

REQUEST FOR PROPOSALS

New York State Tech Workforce Training Fund

Bid Number: TWTF-0001

**Issued on
March 13, 2017**

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:
June 5, 2017, at 4:00 PM Eastern Standard Time

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I: Funding Opportunity Description

A. NYSDOL Background

The New York State Department of Labor (NYSDOL) is New York State's (NYS's) primary advocate for job creation and economic growth through workforce development. NYSDOL administers NYS's Unemployment Insurance (UI) program and labor exchange system to connect job seekers with businesses and build a workforce that helps NYS businesses compete in today's global economy. NYSDOL also oversees state worker protection programs, including enforcement of safety and health regulations in the public sector, state labor laws and federal statutes related to working conditions, wages and hours, and laws related to Public Work. NYSDOL serves as NYS's principal source for labor market information and offers a variety of services designed to help businesses find workers and people find jobs. Additional information regarding NYSDOL can be found at www.labor.ny.gov.

B. Purpose of RFP

Governor Cuomo's 2017 State-of-the-State recognizes that technology jobs remain out of reach for many New Yorkers, most of whom lack access to quality training and educational opportunities for the new and evolving field. As solution, the Governor proposed a \$5 million New York Tech Workforce Training Fund to: support innovative training and education solutions to prepare and place New Yorkers in tech jobs; and to enable new pathways for New Yorkers across the state to get training and connections to employment in one of NYS's fastest growing, highest paying sectors.

This Request for Proposal (RFP) implements the Governor's Tech Workforce Training Fund initiative, and is funded with up to \$5 million in state-level discretionary funding under the federal Workforce Innovation and Opportunity Act (WIOA). Specifically, the RFP seeks appropriately qualified entities ("Bidders") to provide full-time, immersive occupational training and job placement in software engineering or web development ("Programs").¹ The Bidder is expected to provide this training to eligible enrolled participants ("Trainees") over the anticipated 18-month term of the contract.

In addition, Programs must be designed to incorporate input from industry on needed skills and learning milestones, train individuals with little or no prior experience in information technology, and connect these individuals to NYS jobs in software engineering, web development or related occupations approved by NYSDOL, which pay, at minimum, the region's entry-level wages (annual) for the occupations, presented in Appendix C.

Bidders are strongly encouraged to propose a training delivery model that exceeds the minimum level set forth above (for example, additional Trainees to be served).

NYSDOL expects to award a minimum of five (5) contracts under this RFP.

¹ Appendix C provides a list of software engineering and web development occupational titles and codes approved for this RFP. Information Technology related occupational titles not listed may be allowed upon approval by NYSDOL, with proper justification demonstrating the connection to the RFP's intended technology focus.

II: Award Information

A. Available Funding

It is anticipated that the maximum available funding for the contracts awarded from this RFP will be up to **five million dollars (\$5,000,000.00)** in federal WIOA funds, which includes up to **five-hundred thousand dollars (\$500,000.00)** specifically set aside for provision of WIOA-defined supportive services such as transportation assistance to trainees.

Single award amounts will not exceed a cap of one million dollars (\$1,000,000.00). Bidders may set aside up to 10% for supportive services. Proposals that request more than the one-million dollar cap will still be reviewed and scored by NYSDOL. If the proposal is awardable, NYSDOL will negotiate with the Bidder during contract development to reduce project funding and scope to fit within the one-million dollar cap. Proposals unable to remain viable with the reduced funding will not proceed to contract execution. Therefore, it is highly recommended that Bidders keep the cost and scope of proposals within the one-million dollar award cap.

NYSDOL may decide to award up to ten (10) contracts, depending upon the quality of submissions. The funding allocation and final contract amount is dependent upon the availability and appropriation of funds and is subject to change. In addition, NYSDOL reserves the right to modify the funding allocation in the best interests of NYSDOL.

