

**Northern Tier Regional  
Planning and Development Commission**

**Northern Tier  
Workforce Development Board**

**Request for Proposal**

**Workforce Innovation and Opportunity Act  
(WIOA)**

**Employment Advancement Retention Network  
(EARN)**

**Program Years 2016 & 2017  
July 1, 2016 – June 30, 2018**

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## **I. PURPOSE**

This Request for Proposal (RFP) seeks a Contractor to deliver Adult, Dislocated Worker, Youth and Business Services under the Workforce Innovation and Opportunity Act of 2014 (WIOA) and the Employment Advancement and Retention Network (EARN) through the Department of Human Services in the Northern Tier Region of Pennsylvania.

The purposes of WIOA are:

- (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 and promote improvement in the structure of and delivery of services through the workforce development system to better address the employment and skill needs of workers, jobseekers, and employers.
- (2) To provide workforce 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.

## **II. POLICY CONCERNING REQUEST FOR PROPOSAL (RFP)**

- A. The Northern Tier Workforce Development Board (NT WDB) and Northern Tier Regional Planning and Development Commission are issuing this RFP. However, this does not obligate to make an award as a result if that is deemed to serve the best interests of the region.
- B. The NTRPDC is not responsible for any costs incurred in the preparation of this RFP.
- C. Letters of support are not necessary and will not be considered.
- D. The NTRPDC will not accept any applications that propose less than county-wide services for all programs.
- E. Incomplete proposals will not be considered.
- F. This RFP is not an offer. Successful applicants will have the opportunity to enter into contract negotiations. Negotiations are discussions between the NTRPDC and selected Contractor(s), for the purpose of arriving at a common understanding of contract essentials such as technical requirements, schedules, participant requirements, prices, terms, etc. The proposal process is competitive and follows government procurement rules.

- G. Proposals are being sought for the delivery of services in each of the five Northern Tier counties. Agencies must submit a proposal, which includes all programs, for any or all of the five counties.

### **III. BACKGROUND AND GENERAL INFORMATION**

- A. The goal is to receive a variety of high quality, innovative proposals that meet the workforce development needs of the regional community at large. The WIOA provides the framework for a national workforce preparation system that is flexible, responsive, client-focused and locally managed. The Board envisions a system that meets the needs of residents and businesses alike. The ability to provide non-traditional, innovative, and mobile services to a highly rural area is strongly encouraged to be included in proposals as is the utilization and partnering with other community organizations and facilities. Proposals also must fall within the guidelines of the Commonwealth's WIOA Combined State Plan and the EARN Policy & Procedures Manual.
- B. The resulting contract with the successful bidder will be for a two-year period, July 1, 2016 to June 30, 2018. Based on performance, the Board may renew for an additional year, July 1, 2018 to June 30, 2019. The form of the contract will be cost-reimbursement.
- C. The workforce area consists of Bradford, Sullivan, Susquehanna, Tioga, and Wyoming Counties in the Northern Tier of Pennsylvania. There are comprehensive one-stops (PA CareerLink®) in Bradford and Tioga Counties and Affiliate sites in Sullivan, Susquehanna and Wyoming. Services provided in Bradford and Tioga County must be fully offered in the comprehensive sites, and alternatives to best serve the customers are welcome as well.
- D. The Board is seeking interested and qualified entities 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 that is familiar with WIOA and EARN programs. The organization awarded the contract will be expected to quickly learn the new WIOA and the implementing regulations.
- E. For proposal and planning purposes, the funding levels for the 2015-16 program year were as follows by County: (Please note this is not a guarantee of funding levels beyond this program year).

<b>Projected to Subs 15-16</b>	<b>Adult</b>	<b>DW</b>	<b>Youth</b>	<b>EARN</b>
Bradford	95,968	158,776	100,524	127,411
Sullivan	14,541	24,057	15,231	19,305
Susquehanna	66,887	110,662	70,062	88,802
Tioga	66,887	110,662	70,062	88,802
Wyoming	46,530	76,983	48,739	61,775
<b>Total to Counties</b>	<b>\$290,813</b>	<b>\$481,141</b>	<b>\$304,619</b>	<b>386,095</b>

The \$386,095 in EARN funding is contracted out as a cost reimbursement. There are another \$294,621 available in meeting performance measures.

Funding will vary, depending upon final allocations, number of participants to be served, services proposed and negotiated. Bidders must serve Adults, Youth, Dislocated Workers and EARN Participants in all five counties in the Region. The Board will ensure that services are provided equitably in all the counties in the Region. Business services will be provided in all five counties through the Business Services Team (BST).

- F. Successful bidders must negotiate the proposal before the Board will make any final commitment. 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.
  
- G. The Board assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the Workforce Innovation and Opportunity Act of 2014; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; The Age Discrimination Act of 1975, as amended; and Title IX of the Education Amendments of 1972, as amended. The Board also assures that it will comply with any pending federal regulations implementing WIOA and the laws listed above. This assurance applies to the WIOA Title I financially assisted program or activity, and to all agreements that the Board makes to carry out the WIOA Title I financially assisted program or activity. This WIOA Title I funded program is an equal opportunity employer / program. Auxiliary aids and services will be made available upon request for individuals with disabilities.
  
- H. By submitting a bid all bidders are providing an assurance that they will comply with the above nondiscrimination and equal opportunity provisions.
  
