

# **NORTHERN PANHANDLE WORKFORCE**

## **DEVELOPMENT BOARD, INC.**

**(NPWDB, INC.)**

Solicitation for an Outside 3<sup>rd</sup> Party  
Agency/ Organization  
to  
Oversee An Open Procurement Process  
(Request for Proposal (RFP) Process) to Identify a  
One Stop Operator(s) in the Northern Panhandle  
Region

Proposals Due By: 4:00 pm on Friday, March 3, 2017.

**Proposal Issued By:**

**Northern Panhandle Workforce Development Board, Inc.**

**1245 Warwood Avenue**

**Wheeling, WV 26003**

**Telephone: (304) 231-1170**

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## I. BACKGROUND INFORMATION

### A. FEDERAL CONTEXT

WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA) - The federal WIOA was signed into law on July 22, 2014. WIOA provides the framework for a unique national workforce preparation and employment system designed to meet both the needs of job seekers and employers. Funds may be used to fund American Job Centers (ie: One Stop Centers) operations at the discretion of local workforce development boards. The WIOA has funding streams for adults, dislocated workers and youths.

The One Stop system serves as a primary entry point into programs and services for jobseekers and employers. The One Stop system improves connections to employment and training opportunities that lead to economic prosperity for workers and their families. It also encourages an array of work-based training strategies and employment approaches to benefit low income individuals. Work-based training is tied to “high demand” occupations by engaging employers and industry sectors to define needed skills. Additionally, individuals with barriers to employment, including out-of-school youth, are provided with a comprehensive set of supports that involve multiple public and private systems and partners to help them earn secondary and post-secondary credential and transition into the labor market.

Other types of Programs and Services delivered out of American Job Centers include: Career Services and Planning; Eligibility; Outreach; Intake and Orientation ; Initial Assessment of Skill Levels; Case Management; Aptitude Abilities; Supportive Services; Training Services; Labor Exchange Services including information on “high demand” industry sectors and occupations; Information on Nontraditional Employment and appropriate Recruitment and other Business Services on behalf of Employers, including small employers; Referrals to and Coordination of Activities with other Programs and Services; and, Follow-Up Services.

Career, education and training components required in the WIOA are integrated at American Job Centers with Core, Required and Non-Required Partner Programs in an effort to streamline programs and services and reduce duplication of services, among other things. The One Stop system is a partnership between the One Stop Operator(s), employment services, and other required workforce development programs.

The local One Stop system includes the following Core Programs:

- Title I - Primary source for federal workforce development funding to prepare low-income adults, youth and dislocated workers for employment and to help them continue to build skills once they are employed;
- Title II - The main source of federal adult education and literacy funding, including English language services;
- Title III – Wagner-Peyser Services\*; and,
- Title IV - Vocational Rehabilitation services.
- Title III Wagner-Peyser Programs must be co-located at regional American Job Centers.

The local One Stop system will also include the following Required Partners identified in the WIOA:

- Programs authorized under Wagner-Peyser Act;

- Adult Education and Literacy activities authorized under Title II;
- Programs authorized under Title I of the Rehabilitation Act of 1973;
- Programs authorized under Title V of the Older Americans Act of 1965;
- Career and Technical Education Programs at the post-secondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006;
- Activities authorized under Chapter 2 of the Trade Act of 1974;
- Employment and training activities carried out under the Community Services Block Grant Act;
- Employment and Training activities carried out by the Department of Housing and Urban Development;
- Programs authorized under the State Unemployment Compensation Laws;
- Programs authorized under Part A of Title IV of the Social Security Act (Temporary Assistance for Needy Families); and,
- Programs authorized under Section 212 of the Second Chance Act of 2007.

Other “Optional” Partners are:

- Other appropriate Federal, State, or local Programs, including Programs in the Private Sector.

## **B. NORTHERN PANHANDLE WORKFORCE DEVELOPMENT BOARD, INC. (NPWDB, INC.)**

The NPWDB, Inc. is the local recipient, administrator and fiscal agent of WIOA funds in the region. The NPWDB, Inc. is charged with providing the leadership in creating an effective and efficient local One Stop system in the following counties and cities: Hancock, Brooke, Ohio, Marshall, Wetzel and Tyler and the cities of Weirton and Wheeling. The NPWDB, Inc. Board of Directors consists of thirty-two (32) members and eight (8) Local Elected Officials. There are fourteen (14) staff members. It is the responsibility of the NPWDB, Inc. to initiate an open competitive procurement process for a One Stop Operator(s) at least once every four (4) years.

