

**REQUEST FOR APPLICATIONS**

**Sector Partnership-NEG Work-Based Training Initiative**

Bid Number SP-4

**Issued on June 29, 2016**

**[with a revised issuance on August 12, 2016 and September 12, 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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# I. Funding Opportunity Description

## A. Purpose

The New York State Department of Labor (NYSDOL) is making up to \$3 million in funding available under this Sector Partnership National Emergency Grant (SP-NEG) Work-Based Training (WBT) Request for Applications (RFA). The purpose of this RFA is to promote partnerships between private sector businesses, Local Workforce Development Boards (LWDBs), 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 empower dislocated workers to reconnect to the workforce through work-based training opportunities. Funds will support businesses that provide work-based training programs, such as on-the-job training (OJT), apprenticeships, or unpaid occupational skill based training to dislocated workers seeking employment in priority industries. 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 (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20ECSDW%20FINAL%2020160628.pdf>);

- Work-based training(<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20IWT%20FINAL%2020160628.pdf>);
- Sector partnership capacity building(<https://labor.ny.gov/workforcenypartners/fundingopps/sp-neg-rspd-final.pdf>);
- Transitional job support(i.e., subsidized time-limited work experiences for those experiencing employment barriers) (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20TEDW%20FINAL%2020160628.pdf>); and
- Enhanced Career Center system services to prepare dislocated workers for training and employment (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20WBT%20Final%2020160628.pdf>).

## II. Award Information

### A. Funding

NYS is making up to \$3 million available, until June 30, 2017, for awards under this RFA. Single award amounts will not exceed \$100,000. Applicants that receive an award under the SP-NEG WBT initiative and ~~successfully complete the training~~ obligate the awarded funds as specified in the contract while fully expending the awarded funds may apply again, if sufficient 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 received.

Applications 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.

Incumbent worker training is not allowable under the Work-Based Training RFA. NYSDOL is offering incumbent worker training funds through a separate 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 (IWT), applicants may apply for Work-Based Training funds to fill the vacancies created by the promoted workers trained under the IWT RFA, if sufficient time and funding remain.

## B. Use of Funds

### 1. Allowable Costs

Funds are to be used to assist businesses efforts to effect new hires, specifically the expenses involved with occupational skills training. These WBT funds are reserved for the delivery of occupational skills training to newly-hired dislocated workers in need of additional occupational skills or dislocated workers seeking occupational skills training. Training may take the form of on-site training, off-site training, or distance learning. 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.

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.

Eligible applicants can apply for the following work-based training activities:

#### 1) On-The Job Training (OJT)

OJT is training by a business provided to a paid participant while they are engaged in productive work. OJT activities:

- a. Provide transferable knowledge or skills essential to the full and adequate performance of the job;
- b. Provide ~~50%~~ reimbursement of either 50% or 75% (depending on business size) to the business of the hourly wage rate of the participant, for the extraordinary costs of providing the training and additional supervision related to the training; and
- c. Are limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant.

Please note that if the applicant is a LWDB or a training provider, the OJT opportunities and training (see below) must be provided under a contract with a for profit or not-for-profit business in the private sector. Credential attainment is not required to be a part of OJT; however, grant recipients are strongly encouraged to prioritize OJT opportunities that also include a formal training component that leads to an industry recognized credential.

Businesses are required to retain the individual upon successful completion of the training.

#### 2) Registered Apprenticeships

Registered Apprenticeship training is the process of learning a skilled occupation through paid on-the-job training under the guidance of experienced journey workers and related classroom training. The length of registered apprenticeship training varies from one (1) to six (6) years, depending on the occupation. There is a written contract between the apprentice and the business that acknowledges their shared commitment to the training process. This agreement must be approved and registered by NYS DOL. Please note that any funding awarded under the SP-NEG WBT RFA can only cover the portion

of the apprenticeship training that takes place during the contract period and as such can support business investments of indenture to journeyman trainings that occur during the contract period.

### **3) Occupational Skills Training (OST)**

OST for dislocated workers may be paid (new hires that are permanent, temporary, or seasonal) or unpaid (prospective applicants) and the training is:

- a. Designed to meet the special requirements of a business or a group of businesses; and
- b. Conducted with a commitment from local priority industry business(es) indicating occupational skill related job openings/workforce need and willingness to interview the dislocated workers following training completion.

The costs of outside vendors or in-house trainers to provide on-site or off-site 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 program of training) for occupational skills training. This grant will not pay for the cost of any hardware needed in order to access the instruction.

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

Except for unpaid occupational skill based training, 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. 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 WDT 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.
- The purchase of any equipment or operational 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. OJT Wage Reimbursement Rate

NYDOL has established an OJT wage reimbursement cap policy for SP-NEGs. The reimbursement level to a business may not exceed 75% of the state's average hourly wage rate for businesses with 100 or fewer employees and 50% of the state's average hourly wage rate for those with more than 100 employees. New York's latest reported average hourly wage rate as per USDOL's Bureau of Labor Statistics is \$26.75. Businesses may elect to pay dislocated workers more than the state's average hourly wage but will not be reimbursed beyond the capped level.

