

REQUEST FOR PROPOSALS

Vocational Training in Coding (VTC)

Bid Number **VTC-2**

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By:

New York State Department of Labor
Division of Employment and Workforce Solutions
Harriman Office Campus
Building 12, room 440
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I. Funding Opportunity Description

A. Purpose

The purpose of this Vocational Training in Coding (VTC) Request for Proposals (RFP) is to improve the employment outcome of incarcerated individuals through vocational training and post-release employment services. The New York State Department of Labor (NYSDOL), in partnership with the New York State Department of Corrections and Community Supervision (NYSDOCCS), will competitively procure the services of an eligible organization that can provide computer coding instructional programs including curricula, instructional materials and related resources to inmates at Greene Correctional Facility in New York State (NYS), as well as post-release placement assistance.

B. Background

Each year approximately 650,000 individuals are released from State and Federal prisons and return to their communities and families. Without assistance to make a successful transition, many return to criminal activity. According to the U.S. Department of Justice, almost three out of five returning individuals will be charged with new crimes within three years of their release from prison and two out of five will be re-incarcerated. The numbers in NYS are similar. A 2010 study commissioned by NYSDOCCS tracked 24,605 formerly incarcerated individuals on parole for the first three years following their release from prison. The NYSDOCCS study found that between 2011 and 2013, 41% of these parolees were taken back into custody. Of those, 32% were returned to custody for violating the terms of parole and nine percent (9%) for committing a new felony.

Experience has shown that reentry transitioning must begin during incarceration and continue post-release with the end result of gainful employment. Implementing pre-release education and training programs that teach marketable skills will lead to employment opportunities that reduce recidivism.

In his 2016 State of the State address, Governor Cuomo emphasized his commitment to helping qualified incarcerated individuals earn degrees, complete successful reentry and contribute positively to their communities. Preparing these individuals to obtain gainful employment is vital to this success. The goal of this VTC RFP is to provide coding skills training to incarcerated individuals, increasing their employability in a high demand occupation upon release. New York State is projected to have very favorable employment opportunities for web developers through 2022. This RFP seeks coding training that will teach incarcerated individuals the basics of what it means to be a professional web developer, web designer or software developer and understand how HTML, CSS, and JavaScript work together to create the modern web.

II. Award Information

A. Funding

Under this VTC RFP, up to \$170,000 in Workforce Innovation and Opportunity Act (WIOA) funding is available to procure an on-site computer coding training program from an accredited training provider to individuals who are incarcerated in the Greene Correctional Facility (Facility), a medium security prison located at 165 Plank Road, Coxsackie, NY. It is the intention of NYSDOL to award only one applicant under this RFP. The awarded applicant must provide computer coding trainers and curriculum for facility-selected incarcerated adults to be delivered over a 6 to 12 month period and

should be completed up to two months before release from the Facility. The selected program will also assist program completers that are released from the Facility and return to the New York City area prior to contract end by connecting them with businesses in the workforce operating in the New York City area to increase employment opportunities.

B. Use of Funds

The VTC funds are intended to fund an on-site coding skills training for facility-selected incarcerated individuals at the medium-security Facility. The coding skills training must consist of one or more computer coding courses with a minimum of 500 hours total training time per training participant. Each class session may consist of up to 15 training participants. Training duration cannot exceed one year. Trainings will occur inside the Facility and no Internet connectivity will be available. Total contract period is 24 months and computer coding courses may be offered consecutively or concurrently during this time.

The on-site occupational training must be provided while maintaining strict computer and visitor protocols that comply with the Facility requirements while using the Secure Offender Network (SON). The training must use the SON infrastructure and software platform while strictly prohibiting Internet access to incarcerated individuals. The training will provide a comprehensive computer coding curriculum resulting in participants receiving a transcript of all courses completed.

Funds may be used for instruction and related materials. The awarded applicant is expected to begin on-site instruction no later than three months from receipt of the award letter.

For a list of restricted uses of funds, please see Section V.C.

C. Contracts

The terms of the contract will be defined in the Contract Agreement which is expected to begin January 2, 2017, and will reflect an amount not to exceed \$170,000 over the total contract term of two (2) years.

The contract will be paid on a reimbursable payment basis. Not-for-profits are eligible for up to a 25% advance, as negotiated during contract development. The awarded grantee must first pay for incurred expenses and then submit vouchers to NYSDOL for reimbursement. The awardee will be required to provide progress reports at intervals specified by NYSDOL. In addition, the United States Department of Labor (USDOL) may conduct an independent evaluation of the outcomes and benefits of VTC. By accepting an award under this RFP, the applicant agrees to participate in any such evaluation.