## **C. PURPOSE OF BID SOLICITATION FOR AN OUTSIDE 3<sup>RD</sup> PARTY AGENCY/ORGANIZATION**

On behalf of the NPWDB, Inc. Board of Directors and Local Elected Officials (LEOs) is soliciting an outside 3<sup>rd</sup> party agency/organization to identify a One Stop Operator(s) through an open competitive procurement process (A Request for Proposal (RFP) Process). Procurement standards must ensure fiscal accountability and prevent waste, fraud, and abuse in WIOA programs. The RFP process must be completed and a One Stop Operator(s) identified by no later than Wednesday, May 17, 2017.

The NPWIB, Inc. is an affirmative action/equal opportunity employer. Small businesses, minorities and women owned business are encouraged to respond. WIOA funded programs are equal opportunity employers/programs. Auxiliary aids and services are available upon request to individuals with disabilities.

## II. SCOPE OF SERVICES FOR THE OUTSIDE 3<sup>RD</sup> PARTY AGENCY/ORGANIZATION

### A. ROLE OF OUTSIDE 3<sup>RD</sup> PARTY AGENCY/ORGANIZATION

An outside 3<sup>rd</sup> party agency/organization bidder must conduct an open and competitive procurement process (via a Request for Proposal (RFP)) to identify a One Stop Operator(s) for the Northern Panhandle region, on behalf of the NPWDB, Inc. Board of Directors and Local Elected Officials (LEOs)).

The bidder will be required to:

- 1) Prepare a competitive procurement packet, a RFP;
- 2) Conduct market research;
- 3) Prepare Request for Information (RFI), if applicable;
- 4) Develop a cost and price analysis during the solicitation and selection of a One Stop Operator(s);
- 5) Develop detailed evaluation criteria by which bids will be scored.

The bidder must also provide sufficient public notice of the intent to procure One Stop Operator services to NPWDB, Inc. Board Members and the community. Public notices must be prepared by the bidder and advertised for at least thirty (30) days in print and social media where prospective local, State and national bidders typically identify such opportunities, like, local print newspapers, on-line newspapers, the NPWDB, Inc.'s website - [npworkforcewv.org](http://npworkforcewv.org), other community web sites and wherever else the outside 3<sup>rd</sup> party agency/organization deems appropriate.

The bidder will:

- 1) Use the most economical approach to the procurement of these services;
- 2) Recommend an award to a potential One Stop Operator(s) to the One Stop Committee, the NPWDB, Inc. Board of Directors and LEOs; and,
- 3) Maintain specific records detailing the history of the open competitive procurement process from start to finish, including the rationale for the selected method of procurement, the evaluation process, the results, the selection of contract type, the basis for One Stop Operator(s) selection or rejection, the basis for contract price and results.

The One Stop Operator(s) is to be selected following the principles of competitive procurement in the Uniform Administrative Guidance at Chapter II of 2 CFR (in particular 2 CFR 200.318 through 200.326). The bidder will be responsible for determining whether the amount and quality of providers is sufficient to meet the needs of the community and to work with the Governor of West Virginia and others to increase the availability of service providers as part of the planning process. The outside 3<sup>rd</sup> party agency/organization will provide maximum opportunities for minority and women-owned business to obtain contract(s). The outside 3<sup>rd</sup> party agency/organization will place qualified small businesses and minority and women-owned businesses on regional solicitation lists, if requested; ensure that small business and minority and women-owned businesses are solicited whenever they are considered

potential sources; encourage maximum participation of small businesses and minority and women-owned businesses; establish delivery schedules that encourage participation by all businesses, including small businesses and minority and women-owned businesses; use services and assistance, as appropriate, from entities such as the Small Business Administration (SBA) and Minority Business Development Agency; and, require prime contracts to follow the previously identified requirements.

The entire One Stop Operator(s) procurement process must be concluded by the outside 3<sup>rd</sup> party agency/organization by no later than 4:00 pm on Friday, April 21, 2017.

## **B. OUTSIDE 3<sup>RD</sup> PARTY AGENCY/ORGANIZATION RFP REQUIREMENTS**

The proposal submitted by the outside 3<sup>rd</sup> party agency/organization will remain valid for a one (1) year period.

The NPWDB, Inc. will not pay any costs associated with the preparation of the bid packet. The NPWDB, Inc. reserves the authority to not provide funding for any bid packet in whole or part. The NPWDB, Inc. reserves the right to negotiate terms of all or part of a bid packet approved for funding.

