



Cumberlands Workforce Development Board  
Request for Proposal

Direct Services Provider

Services to be performed  
(July 1, 2022 – June 30, 2023)

January 4, 2022

## Contents

|  |    |
|--|----|
| 1.1 Purpose .....  | 3  |
| 1.2 Authority .....  | 3  |
| 1.3 General Information.....   | 4  |
| 1.4 Role of Direct Service Provider & Kentucky Career Center Partner Collaboration.....      | 7  |
| 1.5 Role of Direct Service Provider – Performance Measurement & Continuous Improvement ..... | 8  |
| 1.6 Proposal Requirements .....  | 9  |
| 1.7 Proposal Narrative.....  | 11 |
| A. Organization Background, Qualifications, Performance History.....                         | 11 |
| B. Plan of Service – Programs/Program Outcomes .....   | 12 |
| C. Capacity/Staffing Plan and Organizational Chart .....                                     | 18 |
| D. Partnerships and Community Coordination.....  | 19 |
| E. Fiscal Accountability, Financial Management, and Budget .....                             | 20 |
| F. Technology, Data, and Reporting .....   | 21 |
| 1.8 Proposal Evaluation.....   | 21 |
| Attachment A: Proposal Cover Sheet .....   | 23 |
| Attachment B: Budget Line Item .....   | 24 |
| Attachment C: Budget Line Item Definitions .....   | 25 |
| Attachment D: Planned Service Levels .....   | 27 |
| Attachment E: Assurances & Certifications .....  | 28 |

## 1.1 Purpose

The purpose of this solicitation is to select a Direct Services Provider to provide career services at the Kentucky Career Centers (KCCs) and other service access points for federally funded KCC partners, as required by WIOA and other community partners serving employers and customers seeking jobs, career counseling, training, and career advancement in the Cumberlands Workforce Development Area.

The purposes of WIOA are the following:

- (1) To increase, for individuals in the United States, particularly those individuals with barriers to employment, access to and opportunities for the employment, education, training, and support services they need to succeed in the labor market.
- (2) To support the alignment of workforce investment, education, and economic development systems in support of a comprehensive, accessible, and high-quality workforce development system in the United States.
- (3) To improve the quality and labor market relevance of workforce investment, education, and economic development efforts to provide America's workers with the skills and credentials necessary to secure and advance in employment with family-sustaining wages and to provide America's employers with the skilled workers the employers need to succeed in a global economy.
- (4) To promote improvement in the structure of and delivery of services through the United States workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.
- (5) To increase the prosperity of workers and employers in the United States, the economic growth of communities, regions, and States, and the global competitiveness of the United States.
- (6) For purposes of subtitle A and B of title I, to provide workforce investment activities, through statewide and local workforce development systems, that increase the employment, retention, and earnings of participants, and increase attainment of recognized postsecondary credentials by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet the skill requirements of employers, and enhance the productivity and competitiveness of the Nation.

## 1.2 Authority

The WIOA, the WIOA Final Rules and WIOA guidance notifications are available at [www.doleta.gov/wioa](http://www.doleta.gov/wioa). In addition, WIOA Policy Numbers 15-001, 15-002, 15-003, 17-001 and 17-002 are incorporated in 787 KAR 2:040E.

Pursuant to the Kentucky Code 787 KAR 2:040, LWDBs must competitively procure the Direct Services Provider for the WIOA Title I services. This procurement must meet the criteria as outlined in 787 KAR 2:040, ensuring an efficient and effective process is in place for the selection of the Direct Services Provider.

*The Cumberlands Workforce Development Board (herein also referred to as the CWDB or the Board) is proceeding with the RFP process and will expect the selected services provider to accommodate the implications of the WIOA, WIOA Final Rules, and relevant federal, state, and local WIOA regulations, policies, and advisories.*

### 1.3 General Information

- A. The resulting contract with the successful bidder will be for a 1 year period, July 1, 2022 to June 30, 2023. *Based on performance, the Board may renew the contract for an additional 3 years.* The contract shall be cost-reimbursement.
- B. The Cumberlands Workforce Development Area consists of Adair, Casey, Clinton, Cumberland, Green, Laurel, McCreary, Pulaski, Rockcastle, Russell, Taylor, Wayne, and Whitley counties with one (1) Kentucky Career Center located in Somerset and twelve (12) affiliate sites located in Columbia, Liberty, Albany, Burkesville, Corbin, London, Whitley City, Mt. Vernon, Russell Springs, Campbellsville, Monticello, and Williamsburg. The successful bidder will provide Adult, Youth, and Dislocated Worker programs and Business Services in all 13 counties in the Cumberlands Workforce Development Area effective July 1, 2022.
- C. The Board is seeking interested and qualified (private and public and for-profit and not-for-profit) entities, in accordance with 29 U.S.C.A. §3151(d)(2), able to provide innovative, high quality services to adults, dislocated workers, youth, and the business community. The proposed services must meet the specifications of this RFP. The Board anticipates contracting with an entity or consortium of entities that are familiar with WIOA, and/or similar programs. The organization awarded the contract will be expected to quickly learn the WIOA and the implementing regulations. The organization selected should demonstrate the characteristics listed below.
  - Competent management with vision;
  - Customer service oriented staff;
  - Cooperative management and staff;
  - Commitment to an integrated service delivery model;
  - Willingness to partner with others;
  - Flexibility and ability to adapt to change;
  - Expertise in delivery of WIOA and/or similar services;
  - Data Integrity; and
  - Innovative service delivery (virtual and in-person).
- D. Funding of proposals is contingent upon the availability of funds, authorization of program activities, and federal or state legislative actions and satisfactory negotiation of the proposed project and budget.
- E. The current negotiated WIOA performance measures are listed below for PY 2021.

Cumberlands Workforce Development Board  
Performance Measures PY and 21

| <b>Adult Program</b>                               | <b>PY 21</b> |
|--|--------------|
| Employment Rate 2 <sup>nd</sup> Quarter After Exit | 69.0%        |
| Employment Rate 4 <sup>th</sup> Quarter After Exit | 69.0%        |
| Median Earnings 2 <sup>nd</sup> Quarter After Exit | \$5,700      |
| Credential Attainment within 4 Quarters After Exit | 57.0%        |
| Measurable Skill Gains                             | 55.0%        |
|  |              |
| <b>Dislocated Worker Program</b>                   |              |
| Employment Rate 2 <sup>nd</sup> Quarter After Exit | 73.0%        |
| Employment Rate 4 <sup>th</sup> Quarter After Exit | 72.0%        |
| Median Earnings 2 <sup>nd</sup> Quarter After Exit | \$7,200      |
| Credential Attainment within 4 Quarters After Exit | 63.0%        |
| Measurable Skill Gains                             | 55.0%        |
|  |              |
| <b>Youth</b>                                       |              |
| Employment Rate 2 <sup>nd</sup> Quarter After Exit | 66.0%        |
| Employment Rate 4 <sup>th</sup> Quarter After Exit | 69.0%        |
| Median Earnings (Second Qtr. After Exit)           | \$3,700      |
| Credential Attainment within 4 Quarters After Exit | 55.0%        |
| Measurable Skill Gains                             | 55.0%        |

- F. Funding will vary, depending upon final allocations, number of participants to be served, and services proposed and negotiated. The Board will ensure that services, either physically or electronically, are available equitably in all counties within the Cumberlands Workforce Development Area. Business services will be provided in all area counties through the Business Services Team.
- G. The Board reserves the right to make an award to any bidder or to make no awards, if that is deemed to serve the best interests of the Board and the Cumberlands Workforce Development Area. The proposal process is competitive and follows local, state, and federal procurement rules.
- H. The WIOA provides the framework for a national workforce preparation system that is flexible, responsive, customer-focused, and locally managed. The Board envisions a system that meets the needs of residents and businesses alike.
- I. This Request for Proposals is not in itself an offer of work nor does it commit the Board to fund any proposals submitted. The Board is not liable for any costs incurred in the preparation or research involved in the development of proposals.
- J. The CWDB reserves the right to delay, amend, reissue, or cancel any or all of the RFP at any time without prior notice. This RFP does not commit the CWDB to accept any proposal nor

will it be responsible for any costs incurred by a bidder in the preparation of responses, in conduct of a presentation, or any other activities related to this RFP.

