that connect them with the full range of services available in their communities, whether they are looking to find jobs, build basic educational or occupational skills, earn a postsecondary certificate or degree, or obtain guidance on how to make career choices, or are businesses and employers seeking skilled workers.

1 In addition to the core programs, required partners include the Senior Community Service Employment Program; job counseling, training, and placement services for veterans authorized under chapter 41 of title 38; career and technical postsecondary education programs authorized under the Carl D. Perkins Career and Technical Education Act of 2006; Trade Adjustment Assistance Programs; employment and training activities carried out under the Community Services Block Grant; U.S. Department of Housing and Urban Development (HUD) employment and training programs; Unemployment Compensation programs; programs authorized under the Second Chance Act of 2007, Section 212 (reintegration of ex-offenders); and programs authorized under the Social Security Act Title IV, Part A (TANF), unless the Governor determines that TANF is not a required partner.

Optional partners may include, with the approval of the local board and chief elected officials, the U.S. Social

Security Administration (SSA) employment and training program (i.e. Ticket to Work programs); Supplemental

Nutrition and Assistance Program (SNAP) employment and training programs; the Vocational Rehabilitation Client Assistance Program; National and Community Service Act Programs; and other employment, education or training programs such as those operated by libraries or in the private sector.

Under WIOA, partner programs and entities that are jointly responsible for workforce and economic development, educational, and other human resource programs collaborate to create a seamless customer-focused one-stop delivery system that integrates service delivery across all programs and enhances access to the programs' services.

The one-stop delivery system includes six core programs (Title I adult, dislocated worker, and youth programs; Title V adult education and literacy programs; Title VI Wagner-Peyser program; and Title IV vocational rehabilitation program), as well as other required and optional partners identified in WIOA1. Through the one-stop centers, these partner programs and their service providers ensure that businesses and job seekers—a shared client base across the multiple programs identified above—have access to information and services that lead to positive employment outcomes. Under WIOA, one stop centers and their partners:

* provide job seekers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages;
* provide access and opportunities to all job seekers, including individuals with barriers to employment, such as individuals with disabilities, to prepare for, obtain, retain, and advance in high-quality jobs and high-demand careers;
* enable businesses and employers to easily identify and hire skilled workers and access other supports, including education and training for their current workforce;
* participate in rigorous evaluations that support continuous improvement of one stop centers by identifying which strategies work better for different populations;
* ensure that high-quality integrated data inform decisions made by policy makers, employers, and job seekers.

The management of the one-stop delivery system is the shared responsibility of States, local boards, elected officials, the core WIOA partners, other required partners, and one-stop center operators. The Departments encourage all of these entities to integrate the characteristics below into their work, including developing state, regional, and local strategic plans; establishing one-stop center certification criteria; examining the state, regional, and local footprint of one-stop centers; conducting competitions for selecting one stop center operators; developing local Memoranda of Understanding (MOUs); updating other one-stop center policies and procedures; and operating and delivering services through the one-stop centers.

**5. Characteristics of a High-Quality One-Stop Center**. The characteristics identified below, consistent with the purpose and authorized scope of each of the programs, are designed to reflect elements that the Departments believe contribute to a high-quality one stop delivery system. They demonstrate the spirit and intent of WIOA, and the

Departments believe they will strengthen the successful integration and implementation of partner programs in one- stop centers. For clarity and readability, the characteristics have been grouped into three functional categories: (a) Customer Service; (b) Innovation and Service Design; and (c) Systems Integration and High-Quality Staffing.

**a. One-Stop Centers Provide Excellent Customer Service to Job Seekers, Workers and Businesses**. Meeting the needs of job seekers, workers and businesses is important

in developing thriving communities where all citizens succeed and businesses prosper. High-quality one-stop centers:

* **Reflect a welcoming environment to all customer groups who are served by the one-stop centers**. All one-stop center staff are courteous, polite, responsive, and helpful to job seekers, businesses, and others who visit the one-stop centers, either in person or by telephone or e-mail. Moreover, one-stop center staff are sensitive to the unique needs of individuals with disabilities and are prepared to provide necessary accommodations.

* **Develop, offer, and deliver quality business services** that assist specific businesses and industry sectors in overcoming the challenges of recruiting, retaining, and developing talent for the regional economy. To support area employers and industry sectors most effectively, one-stop center staff identify and have a clear understanding of industry skill needs, identify appropriate strategies for assisting employers, and coordinate business services activities across one-stop center partner programs, as appropriate. This includes the incorporation of an integrated and aligned business services strategy among one-stop center partners to present a unified voice for the one-stop center in its communications with employers. Additionally, one-stop centers use the forthcoming performance measure(s) on effectiveness in serving employers to support continuous improvement of these services.

