REQUEST FOR QUALIFICATIONS

Sector Partnership-NEG Transitional Employment to Dislocated Workers

Bid Number SP -2

Issued on ***June 29, 2016*** by:

New York State Department of Labor
Division of Employment and Workforce Solutions
Harriman Office Campus
Building 12, room 440
Albany NY, 12240

Submission Deadline:

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I. Funding Opportunity Description

A. Purpose

The New York State Department of Labor (NYSDOL) is making up to $700,000 in funding available under this Sector Partnership National Emergency Grant (SP-NEG) Transitional Employment to Dislocated Workers (TEDW) Request for Qualifications (RFQ). Qualified Local Workforce Development Boards (LWDBs) may apply for TEDW SP-NEG funds to be awarded by NYSDOL through a Notice of Obligational Authority (NOA) opportunity as detailed in the award information section.

Transitional employment, under this RFQ, is defined as time-limited work experiences that are subsidized for individuals with barriers to access valuable work experience and re-establish their connection to the workforce.

The SP-NEG solicitation release is being coordinated with the release of the Regional Plan Guidance documents. These programs will empower participants to reconnect to the workforce through enhanced career services and work-based training opportunities.

B. Background

Building partnerships that bring together workforce related sectors including businesses, education, community organizations, government and other entities is proven to be the most effective strategy to meet the ever-changing workforce needs of regional industries and help jobseekers attain skills that align with business demand. These sector-based workforce strategies align closely with New York State's (NYS) overarching vision of a unified workforce development system that is regionally coordinated and programmatically seamless, oriented to primarily serve the needs of business demand. It also aligns well with the establishment of economic development priorities by the Governor's Regional Economic Development Councils (REDCs) initiative, as well as regional planning by the Local Workforce Development Boards (LWDBs) under WIOA. The funding opportunities under the SP-NEG are designed to further such regional partnerships in support of the State's workforce vision, the goals of the REDCs, and LWDB Regional Planning.

USDOL/ETA awarded $7M of SP-NEG funding to NYS to provide employment-related services specifically for dislocated workers in industries with strong labor demand. Funds distributed under this grant will be administered in a manner consistent with WIOA. NYSDOL's award is intended to increase capacity in NYS' ability to implement new or expanded local and regional sector based workforce development partnerships that will serve more dislocated workers and achieve better employment-related outcomes for this group of workers. To accomplish this goal, NYSDOL released five grant solicitations to allow for the tailoring of services to accommodate the wide variety of sector partnerships across NYS. The five SP-NEG program solicitations are:

- Incumbent worker training (link);
- Work-based training(link);
- Sector partnership capacity building(link);

- Transitional job support(i.e., subsidized time-limited work experiences for those experiencing employment barriers) (link); and

- Enhanced Career Center system services to prepare dislocated workers for training and employment (link).

II. Award Information

A. Funding

NYS is making up to $700,000 available for NOA awards under this RFQ.

It is anticipated that seven (7) awards will be made for up to $100,000 to seven (7) LWDBs. Therefore, a LWDB is only eligible for one award.

Awards are contingent upon the availability of NEG funding.

If the LWDB reduces the number of dislocated workers to receive transitional employment at any time prior to or after an award is issued, the requested level of funding will be proportionately reduced.

B. Use of Funds

1 Allowable Costs

Funds may be used to provide transitional employment to dislocated workers through temporary, paid work experiences that improve their employability, earnings and opportunities for advancement, as well as promote their self-sufficiency and long-term success in the workforce.

All transitional employment opportunities must be provided under a contract with a local business in the private non-profit or for-profit sector, or non-federal public sector entities.

A 10% administrative allocation is allowed for costs incurred on the part of the LWDB associated with this SP-NEG TEDW RFQ. For example, an award of $100,000 can include up to $10,000 of administrative costs.

2 Restrictions on the use of funds

The SP-NEG TEDW initiative will only pay for the costs associated with the provision of transitional employment as listed above. It will not pay for any of the following items.

- The acquisition, construction, or renovation of buildings or other real estate.
- The purchase of any equipment or operational software.
- Support services such as child care, transportation, lodging, and meals for the trainees (any supportive services provided must be funded through the local Career Center).
- Transportation, lodging, and meal costs for training providers or staff.
- Advertising.
- Entertainment.

- Interest costs incurred by provider agencies.
- Costs of organized fund raising.
- Sales training.
- Human resources training.
- Conferences and seminars.
- Start-up costs, curriculum development, and assessment costs on the part of the LWDB.
- Registration fees.
- Payment of fees associated with attendance at seminars, conferences, or meetings of professional organizations.
- Purchase of videos.
- Any other costs deemed inappropriate by NYSDOL and any costs that do not meet the intent of the RFQ.