The CWDB reserves the right to reject any or all proposals, to accept or reject any or all items in any proposal, and to award contracts in whole or in part as is deemed to be in the best interest of the CWDB. The CWDB reserves the right to negotiate with any bidder after proposals are reviewed and reserves the right to negotiate the final terms of the contract with the successful bidder.

- K. All commitments made by the Board are contingent upon the availability of funds and the Board reserves the right to award an amount less than the total funds available for bid contained in this RFP.
- L. The Cumberlands Workforce Development Board has the right to amend the requests for proposal.
- M. By submitting a bid, all bidders are providing an assurance that they will comply with the section referenced on page 31 (CFR Part 34: Nondiscrimination and Equal Opportunity Certification).
- N. Funds available for bid are intended to result in a contract for the KCC Direct Services Provider in the Cumberlands Workforce Development Area for adult, youth, dislocated workers, and business services programs under the core WIOA and other applicable local programs.
- O. Bidders should note that under the requirements of the Kentucky Open Records law, the contents of your proposal or other information submitted to the Board is subject to public release upon request, except those items specifically exempt from disclosure. The bidder shall mark as "proprietary" those parts of its proposal that it deems proprietary. However, the bidder is alerted that this marking is advisory only and not binding on the Board. If there is a request from the public under Kentucky Open Records law to inspect any part of the proposal so marked, the Board will advise the bidder and request further justification in support of the "proprietary" marking. If the Board determines, after receipt of the justification, that the material is releasable, the bidder will be notified immediately. Under no circumstances will a proposal or any part of a proposal be released prior to the contract award decision.
- P. The specifications in this RFP may change based on issuance of State or Federal regulations or policy. The Cumberlands Workforce Development Board will work with the successful bidder to implement any changes required by the State or US Department of Labor. By submitting a proposal, the bidder agrees to work cooperatively with the Board and Workforce Director to comply with subsequent changes.
- Q. By submitting a proposal, the bidder certifies to his/her knowledge and belief that there is no conflict of interest (real or apparent) inherent in the bid or in delivering the scope of work if the Board awards a contract. A conflict of interest would arise if any individual involved in the preparation of this RFP, proposal review, and rating or award decisions has a financial or other interest in or represents the bidding organization and would be likely to gain financially or

personally from the award of a contract. The same would hold true for any member of the individual's family, partner, or an organization employing or about to employ any of the above as a direct result of the successful award of a contract under the RFP. The Board reserves the right to disqualify a bid should a conflict of interest be discovered during the solicitation process.

- R. By submitting a proposal, the bidder assures that it will manage additional services under additional grants such as a National Dislocated Worker Grant or other State or federally funded workforce programs granted to the Cumberlands Workforce Development Board.
- S. If you plan to use subcontractors in your proposal, you will be required to submit the name(s) and qualifications to provide some of the services/deliverables for this project. Subcontractors will be held to the same terms and conditions as the contractor in order to meet the statement of work, method of payment and deliverables. Any subcontractor must make available to the contractor and the CWDB, if requested, copies of personnel records and documentation of employee's compliance with the contract as it is written.
- T. The bidder assures that if awarded a contract by the Board, it will comply with any Regional, State, and Federal program and financial monitoring.
- U. **Bidders are prohibited from contacting or discussing this RFP with board members of the Cumberlands Workforce Development Board and local elected officials. Such contact will result in disqualification of the bid.** All questions pertaining to this RFP should be directed to [rfp@cwdb.org](mailto:rfp@cwdb.org).
- V. All proposers must demonstrate existing capacity and commitment to:
  - Provide data of performance and plans by attending scheduled meetings with the Workforce Director of CWDB,
  - Support the attainment of and/or maintain the KCC certification standards for full service and affiliate sites,
  - Serve the KCC target populations,
  - Operate cost-effectively,
  - Operate in a continuous improvement mode guided by customer needs, satisfaction and success,
  - Meet or exceed state and local performance standards, and
  - Provide framework of how services will be offered in-person and virtually.

## 1.4 Role of Direct Service Provider & KCC Partner Collaboration

- A. Collaborate with the KCC partners to bring integrated and additional services to the KCC. Enter into a Memorandum of Understanding relative to these services and to the financial agreements with partners for cost sharing in accordance with WIOA. Provide leadership and coordination for the integration of partner services into the KCC system and implementation of the Memoranda of Understanding and subsequent agreements with KCC partners.
- B. Improve customer access to the KCC partner services through implementing a common intake, common application, and common case management and referral process as required under WIOA. Strive to streamline services and minimize duplication.

- C. Work with the WIOA youth services providers to familiarize youth with the full array of KCC services and determine appropriateness of co-enrollment, particularly for out-of-school youth prioritized under WIOA.
- D. Leverage additional funding streams including those that support training, as well as in-kind and monetary contributions from regional organizations and businesses.
- E. Collaborate with other pertinent organizations in the communities and Commonwealth to meet the needs of customers.
- F. Collaborate with the Board to implement workforce development system initiatives and specific grant activities for which the Board and the KCC system participation has been required in the grant applications and subsequent funding.

## 1.5 Role of Direct Service Provider – Performance Measurement & Continuous Improvement

- A. Meet or exceed all WIOA performance measures included in WIOA and regulations. Under WIOA these performance measures are more important than ever as they not only inform Congress and federal agencies, but also the general public under requirements for public disclosure websites; and furthermore are factored into initial and periodic certification and re-certification of the local areas and one-stop designations.
- B. Ensure ongoing improvement of KCC services. Improvement should focus on but is not limited to program utilization, performance outcomes, customer satisfaction, cost effectiveness and virtual tools.
- C. Establish a program of staff capacity building and cross training. Collect and analyze appropriate data for quality assurance, continuous improvement and reporting purposes. Facilitate the sharing and maintenance of data with the Cumberlands Workforce Development Board, Director, and staff.
- D. Implement process and schedule for reviewing and analyzing performance data internally and with partners, identifying areas to target for improvement, diagnosing causes of failure to meet performance standards, planning changes to improve performance, implementing changes and monitoring the results. Promptly develop solutions to address any identified problems in day to day operations and continue to apply corrective actions until performance meets standards.
- E. Provide information and reporting for the roll-up of monthly work and projects.
- F. Ensure communication with CWDB Director and staff of the comprehensive approach of the provision of services to all customers and partners.



## 1.6 Proposal Requirements

- A. Proposals must be received via email to [rfp@cwdb.org](mailto:rfp@cwdb.org) by 4:00PM CST on February 25, 2022. Proposals received after that time and date will be rejected. Printed copies of the proposal will not be accepted.

Provide two years of audited financial history. These reports shall be submitted separately to the same email address ([rfp@cwdb.org](mailto:rfp@cwdb.org)) and by the same deadline. If your organization has operated WIOA funded programs, please submit one copy of your monitoring report for the past two program years with resolution letters. The audit report and monitoring reports are not part of the proposal.

- B. Attachment A, a proposal cover page, shall be completed and used as the cover page for the proposal.
- C. Attachment B budget form is to be completed with a detailed budget narrative.
- D. Attachment C indicates what may be included in the Administrative and Program cost categories and the definitions of the budget line items.
- E. Attachment D is the proposed Planned Service levels.
- F. Attachment E-Assurances and Certifications is to be signed and submitted.
- G. Your response to the narrative section of the application is limited to no more than 20 pages. This page limitation is imposed for the sake of the reviewers of your proposal. This limitation does not include other sections of your proposal such as: Attachments A, B, C, D, and E. the Executive Summary will count toward the 20 page narrative limit.
- H. Assemble your proposal in the following order. Use this as a checklist to ensure the proper order. Failure to follow RFP instructions could result in rejection of your proposal.

Proposal Cover Page (Attachment A)

Executive Summary

Proposal Narrative

Attachment B (Budget Line Item with Budget Narrative)

Attachment C (Cost Categories and Definitions)

Attachment D (Planned Service Levels)

Attachment E (Assurances and Certifications)

One copy of two years of audited financial history (separate from the proposal)

One copy of your workforce program monitoring reports for the most recent two years

Formatting is as follows:

- Font size: 11 points
- Font style: Times New Roman
- Line spacing: Double-spaced
- Pages: Single sided
- Page numbered: Right side of the bottom of each page
- Language: English

- I. Questions regarding this RFP may be submitted via email to [rfp@cwdb.org](mailto:rfp@cwdb.org). When submitting questions, please specify: 1) RFP section number, 2) paragraph number, 3) page number and 4) quote the language that prompted the question. This will ensure that the section can be quickly found in the RFP.