D. Contracting Process

In keeping with the Governor's promise to reform the State's grant contracting process, New York State has established a standardized statewide grant contracting system called the Grants Gateway, which is designed to facilitate prompt contracting.

All applicants are required to register in this system in order to enter into a contract with New York State. All entities must log-in to the Grants Gateway website at <https://grantsgateway.ny.gov> and follow the instructions to complete the registration. **The registration form must be signed, notarized**

and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.

Not-for-profit organizations must take the additional step of prequalifying by completing a basic profile and storing organizational documents. **Both registration and prequalification must be completed by not-for-profit organizations before the application is submitted. Failure to do so will mean that their proposals will not be reviewed.** Not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the not-for-profit organization will be able to apply for grants, and all information will be stored in a virtual, secured vault. Not-for-profit organizations will only have to prequalify once every three years, with responsibility to keep their information current throughout the three year period.

For additional information on registration and prequalification, please log on to the Grants Gateway web-site at <https://grantsgateway.ny.gov> and/or the Grants Reform Website at www.grantsreform.ny.gov.

E. Agency Responsibilities

1. NYSDOL

NYSDOL will oversee implementation of the contract awarded through this RFP, including regular monitoring of implementation and performance of the contract.

Funding for the activities outlined in this RFP will come from WIOA funds and is subject to State and/or Federal legislative appropriation. Designated NYSDOL staff will ensure accurate and timely reporting of program outcomes as well as any Federal evaluation documentation as required by USDOL.

2. NYSDOCCS

NYSDOCCS will ensure supervision and discipline of all training participants and oversee implementation and maintenance of all classroom and computer system specifications, as well as technological materials required, such as:

- computers and equipment for the student and instructor workstations;
- projector, projection screen, microphone, transmitter and receiver; and
- configuration and installation of computers, software and any other necessary equipment.

NYSDOCCS will coordinate applicant access to the Facility including the establishment and maintenance of any and all security protocols.

NYSDOCCS will coordinate with the successful applicant to select training participants based on eligibility criteria established in Section III.B of this RFP.

F. Contractor Requirements

The successful applicant (hereinafter “Contractor”) will provide coding training using the SON equipment already on site at the Facility. Additional hardware or software use or installation must be approved by and coordinated with NYSDOCCS. It is the responsibility of the Contractor to ensure that their training materials are compatible with equipment provided by the Facility. The Facility’s instructional and network equipment includes but is not limited to:

- MS Windows Server / Active Directory Domain;
- VMWARE ESX 5.5 an enterprise-class, type-1 hypervisor developed by VMware for deploying and serving virtual computers. As a type-1 hypervisor, ESXi is not a software application that one installs in an operating system (OS); instead, it includes and integrates vital OS components, such as a kernel;
- CITRIX 6.5-50 Virtual XenApp Servers- Windows 2008 R2-SQL Server 2012 R2- Citrix Provisioning Services- 7.1; and
- Crossmatch / DigitalPersona - Altus Biometric Authentication software.

The SON Hardware platforms are:

- Cisco UCS B200 Blades – Intel Server Platform with 96 gb Memory- 146 gb Local Storage-2 Intel XEON CPUs with 6 Cores in each;
- EMC VNX storage a disk array storage product;
- HP Windows Embedded 7 Thin Clients (T520); and
- HP Networked Printers.

All NYSDOCCS servers are located in a single data center on the Harriman Office Campus, Albany, NY. Additional components or servers can be used to support virtual servers but must be located outside of the Facility.

Security Specifications:

- Internet access is not allowed;
- No training-participant-to-training-participant document sharing is allowed;
- Each individual must access the network via a username and biometric access key to ensure passwords are not shared;
- All installations must be tested and verified by NYSDOCCS to ensure a secured environment without the ability to share documents or data between training participants;
- Access to applications and utilities must be limited to the subset required for a particular use; and
- All applications must be reviewed and approved by the NYSDOCCS Information Security Officer (ISO).

Support & Maintenance:

- NYS Information Technology Services (ITS) support staff must be involved and trained on any installations; and

- Plans must include a schedule for equipment refresh and maintenance as needed.

Tele Video:

- Video Equipment must meet NYSDOCCS's specifications;
- NYSDOCCS uses CISCO MX300 units to allow connection to external video sessions;
- Equipment must be instructor run only;
- Dial out is only to a specific location as approved by NYSDOCCS; and
- All equipment and software to be used by the grant awardee must meet NYSDOCCS/ITS specifications.