### **To Be Considered, Bidders Must Meet The Following Minimum Criteria:**

1. Provide identifying information about the organization, program contact person, and signature of the person authorized to sign official documents for the organization.  
Contact person must assure that he/she is a member of the bidder's organization legally responsible for the decision as to the prices being offered in the proposal and that he/she has not participated in any action contrary to; and, He/she is not the person in the bidder's organization responsible for the decision as to the prices being offered in the proposal. However, that he/she has been duly authorized in writing, with a copy attached, to act as agent for the persons legally responsible for such decision.
2. Detail previous experience and background of organization.
3. Detail all employees, with titles, who will be involved with the delivery of these services.
4. The original proposal must be manually signed in blue or black ink by an official authorized to represent and bind the bidding agency.
5. One (1) original proposal and five (5) copies, and a computer disk on which the proposal has been saved. Proposal must be received by the NPWDB, Inc., 1245 Warwood Avenue, Wheeling, WV 26003 no later than 4:00 pm on Friday, March 3, 2017. The timely delivery of a proposal is entirely the responsibility of the bidder. Proposals postmarked on or before the proposal due date but delivered after that date will not be accepted.  
Only completed bid packets will be accepted for review by the NPWDB, Inc.
6. Proposals must be presented in the same order as set forth in this RFP and contain all information requested.

7. Provide a brief summary and demonstrate a general understanding of the services being solicited in this RFP and the ability to effectively and efficiently deliver those requested services. Bidders must use the most economical approach to the procurement of these services.
8. Provide budget requested for this project. Bidders must detail all proposed costs by line item (ie: salaries, advertisements, materials, supplies, etc.).
9. Provide a work schedule that specifically details all of the steps to be taken to during the open competitive procurement process. At a minimum, the following steps must be taken by bidders:
  - 1) The preparation, and advertisement, of a competitive procurement packet, a Request for Proposal (RFP), to solicit a One Stop Operator(s) for regional American Job Center;
  - 2) Market research to determine and develop a cost and price analysis for a One Stop Operator(s);
  - 3) Preparation of a Request for Information (RFI), if applicable;
  - 4) Development of evaluation criteria by which bids will be scored;
  - 5) After review, and negotiations, if applicable, of RFPs received, recommend an award to a One Stop Operator(s) to the NPWDB, Inc. One Stop Committee, then the Board of Directors and Local Elected Officials (LEOs) at their Wednesday, May 17, 2017 Full Board Meeting. **All RFP activities must be concluded by no later than Wednesday, May 17, 2017;**
  - 6) Develop and maintain all records detailing the history of the open competitive procurement process from start to finish, including, but not limited to, the rationale and basis for the selection or rejection of a One Stop Operator(s) , method of procurement, the evaluation process, the results, the basis for contract price and results. The NPWDB, Inc. is to be provided with a copy of all records after the open competitive procurement process.

### **III. ROLE OF ONE STOP OPERATOR(S) POTENTIAL, ALLOWABLE ONE STOP OPERATOR(S)**

#### **A. ROLE OF ONE STOP OPERATOR(S)**

The One Stop Operator(s) will be responsible for coordinating the service delivery of Core and Required Partners and Service Providers at the three (3) regional American Job Centers (ie: One Stop Centers) in the Cities of Weirton, Wheeling and New Martinsville beginning July 1, 2017 – June 30, 2021.

#### **B. POTENTIAL ALLOWABLE ONE STOP OPERATOR(S)**

A One Stop Operator(s) may be a single entity or a consortium of entities. Types of entities that may be a One Stop Operator(s) include:

- An institution of higher education;
- A State employment service agency established under the Wagner-Peyser Act;
- A community based organization, nonprofit organization, or workforce intermediary;
- A private for-profit entity;
- A government agency;
- A local board, with the approval of the Chief Elected Official and the Governor of West Virginia;
- Another interested organization or entity capable of carrying out the duties of a One Stop Operator(s);
- Local chamber of commerce;
- A business organization; or,
- A labor organization.

If the consortium of entities is a consortium of One Stop Partners, it must include three (3) of the One Stop Partners. A consortium of One Stop Partners is a minimum of three (3) separate entities, each responsible for at least one (1) of the following programs and activities in the local area:

- Programs authorized under Title I of WIOA;
  - Adults.
  - Youth.
  - Dislocated Workers (DW).
  - Job Corps.
  - Youth Build.
  - Native American Programs.
  - Migrant and seasonal farmworker programs (MSFW).
- Employment services authorized under the Wagner-Peyser Act (WP);
- Adult education and literacy authorized under title II of WIOA (AEL);
- Vocational Rehabilitation program authorized under title I of the Rehabilitation Act of 1973 (VR);

- Senior Community Service Employment Program authorized under title V of the Older Americans Act;
- Career and technical education programs at the post-secondary level authorized under the Carl D. Perkins Career and Technical Education Act of 2006;
- Trade Adjustment Assistance activities authorized under chapter 2 of title II of the Trade Act of 1974 (TAA);
- Jobs for Veterans State Grants programs authorized under chapter 41 of Title 38, U.S.C.;
- Employment and training activities carried out under the Community Services Block Grant (CSBG);
- Employment and training programs carried out by the U.S. Department of Housing and Urban Development (HUD);
- Programs authorized under State Unemployment Compensation Laws (UI);
- Programs authorized under the Second Chance Act of 2007; and,
- Unless specifically exempted by the Governor, Temporary Assistance for Needy Families (TANF) authorized under Part A title IV of the Social Security Act.