- J. The RFP will be available from the CWDB website:  
[www.cumberlandsworkforce.com](http://www.cumberlandsworkforce.com).

The application evaluation weights are listed below.

- 20% Background, Qualifications Performance & Virtual Tools**
- 20% Plan of Service – Programs/Program Outcomes**
- 15% Capacity/Staffing Plan & Organizational Chart**
- 15% Partnerships & Community Coordination**
- 20% Fiscal Accountability, Financial Management & Budget**
- 10% Technology, Data & Reporting**

- K. Appeals/Complaints: Applicants have the right to appeal any action or decision related to this RFP. Appeals will be reviewed and investigated by the Cumberlands Workforce Development Board, in accordance with Board policy and by-laws. The decision of the Board in such situations shall be final.

- Any Proposer may request review of a disqualification or of a proposed contract award under this RFP.

| Schedule of Events                |                                |
|-----------------------------------|--------------------------------|
| Release RFP                       | January 4, 2022                |
| Letter of Intent (sent via email) | January 26, 2022               |
| Questions & Answers               | February 9, 2022               |
| Proposal Due                      | February 25, 2022              |
| Evaluation of Proposals           | March 1, 2022 – March 22, 2022 |
| Board Consideration               | March/April 2022               |
| Contract Negotiation & Execution  | April/May 2022                 |
| <b>Contract Implementation</b>    | <b>July 1, 2022</b>            |

## 1.7 Proposal Narrative

### A. Organization Background, Qualifications, Performance History

#### Proposal Evaluation (20%)

The narrative of your proposal is limited to 20 pages. Please include a brief Executive Summary that allows the reader to understand key aspects of the bidding entity and the approach to providing the KCC program services.

#### 1. Profile the Proposing Organization

- a. What is the legal status of your organization?
- b. Describe your organization, the governance structure, length of existence, vision, mission, goals, and major programs currently offered. Include an organizational chart.

#### 2. History of Similar Programs

- a. Proposals must include information to demonstrate that the bidder has a record of success in operating similar workforce programs or projects. Describe your experience in providing workforce services to adults, dislocated workers and youth. Provide a

- description of your experience providing business services similar to the business services requested in this RFP. Please outline all workforce programs operated during the last two years. Provide brief program descriptions, funding sources and performance information.
- b. Provide two references of individuals outside of your organization familiar with the quality of prior programs you have operated. Provided examples of in-person and virtual services.
  - c. If the organization has not provided past WIOA programs, please outline programs that provided similar service in which your organization has been involved over the last two years.

## B. Plan of Service – Programs/Program Outcomes

### **Proposal Evaluation (20%)**

The Board has implemented an integrated service delivery model that embraces the team-based case management approach.

**Providing Direct Services with COVID-19** – Prior to the arrival of COVID-19, it would be expected that direct services be provided in-person. Since the arrival of COVID-19 and its impact on providing in-person services, bidders will need to describe how direct services will be provided both in-person and virtually. Bidders should also describe how staff will provide an in-person outreach campaign to all 13 counties of the Cumberlands Workforce Area. COVID-19 impacted the number of job-seekers and employers requesting and receiving WIOA assistance. The lack of job seekers resulted in many open positions in the region. Responses should include plans on how to increase the regions labor force participation rate.

#### **1. General Information**

- a. Describe your knowledge of the most significant workforce development challenges and opportunities that the Cumberlands Workforce Development Area will likely face in the next five years.
- b. Explain how you will work with the CWDB Director, and local management staff to continuously improve the integrated system. Describe how you will take the leadership with KCC Partners on operational issues and in developing an integrated menu of services for job-seeking customers and employers and maintain communications with all KCC partners and co-located staff. Include a program design model for in-person and virtual component.
- c. Describe how your organization envisions its role, relationship, and data reporting communication with the CWDB Director, the Workforce Development Board, and the local elected officials.
- d. Describe your organization’s ability to meet the specific needs of each of the following populations:
  - Employers seeking workers, labor market information, labor exchange services (e.g., posting of job orders, receiving qualified referrals, etc.), specialized training arrangements for current or prospective workers, participating in regionally determined and organized industry sector and career pathways initiatives, needing assistance to avoid layoffs or reduction in force, etc;

- The general public (the universal customer) seeking use of the facility, access to resources for job hunting, and other services as part of the array of career services under WIOA and other applicable programs;
  - Adults and Dislocated Workers (including displaced homemakers) who meet the requirements for WIOA services;
  - Individuals seeking specialized services such as Veterans, former offenders, substance abusers, non-high school/high school equivalency diploma graduates, individuals with multiple barriers to employment (including older individuals, low-income individuals, people with limited English-speaking ability or cultural barriers, and people with disabilities), individuals impacted by foreign trade who may be eligible for Trade Assistance;
  - Former WIOA enrollees to whom follow-up services are to be provided; and
  - Out-of-school youth who need referral to appropriate service providers or other career services.
- e. Demonstrate your knowledge in serving these populations by providing a description of the differences between the WIOA requirements, customer expectations and the needs of adults, dislocated workers, and youth. Describe your organization's ability to meet the specific needs of each population.
- f. Describe how you will market and implement an effective on-the-job training component to employers.
- g. Describe the process that will be used for approval and payment of direct customer expenditures in an integrated system, including an estimated length of time from the case manager decision to provide the financial assistance until the resulting invoice has been paid.
- h. The KCC Comprehensive Center is located in Somerset with affiliate sites and access points located in Columbia, Liberty, Albany, Burkesville, Corbin, London, Whitley City, Mt. Vernon, Russell Springs, Campbellsville, Monticello, and Williamsburg. Describe the similarities and differences in how services will be delivered in these Centers. This section should provide a brief description about how services will be provided in-person and virtually at each specific KCC and address at a minimum the following issues: the menu of services available, hours of operation, full-time or part-time staff, availability of partner services and client flow. It is expected that the Direct Service Provider provide services at our locations. Services at the comprehensive center (hub) must be full time, Monday-Friday. The center is located in Somerset, KY. Current services at the affiliates sites – Columbia, KY 3 days/week, Campbellsville, KY Monday-Friday 5 days a week, Mt. Vernon, KY 1 day/week, Corbin, KY 5 days/week, Albany 3 days/week, Monticello 4 days/week - access points Whitley City, KY 3 days/week, Russell Springs 5 days/week, Liberty 5 days/week, London 2 days/week, Burkesville 1 day/week.

## 2. **Business Services**

The Business Service staff general expectation and services to employer are listed below:

- Proactively establish and develop relationships and networks with all size employers and their intermediaries;
- Be knowledgeable about all regional and state workforce resources and be able to coordinate these resources to provide streamlined services to employers;
- Represent workforce resources to perspective economic development clients;

- Be knowledgeable about and able to interpret labor market information and data;
- Match employer needs with worker skills;
- Connect to incumbent worker training;
- Connect to customized training;
- On-the-job training as funds are available;
- Labor market information
- Plan and conduct hiring events in coordination with CWDB Director
- Customize recruitment
- Rapid Response services
- Employer needs assessments
- Develop and implement employer solutions plan
- Provide information related to:
  - Americans Disabilities Act (ADA)
  - Unemployment Insurance
  - Trade Adjustment Assistance (TAA)
  - Training Incentives
  - Vocational Rehabilitation Services
  - National Career Readiness Certificate (NCRC)
  - Work Opportunity Tax Credit (WOTC)
  - Veterans Services

Additionally, Business Service Team will be required to:

- Document all interactions with employers on the Salesforce platform
  - Be able to create or provide a Business Service Team playbook
  - Contribute to improving the regional Business Service Team's effectiveness by developing and sharing best practices
  - Encourage employers to enter job posting into Focus Talent-report results monthly
  - Service provider is represented at least 20 bi-weekly meetings
  - Describe how customer feedback will be collected and used to make continuous improvement of the Business Service Team
  - Describe experience with sector partnerships and sectors that could be explored based upon current labor market data
- a. Describe what strategic approaches you will use to support regional economic development and employers with Human Resources consultation (i.e. high staffing needs), self-sufficient wages , jobs requiring skilled workers (i.e. Registered Apprenticeship), and managing a reduction in force (i.e. layoff aversions strategies and Rapid Response activities).
  - b. Describe how you will work with employers to utilize Focus Talent and Focus Career for their own benefit and for jobseekers.
  - c. Describe how your Business Services team plans to outreach to employers to engage them in the one-stop center and system, specifically which employer organizations the team will market.
    - Describe how communication and reporting metrics will be shared on a weekly basis to the CWDB Director. The Business Service team staff will be required to communicate with the CWDB Director of job fairs, job postings, and how marketing material will be presented for employer outreach campaigns.
  - d. Describe the virtual tools and outreach you have previously used, as well as your success with each.