- I. Bidders should note that under the requirements of the Freedom of Information Act, 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. If there is a request from the public under F.O.I.A. 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.
- J. The specifications in this RFP may change based on issuance of State or Federal regulations or policy. WIOA regulations are expected to be issued at a later date. The Board and staff will work with the successful bidder to implement any changes required by the State or Department of Labor. By submitting a proposal, the bidder agrees to work cooperatively with the Board to comply with subsequent changes.
  - K. 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.
  - L. By submitting a proposal the bidder assures that it will provide additional services under additional grants such as a National Emergency Grant or other State or federally funded workforce programs granted to the region.
  - M. The bidder assures that it will be the Contractor and will not subcontract significant programmatic functions to other entities if awarded a contract to be the Contractor.
  - N. The bidder assures that if awarded a contract by the Board, it will comply with Regional, State and Federal program and financial monitoring.
  - O. Bidders are prohibited from contacting or discussing this RFP with board members and/or staff of the Northern Tier Workforce Development Board and the Northern Tier Executive Committee.
  - P. Any questions concerning this RFP should be emailed to [Thompson@northerntier.org](mailto:Thompson@northerntier.org). Questions will be accepted through COB February 23, 2016. Responses to submitted questions will be posted within three business days after receipt to [northerntier.org](http://northerntier.org)

Q. Please email an electronic copy of the completed RFP to Frank Thompson at [thompson@northerntier.org](mailto:thompson@northerntier.org) and mail an original postmarked no later than close of business Wednesday, March 2, 2016 to:

Northern Tier Regional Planning & Development Commission  
312 Main Street  
Towanda, PA 18848  
c/o: Frank Thompson, Deputy Director

#### IV. REQUIRED FORMAT

Each proposal must be submitted using the following format. Each proposal has five parts:

**Part 1 Organization Information:** to be completed by all organizations submitting a proposal(s)

**Part 2 Program Narratives and Goal Sheets separated by County**

- Adult and Dislocated Worker Program Narrative and Goal Sheets
- Youth Program Narrative and Goal Sheet
- Business Services Program Narrative and Goal Sheet
- Employment Advancement and Retention Network Program Narrative and Goal Sheet

**Part 3 Financial Information:** to be completed by all organizations. Must submit individual applications for funding and separate sheets must be submitted for each program.

Application(s) and Budget Sheets found in RFP

- Application for Adult Funding & Adult Budget Sheets
- Application for Dislocated Worker Funding & Dislocated Worker Budget Sheets
- Application for Youth Funding & Youth Budget Sheets
- Application for Business Services Funding & Business Services Budget Sheets
- Application for Employment Advancement and Retention Network Funding and Employment Advancement and Retention Network Budget Sheets

**Part 4 Certifications and Assurances:**

- Signed Lobbying and Debarment Certification
- Signed Certifications
- Signed Assurance Chart

**Part 5 Attachment One:** Organizational Chart

**Attachment Two:** Two Years of Audited Financial Statements

**Attachment Three:** Management Certification that there have been no significant events affecting your organization during the current year.

**Attachment Four:** Certification by the Executive Director or other responsible official that the financial system will account for and control WIOA funds using Generally Accepted Accounting Principles, applicable Federal and state regulations, applicable Uniform Guidance regulations.

**Attachment Five:** Copy of Bonding Agreement

**Attachment Six:** Copy of Equal Opportunity Policy Statement

**Attachment Seven:** Copy of confidentiality policy

## **V. PROGRAM PURPOSE & MINIMUM REQUIREMENTS**

### **A. Purpose**

This RFP is to solicit Contractor(s) under the Workforce Innovation and Opportunity Act of 2014 and related programs. The successful bidder(s) will enter into contract negotiations with NTRPDC to operate Workforce Innovation and Opportunity Act (WIOA) and Employment Advancement and Retention Network (EARN) programs in any or all of the counties of Bradford, Sullivan, Susquehanna, Tioga and Wyoming, Pennsylvania.

Upon completion of negotiations the Contractor(s) will be expected to recruit, train, case manage, job develop, place and follow-up on clients as indicated in each of the separate program requirements found immediately following this section.

### **B. Minimum Requirements**

There are five programs included in this RFP: Adult, Dislocated Worker, Youth, Business Services and Employment Advancement and Retention Network Program.

The requirements listed under Program Activities and Services are the minimum requirements of the programs. Contractors are encouraged to be innovative in their delivery of these activities and services as well as expanding the activities and services.

## **VI. Program Descriptions and Guidelines**

### **A. Adult Program**

#### **Program Description:**

WIOA provides underemployed and unemployed adults 18 years of age and older the comprehensive services needed in order to obtain unsubsidized employment at a family sustaining wage. This includes connection to career pathways as part of the individual's employment plan. Program services should be customer –focused and based on the needs of the individual. Services must be designed to prepare and educate a skilled workforce that will meet the needs of employers. The program prepares adults facing serious barriers to employment for participating in the labor force by providing employment and training services resulting in increased employment and earnings; increased educational and occupational skills and decreased welfare dependency.

#### **Eligibility Adult:**

All individuals must meet general eligibility requirements. In addition, WIOA requires priority be given to recipients of public assistance, low-income individuals, individuals who are basic skills deficient and individuals who are both underemployed and low-income when providing individualized career and training services. WIOA focuses on serving individuals with barriers to employment and priority of service is required regardless of funding levels. Individuals in the targeted groups are given priority over other individuals for receipt of individualized and training services. Veterans within these groups receive priority over non-veterans. The goal is to serve a greater percentage of adults from the priority targeted groups, at least 51%.