All proposals must include a list of staff that will oversee or perform the contracted duties inside the Facility. Upon notification of a contract award, the Contractor will provide NYSDOCCS's designated contact person, Karla Barker, Assistant Director Ministerial, Volunteer and Family Services, with the name(s) of all staff who will need to complete the Volunteer Services process in compliance with Departmental Directive #4750, included in Attachment #11 of this RFP. Any subsequent new hires by the Contractor will be subject to the same requirements.

NYSDOCCS reserves the right to complete background checks on all staff listed by the Contractor and to reject the services of any individual considered unacceptable for security reasons or other just causes. Such rejections will be solely in relationship to the correctional institution setting, not as a judgment of professional skills. Rejection of an individual is not subject to review nor will the reason(s) for the rejection be revealed neither to the individual nor to the Contractor, except as provided by statute.

The Contractor must maintain and make available at all times to NYSDOCCS's contact person, a current listing of staff which includes titles / functions, qualifications, salaries and assignments. All changes in staffing must be reported within seven (7) working days. NYSDOCCS's approval is required in advance if the Contractor requests to use an outside consultant.

Any individual hired by the Contractor to work in the Coding program agrees, by virtue of accepting his/her assignment, to abide by the rules and regulations of NYSDOCCS. Specifically, each individual is to be made aware of and agree to the following Departmental directives, as currently written or as revised, and included as Attachments 11 - 19 of this RFP. (Note: Directive #4900, Security in the Gate Area, is not included in this RFP; it will be reviewed with the approved Contractor). These directives include:

- #4750 Volunteer Services Program (includes forms #4750 A-D, MFV3080A, and MFVS3080);
- #2810 Information Security Policy;
- #2216 Fingerprinting of New Employees;
- #4572 Media Review;
- #4936 Search of Department Employees;
- #0403 Research Studies and Surveys;
- #4027A Sexual Abuse Prevention and Interventions Inmate on Inmate;
- #4028A Sexual Abuse Prevention and Interventions Staff on Inmate; and

- #4930 Tool Control.

The Contractor and / or assigned staff shall neither conduct nor publish any research findings developed as a result of conducting this program, without obtaining prior written permission from NYSDOCCS and NYSDOL. Approval, if granted, will be in writing and will define the terms and conditions of the research.

The Contractor will comply with all State and Federal laws and regulations regarding inmate and release confidentiality.

By submission of a bid or proposal in response to this solicitation, applicants agree with all of the terms and conditions set forth in the attachments to this RFP.

Applicants must comply with the Standard Terms and Conditions (Attachment 9), which will be incorporated into the Master Contract of the successful applicant.

III. Eligibility Information

A. Applicant Eligibility

Eligible applicants for the VTC RFP include private for-profit and not-for-profit as well as public not-for-profit training providers. Applications will be accepted from out-of-state training providers, however, additional points will be given to training providers that are headquartered in New York State or have an office in New York State. Eligible applicants must:

- Be a private for-profit, private not-for-profit, or public not-for-profit training provider with the capabilities to deliver one or more computer coding training courses, as defined in Section II.B.;
- Have two or more employees or the equivalent of two full-time employees. Principals of corporations, owners of businesses such as sole proprietors, or partners are not considered to be employees for this eligibility requirement. If the applicant has no employees or if the workers are independent contractors, subcontractors or contract employees, they are not eligible. However, if an applicant leases its employees for payroll and tax reporting purposes, and has authority over the hiring, firing and scheduling of workers, they would be eligible for funding consideration;
- Be in good standing regarding: Unemployment Insurance, Worker Adjustment and Retraining Notification Act (WARN), Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- Have partnerships with coding industry-specific businesses in the New York City area (e.g., web developers, web designers, and software engineer) that will consider successful trainees for employment; and
- Comply with New York State labor law and Federal law for the protection of workers.

Consultants, trade organizations and other third-party entities are ineligible to apply on behalf of other organizations.

Eligible applicants must attest to the minimum threshold requirements as outlined in the Evaluation Criteria of this RFP ([Section VI.B.](#)).

B. Participant Eligibility

Eligible participants for VTC training are individuals, as determined by NYSDOCCS, who are incarcerated in the Facility during the contract period and have been assessed to have the basic skills required for VTC training. This includes:

- High school diploma or equivalency;
- Basic typing skills;
- Excellent disciplinary record;
- Motivation and desire to learn coding;
- A release date within 36 months of the training;
- Individuals intend to return to the New York City metropolitan area after release; and
- Individuals will not have internet/computer use restrictions after release.