- e. Describe how you plan to market work-based learning, internships, on-the-job training, customized training, National Career Readiness Certificate (NCRC), and registered apprenticeships to employers. Please describe in detail your plan of cross training all WIOA departments.
- f. Describe how you plan to assist employers with accessing local, State, and Federal tax credits and how that will be reported monthly CWDB Director.

### **3. Adult and Dislocated Worker Services**

The WIOA defines the required activities authorized for Adults and Dislocated Workers. Bidders are encouraged to read WIOA to understand the scope of authorized activities. In general these activities are:

- i. To establish a one-stop delivery system described in section 121(e);
- ii. To provide the career services described in Section 134(c)(2) to adults and dislocated workers, respectively, through the one-stop delivery system in accordance with such paragraph;
- iii. To provide training services described in Section 134 (c)(3) to adults and dislocated workers, respectively, described in such paragraph;
- iv. To establish and develop relationships and networks with large and small employers and their intermediaries; and
- v. To develop, convene, or implement industry or sector partnerships.

Specifically, Adult and Dislocated Worker Activities include: eligibility determination, outreach and intake, initial assessment of skills, supportive service needs, job search and placement assistance, career counseling, provision of information on in-demand occupations and non-traditional employment, recruitment and other business services for employers, referrals to other KCC partner programs and other available programs in the community, provision of labor market information, information on supportive services available through other programs, information and assistance with establishing eligibility for financial aid and assistance for educational programs other than WIOA, comprehensive skills assessments, in depth interviewing and evaluation of barriers to employment, development of an Individual Employment Plan, group counseling, career planning, short term prevocational services, soft skills training, work experience, financial literacy, out of area job search, training services, occupational skills training, support services, on-the-job training (OJT), work-based learning, incumbent worker training, private sector training programs, skill upgrading and retraining, job readiness training, adult education and literacy activities and follow-up services.

- a. Describe how the availability of services to adults and dislocated workers will be marketed in all communities within the Workforce Development Area. Also, describe how recruitment of these populations will be conducted in-person, outreach, and virtually.
- b. Describe experience with sector partnerships and suggest sectors that could be explored based on the labor market in the area.
- c. Describe the eligibility, assessment, case management, and counseling services that will be provided to adults and dislocated workers in an integrated system.
- d. Describe career services, training, and follow up services to be provided to these populations under WIOA.
- e. Describe your understanding and deliverance of the use of career pathways for adults and dislocated workers.

- f. Describe all services that will result in direct client expenditures (i.e. supportive services, Individual Training Accounts (ITAs), OJT, work experience, etc.) For each type of service, describe how it will be decided which customers receive that particular type of service and how the amount of financial assistance will be determined for each customer in an integrated system.
- g. Describe how rapid response services will be provided to customers in the event of a facility closure or large dislocation. Also, describe how rapid response activities will be coordinated between business services staff, KCC staff and CWDB Director.
- h. Demonstrate commitment to meeting WIOA performance requirements for the adult and dislocated worker programs by describing how the programs will be managed in an integrated system to meet or exceed each of the applicable performance standards. In addition, please provide an assurance that services will also be designed to meet any additional quality standards established by the KWIB or the Local Workforce Development Board and/or Director.
- i. Describe how customer feedback will be collected and used to make continuous improvements to services.
- j. Describe your understanding of how seamless services should be provided between KCC programs including Adult, Dislocated Worker, Youth, Business Services, Wagner-Peyser, Trade Adjustment Assistance, Veterans Programs, Temporary Assistance for Needy Families TANF), Supplemental Nutrition Assistance Program (SNAP), Adult Education, and Vocational Rehabilitation.
- k. Describe how customer feedback will be collected and used to make continuous improvements to services. Also, please describe how this information will be reported to the Cumberlands Workforce Development Board and Director.

#### **4. Youth Services**

Proposals are to be submitted to serve a combination of in-school and out-of-school youth. Proposals should be based on youth development principles and best practices that support, motivate, and prepare youth for continuing educational achievements, successful transition into adulthood, and long-term success in employment. The proposed services design and implementation strategies must be age appropriate, provide a customized mix of services to address individual needs and goals, and lead to attainment of the performance measures for in-school and out-of-school youth.

WIOA requires the youth formula program spend at least 75 percent of funds on out-of-school youth. WIOA also changes youth eligibility requirements by establishing separate criteria for out-of-school and in-school youth, including removing income eligibility requirements for most out-of-school youth and raising the eligible age for such youth to 16 through 24. Additionally, WIOA places a new priority on work-based learning by providing that at least 20 percent of local youth formula funds be used for work experiences such as summer jobs, pre-apprenticeship training, on-the-job training, and internships that have academic and occupational education as a component.



Under the WIOA, Youth funds contracted to the service provider for eligible youth shall be used to carry out programs that:

- Provide an objective assessment of the academic levels, skill levels, and service needs of each participant.
- Provide service strategies for each participant.
- Provide activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized post-secondary credential.
- Provide preparation for post-secondary educational and training opportunities.
- Provide strong linkages between academic instruction and occupational education that lead to the attainment of recognized post-secondary credentials.
- Provide preparation for unsubsidized employment opportunities, in appropriate cases.
- Provide effective connections to employers in in-demand industry sectors and occupations of the regional labor market.

**5. Youth Program Elements**

The Cumberlands Workforce Development Area Youth program must provide access to or referral to the fourteen (14) elements listed below. Definitions of these program elements are available through WIOA federal regulations. The 14 elements that must be present are:

- a. Tutoring, study skills training, instruction, and evidence based dropout prevention strategies that lead to completion of a secondary school diploma or its recognized equivalent or for a recognized postsecondary credential;
- b. Alternative secondary school services offerings;
- c. Paid and unpaid work experiences that have as a component academic and occupational education, which may include
  - Summer employment opportunities and other employment opportunities available throughout the school year;
  - Pre-apprenticeship programs;
  - Internships and job shadowing; and
  - On-the-job training opportunities;
- d. Occupational skill training, which includes priority consideration for training programs that lead to recognized postsecondary credentials that are aligned with in-demand industry sectors or occupations;
- e. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- f. Leadership development opportunities, which may include community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors, as appropriate;
- g. Supportive services;
- h. Adult mentoring for a duration of at least twelve (12) months, that may occur both during and after program participation;
- i. Follow-up services for a minimum 12-month period after the completion of the program;
- j. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as appropriate to the needs of the individual youth;
- k. Financial literacy education;
- l. Entrepreneurial skills training;
- m. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and



- n. Activities that help youth prepare for and transition to post-secondary education and training.
- Describe all services that will be provided in accordance with the 14 Program Elements required by WIOA. All 14 required elements must be provided. The WIOA legislation mandates that 14 specific program elements must be included in the WIOA Youth program design (these can be available by direct service provision, through partnerships with other organizations, or by referral to other organizations as appropriate).
  - Describe how the availability of services to WIOA in-school and out of school youth will be marketed to all communities within the Area. Also, describe how recruitment of these populations will be conducted for those in-school and those home schooled.
  - Describe how the program design will ensure that no more than 25% of funding will be spent on in-school youth while not less than 75% will be spent on out of school youth.
  - Describe your understanding of how career pathways can be used to enhance youth services and how you will work with employers in the targeted sectors to develop pathways that will serve as a guide for youth to map out their careers in an informed manner.
  - Describe the eligibility, objective assessment including basic skills and academic level, individual service strategy development, case management, counseling, and follow up services that will be provided to youth. Indicate how youth will be prepared for post- secondary education opportunities, as appropriate and how strong linkages will be developed between academic and occupational training. Also, describe how youth will be prepared for unsubsidized employment opportunities and how youth will access information about the local labor market, in-demand occupations and employment opportunities within the region.
  - Describe all services that will result in direct client expenditures (i.e. supportive services, classroom training, work experience, OJT etc.) For each type of service, describe how it will be decided which customers receive that particular type of service and how the amount of financial assistance received will be determined for each customer.
  - Describe how you plan to utilize on-the-job training with youth. Describe how you will reach out to employers to utilize OJTs with youth.
  - Describe your knowledge of performance requirements for the youth programs by describing how the programs will be managed to meet or exceed each of the applicable performance standards. Description should also focus on activities leading to the attainment of a secondary school diploma or its recognized equivalent, or a recognized post-secondary credential. In addition, please provide an assurance that services will also be designed to meet any additional quality standards established by the CWDB.