The Northern Tier Workforce Development Board considers self-sufficiency to be a family income of at 235% or above the federally established poverty levels. Individuals with a family income of below 235% may also be considered for training services if an established need has been determined. The Commonwealth proposes a 30-50% minimum of training dollars be spent on priority populations for fiscal year 2016-2017 with increases each year as determined by the PA Department of Labor & Industry.

#### **Program Activities and Services:**

WIOA authorizes career services for adults. These services can be provided in any order, however priority of service applies for individualized and training services.

##### **1. Basic Career Services**

- Eligibility determination

- Staff assisted job search and placement assistance, including career counseling
- Outreach, intake and orientation to services
- Appropriate recruitment and other business services
- Initial assessment of skill levels and support service needs
- Provision of referrals and coordination of activities with other programs and services within and outside of PA CareerLink services.
- Provision of workforce and labor market employment statistics
- Performance information and program cost information on eligible training providers/programs
- Assistance in information regarding financial aid assistance for training and education
- Information and assistance regarding filing claims for unemployment compensation

## **2. Individualized Career Services**

If staff determines that individualized career services are needed for the individual to obtain or retain employment, the following services must be made available. Priority of service policy applies to individuals receiving these services:

- Comprehensive and specialized assessments of skill levels and service needs
- Development of an individual employment plan
- Group and/or individual counseling and mentoring
- Career planning (i.e. case management)
- Short-term pre-vocational services
- Internships and work experiences that are linked to careers
- Workforce preparation activities
- Financial literacy services
- English language acquisition and integrated education and training programs.

## **3. Follow up services**

Follow up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Follow up services do not extend the date of exit in performance reporting.

## **4. Training Services**

Under WIOA, a Basic or Individualized Career Service must be provided before training. Training services may be provided if staff determine, after an interview, evaluation or assessment and career planning that the individual is unlikely or

unable to obtain or retain employment that leads to self-sufficiency. Training services must be linked to high priority occupations for the local workforce area or in a geographic area in which the individual is willing and able to commute or relocate. Individual must be a resident of the Northern Tier region to receive training services.

- Occupational Skills training
- On-the-Job training
- Workplace training and Cooperative extension programs
- Private Sector training programs
- Skill upgrade and retraining
- Entrepreneurial training
- Job Readiness training
- Adult Education and Literacy activities (offered in combination with other training services not including customized training)
- Customized training
- Incumbent Worker training
- Transitional Jobs
- Registered Apprenticeships

### **Performance Standards and Goals**

The achievement of measurable performance standards and goals for the Adult Program are vital to the success and future funding of the program.

WIA locally negotiated performance measures for PY2015 are listed below.

- Entered Employment Rate – 71.0%
- Average Earnings Change - \$14,000
- Retention Rate – 75.0%

WIOA Common Measures will take effect July 1, 2016.

- Entered Employment Rate – Employed the second quarter after exit
- Employment retention rate – Employed the fourth quarter after exit
- Average Earnings – Median earnings for second quarter after exit
- Credential Rate – New measure – will require follow up for 1 year after exit
- Measurable Skills Gain – New measure – Will be a real time measure and not exit based.

Local performance negotiations for these measures have not yet taken place. Any change in negotiated measures will be immediately communicated with the WIOA service provider.

## **B. Dislocated Worker Program**

### **Program Description:**

The Dislocated Worker program prepares individuals that have been laid off or downsized out of their jobs to re-enter the labor force by providing career development and training services, resulting in increased employment and earnings and increased educational and occupational skills. Services must be designed to prepare and educate a skilled workforce that will meet the needs of employers.

### **Eligibility Dislocated Worker**

All individuals must meet general eligibility requirements.

The term “dislocated worker” means an individual who:

- Has been terminated or laid off, or who has received a notice of termination or layoff from employment, and is eligible for or has exhausted entitlement to unemployment compensation; or has been employed for a duration sufficient to demonstrate, to appropriate entity at one-stop center, attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that were not covered under a State unemployment compensation law; and is unlikely to return to a previous industry or occupation
- Has been terminated or laid off, or has received a notice of termination or layoff from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise; is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days; or for purposes of eligibility to receive services other than training services, intensive services, or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close
- Was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed as a result of general economic conditions in the community in which the individual resides or because of natural disasters; or
- Is a displaced homemaker or
- Is the spouse of a member of the Armed Forces on active duty who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member or
- Is the spouse of a member of the Armed Forces on active duty who meets the definition of displaced homemaker

### **Program Activities and Services:**

WIOA authorizes career services for Dislocated Workers. These services can be provided in any order.

### **1. Basic Career Services**

- Eligibility determination
- Staff assisted job search and placement assistance, including career counseling
- Outreach, intake and orientation to services
- Appropriate recruitment and other business services
- Initial assessment of skill levels and support service needs
- Provision of referrals and coordination of activities with other programs and services within and outside of PA CareerLink services.
- Provision of workforce and labor market employment statistics
- Performance information and program cost information on eligible training providers/programs
- Assistance in information regarding financial aid assistance for training and education
- Information and assistance regarding filing claims for unemployment compensation

### **2. Individualized Career Services**

If staff determines that individualized career services are needed for the individual to obtain or retain employment, the following services must be made available.