NYSDOCCS will ensure accommodations for individuals with disabilities as required by the Americans with Disabilities Act (ADA).

C. Partnering with Career Centers

Program completers that are released from the Facility during the contract period may need assistance connecting with businesses and the workforce system. The training provider will work with Business Service staff to facilitate job referrals. To maximize the benefits of the VTC, the awarded training provider will coordinate post-release services with the local workforce system using the proven collaboration strategies in the Work for Success program. For more information about the Work For Success Program see NYSDOL's website at <https://labor.ny.gov/careerservices/work-for-success/overview.shtm>. The program introduces formerly incarcerated individuals to a network of Career Centers and non-profit partners providing reemployment services. Career Center location, services, and contact information can be located on NYSDOL's web site at <http://labor.ny.gov/career-center-locator/>.

IV. Process for Proposal Submission

A. Questions Concerning this RFP

Applicants may submit questions via electronic mail to WDTD.Onestop@labor.ny.gov. Questions regarding the RFP will be accepted until 4:00 PM Eastern Standard Time on October 24, 2016. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "Vocational Training and Coding Program". Answers to all questions received by this date will be posted on the NYSDOL website at <http://labor.ny.gov/businessservices/funding.shtm> no later than October 28, 2016.

B. Application Due Date

Proposals and all required attachments must be received no later than 4:00 PM Eastern Standard Time on November 7, 2016. Any proposals or unsolicited amendments to proposals received after the due date and time will not be considered in the review process. No "faxed" or "e-mailed" documents will be accepted. NYSDOL takes no responsibility for any third-party error in the delivery of proposals (e.g. U.S. Post Office, Federal Express, UPS, courier, etc.).

C. Proposal Forwarding Instructions and Format

Submit two sets of the entire proposals and required attachments, at least one of which with original signatures, to:

Christopher Myers, Manager, Program Development Office
New York State Department of Labor
Division of Employment and Workforce Solutions
W. Averell Harriman State Office Building Campus
Building 12 – Room 440
Albany, New York 12240

Technical Proposals (Attachment 1) should not exceed 15 double-spaced, single-sided 8.5 x 11 inch pages. Required attachments (see list below and Section VI of this RFP), supporting documents, minimum requirements, and the cost proposal/budget (Attachment 2) are not included in this limit. All text should use a 12-point font and 1-inch margins. All pages should be numbered and begin with page number 1.

The proposal should be transmitted in a sealed envelope with the title of the RFP, and the applicant's name and address clearly displayed on the exterior of the package.

Required proposal attachments are listed below:

- Vendor Responsibility – Applicant Questionnaire (Attachment 3).
- Federal and State Certifications (Attachment 4).
- Notice to Individuals Submitting Applications (Attachment 5).
- Equal Employment Opportunity Staffing Plan (Attachment 6).
- Minority and Women Owned Business Enterprises (MWBE) Utilization Plan (Attachment 7). The MWBE Utilization Plan should list the MWBEs that the Contractor intends to use to fulfill the contract should the Contractor's proposal be awarded. If the applicant organization will not use subcontractors or suppliers to fulfill services, or will be unable to meet the MWBE Goals, it must notify NYSDOL. To do this, it must still submit the completed and signed MWBE Utilization plan with the organization's information (name, address, FEIN, etc).
- Application for Waiver of MWBE Participation Goal (Attachment 8). If the applicant will not use subcontractors or suppliers to fulfill services, or will be unable to meet the MWBE Goals, then it must submit the Application for Waiver of MWBE Participation Goal.

D. RFP Timetable

- RFP Release Date – September 30, 2016
- Deadline Date for Questions –4:00 PM Eastern Standard Time on October 24, 2016
- Proposal Due Date – 4:00 PM Eastern Standard Time on November 7, 2016
- Estimated Date of Notification of Award – November 28, 2016
- Contract Development Estimated to Begin – January 2, 2017
- Estimated Project Start Date – January 16, 2017

V. Application Requirements

The priority design element of a proposed VTC training is the strict requirement that inmates cannot be permitted access to the Internet. Proposed curriculum must be designed to operate within the SON learning platform, while strictly prohibiting access outside that environment. The applicant must attach a copy of the curriculum content of their training including lessons, videos, interactive tutorials, documentation, student progress testing, and any pre / post tests used to measure outcomes, and supplemental materials.

It should also be noted that any material brought into the Facility must be pre-approved and placed on what is referred to by NYSDOCCS as a “gate clearance”. No item, including print materials, are allowed into the Facility without prior approval from the Deputy Superintendent for Program Services at the Facility.