### C. Capacity/Staffing Plan and Organizational Chart

#### Proposal Evaluation (15%)

1. **Staffing of the WIOA program is one of the most critical aspects of ensuring program quality. Please describe your proposed staffing plan for the WIOA programs in the Cumberland Workforce Development Area both in-person and virtually.**

- a. Describe your plan to ensure that your staff are well trained and ready to implement WIOA services in the Workforce Development Area on July 1, 2022. Management and staff must learn the WIOA, rules and regulations quickly and put policies and procedures in place to ensure that there is no lag in services to customers.
  - b. Identify key management staff by name with a summary of their credentials and brief resume of qualifications, and a brief description of their duties and responsibilities.  
**SPECIAL NOTE:** *Special consideration shall be given to existing staff that possess knowledge, expertise and experience. This consideration means they will be granted an interview.*
  - c. Describe how you will execute the contract as the Direct Service Provider.
  - d. Describe how bidder would provide sufficient staffing to keep the Career Centers open and mobile services available to the public and deliver full complement of contracted services.
  - e. Describe how bidder would provide staffing for flexible scheduling, as needed (for example, staying open for evening events, conducting outreach during events).
  - f. Bidder should provide a workflow/logistical model for in-office and community outreach.
- 2. Organizational Chart(s)**
- a. Include an organizational chart(s) that illustrates the structure of the staff to be used in support of the proposed programs. The chart should clearly display the number of staff planned for each KCC along with position titles.
  - b. The chart should also display the management staff located within the Cumberlands Workforce Development Area and outside the Area. Identify by name the key management staff specified in the staffing plan from section 1 above.
  - c. The Bidder must inform CWDB Director of any changes to staff assignments/program roles and responsibilities in advance of implementation.

## D. Partnerships and Community Coordination

### Proposal Evaluation (15%)

- 1. Partnerships and coordination of services with other organizations are keys to success in the delivery of WIOA services.**
  - a. Describe past success in developing effective working relationships with partner organizations. Include at a minimum local Wagner-Peyser staff and programs, WIOA staff and programs, Adult Education Providers, and Vocational Rehabilitation.
  - b. Describe past experience with a service delivery model, functional supervision, information sharing, case management of co-enrolled clients, cross training of staff, rapid response activities, services to Trade Adjustment Assistance clients, or other activities conducted in close coordination with local Wagner-Peyser staff.
  - c. Describe how key management staff will work in cooperation with the Cumberlands Workforce Development Board, the Director, and the local KCC managers (if applicable) to ensure coordinated management.
  - d. Include letters from key partners you plan to collaborate with. Bidders should only include key partners such as community-based organizations or partner programs. Do not include supportive service vendors.
  - e. Describe how organizations will work with CWDB Director and staff to ensure all

areas of the local and regional plans will be a focus.

**2. Partnerships and community coordination of services is another element of success in the delivery of WIOA services.**

- a. Describe your organizational philosophy on community involvement of service delivery staff with local organizations, agencies, schools, Chambers of Commerce, etc. and participation of staff on boards and committees throughout the region.
- b. Describe your strategies for outreach and enrollment among the 13 county region.

## E. Fiscal Accountability, Financial Management, and Budget

### **Proposal Evaluation (20%)**

Funding of proposals is contingent upon the availability of funds, authorization of program activities, and federal or state legislative actions and satisfactory negotiation of the proposed project and budget.

1. Reimbursement of Administrative costs is limited to no more than five percent (5%) of the total proposal budget.
2. The maximum funding estimate excludes funds reserved to pay for training and supportive services. The costs of these services are not to be included in the budget proposal since they are managed and disbursed by the Board.
3. Proposals must demonstrate the ability to meet program and financial expectations with a minimal amount of administrative cost charged to the contract. Costs in this request are limited to staff who directly perform duties necessary to the program and other reasonable indirect costs that are indispensable to achieving the goals of the proposal.
4. A detailed budget narrative should be attached that describes the allocation of funds among overhead, management and direct client costs and the philosophy of the bidder with respect to minimizing overhead costs while maximizing client costs. The budget narrative should be used to clarify and annotate the budget.
5. Bidders must maintain a financial management system that is auditable and in compliance with generally accepted accounting principles. Financial records must be available for audit and monitoring purposes. Bidders should provide a brief description of the accountability of the organization and financial history in this section and provide two years of audited financial history with the bid package. The audit is not part of your proposal.
6. Provide financial and administrative experience in managing multiple federal, state and/or private funding sources.
7. Attach monitoring reports for the past two years and include resolution letters.
8. If WIOA costs incurred are subsequently disallowed as a result of audit or monitoring, does your organization have the capability to repay these funds? From what source?
9. Bidders must provide the status of disallowed costs by any state and/or federal agency within the past three (3) years. List the agency name, amount of disallowed costs, and bidder's position as to the disputed costs and the current status of any review process, dispute process and/or corrective action plan.
10. The Budget will be negotiated annually based on satisfactory performance evaluations determined by the CWDB and the funding availability. The proposal must be submitted yearly in May to the CWDB board staff and reviewed by the Cumberlands Workforce Development Board yearly.

## F. Technology, Data, and Reporting

### **Proposal Evaluation (10%)**

1. Describe proposed data collection, validation methodology and reporting method as well as how performance goals will be tracked and evaluated on a recurring basis. Assurance should be provided that data will be tracked and reported in accordance with applicable federal, state, and local requirements including utilization of state mandated case management reporting system.
2. Describe how participant files will be maintained in accordance with state and local requirements, are maintained in a secure location and data integrity will be maintained.
3. Describe the information technology structure that organization utilizes and is it secure?

## 1.8 Proposal Evaluation

The proposal criteria identified herein is a guideline for Bidders and reviewers; however, the final decision for contract award rests with the Local Workforce Development Board in partnership with the Governing Board. Proposals that do not meet minimum standards will be considered non-responsive.

### **Minimum standards:**

- a) The proposal must be received no later than February 25, 2022 by 4:00PM CST via email to [rfp@cwdb.org](mailto:rfp@cwdb.org).
- b) One copy of your most recent two years of audited financial history and copies of your monitoring reports for the past two program years with resolution letters, if applicable.
- c) Proposals must meet the requirements contained in Sections 1.6 and 1.7.
- d) Bidders must be eligible entities
- e) The proposal and all signature forms contained herein must be signed by the bidder's authorized signatory authority.
- f) Bidders who intend to use established subcontractor(s) to provide services must include original letters from each subcontractor attesting to their agreement to all terms of the proposal and any resulting contract along with a copy of all documentation required in this RFP to substantiate the proposed subcontractor's qualifications. The Board must approve any subcontract arrangements.

### **Evaluation process:**

The scores will be aggregated with the average score recorded. The review panel may request additional information for clarification and consideration. It is possible that the Board will request that bidders make an oral presentation to the representatives of the review panel and others. The proposals will then be ranked based on the review panel's scoring recommendation. Bidders should note that the Board may award a contract with or without price negotiation.