* **Improve the skills of job seeker and worker customers**. One-stop centers offer access to education and training leading to industry-recognized credentials through the use of career pathways, apprenticeships, and other strategies that enable customers, including those with disabilities, to compete successfully in today’s global economy. They provide businesses with access to the quantity and quality of talent they need and support upskill/backfill strategies that expand job opportunities in the community.

* **Create opportunities for individuals at all skill levels and levels of experience** by providing customers, including those with disabilities, as much timely, labor market, job-driven information and, choice as possible related to education and training, careers, and service delivery options, while offering customers the opportunity to receive both skill-development and job placement services.

* **Provide career services that motivate, support and empower customers**, including individuals with disabilities, to make informed decisions based on local and regional economic demand and effectively attain their personal employment and education goals.

* **Value skill development** by assessing and improving each individual’s basic, occupational, and employability skills.

1. **One-Stop Centers Reflect Innovative and Effective Service Design**. High-quality one- stop centers:

* + **Use an integrated and expert intake process for all customers entering the one- stop centers**. Frontline staff are highly familiar with the functions and basic

eligibility requirements of each program, and can appropriately assist customers and make knowledgeable referrals to partner programs, as needed and as appropriate given the authorized scope of the program.

* + **Design and implement practices that actively engage industry sectors** and use economic and labor market information, sector strategies, career pathways,

Registered Apprenticeships, and competency models to help drive skill-based initiatives.

* + **Balance traditional labor exchange services with strategic talent development** within a regional economy. This includes use of market-driven principles and labor market information that help to define a regional economy, its demographics, its workforce and its assets and gaps in skills and resources.

* + **Ensure meaningful access to all customers**. One-stop centers must be physically and programmatically accessible to all customers, including individuals with disabilities. In so doing, one-stop centers use principles of universal design and human-centered design, such as flexibility in space usage; the use of pictorial, written, verbal and tactile modes to present information for customers with disabilities or limited English proficiency; providing clear lines of sight to information for seated or standing users; providing necessary accommodations; and providing adequate space for the use of assistive devices or personal assistants. One- stop centers use assistive technology and flexible business hours to meet the range of customer needs.

* + **Include both virtual and center-based service delivery** for job seekers, workers, and employers. Both methods of delivery support the talent needs of the regional economy, although each may better serve different customers with different levels of service needs at any given time. The one-stop delivery system can expand its reach by delivering robust virtual services; and increasing the accessibility of those services through community partners, such as libraries, community and faith-based organizations, and other partners.

* + **Incorporate innovative and evidence-based delivery models** that improve the integration of education and training, create career pathways that lead to industry- recognized credentials, encourage work-based learning, and use state-of-the-art technology to accelerate learning and promote college and career success.

1. **One-Stop Centers Operate with Integrated Management Systems and High-Quality Staffing**. High-quality one-stop centers:

* + - **Reflect the establishment of robust partnerships among partners**. The one-stop center operator facilitates an integrated, co-located partnership that seamlessly incorporates services of the core partners and other one-stop center partners.

* + - **Organize and integrate services by function** (rather than by program); when permitted by a program’s authorizing statute and as appropriate, and by coordinating staff communication, capacity building, and training efforts. Functional alignment includes having one-stop center staff who perform similar tasks serve on relevant functional teams, e.g. Skills Development Team, Business Services Team. Service integration focuses on serving all customers seamlessly (including targeted populations) by providing a full range of services staffed by cross-functional teams, consistent with the purpose, scope, and requirements of each program.

* + - **Develop and maintain integrated case management systems** that inform customer service throughout the customer’s interaction with the integrated system and allow information collected from customers at intake to be captured once. Customer information is properly secured in accordance with personally identifiable information guidelines, and facilitated as appropriate, with the necessary memoranda of understanding or other forms of confidentiality and data sharing agreements, consistent with federal and state privacy laws and regulations. Data, however, would be shared with other programs, for those programs’ purposes, within the one-stop system only after the informed written consent of the individual has been obtained, where required.

* + - **Develop and implement operational policies** that reflect an integrated system of performance, communication, and case management, and use technology to achieve integration and expanded service offerings.

* + - **Use common performance indicators** to ensure that federal investments in employment and training programs are evidence-based, labor market driven, and accountable to participants and taxpayers. Center performance is transparent and accountable to the communities and regions served; data entry staff are trained and understand the importance of data validation, data collection processes, and the importance of accurate reporting.