Additionally the applicant will describe:

- Capabilities to deliver a computer coding class inside a New York State prison facility with no connectivity to an outside server;
- Curriculum timeline leading to completion of the program within 6 months to one year;
- Blend of on-site instruction with offsite video conferencing and outside communication, but the instructor will not have Internet access inside the education room;
- Computer programming instruction to include but not limited to HTML, CSS, and JavaScript;
- Established connections to businesses with positive outcome of job placement; and
- The results of any current or past efforts of related programs should be provided.

In order for a proposal to be considered, applicants must meet the eligibility criteria outlined in Section III.A of this RFP and include all the required documents and information requested in the forthcoming sections.

The proposals will consist of three parts – a technical section, a budget section, and attachments to the technical and budget sections. Each section will be evaluated independently. All proposed expenditures must be reasonable, necessary and clearly related to the purposes and activities of the project as described in the technical proposal. Proposals must also be organized in the sequence described below. To ensure that all proposals are evaluated on the same basis, all of the following pieces must be included.

A. Technical Proposal

1. Minimum Requirements

Failure to attest to and document minimum requirements will result in an automatic rejection of the proposal. The applicant is required to attest to each of the following:

- Applicant is a private or public not-for-profit training provider with the capabilities to deliver one or more computer coding classes as described in [Section II.B.](#);
- Applicant has two or more employees or the equivalent of two full-time employees. Principals of corporations, owners of businesses such as sole proprietors, or partners are not considered to be employees for this eligibility requirement. If the applicant has no employees or if the workers are

independent contractors, subcontractors or contract employees, they are not eligible. However, if an applicant leases its employees for payroll and tax reporting purposes, and has authority over the hiring, firing and scheduling of workers, they would be eligible for funding consideration;

- Applicant is in good standing regarding: Unemployment Insurance, Worker Adjustment and Retraining Notification Act (WARN), Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- Applicant has partnerships with coding industry-specific businesses in the New York City area (e.g., web developers, web designers, and software engineer) that will consider successful trainees for employment; and
- Applicant will comply with New York State labor law and Federal law for the protection of workers.

2. Service Summary

Describe how you will use funds available under this grant to increase the future employment opportunities of incarcerated individuals. While the occupations for the coding training as proposed in this VTC RFP are web developers, web designers, and software engineers, please indicate any additional occupations or hiring industries potentially reached through the proposal. Note the proposed service must directly impact the identified workforce need. When documenting prior related training experience include employment rates for completers and identify the businesses that hired them. Describe any partnerships or placement arrangements with businesses that hire in the occupations being trained for. Describe how you will connect participants with jobs in priority industries, particularly businesses open to hiring formerly incarcerated individuals. Describe how Career Centers and other workforce development agencies at post release may be used to create employment opportunities.

3. Description of Activities

Describe the training to be provided. Curriculum content to include but not limited to: introduction to coding, HTML, CSS, algorithms, JavaScript, Alpha build, query design, writing codes, web tools, and final project presentation. Indicate the expected amount of time that participants will be actively served in your program. Be sure to include a staffing plan that indicates how many direct-service staff will be hired with these grant funds to assist released inmates to find employment and to justify the need for the staffing level. Resumes, biographical sketches and organizational charts should be included and will not count toward the overall proposal page limit.

4. Experience/Past Performance

This section seeks to determine whether the applicant organization is qualified to provide the range of program services and is capable of meeting contract goals. Applicant organizations may demonstrate their capabilities by providing the following information:

- Any prior experience with setting up a computer coding curriculum and services inside a State prison;
- Past effectiveness in working with and servicing incarcerated inmates with on-site training while restricted from Internet access;
- Past effectiveness providing employment and placement services to program completers; and
- Evidence of current/past award amounts, performance goals and performance outcomes.

5. Work Plan/Outcome Timetable

A VTC work plan must indicate an understanding of stakeholders and how they are to be engaged. The project's activities must be outlined and the job duties of any additional staff must be specified. The work plan must include milestones for short- and long-term service outcomes to which budgeted payments will be based. A VTC work plan must include activities to collect individual participant and graduate feedback.

Sample outcomes for a VTC work plan include:

- Number of computer coding modules/classes taught;
- Percent of participants who complete modules/classes;
- Participant attendance rates; and/or
- Average of participants' grades and/or competency of participant learning objectives of material taught.

B. Budget Proposal

Requested funding must be directly related to the delivery and accountability of a VTC training program. All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the services as described in the Technical Proposal (Attachment 1).