3 OJT Wage Reimbursement Rate

NYDOL has established an OJT wage reimbursement cap policy for SP-NEGs. The reimbursement level to a business may not exceed 50% of NYS' average wage rate. NYS' average wage rate (per USDOL's Bureau of Labor Statistics – http://www.bls.gov/oes/current/oes_ny.htm) is $26.75. Businesses may elect to pay participants more than NYS' average wage but will not be reimbursed beyond the capped level.

If the hourly wage of the trainee is less than New York's average wage rate of $26.75, the hourly reimbursement rate is calculated by multiplying the hourly wage rate times the reimbursement percentage. For example the wage reimbursement rate to a business for a trainee making $15 per hour would be $7.50 (50% of $15).

If the hourly wage rate of the trainee equals or exceeds New York's average wage rate of $26.75, the hourly reimbursement rate must be calculated using the $26.75 capped rate. For example the wage reimbursement cap to a business for a trainee making $29 per hour would be $13.38 (50% of $26.75).

C. Award Minimums

There is no minimum award amount under the SP-NEG TEDW. All awards are subject to funding availability.

D. NOA Agreements

NOA agreements will be awarded for a period not to exceed the end date of the Federal grant currently set to expire on June 30, 2017. LWDBs must include only those transitional employment opportunities that can be reasonably accomplished within the agreement period. Under extenuating circumstances, limited no-cost extensions may be approved at NYSDOL's discretion. The length of the extension is dependent on the original NOA duration; however, the length of the NOA plus the extension cannot exceed a total of fifteen months. NOAs may not be extended past June 30, 2017, unless USDOL/ETA offers and grants NYSDOL an extension of the SP-NEG grant. In the absence of any extension, all awarded funds must be fully expended by June 30, 2017.

E. NYSDOL's Responsibilities

NYSDOL will oversee implementation of agreements resulting from this RFQ, including regular monitoring of implementation and performance of the agreements.

Funding for the activities outlined in this RFQ will come from a USDOL's SP-NEG and is subject to State and/or Federal legislative appropriation. NYSDOL staff will ensure accurate and timely reporting of program outcomes as well as Federal evaluation documentation as required by the USDOL.

F. LWDB's Requirements

By submission of a Statement of Qualifications (SOQ) in response to this solicitation, the LWDB agrees with all of the terms and conditions set forth in the attachments to this RFQ.

Awarded LWDB's will be required to provide reports at intervals specified by NYSDOL. In addition, USDOL/ETA may conduct an independent evaluation of the outcomes and benefits of SP-NEGs. By accepting a SP-NEG award under this RFQ, the LWDB agrees to participate in any such evaluation.

LWDBs must comply with the Federal and State Executive orders as included in the attachment section. In addition to complying with the Executive orders, LWDBs must comply with Federal and State statutes, regulations and terms and conditions of the Federal SP-NEG award.

III. Eligibility Information

A. Applicant Eligibility

Incorporated and unincorporated LWDBs are eligible to submit a SOQ as part of this RFQ. Unincorporated LWDBs interested in submitting a statement must designate the local area's WIOA grant recipient or fiscal agent as the official grantee for any award made under this offering.

Consultants, training providers, trade organizations and other third party entities are not eligible to apply for funds on behalf of LWDBs.

LWDBs that have received an award under NYSDOL's Dislocated Worker Training National Emergency Grant, Request for Applications #U-30 or U-31, or Job-Driven National Emergency Grant Request for Applications #V-01 or V-14, must successfully complete and close that contract before applying for SP-NEG TEDW funding under this RFQ.

B. Participant Eligibility

Eligible participants are individuals enrolled in the Dislocated Worker program at a NYS Career Center. LWDBs must identify the local business(es) in the private non-profit or for-profit sector, or non-federal public sector entities, that have committed to enter into contracts for hiring Transitional Employment program participants.

Veterans who are also dislocated workers must be given priority for transitional employment opportunities under this program. In addition, dislocated workers who are not UI recipients or exhaustees may self-attest to their eligibility by providing the date of their qualifying job loss in a signed statement.

For a description of dislocated worker please refer to Attachment 7, Determining Dislocated Workers and Special Populations.

IV. Process for Statement of Qualification Submission

A. SOQ Content

LWDB's who wish to participate in the SP-NEG TEDW program must qualify by responding to this RFQ, which asks local areas to prepare a local SP-NEG TEDW implementation plan via a SOQ. All LWDB's are encouraged to respond to this RFQ.

An SOQ template is provided in Attachment 1 of this RFQ.