- Comprehensive and specialized assessments of skill levels and service needs
- Development of an individual employment plan
- Group and/or individual counseling and mentoring
- Career planning (i.e. case management)
- Short-term pre-vocational services
- Internships and work experiences that are linked to careers
- Workforce preparation activities
- Financial literacy services
- English language acquisition and integrated education and training programs.

### **3. Follow up services**

Follow up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Follow up services do not extend the date of exit in performance reporting.

#### **4. Training Services**

Under WIOA, a Basic or Individualized Career Service must be provided before training. Training services may be provided if staff determine, after an interview, evaluation or assessment and career planning that the individual is unlikely or unable to obtain or retain employment that leads to self-sufficiency. Training services must be linked to high priority occupations for the local workforce area or in a geographic area in which the individual is willing and able to commute or relocate. Individual must be a resident of the Northern Tier region to receive training services.

- Occupational Skills training
- On-the-Job training
- Workplace training and Cooperative extension programs
- Private Sector training programs
- Skill upgrade and retraining
- Entrepreneurial training
- Job Readiness training
- Adult Education and Literacy activities (offered in combination with other training services not including customized training)
- Customized training
- Incumbent Worker training
- Transitional Jobs
- Registered Apprenticeships

#### **5. Rapid Response Services**

The rapid response team is to respond as quickly as possible following an announcement of a closure or layoff. Rapid response delivers services to enable dislocated workers to transition to new employment as quickly as possible. An ongoing, comprehensive approach to identifying, planning and responding to layoffs and closures is needed in an effort to minimize impacts on the workers, businesses and communities. This includes attending on-site rapid response meetings. At a minimum, there must be a WIOA representative of each county assigned to the rapid response team.

#### **Performance Standards and Goals**

The achievement of measurable performance standards and goals for the Dislocated Worker Program are vital to the success and future funding of the program.

WIA locally negotiated performance measures for PY2015 are listed below.

- Entered Employment Rate – 84.0%
- Average Earnings Change - \$17,000
- Retention Rate – 90.0%

WIOA Common Measures will take effect July 1, 2016.

WIOA measures

- Entered Employment Rate – Employed the second quarter after exit
- Employment retention rate – Employed the fourth quarter after exit
- Average Earnings – Median earnings for second quarter after exit
- Credential Rate – New measure – will require follow up for 1 year after exit
- Measurable Skills Gain – New measure – Will be a real time measure and not exit based.

**One Stop Services – PA CareerLink®**

In the Commonwealth of Pennsylvania the one-stop service delivery is branded as PA CareerLink®. Under WIOA, partner entities collaborate to create a seamless, client-focused one-stop delivery system that integrates service delivery across all programs and enhances access to program services. The system includes six core programs (Title I Adult, Dislocated Worker and Youth, Title II Adult Education and Literacy programs, Title III Wagner-Peyser program and Title IV Vocational Rehabilitation program. These core programs are responsible for providing funds to ensure service delivery to jobseeker sand employers.

The awarded contractor will function as a fully integrated partner in the PA CareerLink system without regard to the organizational mission of the selected contractors and is expected to contribute to the following:

- The selected contractor will participate in the Operators Consortium for service delivery.
- Collaborate on the messaging, outreach and branding of the Northern Tier regional PA CareerLink system.
- Conduct outreach, recruitment and orientation on PA CareerLink services.
- Work as part of the business services team to implement a broad business services strategy that takes into account all partner activity.
- Design and implement practices that actively engage sector strategies.
- Ensure staff are cross trained to increase staff capacity, expertise and efficiency.
- Implement innovative strategies to deliver services.

The Northern Tier region currently has two comprehensive PA CareerLink sites located in Towanda and Wellsboro PA. Additionally, three affiliate sites are located in the remaining counties in Dushore, Susquehanna and Tunkhannock.

In addition to providing Adult & Dislocated Worker services out of PA CareerLink, the awarded contractor will be the employer of record for Career Resource Center

(CRC) staff for a total of 40 hours per week. The cost of the CRC staff is shared among all partners and inclusive of the Resource Sharing Agreement Budget (RSAB).

### **C. Business Services**

Established business relationships are key in creating opportunities for our participants. Business services staff are responsible for establishing and fostering relationships with employers through regional initiatives including sector partnerships, business alliances and identifying opportunities to address human resource needs of employers. The goal is to become the bridge between business and job candidates by coordinating with all PA CareerLink staff to actively recruit and refer qualified job candidates based on the needs of the business. Services include, but are not limited to business outreach, recruitment and referral for job openings primarily for targeted business and industry, job candidate qualification review, provision of economic, business and workforce trend data and information organized service delivery around business and industry needs, referral to human resource and other business services and job development. At a minimum, there must be a WIOA staff representative from each county assigned to the Business Services team.

#### **Guidelines**

1. Explain outreach efforts to target Adult priority populations including individuals with barriers to employment.
2. Describe innovative strategies that will maximize service and engage clients with barriers to employment i.e. ex-offenders, individuals with disabilities, displaced workers, etc.
3. Describe how percentage requirements for priority of service and required training expenditures for this population will be tracked.
4. Explain how WIOA services will be made available to the community, including non-traditional methods of services.
5. Outline the level of investment and staff capacity available at each PA CareerLink, affiliate or alternative location.
6. Describe how work-based trainings will be marketed to employers.
7. Explain how you will ensure staff are properly trained and in compliance with WIOA guidelines, local policy and data entry into CWDS.
8. Share how you will develop, offer and deliver quality business services.