1. Contract Cost Information/Budget Work Sheet

Please use the following as a guide to complete the Cost Proposal (Attachment 2). Planned costs must be directly related to the delivery of the training services and activities that will take place during the contract term.

a) Salaries

List the annual salaries of the staff that will ensure the provision of the full employment and training program. Include the corresponding percentages of their time spent on this program. Describe briefly in the Budget Narrative the roles of the staff titles listed. Provide an explanation of any anticipated changes or exceptions in staffing patterns and/or annual salary costs during the contract period.

b) Fringe Benefits:

Briefly explain the calculation of fringe benefits. Fringe benefits include social security, workers' compensation, unemployment insurance, disability insurance and any insurance programs the applicant organization provides. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.

c) Contracted Services:

This category includes institutions, individuals, or organizations external to the contractor which have entered into an agreement with the contractor to provide any services, such as instruction, cloud based services, or software, outlined in or associated with the contract, and whose services are to be funded under the contract. All such agreements are to be by bona fide written contract and a copy of each must be attached. If details are not known, include a brief narrative of each contracted service to be provided, indicating the organization/individual selected, anticipated outcomes and projected budget.

d) Other Operating Expenses:

List other items not included under any other category, such as supplies, postage, printing/photocopying, advertising, and telephones. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the Budget Narrative.

e) Indirect Costs:

Indirect costs are costs that are not directly accountable to a particular program, function or activity, but are necessary for the general operation of the organization. Indirect costs under this RFP may be reimbursed at either a federally approved indirect cost rate if the applicant has one, or if no approved rate exists, at a rate of up to 10% of the total cost of the program.

2. Budget Narrative:

The budget narrative must provide a concise narrative explanation of costs associated with each line item indicated in Section V.B.1 (1-5) of this RFP.

C. Restrictions on the Use of Funds

The Vocational Training in Coding initiative will only pay for the costs listed above. It will not pay for any of the following items:

- The acquisition, construction, or renovation of buildings or other real estate;
- Equipment;
- Advertising;
- Entertainment;
- Curriculum development;
- Travel;
- Interest costs incurred by provider agencies;
- Costs of organized fund raising;
- Sales training;
- Conferences and seminars;
- Registration fees;
- Payment of fees associated with attendance at seminars, conferences, or meetings of professional organizations; and
- Any other costs deemed inappropriate by NYSDOL, including training that does not result in a transferable skill and any costs that do not meet the intent of the RFP.

VI. Proposal Review and Selection

A. Evaluation of Proposals

A complete proposal (including the budget) must be submitted so that NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the proposal will jeopardize the applicant's

potential for funding. NYSDOL will first make an initial eligibility determination on each proposal received. Proposals must first meet all minimum eligibility requirements. Upon receipt of all required proposal documents, NYSDOL staff, with assistance from NYSDOCCS, will score the proposal

Proposals deemed eligible will be scored based on further review and evaluation. Proposal scores will consist of 80% on technical merit and 20% on cost. NYSDOL will establish both a Technical Review Committee and a Budget Review Committee. The committees operate independently with the technical merit and cost of each proposal evaluated and scored separately. Scoring of technical merit will award points based on a “criteria met” or “criteria not met” scale. Scoring for cost will reflect the best value for the services provided. Only proposals with a combined score of 70 or above will be considered for award. NYSDOL reserves the right to make no awards.

B. Evaluation Criteria

The Evaluation Criteria has three parts: the Minimum Requirements; the Program Design; and the Program Cost. Each is described below:

1. Minimum Requirements

No points will be awarded for this section of the proposal. Failure to meet minimum requirements will result in an automatic rejection of the proposal and scoring will not proceed.

Minimum requirements require the applicant to attest to each of the following:

- a) Applicant is a private or public not-for-profit training provider with the capabilities to deliver one or more computer coding training courses, as defined in section II.B.;
- b) Applicant has two or more employees or the equivalent of two full-time employees. Principals of corporations, owners of businesses such as sole proprietors, or partners are not considered to be employees for this eligibility requirement. If the applicant has no employees or if the workers are independent contractors, subcontractors or contract employees, they are not eligible. However, if an applicant leases its employees for payroll and tax reporting purposes, and has authority over the hiring, firing and scheduling of workers, they would be eligible for funding consideration;
- c) Applicant is in good standing regarding: Unemployment Insurance, Worker Adjustment and Retraining Notification Act (WARN), Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- d) Applicant has partnerships with coding industry-specific businesses in the New York City area (e.g., web developers, web designers, and software engineer) that will consider successful trainees for employment; and
- e) Applicant will comply with New York State labor law and Federal law for the protection of workers.