**Evaluation criteria:**

The proposal will be evaluated based on the bidder’s responses to the information requested in Sections 1.6 and 1.7.

| Evaluation Scoring  | Possible Points |
|---|-----------------|
| <p><b>A. Organization Background, Qualifications, Performance History &amp; Virtual Tools</b><br/>Organizational stability and demonstrated experience– whether bidder adequately addressed all the response items and appears to be a solid organization and extent bidder demonstrated evidence of ability to perform the functions described in its project plan. Provided clear and relevant mission/vision. Submitted record of past performance with WIOA (or similar program).</p>   | 200             |
| <p><b>B. Plan of Service – Programs/Program Outcomes</b><br/>Score is based on adequacy of response to all items in the instructions, strength of approach and processes in streamlining operations, eliminating overlap and duplication of services and continuous improvement of the KCC system. An understanding of the commitment to an integrated service delivery model that embraces the team-based case management approach and an understanding of the importance of employer relations and business services. Provided a proposed program design model. Proposed outcomes are relevant to the mission and objectives of KCC partner programs. Provided a design model of how virtual services will be offered. Playbook provided for community outreach in all 13 counties.</p> | 200             |
| <p><b>C. Capacity/Staffing Plan and Organizational Chart</b><br/>Qualifications and Staffing – completeness of response to the items in the instructions, quality of response, strength of experience, and demonstrated achievements/results. Demonstrated capacity to adapt and expand in cases of future service changes and growth. Provided a functional or proposed organizational chart deemed satisfactory to meet KCC needs. Provided a workflow/logistical model.</p>  | 150             |
| <p><b>D. Partnerships and Community Coordination</b><br/>Score is based on understanding and commitment to an integrated service delivery and team-based case management model in the KCC system and showing an effective working relationship with the Board, partner organizations, businesses, and the community. Ability to leverage resources with other partners resulting in innovative service approaches will be considered. Demonstrated experience with oversight of multi-organizational staff. Demonstrated a plan for partner integration. Described strategies for outreach and enrollment. Provided how the organization will measure customer satisfaction.</p>  | 150             |
| <p><b>E. Financial Management and Budget</b><br/>Score is based on reasonableness of pricing consistent with the plan of service proposed and the financial qualifications of bidder. Budget and budget narrative included. Bidder has financial and administrative experience in managing multiple federal, state, and/or private funding sources. Bidder provided documents establishing financial history. Bidder is up to date on taxes (income, annual state and federal, payroll tax, etc.) Provided evidence that acceptable accounting systems are in place.</p>  | 200             |
| <p><b>F. Technology, Data and Reporting</b><br/>Score is based on bidder’s proposed data collection and validation methodology and reporting method(s). Described how performance goals will be tracked and evaluated and demonstrated an ability to ensure and maintain data integrity. Described how metrics will be documented and reported monthly to the Director.</p>   | 100             |
| <b>TOTAL</b>  | 1,000           |

## Attachment A: Proposal Cover Sheet

|                                |  |
|--------------------------------|--|
| Organization                   |  |
| Contact Person                 |  |
| Address                        |  |
| Mailing Address (if different) |  |
| Type of Organization           | (i.e., Public, Private, for-profit, not-for profit)                      |
| Type of Legal Entity           | (i.e., Corporation, Sole Proprietorship, Partnership, Other (Describe)): |
| Federal ID#                    |  |
| Type of Project                | <b>Direct Services Provider</b>  |
| Dollar Amount Proposed         |  |

My signature certifies that the proposal as submitted complies with all requirements specified in this RFP.

My signature also certifies that by submitting a proposal in response to this RFP, the Bidder represents that in the preparation and submission of this proposal, the Bidder did not, either directly or indirectly, enter into any combination or arrangement with any person or business entity, or enter into any agreement, participate in any collusion, or otherwise take any action in the restraining of free, competitive bidding in violation of the Sherman Act (15 U.S.C. Section 1).

I hereby certify that I am authorized to sign as a legal representative for the business entity submitting this proposal.

|                        |  |
|------------------------|--|
| Signature              |  |
| Name of Person Signing |  |
| Title                  |  |
| Telephone              |  |
| FAX                    |  |
| E-Mail Address         |  |
| Date                   |  |

## Attachment B: Budget Line Item

### **LINE ITEM BUDGET**

**Two Separate Line Item Budget forms required**  
**Include budget for WIOA Title I Career Services Provider**

| Line Item                             | Administrative Amount | Program Amount | Total |
|---------------------------------------|-----------------------|----------------|-------|
| Staff Salary                          |                       |                |       |
| Staff Fringe                          |                       |                |       |
| Travel – In state                     |                       |                |       |
| Travel – Out-of-state                 |                       |                |       |
| Staff Development                     |                       |                |       |
| Outreach                              |                       |                |       |
| Equipment                             |                       |                |       |
| Dues/Subscriptions                    |                       |                |       |
| Computer Software                     |                       |                |       |
| Office Supplies, Printing and Copying |                       |                |       |
| Postage/Courier Service               |                       |                |       |
| Rent                                  |                       |                |       |
| Indirect                              |                       |                |       |
|                                       |                       |                |       |
| <b>TOTAL</b>                          |                       |                |       |

**Administrative Costs**

The personnel and operating costs, direct and indirect, associated with overall management and administration of the Cumberlands Workforce Development Area and KCC System, which are not directly related to the provision of services to participants or otherwise allocable to the cost category of Program, are classified as Administrative costs. The Board seeks to identify a Direct Services Provider who can provide services with minimal administrative costs to the budget.

**Program Costs**

All costs incurred for the provision of contract functions and activities are classified as program costs.  
*Note: Reimbursement of Administrative costs is limited to no more than five percent (5%) of the total proposal budget.*

*Note: Include Budget Narrative that provides the detail of each line item.*

## Attachment C: Budget Line Item Definitions

### **Cost Category Definitions**

*The following is provided as examples of both administrative and program costs. This is not all inclusive.*

#### **Administrative Costs**

- Overall general administrative functions and coordination of administrative functions
- Accounting, budgeting, financial, and cash management
- Procurement and purchasing
- Property management
- Personnel management
- Payroll
- Coordinating audit resolutions, reviews, investigations, and incident reports
- Audit
- Legal services pertinent to management and operations of the Cumberlands Workforce Development Area and KCC System
- Developing systems and procedures
- Oversight and monitoring of administrative functions
- Goods and services required for administrative functions including rental, utilities, supplies, space, etc.
- Travel for official business to carry out administrative activities or overall management

#### **Program Costs**

- Cost of staff who provide program services directly to customers and, where applicable, the first line supervisors and/or team leaders responsible for those staff
- Tracking or monitoring of customers or performance information
- Employment statistics information, including job listings, job skills and demand occupation information
- Outreach to and recruitment of applicants for services
- Dissemination of program information to prospective employers
- Follow-up services with eligible customers placed in unsubsidized employment
- Assessment of skill levels and service needs
- Counseling that involves occupation, educational and career guidance to eligible customers while in training
- Case management services such as assessment, counseling and job search assistance

### **Budget Line Item Definitions**

1. Staff Salary – Wages associated with the individual job positions needed to perform the proposed service. Positions are to be defined within specifics of the job and how each function relates to this proposal.
2. Fringe Benefits – The approximate percentage of position salary that it will cost to provide established company benefits such as health, life, dental insurance, etc. Benefits should be based upon the organization’s written personnel policy for all employees.



3. In-State Travel – The cost of attending applicable in-state meetings/conferences that relate to the service being proposed and that benefit the attendee in his/her job performance. Also includes local travel to provide services to customers. Please specify if possible. All travel costs are per 200 KAR 2:006 including but not limited to mileage rate, per diem rates, and subsistence.
4. Out-of-State Travel – Expenses incurred for appropriate staff attending meetings/conferences that relate to the service being proposed and that can benefit the attendee in his/her job performance. Please specify if possible. All travel costs are per 200 KAR 2:006 including but not limited to mileage rate, per diem rates, and subsistence.
5. Staff Development – Costs to advance the knowledge of Program (i.e. Direct Services) staff as it relates to the proposed program. Please specify.
6. Outreach – costs include promotional materials, recruitment materials, website and social media information/communication released through various media formats, events and outlets.
7. Dues/Subscriptions – Cost of joining appropriate organizations and subscribing to periodicals/newspapers that would benefit the service for which the Board is seeking proposals.
8. Computer software – Specify the type(s) of computer software needed. This should NOT include the costs of computer hardware or case management software as the Board provides these.
9. Office Supplies, Printing and Copying – Costs of items used in the course of performing day to day business activities such as ink pens, paper clips, etc. Also includes expenses for printing program materials and the copying of documents/materials as needed.
10. Postage/Courier Service – Expenses for using USPS, Fed Ex, UPS, courier services, etc.
11. Rent – The actual cost for space and utilities to house personnel and programs necessary to carry out the services proposed.