9. Describe how you will design and implement practices that actively engage sector strategies to establish career pathways for customers.
10. How will programs be managed in an integrated system to meet or exceed each of the performance standards?

#### **D. Youth Program**

**Though ISY eligibility requirements have been included, the Norther Tier Workforce Development Board will primarily focus on OSY over the next two program years.**

##### **Youth Eligibility:**

1. **Out-of-school youth** must be US Citizens, registered for selective services (if male and has reached 18<sup>th</sup> birthday), not younger than 16 or older than 24 at time of enrollment, not attending any school, and meet one or more additional conditions, which could include:

School dropout; within age of compulsory attendance but has not attended for at least the most recent complete school year calendar quarter; holds a secondary school diploma or recognized equivalent and is low-income and is basic skills deficient or an English language learner; subject to the juvenile or adult justice system; homeless, runaway, in foster care or aged out of the foster care system, eligible for assistance under Section 477, Social Security Act, or in out-of-home placement; pregnant or parenting; an individual with a disability; low income\* person who requires additional assistance to enter or complete an educational program or to secure and hold employment

Low-income is an eligibility requirement for only Out-of-School Youth (OSY) who are either:

1. *Basic Skills Deficient,*
2. *an English Language Learner, or*
3. *a Youth Who Requires Additional Assistance to Enter or Complete an Educational Program or to Secure or Hold Employment.*

2. **In-school youth** not younger than 14 or (unless an individual with a disability who is attending school under State law) older than age 21 at time of enrollment, attending school, low income\*, and meet one or more additional conditions, which could include:

Basic skills deficient; English language learner; an offender; homeless, runaway, in foster care or aged out of the foster care system, a child eligible for assistance under sec. 477 of the Social Security Act, or in an out-of-home placement; pregnant or parenting; an individual with a disability; person who

requires additional assistance to enter or complete an educational program or to secure and hold employment

Low-income is an eligibility requirement for all In-School Youth

\*Low income eligibility is defined as meeting one or more of the following:

- Receives, or in the past 6 months has received, or is a member of a family that receives or in the past 6 months has received, assistance through SNAP, TANF, or the supplemental security income program, or State or local income-based public assistance.
- Is in a family with total family income that does not exceed the higher of the poverty line or 70% of the lower living standard income level;
- Is a homeless individual, or a homeless youth or child
- Receives or is eligible to receive a free or reduced priced lunch
- Is a foster child on behalf of whom State or local government payments are made
- Individual with a disability whose own income meets the income requirement, but who is a member of a family whose income does not meet this requirement.
- Youth living in a high poverty area.

**\*Exception:** The 5% low-income exception under WIOA is calculated based on the 5 percent of youth enrolled in a given program year who would ordinarily be required to meet the low-income criteria.

**\*Limitation** – Only 5% of ISY enrolled may be those made eligible according to “requires additional assistance” barrier.

**\*Out-of-school Youth Priority** -- At least 75% of the funds shall be used to serve out-of-school youth.

**\*Work Experience Expenditure Requirement** -- At least 20% of WIOA youth allocation must be spent on work experience. The expenditure rate is not applied separately for IS youth and OS youth.

### **Program Activities and Services:**

All eligible youth must be provided:

- Information on the full array of services available through the Workforce Development Board, eligible providers, or PA CareerLink partners; and
- Referral to appropriate training and educational programs

If an eligible youth does not meet enrollment requirements or cannot be serviced by that provider, the youth shall be further assessed and referred to appropriate programs

### **Program Description and Requirements:**

Proposals are to be submitted to serve out-of-school youth. Proposals should be focused on providing effective and comprehensive activities to eligible OSY, which shall include a variety of options for improving educational and skill competencies and provide effective connections to employers. The program ensures on-going mentoring opportunities and provides opportunities for training, continued supportive services, and incentives for recognition and achievement. The proposed services design and implementation 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 out-of-school youth.

WIOA requires the service strategy be linked to one or more of the indicators of performance in WIOA Sec. 116(b)(2)(A)(ii). Also, the service strategy must identify career pathways that include appropriate education and employment goals. WIOA outlines that, youth funds contracted to the Contractor for eligible youth shall be used to carry out programs that:

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

The Youth Program must provide the fourteen elements listed below:

1. Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies leading to secondary school diploma or its recognized equivalent, or for a recognized post-secondary credential;
2. Alternative Secondary School services, or dropout recovery services, as appropriate;
3. Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
  - 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;
4. Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the Northern Tier;
  5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
  6. Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors;
  7. Supportive services;
  8. Adult mentoring for a duration of at least 12 months that may occur both during and after program participation;
  9. Follow-up services for not less than 12 months after the completion of participation;
  10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
  11. Financial literacy education;
  12. Entrepreneurial skills training;
  13. Services that provide labor market and employment information about in-demand industry sectors or occupations available in the Northern Tier region, such as career awareness, career counseling, and career exploration services; and
  14. Activities that help youth prepare for and transition to post-secondary education and training.