2. Program Design (80 points)

The proposal must fully describe, identify and document:

- a) Service Summary (30 points)
 - i. The proposed training program connects to the workforce need as stated in section I.B. (7 points);

- ii. The proposed training strategy details a complete program including documentation of past success developing and providing a computer coding program (8 points);
 - iii. Applicant provides documentation of partnerships with coding industry specific businesses that will consider successful trainees for employment (4 points);
 - iv. Applicant provides documentation that they are headquartered in NYS or have an office in NYS (2 points); and
 - v. A detailed plan for providing released program completers with job placement and workforce system referral assistance (9 points).
- b) Design of Activities (20 points)
- i. The types of training to be offered, a full description of each type of training, and the number of participants for each type (7 points);
 - ii. Participant service duration is specific and aligns with the target populations as stated in the background section (Section I.B.) (6 points); and
 - iii. Staffing is specific and directly related to the service(s) and activities as specified. Additional documentation supports the organization's ability to provide the service(s) and activities as indicated (7 points).
- c) Past Performance (10 points)
- i. Prior experience demonstrates comprehensive and diverse services similar to services sought by this VTC RFP (4 points);
 - ii. Documentation supports the applicant's past effectiveness in providing training while restricted from Internet access (3 points); and
 - iii. Documentation supports the applicant's fiscal abilities and experience, current/past award amounts, and meeting performance goals (3 points).
- d) Work plan/Timetable (20 points)
- i. VTC work plan includes attainable milestones to which performance based reimbursements can be made. (20 points)
3. Program Cost (20 points)

NYS DOL will evaluate proposals via a formula comparison of the cost of each proposal to the lowest cost proposal. For scoring purposes, costs will be evaluated in terms of the cost per hour of instruction proposed, based on the total budgeted costs of the project divided by the planned number of classroom training hours indicated in the budget. When estimating planned number of classroom training hours, consider how many separate sessions of the training will be provided and the number of hours of instruction that will occur in each session. Please note that training sessions must be at least 500 hours per participant so if there will be two sessions with approximately 600 hours of instruction the total hours will be 2 sessions X 600 hours each session= 1,200 classroom training hours). The cost proposal will represent 20% of the total combined technical and cost score.

NYS DOL reserves the right to request additional information from applicants during the cost scoring process if the budget information is unclear.

The calculated cost per hour of instruction proposed from the proposal cannot be exceeded in the contract developed from the award.

During the program cost review process, potentially unallowable costs will not be removed from the proposal. However, during the award process and contract negotiation, if it is determined that unallowable costs were included in the proposal, those costs will not be included in the contract.

C. Method of Selection

NYSDOL will select the winning applicant that receives the highest combined score, thereby providing the best value, taking into consideration the most beneficial combination of factors including qualifications and cost. Costs that are not permitted under the requirements of this RFP will be disallowed.

It is important to note that:

- The eligibility of applicants will be reviewed by NYSDOL and ineligible applicants will be disqualified prior to NYSDOL completing an application review ;
- Incomplete proposals will be disqualified;
- All applicants that are determined not to be responsive or responsible will be disqualified following NYSDOL's completion of the application review;
- Proposals that fail to meet requirements may be disqualified following NYSDOL's completion of a full application review; and
- NYSDOL reviews will result in a final score and in the event more than one applicant obtains the same final score, the Deputy Commissioner for Workforce Development at NYSDOL will decide the applicant to be awarded.

VII. Award Administration and Information

A. Award Notices

All applicants will receive a letter informing them of the decision on their proposal and the successful applicant will be contacted by NYSDOL contract development staff.

The awarded applicant must be prepared to enter into contract negotiations immediately and begin training activities upon execution of the contract. NYSDOL reserves the right to rescind the award if the awardee is unable or unwilling to promptly engage in the contracting process or to begin conducting their service activities immediately following contract execution.

B. Payment

Once a contract has been developed and formally executed, funds will be released on a cost reimbursement basis. A grantee must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved certain records must be kept and specific documents submitted. The contractor must provide documentation that the service was provided. This will include attendance records for each training session to document attendance.

Expenditure reimbursement is based on the trainer's ability to provide the training as specified in the work plan and as negotiated in contract development. If the trainer provides training, or attempts to provide training but is unable to train the number of participants budgeted in the contract as the

result of a NYSDOCCS determination that the Facility is inaccessible for training, the provider will be reimbursed for any training hours that did take place.