* + - **Train and equip one-stop center staff** in an ongoing learning process with the knowledge, skills, and motivation to provide superior service to job seekers, including those with disabilities, and businesses in an integrated, regionally focused framework of service delivery. Center staff are cross-trained, as appropriate, to increase staff capacity, expertise, and efficiency. Cross-training allows staff from differing programs to understand every program and to share their expertise about the needs of specific populations so that all staff can better serve all customers. Center staff are routinely trained and are keenly aware as to how their particular function supports and contributes to the overall vision of the local board.

* + - **Staff the center with highly trained career counselors**, skilled in advising job seekers of their options, knowledgeable about local labor market dynamics, aware of available services inside and outside the one-stop center, and skilled in developing customers’ skills for employment success.

**6. Resources**. Along with the resources provided at the WIOA collections page at [http://wioa.workforce3one.org,](http://wioa.workforce3one.org/) the following technical assistance tools are currently available as part of the Departments’ ongoing effort to support state and local areas in the adoption of the vision for the one-stop centers under WIOA.

1. Provide Excellent Customer Service to Job Seekers, Workers and Employers.

* + Opening Doors for Everyone: Providing Outstanding Customer Service at One-Stop Career Centers: This toolkit is designed to provide one-stop center staff members an enhanced level of comfort when providing service to customers with a diverse array of backgrounds and needs. <https://wioa.workforce3one.org/view/2001501480321360042/info>

* + Expanding Business Engagement: WIOA makes significant changes to the nation’s workforce development system, expressly incorporating the sector strategies approach throughout and requiring regional planning and alignment with local labor market needs for in-demand sectors and occupations. The Expanding Business Engagement (EBE) - Technical Assistance (TA) Initiative will support the strategic planning and implementation of revitalized or enhanced business engagement activities within states, regions, and local areas. <http://businessengagement.workforce3one.org/>

1. Reflect Innovative and Effective Service Design.

* + One-Stop Service Design: The resources section contains a variety of curated technical assistance tools, best practices, replicable models, implementation plans, recorded webinars, videos, research documents, and data reports to support innovative and effective one-stop center service design.

[https://wioa.workforce3one.org/ws/wioa/pages/resources.aspx?pparams=1001501462 393639983](https://wioa.workforce3one.org/ws/wioa/pages/resources.aspx?pparams=1001501462393639983)

* + Legacy Disability Training: Understanding Disability: The purpose of this introductory course is to provide practical learning experience toward acquiring the knowledge and skills needed to provide quality workforce development services to persons with disabilities. <https://wioa.workforce3one.org/view/4011507054815454755/info>

1. Integrated Administrative Systems and High Quality Staffing.

* + Integrated Service Delivery Toolkit: This toolkit provides ideas, strategies and resources for integrating service delivery in the public workforce system. <https://wioa.workforce3one.org/view/2001508963127430705/info>

* + Effective Case Management: This site contains resources and tools designed to help system administrators, local leaders and staff to support high-quality case management in the workforce system. <https://effectivecasemanagement.workforce3one.org/index.aspx>

1. Other One-Stop Vision Technical Assistance Tools.

* + - One-Stop Career Centers Fact Sheet: Provides highlights of WIOA reforms for one- stop centers. <https://wioa.workforce3one.org/view/2001507734890961606/info>

* + - Quick Start Action Plan (QSAP) for One-Stop Centers: An interactive, self-paced assessment tool designed to help leaders at all levels of the public workforce system prepare for implementation of WIOA. The QSAP helps identify areas of strength and focused areas for improvement in a state or local workforce system and connects to targeted resources that can help leaders to prepare and plan effectively. <http://qsap.workforce3one.org/page/planner/OneStop/Questionnaire>

1. **Action Requested.** As WIOA core programs and partners at the state and local level implement WIOA in program year 2015, the Departments encourage states to adopt this vision and build it into the policies and procedures related to the management of the one stop delivery system. This includes developing regional and local strategic plans; establishing certification criteria for one-stop centers and the one-stop delivery system; examining the state, regional, and local footprint of one-stop centers; conducting competitions for selecting one-stop center operators; developing the local MOU; and updating other one-stop center policies and procedures.

1. **Inquiries.** Please direct questions regarding this guidance to the appropriate ETA Regional office or through the ETA email address established for this purpose:

DOL.WIOA@dol.gov. ETA monitors this account daily, and may respond to inquiries directly or through general communications such as official guidance, webinars, and public Q&A documents.