B. Per Participant Cap

There is a fifteen-thousand dollar (\$15,000.00) per participant cap amount under this RFP. All awards are subject to funding availability. This cap amount includes the training and supportive services costs.

C. Use of Funds

1. Allowable Costs

Funds are to be used to train eligible enrolled participants in full-time, immersive occupational training in software engineering or web development, and to place them in related jobs. This includes indirect costs described in Section VI (B) of this RFP. A 10% set-aside is allowed for the provision of WIOA-defined supportive services such as transportation assistance to trainees.

2. Restrictions on the use of funds

This RFP will only pay for the costs described above in Section II (C)(1). It will not pay for any of the following items:

- Acquisition, construction, or renovation of buildings or other real estate;
- Equipment and Software – Equipment is defined as property that has a useful life of more than one year and a unit value of more than \$1,000.00. This does not include software specifically purchased for use by trainees for the purpose of learning software development or web design skills;
- 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;
- Training required by a Federal, state or local mandate;
- Basic orientation training, the provision which is a business's responsibility and a normal cost of doing business;
- Start-up costs, curriculum development, and assessment costs on the part of the contractor;
- Purchase of videos; and
- Any other costs deemed inappropriate by NYSDOL, such as training that does not result in a transferable skill, activities determined to be business consulting rather than training, and any costs that do not meet the intent of the RFP.

D. Payment Structure

Contracts will be paid on a reimbursable payment basis based on performance benchmarks as indicated below. A successful Bidder must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Successful Bidders will be required to provide reports at intervals specified by NYSDOL. In addition, the United States Department of Labor (USDOL) may conduct an independent evaluation of the outcomes and benefits of this RFP. By accepting an award under this RFP, the Bidder agrees to participate in any such evaluation.

Performance Benchmark Payment Schedule

Training – Mid-Way Point:	25% of per participant costs
Training – Completed:	25% of per participant costs
Training Completer Placed in software engineering or web development job Tech-Related:	50% of per participant costs

E. Contract Term

It is anticipated that the term of the contracts awarded from this RFP will be eighteen (18) months, with one 18-month renewal option at NYSDOL's sole discretion and pending availability of funding. Limited no-cost contract extensions may be approved at NYSDOL's discretion. The length of any contract extension is dependent on the original contract duration; however, the length of the original contract plus the extension cannot exceed a total of three (3) years.

All Bidders will receive a letter informing them of the decision on their proposal and successful Bidders will be contacted by NYSDOL contract development staff. Bidders who receive an award must be prepared to enter into contract negotiations immediately, and begin project activities upon execution of the contract. NYSDOL reserves the right to rescind the award of any successful Bidder that is unable or unwilling to promptly engage in the contracting process or to begin conducting their project activities immediately following contract execution.

F. Contracting Process

In keeping with the Governor's promise to reform NYS'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 Bidders are required to register in this system in order to enter into a contract with NYS. All entities must log-in to the Grants Gateway website at www.grantsgateway.ny.gov and follow the instructions to complete the registration. **The registration form must be signed, notarized and mailed to Gateway Administrators. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.**

Not-for-profit organizations must take the additional step of prequalifying by completing a basic profile and storing organizational documents. **Both registration and prequalification must be completed by not-for-profit organizations before the application is submitted. Failure to do so will mean that their proposals will not be reviewed.**

Not-for-profit organizations will be able to submit their responses online, and, once reviewed and approved by a state agency prequalification specialist, the not-for-profit organization will be able to apply for grants, and all information will be stored in a virtual, secured vault. Not-for-profit organizations will only have to prequalify once every three years, with responsibility to keep their information current throughout the three-year period.

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

G. NYSDOL's Responsibilities

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

H. Bidder Requirements

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

Applicants must comply with the Combined Terms and Conditions (Appendix B), which will be incorporated into the Master Contract (Appendix A) of successful Bidders.