The One Stop Operator(s) role shall not include:

- Convening stakeholders to assist in the development of the local plan of service;
- Preparing and submitting local plans (as required of the Local Board under sec. 107 of WIOA);
- Being responsible for oversight of itself;
- Managing or significantly participating in the competitive selection process for a One Stop Operator(s);
- Selecting or terminating One Stop Operators;
- Negotiating local performance accountability measures; and,
- Developing or submitting budget for activities of the NPWDB, Inc.

Please refer to the NPWDB, Inc. Local Plan of Service, PY 2016-2020 on its website – [npworkforcewv.org](http://npworkforcewv.org) and the WIOA of 2014 for more in depth information about the role of a One Stop Operator(s).

## V. ONE STOP OPERATOR(S) RFP REQUIREMENTS

A bidder(s) may not be recommended for funding, regardless of the merits of the proposal submitted, if they have a history of contract non-compliance with the NPWDB, Inc. or any other funding source and/or have poor past or current contract performance.

**The Following Information and Data must be Requested from One Stop Operator(s) Bidders in the RFP, at a minimum:**

1. Cover/Signature Sheet asking for identifying information about the organization(s), program contact person and signature of the person authorized to sign official documents for the organization.
2. An organizational chart for the organization. A list of the organization's Board of Directors, if applicable.
3. Previous experience, history and background of organization(s) and/or collaborating agencies.
4. Proposed staffing and management structure for the One Stop system, including job descriptions and salary ranges. A listing of all staff to be paid with WIOA funds (and non-WIOA funds, if applicable, and the percentage of time they will work at regional American Job Centers).
5. A detail of types/amounts of liability and bonding insurance coverage in place/to be put in place for staff member(s).
6. A copy of the organization's Code of Ethics and Conflict of Interest Policies.
7. A listing of any equipment to be purchased, leased or owned, that will be used in One Stop Center operations.
8. Amount of non-WIOA funds to be allocated to any American Job Center facility, if applicable.
9. A detail of profit margin expected to be earned in the result a contract is awarded, if applicable.
10. A description of how service delivery of Core and Required Partners and Service Providers will be coordinated. A description of the types of services that will be available at each regional One Stop Center. A description of which Core Program Provider and/or Required Partner will deliver each service identified. (The Wheeling One Stop Center must have all required core, career, training services, etc. available to customers on a daily basis).
11. Marketing techniques to be used to advertise available services and activities to customers.
12. Methods of referral of individuals to be put in place between the One Stop Operator(s) and Core Program Providers and Required Partners' services and activities. A description of how the orientation process will allow for customer choice in service delivery methods and choice of

training providers. A description of how this approach will ensure excellent services to job seeking customers.

13. A description of the development and maintenance of a Cost Allocation Plan for American Job Centers to determine operational and infrastructure costs. Invoicing mechanisms to be put in place for billing Core, Required and Non-Required Partners.
14. Strategies to be developed and put in place at American Job Centers for meeting mandated performance indicators for adults, dislocated workers and youth. Include the tool or tools to be used to ensure continuous improvement of service quality.
15. A description of the organization's in-house monitoring practices.
16. A customer flow chart.
17. Accommodations to be put in place in consideration of customers' needs, especially those with disabilities and other barriers to employment.
18. A description of outreach efforts for recruiting individuals with barriers to employment.
19. American Job Center dress code and operational rules.
20. Cross training efforts to be put in place.
21. One Stop Sub-Committees to be established.
22. Internal tracking system to be put in place to track the number of customers, job seekers and employers accessing One Stop programs and services.
23. Steps to be taken to ensure that each American Job Center is in compliance with EO provisions of WIOA regulations and the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990.
24. Intended days and hours of operation for each American Job Center.
25. A description of how and when customer satisfaction levels will be measured for customers. A description of types of customer satisfaction feedback methods and reporting will be used.
26. If One Stop Operator services are going to be provided by more than one (1) agency/organization, a description of what other agencies/organizations are going to be involved. A description of the relationship between the organizations' members, the roles and responsibilities of each organization and One Stop services and resources to be contributed by each. A Memorandum of Understanding (MOUs) with consortium partners must be provided.