Please be advised that service may not begin until after an award is made. This includes the completion of application reviews, due diligence being confirmed, awardee determined and award letter being issued. The earliest start date for any contract resulting from this RFP is the date of the award letter. Any service, including any start-up costs, that begins and/or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

Electronic Payments – Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner’s sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller’s procedures to authorize electronic payments. Authorization forms are available at the State Comptrollers website at www.osc.state.ny.us/epay/index.htm, by email at helpdesk@sfs.ny.gov, or by telephone at 855-233-8363. The Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller’s electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

C. General Requirements

All proposals and accompanying documentation will become the property of the State of New York and will not be returned. The content of each applicant's proposal will be held in strict confidence during the evaluation process, and no details of the proposal will be discussed outside of the evaluation process. The successful applicant's proposal and portions of the RFP deemed applicable by the NYSDOL will be made part of the contract. Therefore, an official authorized to commit the company to a contract must sign the proposal.

D. Buy American Requirements

Applicants should be aware of the requirements of 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 10 to this RFP.

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;
- Executive Order 12928 - Pursuant to Executive Order 12928, the recipient is strongly encouraged to provide subcontracting/subgranting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Businesses Owned and Controlled by Socially and Economically Disadvantaged Individuals;
- Executive Order 13043 - Pursuant to Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles; and
- Executive Order 13166 - As clarified by Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, dated August 11, 2000, and resulting agency guidance, national origin discrimination includes discrimination on the basis of limited English proficiency (LEP). To ensure compliance with Title VI, recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with USDOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency [05/29/2003] Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary. Recipients are encouraged to consider the need for language services for LEP persons served or encountered both in developing budgets and in conducting programs and activities.

F. Reservation Clauses

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

1. Make no award.
2. Remove applications with unreasonable costs from award consideration.
3. Rescind the award of any grantee that is unable or unwilling to promptly engage in the contracting process or to begin conducting their training activities immediately following contract execution. No applicants will have any rights against NYSDOL arising from such action.
4. Postpone or cancel this RFP upon notification to all applicants.
5. Amend the specifications after their release with appropriate notice to all applicants.
6. Request applicants to present supplemental information clarifying their proposal, either in writing or in formal presentation. Applicants that fail to respond to these requests during the time allotted may be eliminated from funding consideration.
7. Waive or modify minor irregularities in proposals received after prior notification to the applicant.
8. To correct any arithmetic errors in any proposal.
9. Reject any and all proposals received in response to this RFP.

10. Contact applicants' references as a check on qualifications.
11. Award the contract to other than the lowest cost applicant.
12. Negotiate with selected applicant prior to contract award.
13. Negotiate with the next highest rated applicant if negotiating a contract with the selected applicant cannot be accomplished within an acceptable time frame (no applicant will have any rights against NYSDOL arising from such negotiations).
14. Make any payment contingent upon the submission of specific deliverables.
15. Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing.

VIII. Attachments

Attachment Number	Document Title	Required to be completed and submitted by mail?
1	Technical Proposal	Yes, with original signatures
2	Cost Proposal (Budget)	Yes
3	Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
4	Federal and State Certifications	Yes, with original signatures
5	Notice to Individuals Submitting Applications	Yes, with original signatures
6	Equal Employment Opportunity Staffing Plan	Yes, with original signatures
7	Minority and Women-Owned Business Enterprises Utilization Plan	Yes, with original signatures
8	Application for Waiver of Minority and Women-Owned Business Enterprise Participation Goal	Yes, with original signatures
9	Master Contract for Grants – Standard Terms and Conditions	No
10	Workforce Innovation and Opportunity Act - Section 502	No
11	NYSDOCCS Departmental Directive #4750 – Volunteer Services Program	No
12	NYSDOCCS Departmental Directive - #2810 Information Security Policy	No
13	NYSDOCCS Departmental Directive - #2216 Fingerprinting of New Employees	No
14	NYSDOCCS Departmental Directive - #4572 Media Review	No
15	NYSDOCCS Departmental Directive - #4936 Search of Department Employees	No
16	NYSDOCCS Departmental Directive - #0403 Research Studies and Surveys	No
17	NYSDOCCS Departmental Directive - #4027A Sexual Abuse Prevention and Interventions Inmate on Inmate	No
18	NYSDOCCS Departmental Directive - #4028A Sexual Abuse Prevention and Interventions Staff on Inmate	No
19	NYSDOCCS Departmental Directive - #4930 Tool Control	No

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