Additional Program Requirements:

- The contractor must complete a WIOA Individual Service Strategy (ISS) on every eligible youth who is enrolled in the program. Services provided must correlate with the barriers identified in the objective assessment.
- Collection of all data required for WIOA eligibility
- Recruitment
- Assumption of Existing Caseload
- Remediation
- Data Management through CWDS
- Case Management
- Effective Service Delivery

- Security Clearances—Contractor shall require all applicants for employment working with youth to submit with an application, prior to initiating employment, a Pennsylvania Child Abuse Clearance and Federal Criminal Records History Clearance, Act 151 Child Abuse Background Check and a PA State Police Criminal Record Check. Compliance with CPSL (Child Protective Services Law) is mandatory.

### **Performance Standards and Goals:**

#### WIA Youth Performance Measures

Below are WIA locally negotiated performance measures for PY2015.

1. Attainment of a Degree or Certificate – at least 90% of clients enrolled in education at any point during the program must attain a diploma, GED, or certificate by the end of the 3<sup>rd</sup> quarter after exit.
2. Placement in Employment or Education – at least 63% of clients not in post-secondary education, employment or the military at the date of participation must enter post-secondary education, employment, or the military the first quarter after exit.
3. Literacy/Numeracy Gains – at least 76% who are basic skills deficient must increase one or more educational functioning levels.

#### WIOA Common Measures

WIA Common Measures will be replaced by WIOA Common Measures effective July 1, 2016. It is expected that contractor will begin to immediately incorporate service delivery that would result in positive outcomes for each of the WIOA Common Measures in preparation for July 1, 2016.

1. Placement in Employment or Education –Percent of clients in unsubsidized employment during the second quarter after exit; for ISY/OSY, also includes those in training.
2. Retention – Percent of clients in unsubsidized employment during the fourth quarter after exit; for ISY/OSY, also includes those in training
3. Median Earnings – Median earnings of clients in unsubsidized employment during the second quarter after exit.
4. Credential Rate – Percent of clients who obtain a recognized post-secondary credential, or a secondary school diploma or equivalent during participation or within one year after exit. Secondary school diploma/equivalent are positive only if also obtained employment or in training leading to a credential within one year after exit.
5. In Program Skills Gain – Percent of clients who, during a program year, are in an education or training program that leads to a recognized post-secondary

credential or employment and who are achieving measurable skill gains toward such a credential or employment.

6. Services to Employers – Indicators of effectiveness in serving employers (yet to be defined)

Performance measures are negotiated with the State of Pennsylvania and are subject to change annually. Contractors will be responsible for meeting the State-negotiated performance measures in their programs. Contractor must be prepared to have systems in place to track, document and report outcomes.

**NOTE:** One client potentially counts toward all indicators.

**Youth Guidelines:**

Describe your proposal for providing coordinated youth programming by addressing the following:

1. In rural areas such as the Northern Tier, it is difficult to provide services to all parts of the community equally. Please describe your innovative strategy to mobilize services to include all areas within the workforce development area equally. Also describe locations where program activities will take place, include where staff will be housed and how many staff will be providing services at each location.
2. Describe how you plan to utilize on-the-job training with youth. How will you market youth work-based training to employers?
3. Demonstrate knowledge of performance requirements for Out-of-School Youth programs by describing how the programs will be managed 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 that are established.
4. High emphasis is placed on adult mentoring and employment opportunities/work experience as core components of all youth programs. Bidders must identify which of the 14 WIOA elements their program will focus on and which elements they will rely on referral agencies to provide. Through partnering with other agencies, bidders must ensure that youth have access to all 14 WIOA elements.
5. Successful program models for OSY should be grounded in the idea that youth learn to work by working. A program should be designed to equip youth with work readiness preparation, academic instruction and occupational skills training and must have distinct start and end points with managed enrollment. A successful model will align with the traditional tenets of WIA youth service delivery, focusing on developing work readiness skills leading to employment and employer recognized credentials while delivering the new WIOA demands for launching youth on meaningful career pathways and sustainable employment. Outline your OSY model.

6. Describe how you will recruit OSY and include how it will take advantage of the whole spectrum of WIOA eligibility and be geared toward the targeted population.
7. Describe how you will ensure staff are properly trained and competent in ensuring compliance with WIOA and data entry into CWDS.

## **E. Employment Advancement and Retention Network**

### **Program Description:**

The Employment Advancement and Retention Network (EARN) is an initiative of the Pennsylvania Department of Human Services (DHS) developed to address the specific needs of welfare recipients and low income individuals with multiple barriers to obtaining employment. The program is designed to assist clients who are receiving cash assistance and/or food stamps (SNAP) in their transition from welfare to the workforce. It provides case management, job placement and job search services needed by recipients to enable them to move rapidly from welfare to work and lead to full-time employment at a self-sustaining wage.

The Northern Tier Local Management Committee (LMC) is a mandated board required by the Department of Human Services to operate the EARN Program. It governs and oversees the coordination of operations and services of the program in the five county region. Voting members include representatives from the County Assistance Offices (CAO), an educational agency, PA CareerLink® and staff from the Workforce Innovations Opportunity Act. Community Action agencies also attend the meetings to provide important input and coordination.

The LMC meets quarterly to monitor contractor performance, resolve conflicts that may arise with clients and Contractors, discuss recruitment and placement strategies and participate in the design and procurement of program services.