27. A description of how organization(s) plans to actively recruit Non-Required Partners to participate and contribute to the self-sustainment of regional American Job Centers.
28. A description of administrative and financial management capabilities.
29. A description of contingency plan(s) in place to repay the NPWDB, Inc. in the event there are disallowed costs.
30. To what extent, if any, management or administration of the organization(s) will contribute in-kind funds (ie: staffing) and services or manage in-kind funds contributed by Core Partners and Required or Non-Required Partners. A description of any philanthropic resources to be tapped into. (Please note, in order to be able to substitute in-kind as a stand-in cost in the event of an audit disallowance, the in-kind cost must be a program cost and listed in the proposer's budget with expenses being reported on a monthly basis. Stand-in costs cannot be from other federal sources).
31. A copy of the organization(s)'s most recent complete CPA certified independent agency-wide audit, including any accompanying management letters.
32. Disclosure of: Any potential conflicts of interest arising from the relationships of the One Stop Operator(s) with particular training service providers or other service providers; and, Practices that create disincentives to providing services to individuals with barriers to employment who may require longer term services, such as intensive employment training and education services;
33. If applicable, any entity, including a current One Stop Operator(s) or a local workforce development board, competing to become the One Stop Operator must detail firewalls and conflict of interest policies and procedures in place to prevent them from being involved in the planning or execution of the competitive process because such involvement would be an inherent conflict of interest.
34. A description of how operational and customer complaints will be identified and resolved.
35. Proposed expenditures detailed by line item and cost category (Administrative, Program and Other Proposed Costs. Salaries; Fringes; Travel; Rent; Equipment purchased, leased, rented; and, Other expenses).
36. Fiscal recordkeeping practices to be put in place to sufficiently track and account for all expenditures.
37. A description of how fiscal matters will be accounted for and tracked.
38. A description of the organization's internal fiscal operations and its capability to maintain all administrative and fiscal activities locally (within the region), including decision-making. \*
39. Other terms and conditions as determined to be appropriate by the outside 3<sup>rd</sup> party agency/organization.

**The Following Additional Language must also be included in the One Stop Operator RFP, at a minimum:**

1. The One Stop Operator Agreement shall be from July 1, 2017 to June 30, 2021.
2. The outside 3<sup>rd</sup> party agency/organization reserves the right to reject any or all proposals, in whole or in part.
3. The RFP process does not commit the outside 3<sup>rd</sup> party agency/organization, or the NPWDB, Inc., to award a contract or to pay any costs incurred in the preparation of a proposal.
4. The outside 3<sup>rd</sup> party agency/organization, or the NPWDB, Inc. reserves the right to negotiate with all qualified sources, or to cancel in part, or in its entirety, the RFP if it is in the best interest to do so.
5. The outside 3<sup>rd</sup> party agency/organization will require the bidder(s) to be recommended for an award to participate in negotiations and to submit price, technical, or other revisions of their proposals in writing which may result from negotiations. All proposals are subject to negotiation by the outside 3<sup>rd</sup> party agency/organization and/or the NPWDB, Inc.
6. The outside 3<sup>rd</sup> party agency/organization initial approval of a bidder(s) means the program concept only is being approved. It does not mean formal approval for any proposed cost(s) or any specific terms and conditions is being provided. Representatives of the bidder(s) and the outside 3<sup>rd</sup> party agency/organization, and the NPWDB, Inc., will negotiate these details after a full review and discussion of proposed program operations and costs.
7. If it becomes necessary for the outside 3<sup>rd</sup> party agency/organization to revise any part of the RFP during the solicitation process, an amendment has to be issued to all prospective bidders who received a copy of the RFP. If it becomes necessary for the outside 3<sup>rd</sup> party agency/organization to revise any part of this RFP after the solicitation process, an amendment needs to be issued to only those bidders who submitted a RFP for review on or before the solicitation deadline date.
8. Non-conforming proposals are subject to return without review. However, the outside 3<sup>rd</sup> party agency/organization may reserve the right to waive informalities or minor irregularities with proposals received.
9. A bidder(s) must hire qualified staff with the expertise to deliver the services required under the RFP. The experience, abilities, and education of the One Stop Operator's staff play a critical role in the ultimate success of service delivery.
10. A bidder(s) must bid to provide all the services detailed in the RFP either through their organization, Core Program Providers and/or Required Partners whether RFP is submitted in a consortium bid or as a single bid. Bidders cannot opt to provide some of the services and not others. And, all services must be provided at all three (3) American Job Centers. Proposals that do not cover all services at all regional American Job Centers will not be considered.