## Attachment D: Planned Service Levels

### Planned Service Levels

Include number of participants served under WIOA Title I

#### Adult (WIOA Title I)

| Planned Service Levels | Projected # WIOA Title I to be Served |      | Projected # WIOA Title I to be Exited |      |
|------------------------|---------------------------------------|------|---------------------------------------|------|
|                        | PY22                                  | PY23 | PY22                                  | PY23 |
| Adults                 |                                       |      |                                       |      |

#### Dislocated Worker (WIOA Title I)

| Planned Service Levels | Projected # to be Served |      | Projected # to be Exited |      | Projected # Placed into Employment |      |
|------------------------|--------------------------|------|--------------------------|------|------------------------------------|------|
|                        | PY22                     | PY23 | PY22                     | PY23 | PY22                               | PY23 |
| Dislocated Workers     |                          |      |                          |      |                                    |      |

#### Youth (WIOA Title I)

| Planned Service Levels | Projected Number to be Served |      | Projected Number to be Exited |      | Projected Number Placed into Employment |      |
|------------------------|-------------------------------|------|-------------------------------|------|---|------|
|                        | PY22                          | PY23 | PY22                          | PY23 | PY22                                    | PY23 |
| In-School Youth        |                               |      |                               |      |   |      |
| Out-of-School Youth    |                               |      |                               |      |   |      |
| Total Youth            |                               |      |                               |      |   |      |

Note: Before completing the planned service levels for youth, please review the WIOA for definitions of in-school and out-of-school youth.

#### Business Services

| Planned Service Levels | Projected Number to be Served |      |
|------------------------|-------------------------------|------|
|                        | PY22                          | PY23 |
| Employers              |                               |      |

KCC *Somerset, KY/affiliate sites/access points*

| Planned Service Levels | Projected Number to be Served |      |
|------------------------|-------------------------------|------|
|                        | PY22                          | PY23 |
| KCC Customers          |                               |      |

## Attachment E: Assurances & Certifications

I/we make the following certifications and assurances as a required element of the proposal to which it is attached, understanding that the truthfulness of the facts affirmed here and the continuing compliance with these requirements are conditions precedent to the award or continuation of the related contract(s):

1. I/we declare that all answers and statements made in the proposal are true and correct.
2. The prices and/or cost data have been determined independently, without consultation, communication or agreement with others for the purpose of restricting competition. However, I/we may freely join with other persons or organizations for the purpose of presenting a single proposal.
3. The attached proposal is a firm offer, for a period of 60 days following receipt, and the CWDB may accept it without further negotiation (except where obviously required by lack of certainty in key terms) at any time within the 60-day period.
4. In preparing this proposal, I/we have not been assisted by any current or former employee of the CWDB whose duties relate (or did relate) to this proposal or prospective contract, and who was assisting in other than his or her official, public capacity. (Any exceptions to these assurances are described in full detail on a separate page and attached to this document.)
5. I/we understand that the CWDB will not reimburse me/us for any costs incurred in the preparation of this proposal. All proposals become the property of the Workforce Development Area, and I/we claim no proprietary right to the ideas, writing, items or samples, unless so stated in this proposal.
6. Unless otherwise required by law, the prices and/or cost data that have been submitted have not been knowingly disclosed by the bidder and will not knowingly be disclosed by him/her prior to opening, directly or indirectly to any other bidder or to any competitor.
7. I/we agree that submission of the attached proposal constitutes acceptance of the solicitation contents and the attached general terms and conditions. If there are any exceptions to these terms, I/we have described those exceptions in detail on a page attached to the proposal.
8. No attempt has been made or will be made by the Proposed to induce any other person or firm to submit or not to submit a proposal for the purpose of restricting competition.

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Signature of Proposer

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Consultant/Firm

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Title

---

Date

## General Assurances and Certifications

Any agency/firm/consultant awarded federal funds through the Workforce Innovation and Opportunity Act of 2014 (WIOA) must be in compliance with numerous laws and regulations. Most these will be addressed in a contract. The bidder hereby assures and certifies compliance with each of the requirements where applicable.

I recognize that I must give assurance for each item below. If I cannot, this proposal will be automatically rejected. The assurances are:

1. The bidder is authorized by its Board of Directors, Trustees, and other legally qualified officer or as the owner of this agency or business to submit this proposal.
2. The bidder organization is not currently on any federal, Commonwealth of Kentucky, or local Debarment List.
3. The bidder organization will provide records to show that it is fiscally solvent and will provide any other information and/or accept an appointment for interview, if needed.
4. The bidder has, or will have, all of the fiscal control and accounting procedures needed to ensure that WIOA funds will be used as required by law and contract.
5. The bidder will abide by all fiscal and program requirement as provided in the WIOA and federal regulations.
6. The bidder will abide by record retention requirements contained in 29 CFR 95.53 or 29 CFR 97.42 and any applicable state retention schedules.
7. The bidder will abide by the policy on debarment and suspension regulations as established in accordance with 29 CFR Part 98.
8. The bidder will abide by Equal Employment Opportunity – All Contractors shall contain a provision requiring compliance with E.O. 11246, "Equal Employment Opportunity," as amended by E.O. 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity" and E.O. 13672, as supplemented by regulations at 41 CFR Part 60, "Office of Federal Agreement Compliance Programs, and Equal Employment Opportunity Department of Labor."
9. The bidder will abide by The Copeland "Anti-Kickback" Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each Contractor or subcontractor shall be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which one is otherwise entitled. The recipient shall report all suspected or reported violations to the federal awarding agency.
10. The bidder will abide by The Davis-Bacon Act as supplemented by US Department of Labor regulations (29 CFR Part 5, "Labor Standards Provision Applicable to Contracts Governing Federally Financed and Assisted Construction"). Under this Act, Contractors shall be required to pay wages to laborers and mechanics at a rate not less than the minimum wages specified in a wage determination made by the Secretary of Labor. In addition, Contractors shall be required to pay wages not less than once a week. The recipient shall place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation and the award of an Agreement shall be conditioned upon the acceptance of the wage determination. The recipient shall report all suspected or reported violations to the federal awarding agency.
11. Proprietary Information. During both the Agreement timeframe and after its completion, the Contractor agrees to keep and hold all Proprietary Information disclosed by the LEO Governing Board, LWDB, partnering entities, affiliates, customers, or vendors of the local workforce development area in strict confidence and trust. Proprietary Information being that information of a confidential or secret nature,

which includes, but is not limited to, marketing plans, product plans, business strategies, financial information, forecasts, personnel information, and customer lists.

12. The applicant assures a minimum of a \$5,000,000.00 general liability insurance coverage.

**The bidder will meet all applicable federal, state, and local compliance requirements. These include, but are not limited to:**

- Maintaining records that accurately reflect fiscal accounts;
- Maintaining record confidentiality, as required;
- Reporting financial data, as required;
- Permitting and cooperating with federal investigations undertaken in accordance with the WIOA;
- Complying with federal and state non-discrimination provisions;
- Meeting requirements of Section 504 of the Rehabilitation Act of 1973;
- Meeting all applicable labor laws, including Child Labor Law standards; and
- Accepting funding for and working within the guidelines of other funding opportunities provided the LWDB.

**The bidder will not:**

- Use WIOA funds to assist, promote, or deter union organizing;
- Use WIOA funds to employ or train persons in sectarian activities; or
- Use WIOA funds for lobbying.

The undersigned hereby assures and certifies that if selected the bidder's organization is in compliance with all of the Assurances and Certifications where applicable.

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Name and Title of Authorized Representative

---

Signature

Date

---

Name of Applicant Organization

**Certification Regarding Debarment, Suspension and Other Responsibility Matters Primary Covered Transactions**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants' Responsibilities. These regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211)

1. The prospective primary participant, (i.e. respondent) certifies to the best of its knowledge and belief, that it and its principals
2. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;
3. Have not within a three-year period preceding this proposal been convicted or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state or local) transaction or contract under a public transaction; violation of federal or state antitrust statues or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
4. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (federal, state or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
5. Have not within a three-year period preceding this application/proposal had one or more public transactions (federal, state or local) terminated for cause or default.
6. Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name and Title of Authorized Representative: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Sworn Statement Regarding Campaign Finance Laws Pursuant to KRS 45A.395 of the Kentucky Model Procurement Code**

The undersigned hereby swears or affirms under penalty of perjury, that neither he/she nor the Corporation which he/she represents, has knowingly violated any provision of the campaign finance laws of the Commonwealth of Kentucky, and that the award of a contract to him/her or the company he/she represents will not violate any provision of the campaign finance laws of the Commonwealth of Kentucky.