The Direct Service Team (DST) is located in each county and consists of a representative from the contractor and the County Assistance Office. The DST reviews the client's progress and is responsible for offering the services needed by the client to ensure program participation, job development, job placement and job retention. The DST members are jointly responsible for assisting the clients through activities which will lead to employment and job retention. Each team member is responsible for brokering the services available through their own agencies.

As a member of the Direct Service Team, the case manager must collaborate with the local County Assistance Office to meet at least once per month to reconcile records/data for each client and to determine the best course of action for active clients.

### **Eligibility Requirements:**

The clients to be served will be recipients of TANF and/or SNAP benefit(s), whose eligibility is determined by the local CAO in each of the five counties of the Northern Tier. More specific criteria regarding clients to be served can be found in the EARN Program Policy and Procedures Manual.

### **Program Activities and Services:**

Federal and State laws require that participants take part in specific activities for a set number of hours each week. Clients are required to participate the number of hours as mandated by their Agreement of Mutual Responsibility (AMR) and must sign in daily on weekly timesheets. As a result, attendance must be strictly monitored. The contractor ensures the clients will participate in the EARN Program for at least all of the hours as determined by the CAO. A service plan is developed to address the needs of the clients and the household and will contain all recommended services, activities, supports and address all barriers and concerns.

When a client is enrolled, the contractor will conduct a case review to become familiar with the client's background and situation. The contractor will review the information below with the client:

- Case narrative;
- Agreement of Mutual Responsibility (AMR)
- Medical information, including physician, clinic, and hospital records;
- Work History;
- Family and Social History;
- Information regarding the client's current and past participation in Employment & Training programs;
- Educational activities and the outcomes of those experiences;
- Information regarding services the participant is receiving from other agencies/providers; and
- Any other pertinent information.

Start dates for newly referred clients for the proposed program training and services and/or activities must be an open/entry exit enrollment basis in order to meet the Work Participation Rate and LMC performance requirements. The contractor must agree to accept unlimited enrollments.

A minimum of twenty (20) hours per week of participation must be available to all clients attending the program training services and/or activities. Depending on a client's circumstances, a thirty (30) or thirty five (35) hour per week participation requirement may be necessary. The attendance requirement must be enforced for all clients participating in the program. All time missed must be made up by the clients within the calendar month and in a supervised setting. A reasonable provision of time for clients to make-up hours missed must be made available.

Contractors must provide allowable core activities, as defined by the federal government, for a minimum of twenty (20) hours per week. In addition to the core activities, non-core activities must be provided to all clients that are required to participate in the program for thirty (30) or thirty five (35) hours per week. Additional definitions can be found in the EARN Program Policy and Procedures Manual, Attachment B – Definition of EARN Services (Activities)

Contractors must ensure that all program participants are registered in the PA CareerLink® system in order to receive the full benefit of services and/or activities provided at the PA CareerLink®. The Department of Labor and Industry along with the Department of Human Services has established a collaborative effort to integrate EARN and WIOA services.

Contractors will be responsible for needs assessment, short term training, job search, job placement, job retention and must provide intensive and on-going case management services during the pre and post placement phase as directed in the EARN Program Policy and Procedures Manual.

**Performance Standards:**

The achievement of measurable performance for the EARN Program is vital to the continued success and future funding of the program. The performance requirements are as follows:

<b>Performance Goal</b>	<b>Definition</b>	<b>Goal</b>	<b>Percentage of Payment</b>
Placement	Clients must attain Unsubsidized Employment (AC33), working a minimum of 80 hours in a four consecutive week period. The four week period must begin within the 180 days of the enrollment date.	50% of clients enrolled	45%
Retention	After a client meets the Placement Goal the client must retain Unsubsidized Employment (AC33) of at least 80 hours in any given calendar month for up to 6 months following the placement month.	30% of clients enrolled	45%
Activity Compliance Rate (ACR)	Clients enrolled must be in a core activity that meets their Work Participation Requirements as validated using the ACR Reports.	65% of clients enrolled	10%

All three performance standards will be paid based on a per individual basis. For each client meeting the standard listed above the contractor will be eligible, upon verification and available budget, for a payment based on the client meeting that particular goal.

### **EARN GUIDELINES**

Describe the Employment Advancement and Retention Network. Be sure to address the following:

1. Describe each of the proposed training, services and/or activities you plan to administer as part of the mix of core and non-core (if applicable) activities available in-house and/or provided by other agencies such as job search workshops and other job search assistance activities.
2. How will you ensure case management contacts are made?
3. How will you ensure required hours of participation are attained by each client that will result in compliance with the Activity Compliance Rate requirements? What steps will be taken when a client does not meet their weekly required hours? Explain how a thirty five (35) hour per week client will meet their participation requirements over a five day period? Describe how clients will be motivated so that required participation is achieved?
4. Explain in detail your strategies for job development, job placement and job retention.
5. How will you ensure time limited activities (vocational educational training, job search and job readiness assistance, and paid work experience) do not exceed durational limits? Describe the use of excused/unexcused absences and how they will be tracked?
6. Describe locations where program activities will take place, include where staff will be housed and how many staff will be providing services at each location.
7. How will this program be linked to the PA CareerLink®?
8. Describe the experience your agency has and the qualifications of your staff in working with similar programs.