The SOQ indentifies and describes using local data the:

1. LWDB;
2. Dislocated worker population to be recruited and served, highlighting any special populations targeted;
3. Dislocated worker transitional employment need, including barriers needing to be addressed;
4. Transitional employment opportunities to be provided, including a list of local businesses that commit to hire transitional employment program participants;
5. LWDB staff or partners that will ensure transitional employment, including the addressing of identified barriers;
6. Proposed outcomes for participants;
7. Past performance in working with and servicing the stated target population, in providing or coordinating similar services for the target population, and evidence of current/past award amounts, performance goals and performance outcomes; and
8. Cost projection based on proposed transitional employment opportunities to be provided. [Template provided in Attachment 2]

B. Questions Concerning This RFQ

LWDBs may submit questions via electronic mail (WDTD.Onestop@labor.ny.gov). Questions regarding this RFQ will be accepted on an ongoing basis until 4:00 PM on Friday, September 23, 2016. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "SP-NEG TEDW Question". Answers to all questions will be posted on NYSDOL's web site (http://labor.ny.gov/businessservices/funding.shtm) on an ongoing basis until Wednesday, September 28, 2016.

C. SOQ Due Date

SOQs and cost projections must be received by NYSDOL no later than 4:00 PM Eastern Time on Monday, October 3, 2016. Any statement or unsolicited amendments to statements received after the due date and time will not be considered in the review process. No faxed documents will be accepted. NYSDOL takes no responsibility for any third party error in the delivery of applications (e.g. U.S. Post Office, Federal Express, UPS, courier, etc.).

D. SOQ Submission Instructions and Format

Submit two sets of the entire SOQ and the cost projection, at least one of which with original signatures, to:

Christopher Myers, Workforce Programs Manager
NYS Department of Labor
Division of Employment and Workforce Solutions
State Office Campus
Building 12, Room 440
Albany, New York 12240
Attention: SP-NEG TEDW RFA # SP-2

Or via email to:

Christopher.Myers@labor.ny.gov with the following in the subject line: Attention: SP-NEG TEDW RFA # SP-2

The SOQ (Attachment 1) must not exceed 10 single-spaced, single-sided 8.5 x 11 inch pages. The required list of business(es) (Attachment 3), and the cost projection template (Attachment 2) are not included in this limit. All text should use a 12-point font and 1-inch margins. All pages must be numbered and begin with page number 1.

If completed packet is mailed, it must be transmitted in a sealed envelope with the title of the RFQ, and the applicant's name and address clearly displayed on the exterior of the package.

E. RFQ Timetable

RFQ Release Date –	June 29, 2016
Deadline Date for Questions --	September 23, 2016
Final Date for Responses to Questions -	September 28, 2016
Application Due Date –	No later than 4:00 PM EST on October 3, 2016
Projected Notification of Awards –	October 31, 2016
Latest Possible NOA End Date -	June 30, 2017 (in the absence of any USDOL/ETA extensions)

V. Statement Review and Selection

A. Evaluation of Statement of Qualifications

A complete packet, including the SOQ, the cost projection and the list of business(es), must be submitted by the submission date so that NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the SOQ will jeopardize the LWDB's potential for funding. NYSDOL will first make an initial eligibility determination on each SOQ received. Statements which provide qualifications indicative of effective provision of transitional employment opportunities to dislocated workers will be awarded.

B. Evaluation Criteria

The evaluation of SOQs will seek to ensure LWDBs have comprehensively and effectively planned for the provision of transitional employment opportunities to dislocated workers as described in section II.B.1 of this RFQ.

The review of SOQs will ensure the identified LWDB fully described, using local data, the dislocated worker population to be recruited and served, highlighting any special populations targeted; the dislocated worker transitional employment need, including barriers needing to be addressed; the transitional employment opportunities to be provided, including a list of local businesses that commit to hire transitional employment program participants; the staff or partners that will ensure transitional employment, including the addressing of identified barriers; the proposed outcomes for participants; and the LWDBs past performance in working with and servicing the stated target population, in providing or coordinating similar services for the target population, and evidence of current/past award amounts, performance goals and performance outcomes.

A review of the cost projections will ensure the proposed costs adequately funds and matches the transitional employment opportunities as proposed in the SOQ.

During the budget review process, NYSDOL will not remove any disallowed costs included in the budget. However, during the award process and NOA agreement negotiations, if it is determined that ineligible costs were included in the statement, those costs will not be included in the final NOA agreement.

C. Method of Selection

NYSDOL's determination of each statement will be whether the LWDB is "qualified" or "not qualified" to move forward with a NOA agreement. Grant funds will be issued to qualified/selected LWDBs through a NOA.