**Certification Regarding Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements**

1. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan or cooperative agreement.
2. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, Member of Congress, an officer or employee of Congress, or any employee of a Member of Congress in connection with this federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U. S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **CFR Part 34: Nondiscrimination and Equal Opportunity Certification**

As a condition to the award of financial assistance under WIOA from the Department of Labor, the grant applicant assures, with respect to operation of the WIOA-funded program or activity and all agreements or arrangements to carry out the WIOA-funded program or activity, that it will comply fully with the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act of 2014, including the Nontraditional Employment for Women Act of 1973, as amended; the Age Discrimination in Employment Act of 2012, title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 34 and adhered to the provisions of paragraphs (1) through (7) of Section 202 of Executive Order No. 11246 unless exempted by rules, regulation, or orders of the Secretary of Labor, issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, entitled "Equal Employment Opportunity," as amended by Executive Order 11375 of October 13, 1967, and Executive Order 13672 of July 21, 2014, and as supplemented in Department of Labor regulations (41 C.F.R. chapter 60) as amended, so that such provisions will be binding upon each subcontract or vendor. The stated parties will take such action with respect to any subcontract or purchase order as the administering agency may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

### **Certification Regarding WIOA Marketing and Media Releases**

All contractors and subcontractors must assure and covenant that they will comply with the following requirements regarding marketing and media releases:

1. All media releases and publicity concerning any program funded by Cumberlands Workforce Development Board, WIOA Title 1 Programs must clearly identify that such project is funded by the U.S. Department of Labor through the Cumberlands Workforce Development Board, administered by the fiscal agent with Workforce Innovation and Opportunity Act Title 1 monies; an Equal Opportunity Employer/Program and auxiliary aids and services are available upon request to individuals with disabilities;
2. The stated parties attest to and agree to comply with WIOA and the policies of the Cabinet regarding all WIOA Outreach/Media Releases. The stated parties shall utilize the appropriate KCC branding logo. The brand shall be displayed according to the KCC Brand Guidelines on all communications and publications including, but not limited to, external and internal communications, printed materials, signs, stationery, websites, promotional materials, posters, brochures, and pamphlets. All media releases must be submitted to the DWI prior to release. Initial submission should be made to Cumberlands Workforce Development Board, ATTN: Workforce Director, P.O. Box 1570, Russell Springs, KY 42642.



**Concurrence of Collective Bargaining Agent**

Is the occupation(s) in which employment and training is to be offered subject to a bargaining agreement?

Yes \_\_\_\_ No \_\_\_\_

If “Yes”, a letter from the appropriate union representative should accompany this agreement or be on file with the Cumberland Workforce Development Board.

**I certify that the entity completing this application will adhere to the Assurances; Certification Regarding Debarment, Suspension and Other Responsibility Matters Primary Covered Transactions; Certification Regarding Lobbying Certification for Contracts, Grants, Loans and Cooperative Agreements; 29CFR Part 34 and Executive order No. 11246, Section 202. Nondiscrimination and Equal Opportunity Certification, Certification Regarding WIOA Marketing and Media Releases and Concurrence of Collective Bargaining Agent.**

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**Name and Title of Authorized Representative**

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**Signature**

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**Section 188 (3) WIOA Title I funds may not be spent on the employment or training of participants in sectarian activities.**

**Further, the undersigned applicant certifies that it shall comply with the provisions outlined by the U.S. Department of Health and Human Services (45 CFR 80 and 84).**

By signing, the applicant certifies that it will comply with all other regulations implementing the laws cited above. This assurance applies to the applicant's operation of the WIOA financially assisted programs or activities, and to all agreements, the applicant makes to carry out the WIOA financially assisted programs or activities. The applicant understands that the United States, Kentucky Education and Workforce Development Cabinet, and the Cumberlands Workforce Development Board have the right to seek judicial enforcement of this assurance.

**Reporting Requirements:** The undersigned applicant certifies that it shall comply with the provisions the WIOA and the reporting and procedural requirements issued by the Education and Workforce Development Cabinet.

Where the prospective recipient of federal assistance funds is unable to certify to any of the statements in this certification, such prospective recipient shall attach an explanation to this certification.

The undersigned Authorized Representative of the applicant herein certifies that the statements above pertaining to Debarment, Suspension and Other Responsibility Matters; Nondiscrimination; Conflict of Interest; Education Standards and Procedures; Documentation of Financial Stability and Reporting Requirements are true and correct as of the date of submission. This does not preclude the Board from requiring additional assurances as part of the local application requirements.

Further, the Authorized Representative acknowledges that if the information given to the Board by the applicant causes harm to a third party, then applicant will be held liable for any Board action resulting from reliance on that information. The applicant must notify the Board in writing if the authorized signatory changes.

Certified by:

|  |                  |      |
|--|------------------|------|
|  | Chairman of CWDB |      |
| Signature of Authorized Representative | Title            | Date |

\_\_\_\_\_  
 Typed/Printed Name of Signatory

Cumberlands Workforce Development Board  
 \_\_\_\_\_  
 Name of Organization

Non-Collusion Affidavit

Commonwealth of Kentucky

County of \_\_\_\_\_

The respondent is hereby giving oath that it has not, in any way, directly or indirectly, entered into any arrangement or agreement with any other respondent or with any officer of the Cumberlands Workforce Development Board whereby it has paid or will pay to such other respondent or officer or employee any sum of money or anything of real value whatever; and has not, directly or indirectly, entered into any arrangement or agreement with any other respondent or respondents which tends to or does lessen or destroy free competition in the letting of the agreement sought for by the attached response; that no inducement of any form or character other than that which appears on the face of the response will be suggested, offered, paid, or delivered to any person whomsoever to influence the acceptance of the said response or awarding of the agreement, nor has this respondent any agreement or understanding of any kind whatsoever, with any person whomsoever, to pay, deliver to, or share with any other person in any way or manner any of the proceeds of the agreement sought by this response.

\_\_\_\_\_  
Signature of Authorized Representative

\_\_\_\_\_  
Print or Type Name

Subscribed and sworn to me this \_\_\_\_\_ day of \_\_\_\_\_

Notary Public

County of

Commission Expiration Date

## References

Workforce Innovation and Opportunity Act of 2014 (WIOA):  
<http://www.doleta.gov/WIOA/docs/BILLS-113hr803enr.pdf>

WIOA Final Rules: [https://doleta.gov/wioa/Final\\_Rules\\_Resources.cfm](https://doleta.gov/wioa/Final_Rules_Resources.cfm)

Training and Employment Guidance Letter (TEGL) WIOA No: 15-16 – Competitive Selection of One-Stop Operators, January 17, 2017: [https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=8116](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8116)

Training and Employment Guidance Letter (TEGL) WIOA No: 10-16 – Operating Guidance for the Workforce Innovation and Opportunity Act (referred to as WIOA) – December 19, 2016:  
[https://wdr.doleta.gov/directives/corr\\_doc.cfm?DOCN=8226](https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8226)

Kentucky Career Center (KCC) website: <http://kcc.ky.gov>

Kentucky Workforce Innovation Board website: <http://kwib.ky.gov>

Kentucky Workforce Investment Board – WORKSmart Kentucky Strategic Plan (updated 2013):  
<http://kwib.ky.gov/documents/WORKSmart2013.pdf>

KCC Certification Information: <http://www.kwib.ky.gov/careercentercertification.htm>

KCC Partner for Success: <http://www.kwib.ky.gov/partnersuccess.htm>

Kentucky Skills Network – (Business Services): <http://www.thinkkentucky.com/workforce/>

Focus Career (web portal for the job seeker): <https://focuscareer.ky.gov/career/>

Focus Talent (web portal for the employer): <https://focustalent.ky.gov/talent/>

Kentucky WIOA State Plan (approved for the period July 1, 2016 through June 30, 2018):  
<https://www2.ed.gov/about/offices/list/osers/rsa/wioa/state-plans/ky.pdf>

Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance) at 2 CFR part 200, including the U.S. Department of Labor specific requirement at 2 CFR part 2900:  
<http://www.edfr.gov/cgi-bin/ECFR?page=browse>

Office of Employment and Training (OET) Policies: 15-001 and 15-002 (as amended), 17-001 and 17-002.

Cumberlands Workforce Development Board: <https://www.cumberlandsworkforce.com/>