If the hourly wage of the trainee is less than New York's average wage rate of \$26.75, the hourly reimbursement rate is calculated by multiplying the hourly wage rate times the reimbursement percentage. For example the wage reimbursement rate to a business for a trainee making \$15 per hour would be \$7.50 (50% of \$15) or \$11.25 (75% of \$15) depending upon the business' number of employees.

### 4. Training Cap Per Trainee

The cap per trainee allowed under this RFA is as follows:

- Newly-Hired Dislocated Worker (including apprenticeships) - \$7,900
- Dislocated Worker - \$2,500

If the training proposed by the applicant exceeds the caps set above, the applicant must pay the difference. Note that this is a cap per trainee, not an average cost per trainee.

Applications wherein the newly-hired dislocated workers (including apprenticeships) attend training on their own time, whether voluntarily or involuntarily, will be rejected.

### C. Award Minimums

There is no minimum award amount under the SP-NEG WBT program. 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, 2017. 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. 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. Applicants 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 a bid or 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 13), 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, local 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/>.)

Applicants that have received an award under NYSDOL's Dislocated Worker Training National Emergency Grant, Request for Applications #U-30 or U-31, or Job-Driven National Emergency Grant Request for

Applications #V-01 or V-14, must ~~successfully complete and close~~ obligate the awarded funds in that contract before applying for SP-NEG WBT funding under this RFA.

## **B. Participant Eligibility**

In an effort to establish a pipeline of workers for priority industries, eligible dislocated workers under this RFA must have been newly hired dislocated workers in need of the identified occupational training or unemployed dislocated workers with skill-based barriers to employment in priority industries.

Dislocated workers in SP-NEG WBT funded training programs must be enrolled in a Dislocated Worker program or seeking training to obtain employment or career advancement in priority industries at a NYS Career Center. Applicants are required to work with their LWDBs to identify eligible dislocated workers, unemployed dislocated workers, or employees seeking career advancement to be served (please see the list of LWDBs on NYSDOL's web site:

<http://www.labor.ny.gov/workforcenypartners/lwda/localboards.shtm>).

For a description of dislocated worker please refer to Attachment 16, Determining Dislocated Workers and Special Populations.

Please note applicants that propose to serve eligible veterans or engage veterans outreach organization(s) are given additional points in scoring. In addition, dislocated workers who are not UI recipients or exhaustees may self-attest to their eligibility by providing the date of their qualifying job loss in a signed statement.

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

Dislocated workers served under this RFA must be registered with NYS's Career Center system in order to ensure that they receive other services as needed. A number of Enhanced Career Services have been identified for funding under the SP-NEG award and will be released under a separate Enhanced Career Services for Dislocated Workers (ECSDW) Request for Qualifications (RFQ). The array of services provided in the ECSDW RFQ will be determined at the discretion of the partnering Career Center. These services may include, but are not limited to: an initial assessment; job search tips and assistance; cover letter and resume writing assistance; interview skills; mock interviews; search guides; JobZone access; referrals for eligible social services; ex-offender programs; immigrant worker programs; assistance to persons with disabilities; and other supports. Services such as additional assessment, career guidance, job search, job matching, counseling or supportive services may be provided when designed to help dislocated workers throughout the training process and to ensure long-term employment after training. The delivery of these enhanced career services should be coordinated with each dislocated worker's training schedule so that each dislocated worker is fully job ready when training services have been completed.

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 Career Center 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 dislocated workers for employment in priority industries identified by the REDC and through the REDC Strategic Planning

process. Advanced manufacturing was identified as a priority 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 WBT 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 WBT 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. Applications Due Date**

Applications and 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 Time on May 31, 2017. Any application or unsolicited amendments to applications received after the due date and time will not be considered in the review process. No faxed or emailed 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 Submission 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 WBT RFA # SP-4**

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 must meet the eligibility criteria outlined in [Section III.A.](#), and include all the documents and information requested in the forthcoming sections.

The application consists 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 or has partnerships with businesses that commit to having occupational skill related job openings/workforce need and willingness to interview dislocated workers following training completion. The number of dislocated workers cannot exceed the number of potential job openings;
- 7) The applicant is responsible for recruiting and ensuring the participation of dislocated workers as defined in the RFA;
- 8) Tuition charges and other fees will not be charged to dislocated workers served under this training program;
- 9) It understands that all applicants must register in the Grants Gateway system (<https://grantsgateway.ny.gov>) prior to submission of an application and that not-for-profits have the additional task of being pre-qualified prior to the submission of an application. Not complying with this term will render the application ineligible to be reviewed;
- 10) Newly hired dislocated workers will be retained by the business(es) and will continue to work in NYS upon completion of the training;
- 11) The application was developed by the applicant after it conducted an assessment of skill based training needs;
- 12) It will comply with NYS labor law and Federal law for the protection of workers; and
- 13) 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 skill gap and the business(es) that commit to having occupational skill related job openings/workforce need and willingness to interview dislocated workers following training completion.

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 dislocated workers and how they are to be recruited and selected. Additional points will be given to applicants that engage 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 the identification of the location and availability of targeted dislocated workers and the proposed occupational skills training.

### 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 dislocated 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 dislocated workers participating in training after six months.
- % of dislocated workers attaining credential after six months.
- % of dislocated workers retained in employment for one year following completion of training.
- Median earnings of dislocated 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. 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 type of training that will be offered (OJT, Apprenticeship and/or OST), must be furnished in Attachment 2.

- Overall Budget: the applicant must provide, for each type of 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.
- Training-Specific Budget.
  - OJT: the budget must provide the job titles of those to be trained, the number of openings for each title, the hourly wage of the trainees, the hours of work per week, the hours of training per week, the number of weeks of training, the percentage of salary to be reimbursed, and the total cost to the grant. Please note that the number of hours of training per week cannot exceed the number of hours of work per week.
  - Apprenticeship Training: the budget must provide the titles of the apprenticeable occupations, the number of trainees, the cost per trainee, and the total cost to the grant.
  - OST: the budget must demonstrate the reasonableness of the costs associated with the training by comparing training costs with two other training providers that show the chosen provider's costs to be lower or comparable to other training providers. If less than three bidders were contacted, provides a compelling justification for doing so. The training cost comparisons must be among like training courses. Please note that if the selected training provider is not the lowest cost of the three bidders, compelling justification for their selection must be provided. Failure to do so will result in a lower award if reasonableness of cost is provided for some but

not all of the proposed training, or no award if not provided for any of the proposed training, even if the application receives an overall passingscore.

If the application includes more than one type of training, a cost score will be calculated for each type and then pro-rated based upon its percentage of the overall funding request of the application. For example, if an applicant proposed 50% OJT and 50% OST, and provided all of the required budget information for the OJT, but did not for the OST, the cost score would be 7.5 points (OJT: 15 points x 50% = 7.5 points + OST: 0 points x 50% = 0 points).

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 concise explanations of costs associated with each line item indicated in [Section V.B.2](#).

# 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 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 budget. 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](#), 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 dislocated 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 change (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 dislocated worker population, based on local data (4 point)
7. A list of business(es) that commit to having an occupational skill related job need to which dislocated worker(s) can be trained to perform a specific job or group of jobs and a willingness to interview dislocated workers following training completion (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 (OJT, Apprenticeship and/or OST), must be furnished in Attachment 2.

- Overall Budget: the applicant must provide, for each type of 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 (5 points).
- Training-specific Budget (15 points).

- OJT: the budget must provide the job titles of those to be trained, the number of openings for each title, the hourly wage of the trainees, the hours of work per week, the hours of training per week, the number of weeks of training, the percentage of salary to be reimbursed, and the total cost to the grant. Please note that the number of hours of training per week cannot exceed the number of hours of work per week.
- Apprenticeship Training: the budget must provide the titles of the apprenticeable occupations, the number of trainees, the cost per trainee, and the total cost to the grant.
- OST: the budget must demonstrate the reasonableness of the costs associated with the training by comparing training costs with two other training providers that show the chosen provider's costs to be lower or comparable, or, if less than three bidders were contacted, provides compelling justification for doing so. The training cost comparisons must be among like training courses. Please note that if the selected training provider is not the lowest cost of the three bidders, compelling justification for their selection must be provided. Failure to do so will result in a lower award if reasonableness of cost is provided for some but not all of the proposed training, or no award if not provided for any of the proposed training, even if the application receives an overall passing score.

If the application includes more than one type of training, a cost score will be calculated for each type and then pro-rated based upon its percentage of the overall funding request of the application. For example, if an applicant proposed 50% OJT and 50% OST, and provided all of the required budget information for the OJT, but did not for the OST, the cost score would be 7.5 points (OJT: 15 points x 50% = 7.5 points + OST: 0 points x 50% = 0 points).

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

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 WBT RFA.

## VII. Award Administration and Information

### A. Award Notices

All applicants will receive a letter informing them of the decision on their application and 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 obligate the awarded funds as specified in the contract while fully expending 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. Attendance records 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 <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 evaluation process, and no details of the application will be discussed outside of the evaluation process. The successful 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**

NYSDOL, 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.
- 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 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 signatures
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 Bidders</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
16.	<a href="#">Determining Dislocated Workers and Special Populations</a>	No

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