NYSDOL will work with any LWDB whose statement was deemed not qualified for a NOA award to address and revise their statement and reapply.

It is important to note that:

a. Incomplete statements will be disqualified;

b. Ineligible statements will be disqualified before completing a review;

c. All LWDBs that are determined not to be responsive or responsible will be disqualified after completing a review;

d. LWDBs that fail to meet requirements may be disqualified after completing a full review;

e. As this is an RFQ, there is no commitment from NYSDOL to fund any or all LWDBs;

f. NYSDOL reviews will result in a final determination; and

g. NYSDOL may award a qualified statement for any or all parts of a statement and may negotiate NOA agreement terms and conditions to meet agency program requirements consistent with the SP-NEG TEDW RFQ.

VI. Award Administration and Information

A. Award Notices

If approved, the requesting local area will be given written confirmation. This confirmation will allow the local area to execute contracts with local businesses as needed to deliver services.

B. Fiscal Reporting

LWDBs awarded funding under the SP-NEG TEDW program will receive funds via the NOA process. All expenditures and obligations incurred under the SP-NEG TEDW program must be reflected on the local area's monthly fiscal report. These fiscal reports must be consistent with the records maintained by the LWDB.

Monthly fiscal reports are submitted to NYSDOL via the PeopleSoft Financial Reporting System. Reports must be submitted to NYSDOL by the 20th day of the month following the month reported. Additionally, cash reporting for this grant must be included on the Monthly Cash Reports and emailed to dews.aers-taa@labor.ny.gov.

Detailed information pertaining to fiscal reporting (e.g., frequency of the NOAs, PeopleSoft requirements, Cash Reports, Record Retention, etc.) will be provided to your LWDB and fiscal office upon award of funds. Fiscal reporting policies governed by NYSDOL are specifically covered under Technical Advisory #11=2.4 (http://labor.state.ny.us/workforcenypartners/ta/TA11-2-4-Updated-Financial-Reporting-and-Drawdown-Policy.pdf).

C. General Requirements

All statements and accompanying documentation will become the property of NYS and will not be returned. The content of each statement will be held in strict confidence during the evaluation process, and no details of the application will be discussed outside of the evaluation process. The successful statement and portions of the RFQ deemed applicable by NYSDOL will be made part of the agreement; therefore, an official authorized to commit the LWDB to an agreement with NYSDOL must sign the statement documents.

D. Buy American Requirements

LWDBs should be aware of the requirements of the Workforce Innovation and Opportunity Act (WIOA), Section 502 which provides that none of the funds made available under Title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. sections 8301 through 8303). It is the sense of Congress that entities receiving assistance should, in expending the assistance, purchase only American-made equipment and products. See WIOA, Section 502 – Buy American Requirements set forth as Attachment 6 to this RFA.

E. Federal Executive Orders

The WIOA funds supporting this initiative are subject to the following Federal Executive Orders.

- Executive Order 13333 –This contract may be terminated without penalty, if the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a

commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement. (22 U.S.C. § 7104(g))

- Executive Order 13513 – Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Sub-recipients. Contractors, subcontractors, and recipients and sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving a vehicle when performing official Government business or work on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.

F. Reservation Clauses

NYSDOL, in order to serve the best interests of NYS, reserves the right to:

1) Make no awards.
2) Postpone or cancel this RFQ upon notification to all LWDBs.
3) Amend the specifications after their release with appropriate notice to all LWDBs.
4) Request LWDBs to present supplemental information clarifying their statement, either in writing or in formal presentation.
5) Waive or modify minor irregularities in statements received after prior notification to the LWDB.
6) Remove statements with unreasonable costs from award consideration.
7) Correct any arithmetic errors in any statement or budget.
8) Reject any and all statements received in response to this RFQ.
9) Contact LWDB references to local partners as a check on qualifications.
10) Award contracts to more than one LWDB.
11) Negotiate with selected LWDB prior to NOA award.
12) Make any payment contingent upon the submission of specific deliverables.
13) Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing.

VII. Attachments

Attachment Number	Document Title	Required to be reviewed/completed and submitted by due date?
1.	Statement of Qualifications	Yes, with original signatures
2.	Cost Projection Template	Yes
3.	List of Business(es)	Yes
4.	Federal and State Certifications	Yes, with original signatures
5.	Workforce Investment Act Regulations Section 671	No
6.	Workforce Innovation and Opportunities Act References	No
7.	Determining Dislocated Workers and Special Populations	No
8.	TEGL 13-15 – 2014 Average Hourly Wages	No

Note: This workforce product was funded by a grant awarded by the USDOL/ETA. The product was created by NYSDOL and does not necessarily reflect the official position of the USDOL. USDOL/ETA makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership.