

**REQUEST FOR APPLICATIONS**

**Sector Partnership-NEG Incumbent Worker Training**

Bid Number *SP-3*

Issued on *June 29, 2016*

**Amended – July 13, 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:**  
Ongoing until May 31, 2017

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Table of Contents

- I. Funding Opportunity Description .....3
  - A. Purpose.....3
  - B. Definitions .....3
  - C. Background.....3
- II. Award Information.....4
  - A. Funding.....4
  - B. Use of Funds .....5
    - 1. Allowable Costs .....5
    - 2. Restrictions on the Use of Funds .....5
    - 3. Matching Funds Requirement.....6
  - C. Award Minimums .....7
  - D. Contracts .....7
  - E. Contracting Process.....7
  - F. NYSDOL’s Responsibilities .....8
  - G. Contractor Requirements .....8
- III. Eligibility Information.....8
  - A. Applicant Eligibility .....8
  - B. Participant Eligibility .....9
  - C. Partnering with Career Centers .....9
  - D. Significant Industries and Sector Partnerships .....9
- IV. Process for Application Submission .....10
  - A. Questions Concerning This RFA.....10
  - B. Application Due Date.....10
  - C. Application Forwarding Instructions and Format.....10
  - D. RFA Timetable .....11
- V. Application Requirements .....11
  - A. Technical Section .....11
    - 1. Minimum Requirements .....11
    - 2. Program Design .....13
  - B. Budget Section.....14
    - 1. Budget Work Sheet .....14
    - 2. Budget Narrative: .....14
- VI. Application Review and Selection .....14
  - A. Evaluation of Applications .....14
  - B. Evaluation Criteria .....15
    - 1. Minimum Requirements .....15
    - 2. Technical Review (up to 80 Points as detailed below) .....15
    - 3. Budget Review (up to 20 Points as described below) .....16
  - C. Method of Selection .....16
- VII. Award Administration and Information.....16
  - A. Award Notices .....16
  - B. Payment.....17
  - C. General Requirements.....17
  - D. Buy American Requirements .....17
  - E. Federal Executive Orders.....18
  - F. Reservation Clauses.....18
- VIII. Attachments.....20

## 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) Incumbent Worker Training (IWT) Request for Applications (RFA). The purpose of this RFA is to promote partnerships between private sector businesses, Local Workforce Development Boards (LWDB), and education and training providers in priority industries as determined through the Regional Economic Development Council strategic planning process. This RFA will support and invest in businesses seeking to provide occupational skill based trainings to underemployed incumbent workers. These funds will assist participating businesses to advance their incumbent workers to more skilled positions leading to promotions, increased pay, or increased earnings through more work hours. Vacant positions, due to incumbent worker advancement, will then be back filled in accordance with a plan to engage and market to new, qualified participants in an associated dislocated worker program. The SP-NEG solicitation release is being coordinated with the release of the Regional Plan Guidance documents.

### B. Definitions

Advanced Manufacturing Industry - Includes businesses using computer, high precision, and information technologies extensively in the process of making, buying, or selling goods or providing services.

Advanced Manufacturing Industry Supply Chain – Includes businesses involved in the movement of products or services to and/or from a business in the advanced manufacturing industry.

### C. Background

Building partnerships that bring together workforce related sectors including business, education, community organizations, government and other entities are 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 the State's 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 New York State 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 the State's 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 the State. The five SP-NEG program solicitations are:

- [Incumbent worker training](#)

- [Work-based training](#)
- Sector partnership capacity building
- [Transitional job support\(i.e., subsidized time-limited work experiences for those experiencing employment barriers\)](#)
- [Enhanced Career Center system services to prepare dislocated workers for training and employment](#)

## II. Award Information

### A. Funding

NYS is making up to \$700,000 available, until June 30, 2017, through this RFA. Single award amounts will not exceed \$100,000. Applicants that receive an award under the SP-NEG IWT program and successfully complete the training as specified in the contract while fully expending the awarded funds may apply again, if funding and time remain. This solicitation will be separated into quarterly award periods. Quarterly, the funding availability will be reviewed and updated. Any uncommitted funds remaining at the end of each quarter will be rolled into the next quarterly award period. An amended RFA with the revised funding availability will be posted in the NYS Contract Reporter and also posted on NYSDOL's Funding Opportunity Page at the end of each quarter.

Awards are contingent upon the availability of SP-NEG funding. Applications will be reviewed and determinations will be made in the order that they are received.

Applicants that request more than \$100,000 will be still be reviewed and scored by NYSDOL. If the application is awardable, NYSDOL will negotiate with the applicant during contract development to reduce project funding and scope to fit within the \$100,000 cap. Applications unable to remain viable with the reduced funding will not proceed to contract execution. Therefore, it is highly recommended that applicants keep the cost and scope of applications within the \$100,000 award cap.

If the applicant reduces the number of individuals to be trained at any time prior to or after an award is issued, the requested level of funding will be proportionately reduced.

If Federal SP-NEG funding becomes limited prior to the closing date of this RFA, the program will be suspended with adequate notice in the NYS Contract Reporter and also posted on NYSDOL's Funding Opportunity page. Those applications that are received after the suspension date will not be given funding consideration. Upon review, NYSDOL may decide to continue this program with limited funds, issuing a Request for Proposals (RFP) that outlines a competitive award process.

Under a separate solicitation, NYSDOL is offering work-based training funds through another RFA. Applicants have the option to apply for either the Incumbent Worker or the Work-Based Training RFA, but not both RFAs concurrently. Upon completion of a funded Incumbent Worker Training, applicants may apply for Work-Based Training funds to fill the vacancies created by the promotion of incumbent workers trained under this RFA, if sufficient time and funding remain.

## **B. Use of Funds**

### **1. Allowable Costs**

Funds are to be used to assist businesses with the expense of providing occupational skills training for incumbent workers. Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with, or upgrade in, the skills required to perform a specific job or group of jobs needed by the business. The position(s) targeted for training must exist and be filled at the time the application is submitted.

Applicants may apply for funding to enlist the services of a training provider, pay for in-house instruction, or offer shared training opportunities to priority industry businesses. These IWT funds are reserved for the delivery of occupational skills training to incumbent workers. Training may take the form of on-site training, off-site training, or distance learning.

The costs of outside vendors or in-house trainers to provide on-site or off-site classroom-based occupational skills training and the costs of textbooks or training materials directly associated with the training is reimbursable under this RFA. Training provided by in-house staff may not be billed at a per trainee rate. NYSDOL will only reimburse for the actual hourly wage rate (salary only, no fringe benefits) of the in-house trainer. Training by in-house staff must be for a minimum of two trainees per course.

Funds may be used for distance learning fees (i.e., the fee for the training slot and software that is required to deliver the training) for occupational skills training is allowable. This grant will not pay for the cost of any hardware needed to access the instruction.

Funds may be used to pay for credentialing exam fees for trainees.

Training must take place on company time and trainees must be compensated at no less than their normal rate of pay while attending training. Trainees cannot contribute to the cost of the training.

Applications wherein the incumbent workers attend training on their own time, whether voluntarily or involuntarily, will be rejected.

Training can take place outside of NYS, but please note that the travel and salary costs would still have to be paid by the applicant business.

Other than the two trainee minimum for in-house training, there is no minimum number of trainees.

### **2. Restrictions on the Use of Funds**

The SP-NEG IWT funding 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.
- The purchase of any equipment or occupational software.
- Any administrative costs on the part of the contractor.

- Supportive services such as child care, transportation, lodging, and meals for the trainees (any supportive services provided may be funded through the local Career Center).
- Transportation, lodging, and meal costs for trainers.
- Advertising.
- Entertainment.
- Interest costs incurred by provider agencies.
- Costs of organized fund raising.
- Sales training.
- Human resources training.
- Conferences and seminars.
- Stand-alone remedial training.
- Basic safety training, sexual harassment training, diversity training, orientation training (the provision of these types of training are each business's responsibility and a normal cost of doing business).
- Start-up costs, curriculum development, and assessment costs on the part of the contractor.
- Registration fees.
- Payment of fees associated with attendance at seminars, conferences, or meetings of professional organizations.
- Training required as part of a Federal, State or local government mandate.
- Purchase of videos.
- Any other costs deemed inappropriate by NYSDOL, such as training that does not result in a transferable skill, activities that are determined to be business consulting rather than training (e.g. coaching, follow-up, reinforcement, etc.), and any costs that do not meet the intent of the RFA.

### 3. Matching Funds Requirement

Applicants must provide matching funds for IWT at a rate determined by the number of employees using the following requirements:

- 50 or fewer employees – 10% of the training cost;
- 51 to 100 employees – 25% of the training cost; and
- More than 200 employees – 50% of the training cost.

Match is defined as additional non-Federal resources expended to further project objectives, if required either by statute or within the agreement as a condition of funding. All matching funds must be spent on allowable project activities and in accordance with applicable cost principles. The applicant cannot claim a cost as both a cost to be funded from NEG funds and as a match expenditure.

There are two types of match expenditures: cash and in-kind contributions. Cash match reflects additional funds or services (allowable costs) provided and paid for by the applicant from non-Federal funds that are in support of grant objectives and outcomes. In-kind contributions are the products, space or services provided by a third party organization, and not paid for by the applicant, but which would represent allowable costs if paid for with NEG funds. Again, these contributions must support allowable grant activities and outcomes.

### C. Award Minimums

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

### D. Contracts

Contracts will be awarded for a period not to exceed the end date of the Federal grant currently set to expire on June 30, 2107. Applicants must include only those training needs that can be reasonably accomplished within the contract period. Under extenuating circumstances, limited no-cost contract extensions may be approved at NYSDOL's discretion. The length of the extension is dependent on the original contract duration; however, the length of the contract plus the extension cannot exceed a total of fifteen months. Contracts may not be extended past June 30, 2017, unless USDOL/ETA offers and grants NYSDOL an extension of the grant. In the absence of any extension, all awarded funds must be fully expended by June 30, 2017.

Funds cannot be used for administrative costs on the part of the contractor. Contracts will be paid on a reimbursable payment basis, meaning that a grantee must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Award grantees 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 an award under this RFA, the applicant agrees to participate in any such evaluation.

### E. Contracting Process

In keeping with the Governor's promise to reform the State's grant contracting process, NYS 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 NYS. For-profit entities must log-in to the Grants Gateway website at <https://grantsgateway.ny.gov> and follow the instructions to complete the registration. **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 applications 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](http://www.grantsreform.ny.gov).

## **F. NYSDOL's Responsibilities**

NYSDOL will oversee implementation of the contract(s) resulting from this RFA, including regular monitoring of implementation and performance of the contract(s).

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

## **G. Contractor Requirements**

By submission of an application in response to this solicitation, the contractor agrees with all of the terms and conditions set forth in the attachments to this RFA.

Contractors must comply with the Combined Terms and Conditions (Attachment 12), which will be incorporated into the Master Contract of successful applicants.

## **III. Eligibility Information**

### **A. Applicant Eligibility**

Eligible applicants include private sector for-profit businesses, private not-for-profit businesses, LWDBs, and training providers which:

- Have two or more employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);
- Are headquartered in NYS or has at least one site located in NYS at the time of application; and
- Are in good standing regarding: Unemployment Insurance (UI), Worker Adjustment and Retraining Notification Act (WARN), Public Works, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance.

Unincorporated LWDBs interested in applying must designate the local area's WIOA grant recipient or fiscal agent as the official grantee for any award made under this offering. LWDBs/One-Stop Operators should not deliver training directly with these WIOA funds.

Multiple operations or locations of an eligible applicant can apply separately, but only if they have different Federal Employer Identification Numbers (FEINs). NYSDOL will confirm that all such branches, locations and companies are not part of a greater whole.

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

Training providers are not limited to those currently listed on the Eligible Training Provider list but are encouraged to explore the registration process with their LWDB. (For more information on the Eligible Training Provider list please visit <https://applications.labor.ny.gov/ETPL/>).

## **B. Participant Eligibility**

Although SP-NEG programs generally serve dislocated workers directly, serving the training needs of existing employees (i.e., incumbent workers) that are underemployed can also assist dislocated workers. When incumbent workers are provided occupational skills trainings to improve their skills, businesses can promote them creating available positions that may be backfilled with a local dislocated worker. This upskill/backfill strategy has been shown to be an effective method for creating available jobs for dislocated workers.

Incumbent workers in a SP-NEG IWT funded training program are existing, permanent, year-round, employees of the applicant or (if the applicant is a training provider) of business(es) with a written commitment to have the applicant train their employees. Applicants must document the occupational skills required to perform a specific job or group of jobs needed by the committing business to advance incumbent workers on a priority industry career pathway. Please note applicants that propose to serve eligible veterans or engage veterans outreach organization(s) are given additional points in scoring.

Part time employees are eligible for training under this grant if they have a permanent, year-round attachment to the business. Accordingly, incumbent workers in participating businesses that have been working part-time due to economic reason are eligible for training services under this RFA.

Applicants must provide assurance of their commitment to fill positions vacated through the advancement of incumbent workers with new, qualified dislocated workers participating in the Dislocated Worker Program at a NYS Career Center. Additional points will be given in scoring for applicants who propose to backfill with dislocated workers who are long-term unemployed, UI recipients who have been determined to be likely to exhaust their benefits, or foreign-trained immigrant workers who qualify as dislocated workers and have faced barriers to obtaining employment in their trained field or profession.

## **C. Partnering with Career Centers**

Incumbent workers served under this RFA must be registered with NYS's Career Centers in order to ensure that they receive career services as needed. The array of services provided will be determined at the discretion of the partnering Career Center. Services such as assessment, career guidance, counseling and supportive services may also be provided and are designed to help participants throughout the training process and to ensure career advancement after training.

Applicants may speak with a Career Center Business Services Representative (BSR) for technical assistance or support during the development of the application. For more information about NYSDOL's Business Services and for a list of BSRs, download form P469 at <https://www.labor.ny.gov/businessservices/business-services-forms-and-publications.shtm>.

## **D. Significant Industries and Sector Partnerships**

Additional points will be awarded to applicants who propose to train incumbent workers for occupational skill development and advancement in significant industries identified by the REDC and through the REDC Strategic Planning process. Advanced manufacturing was identified as a significant industry by all REDCs as well as the Governor, so applicants providing training in this industry and/or the industry supply chain will be given additional points in SP-NEG IWT RFA application scoring.

Additional points will also be awarded to applicants who can provide evidence of their involvement with established sector partnerships between businesses or business organizations in the targeted regional priority industry, training entities, the workforce system, business intermediaries, and other partners.

## **IV. Process for Application Submission**

### **A. Questions Concerning This RFA**

Applicants may submit questions via electronic mail ([WDTD.Onestop@labor.ny.gov](mailto:WDTD.Onestop@labor.ny.gov)). Questions regarding this RFA will be accepted on an ongoing basis until May 17, 2017. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "SP-NEG IWT 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 May 19, 2017.

### **B. Application Due Date**

Applications and all required attachments are accepted on an ongoing basis as long as sufficient time and funding remain. Applications must be received by NYSDOL no later than 4:00 PM Eastern Standard Time (EST) May 31, 2017. Any applications or unsolicited amendments to applications 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 applications (e.g. U.S. Post Office, Federal Express, UPS, courier, etc.).

### **C. Application Forwarding Instructions and Format**

Submit two sets of the entire application and required attachments, 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 IWT RFA #SP-3**

Technical Sections (Attachment 1) must not exceed 15 single-spaced, single-sided 8.5 x 11 inch pages. Required attachments (see list below and Section VIII of this RFA), supporting documents, minimum requirements, and the Budget Worksheet (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.

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

Required application 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 the Contractor intends to use to fulfill the contract should the proposed application 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. RFA Timetable**

- RFA Release Date – June 29, 2016
- Deadline Date for Questions – Ongoing, no later than May 17, 2017
- Final Date for Responses to Questions – Ongoing, no later than May 19, 2017
- Application Due Date – Ongoing, no later than 4:00 PM EST on May 31, 2017
- Projected Notification of Awards – Ongoing as received
- Latest Possible Contract End Date – June 30, 2017 (in the absence of any USDOL/ETA extensions)

### **V. Application Requirements**

In order for an application to be considered, the applicant agency must meet the eligibility criteria outlined in RFA [Section III \(A\)](#), and include all the required documents and information requested in the forthcoming sections.

Applications will consist of three parts – a technical section, a budget section, and attachments to the technical and budget sections. To ensure that all applications are evaluated on the same basis, all of the criteria set forth in subsections A through C below must be included. 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 section. Applications must also be organized in the sequence described below.

#### **A. Technical Section**

##### **1. Minimum Requirements**

Failure to attest to and document minimum requirements will result in an automatic rejection of the application. Minimum requirements require the applicant to attest to each of the following:

- 1) The applicant is a private sector for-profit or not-for-profit business, LWDB or a workforce development training provider with two or more employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);
- 2) The applicant is headquartered in NYS or has at least one site located in NYS at the time of application;

- 3) The applicant is in good standing for Unemployment Insurance (UI), Worker Adjustment and Retraining Notification (WARN), Public Work, Labor Standards, Safety and Health, NYS Dept of State Division of Corporations, Workers Compensation, and Disability Insurance;
- 4) None of the funds to be used under this RFA will be used for the relocation of workers from facilities in other locations which would result in workers losing jobs at the original location;
- 5) The proposal was developed by the applicant and all language therein is presented at the request of the applicant (The use of a grant writer is acceptable, only if the applicant, and not the grant writer, commits to implementing the training/services listed in the application, if a grant is awarded.);
- 6) The applicant is responsible for recruiting and ensuring the participation of incumbent workers as defined in the RFA;
- 7) Tuition charges and other fees will not be charged to incumbent workers served under this training program;
- 8) It understands that all applicants must register in the Grants Gateway system (<https://grantsgateway.ny.gov>) prior to the submission of an application and that not-for-profits have the additional task of being pre-qualified prior to the submission of an application. Missing this Grants Gateway system deadline will render the application ineligible to be reviewed;
- 9) Incumbent workers will be retained by the business(es) and will continue to work in NYS upon completion of the training;
- 10) If any of the incumbent workers targeted for training in this application are laid off within one year of the end date of the resulting contract, the applicant will be liable for the reimbursement to the State of the cost of the training associated with the laid-off incumbent worker(s);
- 11) The application was developed by the applicant after it conducted an assessment of skill based training needs;
- 12) The incumbent workers targeted under this application are existing employees of the business, not independent contractors or contract employees;
- 13) Training will take place on company time and incumbent workers will be compensated at no less than their normal rate of pay while they are attending training;
- 14) It will comply with NYS labor law and Federal law for the protection of workers; and
- 15) If awarded, job openings that occur during the contract period will be listed with the NYSDOL Job Bank. To place a job order visit:  
[www.labor.ny.gov/businessservices/services/perm.shtm](http://www.labor.ny.gov/businessservices/services/perm.shtm);

## 2. Program Design

### Work Based Sector Strategy

Applications must identify the business driven workforce need, based on local data. Applicants must identify the occupational skills needed by the committing business(es) to advance incumbent workers on a priority industry career pathway.

The application must describe, identify and document the proposed training format, all associated occupational titles, and regional priority industries as described in [Section III.D.](#)

The application must describe, using local data, the proposed incumbent workers and how they are to be selected. Additional points will be given to applicants that engage veterans and veteran program partners to enhance the focus of employing veterans.

### Sector Partnership

Applicant must identify its role in established and/or developing regional sector partnerships. Since other organizations are often involved in aspects of the program, applicants must highlight cooperation or commitment from other service providers. Direct coordination and connection to the local Career Centers is essential in providing enhanced career services to targeted incumbent workers.

### Partnership

Applicant should highlight the available resources, both its own and those in the targeted community, that will be utilized to maximize the effectiveness of the program and improve employment outcomes for all parts of the workforce.

### Organizational Capacity

Applications will identify the staff that will ensure the provision of the occupational skills training. The training related job duties of all identified staff must be specified. Resumes, biographical sketches and organizational charts may also be included and do not count toward the application page limit.

Applicant's organization capabilities must be shown by providing information which demonstrates:

- the organization's ability to provide the training program as proposed; and
- evidence of the organization's fiscal abilities and experience with current/past award amounts, performance goals and performance outcomes.

### Training Work Plan

The applicant will provide a training work plan that identifies specific training modules for the identified occupational skills training(s) as well as incumbent worker outcomes based on the completion of the proposed trainings. Outcomes must be realistic and able to be reached within the duration of the contract. Sample outcomes include:

- % of incumbent workers participating in training after six months.
- % of incumbent workers attaining credential after six months.
- % of incumbent workers retained in employment for one year following completion of training.
- % of incumbent workers receiving a wage increase following completion of training.
- % of incumbent workers with wages more than self-sufficiency estimator following training completion and/or credential attainment.
- Median earnings of incumbent workers after completion of training and/or certificate earned.

## **B. Budget Section**

Requested funding must be directly related to the delivery of the training program(s). All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the project as described in the Technical Section (Attachment 1).

### **1. Budget Work Sheet**

An overall budget for expending the funds and specifics on the costs for each training course that will be offered, must be furnished in Attachment 2.

- Overall Budget: the applicant must provide, for each training being proposed, the amount of grant funds being requested, the amount of matching funds and/or in-kind contributions the applicant is making to the cost of the training, and the total amount that the training will cost.

If at any time prior to or after an award is issued the applicant reduces the number of trainees to be served, the funding will be proportionately reduced.

### **2. Budget Narrative:**

The budget narrative must provide a concise narrative explanations of costs associated with each line item indicated in [Section V.B.2A-G](#) of this RFA.

## **VI. Application Review and Selection**

### **A. Evaluation of Applications**

A complete application, including the technical section, the budget section and all attachments to the technical and budget sections, must be submitted by the submission date so that NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the application will jeopardize the applicant's potential for funding. NYSDOL will first make a minimum requirements eligibility determination on each application received. Applications deemed eligible will be scored based on further review and evaluation. Application scores will consist of 80% on technical merit and 20% on cost. Scoring of technical merit will award points based on a "criteria met" or "criteria not met" scale.

## B. Evaluation Criteria

The Evaluation Criteria has three parts: Minimum Requirements, Technical Review, and Budget Review. Each is described below.

### 1. Minimum Requirements

No points will be awarded for this section of the application. Failure to meet minimum requirements will result in an automatic rejection of the application, and scoring will not proceed. Minimum requirements as detailed in [section V.A.1.](#) of this RFA must be attested to by the applicant.

### 2. Technical Review (up to 80 Points as detailed below)

The application must fully describe, identify and document:

Work Based Sector Strategy (32 points)

1. Specific business driven workforce need(s), based on local data, to be addressed by the applicant (6 points);
2. The regional priority industries for which incumbent workers will be trained. Points in this scoring category will only be awarded for those applicants who target Advanced Manufacturing or Advanced Manufacturing industry supply chain (4 points);
3. The type(s) of training to be offered, a full description of each type of training, and the number of trainees for each type (4 points);
4. A description of the occupational skills to be acquired (4 points);
5. The titles and full descriptions of the positions to be impacted through the proposed occupational training (4 points);
6. The targeted incumbent worker population, based on local data (4 points)
7. A list of business (es) that commit to having an occupational skill related job need to which the incumbent worker(s) can be trained to perform a specific job or group of jobs to advance the incumbent workers on a priority industry career pathway. (3 point); and
8. The engagement of veteran program partners and/or the commitment to train veterans. (3 points)

Sector Partnership (18 points)

9. Evidence the applicant is a member of a sector partnership (8 points);
10. A direct connection with local Career Centers to assist with the identification of the location and availability of the target population (6 points); and
11. The cooperation or commitment from other service providers. (4 points).

Organizational Capacity (15 points)

12. Staffing is specific and directly related to the training program as proposed; (5 points)
13. The organization's ability to provide the training program as proposed (5 points); and

14. The applicant's fiscal abilities and experience indicating current or past awards received by the applicant, the award amounts, and the applicant's ability to meet the performance goals and attaining outcomes to these other awards. (5 points)

Training Work plan (15 points)

15. Work plan includes specific training modules (8 points)
16. Work plan includes outcomes realistic to complete during the contract term (7 points)

### 3. Budget Review (up to 20 Points as described below)

An overall budget for expending the funds and specifics on the costs for each type of training that will be offered, must be furnished in Attachment 2.

- 1 Overall Budget: the applicant must provide, for each training being proposed, the amount of grant funds being requested, the amount of matching funds and/or in-kind contributions the applicant is making to the cost of the training, and the total amount that the training will cost (20 points).

If at any time prior to or after an award is issued the applicant reduces the number of incumbent workers to be served, the funding will be proportionately reduced.

Proposals will be scored based on providing at least three bids on the training program and documenting that they selected the lowest bid training provider or provide compelling justification for choosing a higher cost training provider.

During the Budget review process, NYSDOL will not remove any disallowed costs included in the Budget Section. However, during the award process and contract negotiations, if it is determined that ineligible costs were included in the application, those costs will not be included in the final contract.

## C. Method of Selection

The method of selection will be based on a point system with the technical portion of the rating criteria worth 80% and the budget worth 20% of the total score. Eligible applications that fail to attain a total score of 70 points or more will be notified and are eligible to revise their applications and reapply, if sufficient time and funding remain. Applicants who receive a score of 70 points or more will be contacted by NYSDOL staff to begin the contract development process. Applications must first meet all minimum eligibility requirements. Upon receipt of all required application documents, NYSDOL staff will score the application. Each application will be evaluated and scored independently. Each application will be scored on its individual merit and will not be compared to other applications.

NYSDOL may award a contract for any or all parts of an application and may negotiate contract terms and conditions to meet agency program requirements consistent with the SP-NEG IWT RFA.

## VII. Award Administration and Information

### A. Award Notices

All applicants will receive a letter informing them of the decision on their application. Successful applicants will be contacted by contract development staff. Applicants who receive an award must be

prepared to enter into contract negotiations immediately, and begin training upon execution of the contract.

If at any time prior to or after an award is issued the applicant reduces the number of trainees to be served, the funding will be proportionately reduced.

Applicants that receive an award under this program and successfully complete the activities as specified in the contract and fully expend the awarded funds may apply again, if funding and time remain.

## **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 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 training took place. This will include attendance records for each training session to document attendance. They must include the Name of the Trainee, Signature of the Trainee, Title of the Trainee's Current Position, the Signature of the Trainer, and Date and Hours of Training. Certificates of completion are allowable as attendance support.

Please be advised that training may not begin until after an award is made (i.e., once reviews have been completed, due diligence has been completed, awardees have been determined and award letters have been issued). The earliest start date for any contract resulting from this RFA is the date of the award letter. Any training 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 Comptroller's website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov), or by telephone at 518-474-4032. 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 applications and accompanying documentation will become the property of the State of New York and will not be returned. The content of each application will be held in strict confidence during the bid evaluation process, and no details of the application will be discussed outside of the evaluation process. The successful applicant's application and portions of the RFA deemed applicable by NYSDOL will be made part of the contract. Therefore, an official authorized to commit the applicant to a contract with NYSDOL must sign the application documents.

## **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 14 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**

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

- 1) Make no awards.
- 2) Postpone or cancel this RFA upon notification to all applicants.
- 3) Amend the specifications after their release with appropriate notice to all applicants.
- 4) Request applicants to present supplemental information clarifying their application, 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.
- 5) Waive or modify minor irregularities in applications received after prior notification to the applicant.
- 6) Remove applications with unreasonable costs from award consideration.
- 7) Correct any arithmetic errors in any application.
- 8) Reject any and all applications received in response to this RFA.
- 9) Contact applicants’ references as a check on qualifications.
- 10) Award contracts to more than one applicant.
- 11) Negotiate with selected applicant(s) prior to contract 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.

## VIII. Attachments

Attachment Number	Document Title	Required to be completed and submitted by mail?
1.	<a href="#">Technical Section</a>	Yes, with original signatures
2.	<a href="#">Budget Worksheet</a>	Yes
3.	<a href="#">Vendor Responsibility – Applicant Questionnaire</a>	Yes, with original signatures
4.	<a href="#">Federal and State Certifications</a>	Yes, with original signatures
5.	<a href="#">Notice to Individuals Submitting Applications</a>	Yes, with original signatures
6.	<a href="#">Equal Employment Opportunity Staffing Plan</a>	Yes, with original signatures
7.	<a href="#">Minority and Women-Owned Business Enterprises Utilization Plan</a>	Yes, with original signature(s)
8.	<a href="#">Application for Waiver of Minority and Women-Owned Business Enterprise Participation Goal</a>	Yes, with original signatures
9.	<a href="#">Other Attachment – Minority and Women-Owned Business Enterprise and Equal Employment Opportunity Participation</a>	No
10.	<a href="#">General Information for Successful Applicants</a>	No
11.	<a href="#">Master Contract</a>	No
12.	<a href="#">Combined Terms and Conditions</a>	No
13.	<a href="#">Workforce Investment Act Regulations, Section 671</a>	No
14.	<a href="#">Workforce Innovation and Opportunity Act References</a>	No
15.	<a href="#">Grants Gateway Prequalification Requirement</a>	No

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