III: Eligibility Information

A. Bidder Eligibility

Eligible applicants include private for-profit businesses, private not-for-profit businesses, public entities and training providers, including but not limited to Colleges, and Boards of Cooperative Educational Services (BOCES), that meet each of the following:

1. Listed on the NYS Eligible Training Provider List (ETPL) along with the proposed program of training, prior to training being delivered. NYSDOL will assist Bidders with this requirement. For more information on the ETPL visit www.proposals.labor.ny.gov/ETPL/;

2. 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); and
3. Are in good standing regarding compliance with: registration with the NYS Department of State; UI, Workers Compensation Insurance and Disability Insurance laws; Worker Adjustment and Retraining Notification Act (WARN) laws; and federal and State wage, labor, safety and health laws.

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

B. Bidder Minimum Qualification Requirements

The following are the Minimum Qualification Requirements of this RFP. Proposals that fail to meet any of these requirements will be found non-responsive and rejected.

Minimum requirements require the Bidder to attest to each of the following items:

1. The Bidder is a private sector for-profit business, private not-for-profit business, public entity or training provider, including but not limited to Colleges and BOCES, with two or more employees. **Note** – Principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);
2. The Bidder and program are on the NYS ETPL prior to the training being delivered;
3. The Bidder is in good standing regarding compliance with: registration with the NYS Department of State; UI, Workers Compensation Insurance and Disability Insurance laws; Worker Adjustment and Retraining Notification Act (WARN) laws; and federal and State wage, labor, safety and health laws;
4. Bidder has at least two (2) years of demonstrated experience in providing training services in NYS that has led to either measureable wage gains or employment for trainees;
5. Within the past year, Bidder has conducted a comprehensive software engineering or web development occupation skill development training program;
6. Within the past year, Bidder has successfully connected trainees to employment in fields related to the training it has provided;
7. None of the funds to be used under this RFP will be used for the relocation of workers from facilities in other locations which would result in workers losing jobs at the original location;
8. The proposal was developed by the Bidder and all language therein is presented at the request of the Bidder. The use of a grant writer is acceptable, only if the Bidder, and not the grant writer, commits to implementing the training listed in the proposal, if the proposal is successful;
9. The Bidder is responsible for recruiting and ensuring the participation of trainees as defined in the RFP;
10. Tuition charges and other fees will not be charged to trainees served under this training program;
11. Bidder understands that all Bidders must register in the Grants Gateway system (<https://grantsgateway.ny.gov>) prior to submission of a proposal and that not-for-profits have the additional task of being pre-qualified prior to the submission of a proposal. Not complying with this term will render the proposal ineligible to be reviewed;

12. Bidder will comply with NYS labor law and Federal law for the protection of workers; and
13. If awarded, any 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/.

C. Preferred Qualifications

Preference in scoring will be for Bidders that possess any one or more of the following qualifications:

1. Demonstrated experience developing and delivering technology-based training programs;
2. Demonstrated training expertise in the technology related occupations for which the training will be provided;
3. Demonstrated experience and success training individuals who are traditionally underrepresented in the technology sector, including, but not limited to, women, young adults, veterans and other individuals who have barriers to training and employment;
4. Demonstrated experience building industry relationships, capturing business feedback, and developing trainings that are responsive to industry need; or
5. Demonstrated success working with businesses to fill their open positions with individuals who completed the Bidder's training; or any combination thereof.

D. Participant Eligibility

All Trainees selected by the Bidder for participation in the program must meet each of the following minimum eligibility criteria:

1. Trainee is at least 18 years of age or older;
2. Trainee is a NYS resident;
3. Trainee is authorized to work in the United States;
4. Trainee is unemployed or currently employed with an annual income of no more than \$45,000;
5. Trainee meets all applicable federal selective service requirements which are available at the following address: www.labor.ny.gov/workforcenypartners/ta/TA12-9-1-Selective-Service.pdf; and
6. Trainee has no prior work experience in the occupation associated with the Program; defined as no prior employment in the occupation, whether part-time or full-time.

IV: Scope of Services

A. Goals and Objectives for this RFP

NYSDOL intends that the resulting contract award(s) will ultimately provide an industry-informed, full-time², and comprehensive training program(s) to equip NYS residents with in-demand information technology skills in software engineering and web development, and connect these individuals to NYS jobs in these occupations which pay, at minimum, the region's entry-level wages (annual) for the occupations, presented in Appendix C.

B. Bidder Responsibilities

Each Bidder must certify that it will be responsible for the following services, activities and deliverables during the contract term:

1. Recruitment and screening of eligible Trainees;
2. Provide training to eligible enrolled individuals within one-year of the date of contract execution. It is expected that by the end of 18 months, all trainees will have completed in-class training and will have been connected to jobs in the field;
3. Provide (whether in-kind or budgeted within the program tuition cost, or both) for all requisite training material, equipment, hardware/software and associated costs, including any technological needs (i.e., software, computers, monitors, printers, overhead projectors), necessary to effectively deliver the Program;
4. Document individual Trainees' technical and professional skill attainment at the midpoint of and at training completion;
5. Provide, as appropriate to the tech-related occupation training needs, opportunities for professional or on-the-job experience;
6. Provide, as necessary, a sufficient number of knowledgeable and experienced instructors for the entire duration of the intensive Program training;
7. Ensure that all instructors can communicate clearly and effectively in English;
8. Identify and assist Trainees evidencing challenges in the areas of professionalism and job readiness;
9. Work with the Local Workforce Development Board to ensure all trainees are enrolled in the One Stop Operating System (OSOS) workforce management system;
10. Facilitate instructional and program staff participation in any NYSDOL or USDOL required program monitoring or evaluation activities; and
11. As part of the Program, the Bidder is required to specify and implement a strategy to connect Trainees to employment in software engineering or web development occupations or a related job approved by NYSDOL, which pays wages of at least the regional wage rate for entry-level positions presented in Appendix C.

² For the purposes of this RFP, "full-time" is defined as a minimum of 35 hours per week, work leading to program completion, including, but not limited to, in-class instruction, project based assignments completed at the Program training facility, and work-based training.

Note – Bidders should understand that full payment is ultimately tied directly to fulfillment of agreed upon job outcomes by Trainees who complete the Program (See Section II.D. Payment Structure). Specifically, within one year of Trainees completing the training program, successful Bidders must provide documentation that Trainees have been timely connected to full-time employment in software engineering, web development or related occupations approved by NYSDOL, which pay, at minimum, the region’s entry-level wages (annual) for the occupations, presented in Appendix C.

V: Process for Application Submission

A. RFP Timetable

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|--|--|
| 1. Release Date of this RFP: | March 13, 2017 |
| 2. Questions Due Date: | Friday, May 19, 2017, by 5:00 p.m. (EST) |
| 3. Final Date for Responses to Questions: | Friday, May 26, 2017, by 4:00 p.m. (EST) |
| 4. Proposal Due Date and Time and Location:
(EST) | Monday, June 5, 2017, by 4:00 p.m. |
| 5. Anticipated Contract Start Date: | August 21, 2017 |

B. Questions Concerning This RFP

Questions regarding the RFP will be accepted via electronic mail (WDTD.Onestop@labor.ny.gov) until 5:00 p.m. EST on May 19, 2017. No telephone inquiries will be accepted. Answers to all questions received by this date will be returned to the Bidders in electronic format and will be posted on NYSDOL’s web site (www.labor.ny.gov/businessservices/funding.shtm).

Inquiries must cite the particular page, section, and paragraph number, where applicable. Bidders are encouraged to submit questions as early and often as necessary during the Question and Answer period, but no later than the deadline for submission of Bidders’ questions stated above. NYSDOL will make every effort to respond to questions as quickly as possible and will post the final responses to questions received by the stated due date by 4:00 p.m. EST on Friday, May 26, 2017.

C. Proposal Due Date

Proposals and required attachments must be received by NYSDOL no later than 4:00 PM Eastern Time on **Monday, June 5, 2017**. Any proposal or unsolicited amendments to proposals 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 proposals (e.g., U.S. Post Office, Federal Express, UPS, courier, etc.).

D. Application Submission Instructions and Format

Bidders must submit two sets of the entire proposal, budget worksheet and required attachments, at least one of which with original signatures, to:

Attn: Christopher Myers
New York State Department of Labor
Division of Employment and Workforce Solutions
W. Averell Harriman State Office Building Campus, Building 12

Albany, New York 12240

All responses to this RFP are to be prepared and submitted at the Bidder's expense. NYSDOL will not pay any costs incurred by Bidders in connection with the preparation, submission, and evaluation of the RFP response.

Bidders should provide all information required in the following format. Proposals, including attachments, must be submitted using Times New Roman font style and a 12-point font size. Pages must be paginated and not exceed 35 single-spaced, single-sided 8 ½ by 11 inch pages. Failure to comply with any of these instructions will not make the proposal non-responsive.

VI: Format and Content of the Proposal

A. Technical Merit Section

The Proposal Cover Sheet (Attachment A) transmits the Bidder's Proposal Package to NYSDOL. It should be completed, signed and dated by an authorized representative of the Bidder.

1. Program Proposal (Attachment B)

The Program Proposal is a clear, concise narrative that addresses the following:

- a. Licensing / Accreditation - Indicate the status of proposed training program on the NYS ETPL;
- b. Experience - Describe the successful relevant experience of the Bidder, each proposed Sub-bidder, if any, and the proposed key staff in providing the work described. Specifically, proposals should address the following:
 - Objectives of previous occupational training programs;
 - Brief overview of previous training models offered (e.g., part-time, full-time, classroom, and/or on-the-job);
 - Target population (describe the characteristics of previous program participants including):
 - Skill level at enrollment – no previous experience, minimal previous exposure, etc.;
 - Employment status upon enrollment;
 - Income upon enrollment;
 - Average Age; and
 - Other demographics, special considerations;
 - Instructor-to-student ratio;
 - Cost of program per student;
 - Percentage of enrolled individuals who completed previous trainings – include number of individuals enrolled, number of individuals that have completed training, and number of students seeking employment after training;
 - Complete summary of Bidder's post-training job placement policy, including Bidder's definition of "job placement" (i.e., the criteria by which a successful placement is measured, including: placement period; salary; type of position – full-time / part-time / internship / contracted);
 - Number of individuals who, as a result of the training, obtained jobs in related fields;

- Percentage of prior training completers placed in related employment within three and six months after completion of training;
 - Title and salary range of these jobs; please include the average, minimum and maximum annualized salaries, including whether internship, contracted, part-time or full-time;
 - List the businesses that hired the individuals trained and the job titles they were hired into, and whether these hires were in NYS or another geographic area; and
 - List at least three (3) businesses that hired students after training who may be contacted as a reference, and the name, title, email and telephone number of a contact person at the reference entity.
- c. Organizational Capability - Demonstrate the Bidder's organizational, technical, managerial and financial capacity to provide the work described. Specifically, proposals should address the following:
- Demonstrate the Bidder has sufficient resources, including financial and human resources, to begin the Program by the expected contract start date and to cover costs between each reimbursement payment. **Note** – Reimbursements are based on a performance based payment structure (See Section II.D. Payment Structure);
 - Demonstrate the Bidder's experience in developing similar programs in NYS or a similar state. In particular, please provide an overview of the Bidder's experience (and current capacity given expertise of instructional and administrative staff) to develop trainings focused on adult learners and their specific needs;
 - Demonstrate the ability to tap into the network of technology businesses in NYS to connect Trainees to jobs;
 - List the Bidder's current project(s) and any future training or trainings the Bidder is committed to for the duration of this contract;
 - A description of the job qualifications of the required instructors; and
 - A resume for each instructor, if known, as an attachment.
- d. Proposed Approach - Describe in detail how the Bidder will demonstrate that the proposed approach will fulfill NYSDOL's goals and objectives. Specifically, proposals should address the following:
- Rationale as to why the Bidder's approach will be successful;
 - Prior experience with the proposed training, including: the number of individuals that have been trained in the past; the length of time that it took to complete the training; the time that it took from training completion until placement; the job titles at placement and the salary of each individual at placement;
 - Proposed training model, including:
 - Proposed number of trainees. **Note** – NYSDOL encourages Bidders to exceed the minimum service levels set forth in this RFP whenever possible;
 - Proposed overview of training model, including, but not limited to, distribution of in-class, project based, and on-the-job training elements;
 - Proposed timeline and mechanism for engaging businesses;

- Recruitment strategy and screening assessment criteria, including prerequisite skills or competencies required for the training, and any relevant aptitude tests;
- Proposed training delivery, including:
 - Trainee requirements for training completion;
 - Training schedule, including frequency (number of days per week, weekday/weekend breakdown, and total number of training sessions) and the time of day when training is to be provided, the number of hours of instruction per training, and duration of any workplace component (including, for example, work on active client projects or internships);
 - Trainee-to-instructor ratio;
 - Policy for making up missed training classes; and
 - Goals of the instructional plan;
- Strategy to provide support as needed for Trainees beyond classroom hours, including supportive services³ where appropriate;
- Monitoring and evaluation process to track each Trainee’s attendance and progress, including the metrics used to measure student progress and skill attainment;
- Credentials expected as a result of training completion, if applicable; and
- Strategy for connecting trainees to jobs.

2. Program Timeline

Bidders must provide a schedule for completion of the deliverables required by the contracts resulting from this solicitation, including identification of key dates, deadlines or timeframes for research service completion and/or submission of deliverables.

B. Budget Section

1. Budget Worksheet (Attachment C)

An overall budget for expending the funds and specifics on the costs for training to be offered must be furnished in Attachment C. The applicant must provide for each training course 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; the number of planned participants; the tuition rate per participant; the supportive services cost per person; and the total amount the training will cost.

Bidders must publish the tuition rate for the Program on the ETPL, if it exists. If the Program is not on the ETPL at the time of proposal submission, a non-published tuition rate must be calculated for future publishing on the ETPL. The non-published tuition rate may include some or all of the following items:

³ WIOA indicates supportive services may be made available to anyone participating in training services. Supportive services may include, but are not limited to: transportation; child care; dependent care; housing; and needs-related payments. Needs-related payments are designed to provide a participant with resources for the purpose of enabling them to participate in training services. A participant must be enrolled in a training program in order to receive needs-related payments.

- Staff salaries: Annual salaries of staff which must be directly related to the provision of services as outlined in the Bidder's program narrative and in accordance with the provisions of this RFP. This may include the cost of training instructor time if training is being provided by in-house staff;
- Staff Fringe Benefits: Social security, worker's compensation, unemployment insurance, disability insurance and any insurance programs the Bidder's organization provides;
- Contracted Services: Institutions, individuals, or organizations external to the Bidder which have entered into an agreement with the Bidder to provide any services outlined in or associated with the provision of the training and whose services are to be funded as part of this RFP;
- Travel Expenses: Staff travel costs of the provision of the training;
- Space/Utilities: Real estate rental and utilities costs associated with the provision of the training;
- Other Operating Expenses: Other items not included under any other category, such as supplies, postage, printing/photocopying, and telephones; and
- Indirect costs: Costs not directly accountable to a particular RFP, contract, program function or activity, but are necessary for the general operation of the Bidder's organization. Indirect costs may be either fixed or variable and may include administration, personnel and security costs. Some indirect costs may be overhead. Indirect costs for this funding opportunity may be reimbursed at the approved federally recognized indirect cost rate negotiated between the Bidder and the Federal government if such a rate exists, and if no rate exists, then 10% of the modified total direct costs.

If at any time prior to or after an award is issued the Bidder 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 the section above.

VII: Proposal Review and Selection

A. Evaluation of Proposals

A complete proposal, including the Program Proposal, Budget Worksheet, Budget Narrative, Program Timeline and all attachments must be submitted so that NYSDOL can conduct a full and proper evaluation. **Failure to answer all questions in the RFP will jeopardize the Bidder's potential for funding.**

NYSDOL will first make a minimum requirements eligibility determination on each proposal received. Proposals deemed eligible will be scored based on further review and evaluation. Proposal scores will consist of 80% on technical merit (program proposal and timeline) and 20% on budget (worksheet and narrative). 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 proposal. Failure to meet the minimum requirements in Section III.B, Bidder Minimum Qualification Requirements, will result in an automatic rejection of the proposal, and scoring will not proceed. Minimum requirements, as detailed in Section III.B., must be attested to by the applicant.

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

The proposal must fully describe, identify and document the items detailed in Section IV:

- Preferred Qualifications and Experience (15 points);
- Organizational Capability (20 points);
- Proposed Approach (25 points); and
- Program Timeline (20 points).

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

For the budget review, the cost score will be calculated as follows: the lowest cost per participant of the proposals will be divided by the cost per participant of the proposal being scored. The resulting number will then be multiplied by the highest possible cost score of 20 to determine each proposal's cost score. NYSDOL reserves the right to request additional information from submitters during the cost scoring process if the budget information provided is unclear.

The calculated cost per participant from the proposal cannot be exceeded in contracts developed from awards.

Note – During the cost review process, NYSDOL will not remove any disallowed costs included in the proposal. However, during the award process and contract negotiations, if it is determined ineligible costs were included in the proposal, those costs will not be included in the contract.

C. Method of Selection

NYSDOL will review proposals, taking into account the quantity and quality of the proposals as well as the RFP's intent to distribute funding statewide.

The method of selection will be based on a point system with the technical merit criteria worth 80% and the budget worth 20% of the total score. Proposals are awarded in rank order beginning with the proposal(s) with the highest total points until the funds allocated to the program are exhausted.

If a proposal achieves a score that would be awarded, but the costs are not reasonable to NYSDOL, then NYSDOL reserves the right to reject the proposal.

In the case of tied scores, preference will be given to proposals with the highest program evaluation score. If the program evaluation scores are also tied, the award will be decided by the NYSDOL's Deputy Commissioner for Workforce Development.

NYSDOL may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet agency program requirements consistent with the RFP.

Any unallowable costs will be costs not permitted under the requirements of this RFP.

It is important to note that:

- Ineligible applicants will be disqualified before completing a review;
- Incomplete proposals will be disqualified;
- All applicants that are determined not to be responsive or responsible will be disqualified after completing a review;
- Proposals that fail to meet requirements will be disqualified; and
- NYSDOL reviews will result in a final score.

VIII: Award Administration and Information

A. Award Notices

All Bidders will receive a letter informing them of the decision on their proposal and successful Bidders will be contacted by contract development staff. Bidders 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 Bidder reduces the number of trainees to be served, the funding will be proportionately reduced.

B. Payment

Once a contract has been developed and formally executed, funds will be released on a cost reimbursement basis based on performance benchmark attainment (See Section II.D. Payment Structure). A successful Bidder 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 successful Bidder must provide documentation that the training is occurring at the mid-way point, the training was completed and the participant has been connected to tech-related employment in NYS earning an annualized total compensation at a regionalized rate of entry-level positions as indicated in Appendix C. 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. Documentation of employment and salary attainment will be completed through the OSOS system.

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 RFP 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 a Bidder awardee (to this RFP) will only be rendered electronically, unless payment by paper check is expressly authorized by the NYSDOL Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Therefore, an awardee must comply with the NYS Comptroller procedures to authorize electronic payments. Authorization forms are available: at the NYS Comptroller website www.osc.state.ny.us/epay/; by email at helpdesk@sfs.ny.gov; and/or by telephone at 518-474-4032.

Such electronic payment will be made in accordance with ordinary State procedures and practices. The successful Bidder acknowledges that it will not receive payment on any invoices submitted under this award if it does not comply with the NYS Comptroller electronic payment procedures, except where NYSDOL expressly authorized payment by paper check.

C. General Requirements

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

D. Buy American Requirements

Bidders must comply with requirements of the Buy American Act, as set forth in Appendix D to this RFP.

E. Additional Information

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

1. 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));
2. 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;
3. Executive Order 12928 – The recipients are strongly encouraged to provide contracting/sub-granting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and

Universities; and to Small Business Owned and Controlled by Socially and Economically Disadvantaged Individuals;

4. Executive Order 13043 – Recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles; and
5. Executive Order 13166 – Recipients must take reasonable steps to ensure that Limited English Proficient (LEP) persons have meaningful access to programs in accordance with USDOL’s Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

F. Reservation Clauses

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

1. Postpone or cancel this RFP upon notification to all Bidders;
2. Award funding in a manner that distributes the total funding across the State’s 10 economic development regions, based on quantity and quality of proposals received;
3. Amend the specifications after their release with appropriate notice to all Bidders;
4. Remove Bidders with unreasonable costs from award consideration;
5. Request Bidders to present supplemental information clarifying their proposal, either in writing or in formal presentation. Bidders failing to respond to these requests during the time allotted may be eliminated from funding consideration;
6. Waive or modify minor irregularities in proposals received after prior notification to the Bidder;
7. Correct any arithmetic errors in any proposal;
8. Reject any and all proposals received in response to this RFP;
9. Contact Bidders’ references as a check on qualifications;
10. Award the contract to other than the lowest Bidders;
11. Award contracts to more than one Bidder;
12. Negotiate with selected Bidders prior to contract award;
13. Negotiate with the next highest rated Bidder if negotiating a contract with the selected Bidder cannot be accomplished within an acceptable time frame (no Bidder will have any rights against NYSDOL arising from such negotiations); **or** rescind the award of any awardee unable or unwilling to begin conducting their training activities immediately following contract execution. No Bidder will have any rights against NYSDOL arising from such negotiations;
14. Make any payment contingent upon the submission of specific deliverables; or
15. Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing, or any combination thereof.

IX: Attachments

Attachment Letter	Document Title	Required to be completed and submitted with Proposal
A	Proposal Cover Sheet	Yes, with original signatures
B	Program Proposal	Yes
C	Budget Worksheet	Yes
D	Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
E	State and Federal Certifications	Yes, with original signatures
F	Notice to Individuals Submitting Proposals	Yes, with original signatures
G	Equal Employment Opportunity Staffing Plan	Yes, with original signatures
H	Minority and Women-Owned Business Enterprises Utilization Plan and Requirements	Yes, with original signatures
I	Proposal for Waiver of Minority and Women-Owned Business Enterprise Participation Goal	Yes, with original signatures
J	Service-Disabled Veteran-Owned Businesses (SDVOB) Utilization Plan (1) and Requirements (2)	Yes, with original signatures
K	Proposal for SDVOB Waiver Request	Yes, with original signatures

Appendix Letter	Document Title	Required to be completed and submitted with Proposal
A	Master Grants Standard Terms and Conditions	No
B	Combined Terms and Conditions	No
C	Regional Wage Rates	No
D	Workforce Innovation and Opportunity Act References	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 the New York State Department of Labor (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.