11. A description of how the One Stop Operator(s) will be competitively selected based on an evaluation process that involves scoring of RFP responses and a description of the award schedule.
12. The due date and exact location of where the RFP is to be sent with acceptable methods of delivery.
13. A description of how the One Stop Operator(s) will be selected (Examples of demonstrated effectiveness are: Adequate financial resources or the ability to obtain them; adequate internal financial system is in place; The ability to take a leadership role in meeting the program design and coordination of responsibilities of the One Stop system at a reasonable cost, as well as the ability to meet performance goals; A satisfactory record of past performance (in One Stop Operator experience, financial planning, career planning and job placement, employer services, job training, basic skills training, or other related One Stop activities), including demonstrated quality of training and successful outcome rates from past programs; The ability to provide required services to customers; A satisfactory record of integrity, business ethics and fiscal accountability; The necessary organization, experience, accounting and operational controls (adequate in-house monitoring practices) that will be maintained locally; Technical skills to perform the work; and, Excellent results of previous audit review(s)).
14. Assurances to the following policies, rules and regulations:
  - Applicable equal employment opportunity and affirmative action requirements, including:
    - Section 188 of the Workforce Innovation & Opportunity Act (WIOA) which prohibits discrimination on the grounds of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, transgender status and gender identity), national origin (including limited English proficiency), 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 participate in a WIOA Title I financially assisted program or activity. Reasonable accommodations must be provided to qualified individuals with disabilities in certain circumstances. Individuals with disabilities, including youth, must always ensure physical, programmatic and communications accessibility to available programs and services provided by the One Stop Operator(s), Core Program Providers and required/non-required partners at each of the American Job Centers. No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with the WIOA;
    - Section 504 of the Rehabilitation Act which prohibits discrimination against individuals with disabilities by recipients of federal financial assistance;
    - Title I of the Americans with Disabilities Act which prohibits discrimination in employment based on disability;
    - Title II of the Americans with Disabilities Act which prohibits State and local governments from discriminating on the basis of disability;
    - Section 427 of the General Education Provisions Act which requires recipients to ensure equitable access to, and participation in, certain programs run by the U.S Department of Education;

- West Virginia Anti-Discrimination Act which prohibits discrimination based on race, color national origin, religion, sex, disability, age, citizenship status, AIDS/HIV and off duty tobacco use;
- Affirmative action in program planning, customer recruitment and placement, and staffing administration at all levels will be required.
- Nondiscrimination and equal opportunity provisions of the Workforce Innovation & Opportunity Act of 2014, Title VI of the Civil Rights Act of 1964, as amended; and,
- The Age Discrimination Act of 1975, as amended; Title II Subtitle A of the Americans with Disabilities Act of 1990; Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in education programs.

(The grant applicant also assures that it will comply with 29 CRF Part 38 and all other regulations implementing the laws listed above. The assurance applies to the grant applicants' operation of the WIOA Title I financially assistant program and activity and to all agreements the grant application 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).

- Federal regulations and procurement policies relating to the calculation and use of profits.
- Maintenance of a Drug Free Workplace at American Job Centers.
- Compliance with the region's performance Indicators.
- Other assurance ad determined necessary by the outside 3<sup>rd</sup> party agency/organization.

15. The original proposal must be signed in blue or black ink by an official authorized to represent and bind the bidding organization. The person signing the proposal should certify that: a) He/she is the person in the bidder's organization legally responsible for the decision as to the costs being offered in the proposal and that he/she has not participated in any illegal, non-compliant, etc. action(s); or, b) He/she has been duly authorized in writing, with a copy attached, to act as agent for the persons legally responsible for such decision, and certifies that such persons have not participated, and will not participate, in any illegal, non-compliant action(s), etc.

16. Approved profit rate cannot exceed five percent (5%) plus the current prime interest rate. Funds used for staff salaries, benefits, related expenses, such as staff travel and training expenses, etc. will be subject to profit and/or performance requirements. All payments must be authorized by the NPWDB, Inc.

17. The contract to be issued for the approved One Stop Operator (s) will be performance-based.

18. The One Stop Operator(s) will be required to have an annual audit of all WIOA funds received in accordance with their governing agency/organizations rules and regulations.

19. The One Stop Operator(s) is permitted and encouraged to secure in-kind contributions, access philanthropic resources, etc. However, no cost sharing or matching is required.

20. American Job Center leases will be in the name of the NPWDB, Inc. The NPWDB, Inc. will be responsible for direct payment of monthly leases for regional American Job Centers. It will be the responsibility of the One Stop Operator(s) to collect Core Program Providers', required and non-required partners' proportional, fair share of One Stop Center lease costs at each American Job Center and then reimburse the NPWDB, Inc. on a monthly basis for all American Job Centers lease costs.
21. Any proposal submitted will remain valid for a one (1) year period.
22. Detailed reason(s) as to why a proposal may not be considered.
23. The One Stop Operator(s) will be required to comply with all provisions of the WIOA, and associated regulations, as a condition of receiving a contract, whether specifically mentioned in the RFP or not.
24. Monitoring and oversight will be conducted on all activities of the One Stop system in an effort to identify any operational or fiscal deficiencies.
25. Any equipment, etc. to be purchased with WIOA funds during the life of a contract will remain property of the NPWDB, Inc. even after the contract has ended. (The One Stop Operator(s) will be responsible for any damages to the American Job Center facility, furniture, equipment, etc. beyond ordinary wear and tear).
26. The bidder(s) must demonstrate a general understanding of allowable services under WIOA and the ability to effectively and efficiently deliver said services.
27. Demonstrated partnerships/collaboration with Core Program Providers and Required/Non-Required Partners will be considered in the proposal review process.
28. The bidder(s) has to be capable of using, operating and managing the data base (MACC system) for recording and documenting all customer activities, as well as managing hard-copy records in accordance with WIOA regulations relative to records management and retention.
29. The bidder(s) has to efficiently and effectively secure experienced, competent One Stop Center staff to deliver services.
30. The bidder(s) has to ensure compliance with the region's Code of Ethics and Conflict of Interest policies.
31. The bidder(s) has to ensure that it will abide by federal, State and local procurement policies. The bidder(s) will identify any third-party or in-house procurement.
32. If the Bidder(s) intends to procure equipment, materials, etc., from itself or an affiliated organization, any profit must be included in the profit margin for the contract, if applicable.
33. Adequate follow-up services is to be provided to all WIOA participants in accordance with WIOA rules and regulations.
34. A description of the Proposal Appeal Process:

- a. An unsuccessful bidder(s) will be notified in writing within ten (10) days of the final award decision.
- b. A bidder(s) who is not awarded a contract may appeal the contract awarding process by submitting a written protest to the Executive Director of the NPWDB, Inc. that clearly states the reason for the appeal. This appeal must be made within thirty (30) days of the final award decision.
- c. The Executive Director will review the appeal and evaluate it in accordance with the established evaluation criteria to decide if any appropriate action needs to be taken. If it is determined that the action taken in awarding the contract to the successful bidder(s) was appropriate and justifiable, the Executive Director will notify the unsuccessful bidder(s) of the decision to deny the appeal within ten (10) days from receipt. If it is determined that the awarding of the contract to the successful bidder(s) was not in compliance with established procedures, or that an oversight(s) incurred, the Executive Director will notify the unsuccessful bidder(s), and the One Stop Operator(s) funding process will be re-initiated. (Please note, appropriate measures will be taken to ensure that established criteria, procedures, etc. are followed when initially awarding a contract).
- d. In case the unsuccessful bidder(s) is not satisfied with the Executive Director's determination, the NPWDB, Inc.'s Executive Committee will serve as the Appeals Board. The Executive Committee will follow the same procedures outlined above. The Executive Committee will review the appeal and make a final determination. The Executive Committee's decision will be final.

35. The outside 3<sup>rd</sup> party agency/organization will not: place unreasonable requirements on companies in order for them to qualify to do business; require unnecessary experience and excessive bonding; have non-competitive pricing practices between companies or between affiliate companies; give non-competitive contracts to consultants that are on retainer contracts; award contracts that pose an organizational conflict of interest; specify only a brand name product instead of allowing an equal product to be offered; engage in other any arbitrary action in the procurement process; and, provide geographical preference in awarding a contract with federal funds (Section 200.319 (b) states that the provisions of the Uniform Guidance takes precedent over State and local laws requiring geographical preference).

**\*The NPWDB, Inc. will cover a portion of the region's One Stop Centers' actual operational costs, in an amount not to exceed one hundred and five thousand dollars (\$105,000) per program year. The NPWDB, Inc.'s contribution does not include WIOA funds provided by the NPWDB, Inc. for Title I programs and services at American Job Centers. Reimbursement of costs to be covered by the NPWDB, Inc. will happen after expenditures have occurred. Core, Required and Non-Required Partner contributions, etc. will need to make-up/account for any and all remaining operational costs at regional American Job Centers. Please note, Core and Required Partners cannot be responsible for paying any One Stop Operator staff costs at the American Job Center located in Wheeling. However, Required and Non-Required Partners can be responsible for paying a fair and equitable share of all infrastructure costs at the American Job Center located in Wheeling. It is allowable for Required and Non-Required Partners to pay a fair and equitable share of One Stop Operator staff costs and infrastructure costs at American Job Centers in Weirton and New Martinsville. Non-Required Partners can be responsible for paying a fair and equitable share of One Stop Center staff costs and infrastructure costs at all regional American Job Centers.**

# REQUIRED ATTACHMENTS TO THE ONE STOP OPERATOR(S) RFP

## CERTIFICATIONS REGARDING DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; DRUG-FREE WORKPLACE REQUIREMENTS AND LOBBYING CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

**Applicant:**

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

- (1) The prospective primary participant (i.e., grantee) certifies to the best of its knowledge and belief, that it and its principles:
- (a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
  - (b) have not within a three-year period preceding this renewal 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;
  - (c) are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of the offenses enumerated in paragraph (1)(b) of this certification; and
  - (d) have not within a three-year period preceding this application/renewal had one or more public transactions (Federal, State, or Local) terminated for cause or default.
- (2) 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 renewal package.
- (3)

### CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

- A. The contractor certifies that it will or will continue to provide a drug-free workplace by:
- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the contractor's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
  - b. Establishing an ongoing drug-free awareness program to inform employees about:
    - 1. The dangers of drug abuse in the workplace;
    - 2. The grantee's policy of maintaining a drug-free workplace;
    - 3. Any available drug counseling, rehabilitation, and employee assistance programs, and
    - 4. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
  - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement by paragraph "a" above
  - d. Notifying the employee in the statement required by paragraph "a" that, as a condition of employment under the grant, the employee will:
    - 1. Abide by the terms of the statement; and
    - 2. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction;
  - e. Notifying the agency in writing, within ten (10) calendar days after receiving notice under subparagraph "d.2" from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose contract activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such

notices. Notice shall include the identification number(s) of each affected grant;

f. Taking of one to the following actions, within thirty (30) calendar days of receiving notice under subparagraph "d.2", with respect to any employee who is convicted:

1. Taking appropriate personnel action against such an employee, up to and including termination, consistent within the requirements of the Rehabilitation Act of 1973, as amended; or

2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposed by a Federal, State, or local health, law enforcement, or other appropriate agency.

g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs "a", "b", "c", "d", "e" and "f".

### **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 Congress, or an employee of a Member of Congress in connection with the awarding 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.
- (2) 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 instruction.
- (3) The undersigned shall require that the language of this certification 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 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 \$10,000.00 and not more than \$100,000.00 for each such failure.

### **EQUAL OPPORTUNITY NON- DISCRIMINATION NOTICE**

\_\_\_\_\_ (Name of agency), as a recipient of Workforce Innovation & Opportunity Act (WIOA) Title I financial assistance, shall provide initial and continuing notice that it does not discriminate on any prohibited ground, to: registrants, applicants, eligible applicants/recipients, participants, applicants for employment, employees, and members of the public; including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipients.

### **ASSURANCES**

As a condition of 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 & Opportunity Act of 2014 (WIOA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, (including pregnancy, childbirth and related medical conditions, transgender status and gender identity), national origin (including limited English proficiency), 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.

Title 11, Subtitle A of the Americans with Disabilities Act of 1990 which prohibits exclusion on the basis of disability.

The grant applicant also assures that it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's

operation of 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.

**As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above applicable certification(s)**

NAME OF PROPOSING AGENCY	AWARD NUMBER AND/OR PROJECT NAME
_____	_____
PRINTED NAME OF AUTHORIZED REPRESENTATIVE	TITLE
_____	_____
SIGNATURE	DATE
_____	_____

## **EQUAL OPPORTUNITY NON-DISCRIMINATION ASSURANCE**

\_\_\_\_\_ as a recipient of Workforce Innovation & Opportunity Act (WIOA) financial assistance, shall provide initial and continuing notice that it does not discriminate on any prohibited ground, to: registrants, applicants, eligible applicants/recipients, participants, applicants for employment, employees and members of the public, including those with impaired vision or hearing and unions or professional organizations holding collective bargaining or professional agreements with recipients.

### **ASSURANCE**

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 has the ability to comply with the nondiscrimination and equal opportunity provisions of the following laws, and will remain in compliance for the duration of the award of federal financial assistance:

Section 188 of the Workforce Innovation & Opportunity Act (WIOA) which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth and related medical conditions, transgender status and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, or against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I financially assisted program activity:

Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color or 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 recipient also assures that, as a recipient of WIOA Title I financial assistance, it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the 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.

TYPED NAME OF AGENCY OFFICIAL: \_\_\_\_\_

TITLE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

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

## **PERFORMANCE MEASURES FOR REGION 5**

### **\*ADULT\***

Entered Employment – 72%  
6 Month Retention – 72%  
6 Month Earning Gain - \$5890.00  
Credential Rate – 73%  
Measurable Skills Gain - Baseline  
Customer/Employer Satisfaction – 100%

### **\*DISLOCATED WORKER\***

Entered Employment – 71%  
6 Month Retention – 76%  
6 Month Earning Gain - \$8320.00  
Credential Rate – 74%  
Measurable Skills Gain - Baseline  
Customer Employer Satisfaction – 100%

### **\*YOUTH (16-24)\* (Out-of-School)**

Placement in Employment/ Education/Training (Q2 Post Exit) – 61%  
Placement in Employment/Education/Training (Q4 Post Exit) – 43%  
Median Earnings- N/A  
Credential Rate – 69%  
Measurable Skills Gain - Baseline  
Employment Preparation – 70%  
Registration at Local American Job Centers (One Stops) – 100%

### **\*YOUTH (14-21)\* (In-School)**

Placement in Employment/ Education/Training (Q2 Post Exit) – 61%  
Placement in Employment/Education/Training (Q4 Post Exit) – 43%  
Median Earnings – N/A  
Credential Rate – 69%  
Measurable Skills Gain - Baseline  
Employment Preparation – 70%  
Registration at Local American Job Centers (One Stops) – 100%