1. **Attachment.** References for the One-Stop Vision TEGL

**APPENDIX I**

**WIOA Guidance Letter** 16-01 

**DATE:** November 17, 2016 Topeka, KS 66612-1354 1000 S.W. Jackson St., Suite 100

**TO:** LAV WDB Executive Directors Phone: (785) 296-0607

**FROM:** Mike Beene, Director Workforce TTY: 711

Services Fax: (785) 296-1404 E-mail: workforcesvcs@ks.gov

**CC:** Workforce Services, Fiscal, CRC KANSAS.com

**RE:** Sole-source One Stop Operator Selection

**Background:**

§678.605 states the Local Workforce Development Board (LAV WDB) must select the One-Stop Operator through a competitive process. . . For the purposes of implementing competitive processes consistent with the Uniform Guidance, all references to “noncompetitive proposals” in the Uniform Guidance will be read as “sole source procurement”.

“Because of the potential for abuse of the sole source selection process, a high bar has been set for justifying only one possible operator. Local Boards cannot use their past experience with an entity being the one-stop operator or one response to Requests for Information/Proposal (RFI/P) alone as justification. Robust market research, combined with additional methods including but not limited to a detailed cost analysis will aid in demonstrating the necessity of a sole-source selection.” Ref. State Policy # 5-01-02

**Guidance:**

Multiple entities exist in every Local Workforce Development Area (LAV WDB) who are eligible and potential One-Stop Operators. Examples of such entities include, but are not limited to:

1. Single entity or consortium of entities, including but not limited to:
   * 1. Public or private entities
     2. For- profit or non-profit entities
     3. One-Stop Partners

i. If more than one partner (partner consortium), minimum 3 partners

1. Institution(s) of Higher Education, including but not limited to:
   * 1. Four year Colleges/Universities
     2. Community Colleges
     3. Technical Colleges

1. State Employment Service (Wagner-Peyser)

1. Organizations representative of a community or segment of a community engaged in meeting community needs (also known as Community Based Organizations), including but not limited to:
   1. Public or private non-profit
   2. Sectarian or Non-Sectarian

1. Non-Profit Organization, including but not limited to:
   1. Humanitarian organizations such as:
      * 1. United Way
        2. Salvation Army
        3. Red Cross
   2. Philanthropic organizations
   3. Service organizations
   4. Constituent and special population advocacy including organizations representing: i. Older citizens
      * 1. Veterans
        2. Individuals with disabilities
        3. Minorities
   5. Civic organization

1. Workforce Intermediaries, including but not limited to:
   1. Foundations
   2. Professional associations
   3. Trade associations
   4. Local or regional Economic Development entities

1. Private for-profit entities, including but not limited to:
   1. Professional Workforce Development entities
   2. Professional mediation/arbitration services
   3. Professional management entities
   4. Consultants

1. Governmental agencies, including but not limited to:
   1. Units of general local government
   2. Departments within units of general local government

1. Other interested organizations or entities with the capacity to perform, including but not limited to:
   1. Labor organizations
   2. Chambers of Commerce
   3. Business organizations

1. LAV WDB, with restrictions including but not limited to:
   1. Must not manage or significantly participate in the procurement process, including but not limited to solicitation development or response evaluation and selection
   2. Must have effective internal control\*
   3. Must have adequate firewalls in place\*
   4. Must have a robust conflict of interest policies and procedures in place\*

\*specifically addressing how the written policies, procedures and organizational structure in place will enable the entity to fulfill their mandated statutory and regulatory roles and responsibilities while at the same time voluntarily assuming elective roles which would create conflicting or contradicting responsibilities. Examples include, but are not limited to; LAV WDB’s are specifically responsible for, with input from stakeholders, preparing and submitting a local plan; prepare and submit a local area budget; negotiate local area performance measures; select or terminate one-stop operator(s); oversight one-stop operator(s); select or terminate providers of career; training and youth services. One-stop operators are specifically prohibited from these very same activities. How will the same entity simultaneously perform both roles while maintaining compliance with federal, state and local statute, regulations and policies?

* 1. Only with agreement of the CEO and Governor, with the additional approval of the procurement process and necessary assurances by the Governor\*\*

\*\*this is an additional requirement specific to LAV WDB selection as One-stop operator

While these examples of eligible entities are by no means exhaustive, they should be minimally representative of the broad scope of various entities available to serve in every Local Workforce Development Area.

The LAV WDB must be able to demonstrate it conducted sufficient market research and outreach to exhaust any alternative other than a determination in support of a sole-source selection. Lack of response to a solicitation is insufficient demonstration, in and of itself.

Entities conducting the competitive procurement should maintain documentation of research efforts made to identify eligible bidders as well as outreach efforts conducted to inform, educate and engage potential bidders on this new opportunity to participate in the local workforce system. Maintenance of records regarding the procurement process including, but not limited to, documentation of the local determination of the competitive procurement process to be followed as well as the specific details of that process and its results are crucial to demonstrating compliance in the selection of the one-stop operator.

For questions or additional technical assistance, please contact Dennis Cooper @ (316) 771-6810 or dennis.cooper@ks.gov .