Contractors are encouraged to be innovative in their delivery of the EARN program training, services and/or activities. Proposals that present a well thought out plan for motivating clients to meet all EARN Program Guidelines requirements, and/or DPW Operations Memorandum strict time-and-attendance requirements are highly desirable.

## **VII. Program Goal Sheets by County**

### **Program: Adult**

Number Served through Basic Services:

Number Served through Individual Career Services:

Number Served through Training Services:

    Number of Individual Training Accounts:

    Number of On the Job Training:

    Number of Other Training

Number Placed to Employment:

Entered Employment Rate:

Average Earnings change:

Retention Rate:

### **Program: Dislocated Worker**

Number Served through Basic Services:

Number Served through Individual Career Services:

Number Served through Training Services:

    Number of Individual Training Accounts:

    Number of On the Job Training:

    Number of Other Trainings:

Number Placed to Employment:

Entered Employment Rate:

Average Earnings replacement rate:

Retention Rate:

**Program: Youth**

Number served:

In-School Youth (14-21):

Out-of-School Youth (16-24):

**OSY:**

Placement in Employment or Education:

Entered Employment Rate:

Retention Rate:

Median Earnings:

Number Attained Recognized Credential:

Number with High School Diploma or Equivalent:

Number with state, national, or locally recognized credential:

In Program Skills Gain:

**Program: Employment Advancement and Retention Network**

Number Enrolled:

Number in In-House activities:

Number in Paid Work Experience:

Number Entered in Unsubsidized Employment:

Placement Rate:

Retention Rate:

Activity Compliance Rate:

## VIII. SELECTION AND EVALUATION CRITERIA

### A. General

The selection of the contractor(s) will be based on the criteria found on the evaluation sheet. A successful proposal will promote non-traditional service delivery with mobility and flexibility. Another factor will be the ability to adapt to potential cost thresholds, including those proposed by the Commonwealth in the WIOA Combined State Plan. The threshold could include a 30 to 50% minimum on training expenses with set baselines for those with barriers. In addition, consideration shall be given to demonstrated performance in providing appropriate supportive services, including child care, transportation, etc. Integration of programs will also be considered in evaluation.

Funds provided under this proposal shall not be used to duplicate facilities or services available in the area (with or without reimbursement) from Federal, State or local sources, unless it is demonstrated that such funded services would be more effective or more likely to achieve the area's performance goals.

Appropriate education agencies certified by the Northern Tier Workforce Development Board will provide the educational services, unless the administrative entity, NTRPDC, demonstrates that alternative agencies or organizations would be more effective or would have greater potential to enhance the participants' continued occupation and career growth.

### B. Notification of Award

1. It is expected that a final decision selecting the successful Contractor(s) will be made by April 15, 2016. Upon conclusion of negotiations with successful Contractor(s), all Contractor(s) submitting a proposal in response to this RFP will be informed, in writing, of the names of the successful Contractor(s).
2. Contractor(s) not selected may file a *Request for Debriefing* which must occur within five days from receipt of letter. After the debriefing, should they desire, the Contractor(s) may submit a letter of appeal. The appeal must be submitted within five working days from the date of the debriefing. The appeal must be addressed to:

Chairperson  
Executive Committee  
Northern Tier Regional Planning and Development Commission  
312 Main Street  
Towanda, Pennsylvania 18848

Once received, the appeal letter will be reviewed by the Executive Committee and a final decision rendered within ten working days.

**C. Evaluation Criteria**

1. All proposals received by the deadline date will be evaluated. Following a completeness review, an ad hoc committee of the Workforce Development Board and Executive Committee will assess each proposal to determine the quality of program and the cost effectiveness of the proposal.
2. The criteria to be used to evaluate proposals is included in the Proposal Evaluation Criteria Form attached.

NORTHERN TIER REGIONAL PLANNING AND DEVELOPMENT COMMISSION  
PROPOSAL EVALUATION CRITERIA/CHECK SHEET

Name of Organization: \_\_\_\_\_

Program: \_\_\_\_\_

**A. Organizational Information:**

1. Description of proposing organization – 25 points – consider:

- Type of organization, (profit, non-profit, minority, owned, etc.);
- Capacity, capability and experience in operating employment & training programs;
- The extent facilities provide convenient access and minimizes participant travel;
- Compliances with Americans with Disabilities Act;
- Extent to which facilities are equipped to operate program, evidenced by a minimum of proposed property equipment purchases.
- Qualifications and experience of organization
- How experienced do the personnel appear to be from the description of proposed staff;
- Do the number of administrative, fiscal and programmatic staff proposed appear reasonable;
- The extent to which credentials appear to match or mis-match the service to be provided;
- Do staff appear to be over or under priced for the services they will actually perform.
- Job training experience of organization
- The extent of Contractor's previous experience with job training programs and/or programs serving an income eligible population;
- What familiarity, if any, with the local labor market does Contractor indicate;
- How close the geographical area of service is to the Contractor's permanent base;
- Contractor's historical success rate in serving the target population.

Point Total \_\_\_\_\_

Comments:

2. Financial Management System – 10 points – consider:

- Capacity to manage and safeguard federal and state funds from fraud, waste and abuse;
- Capacity to repay any unallowed costs;
- Procedures used to account for receipt and disbursement of WIA funds;
- Review supplied description of fiscal control system for adequacy;
- Examine supplied financial management assurances chart for completeness;
- Examine debarment certification for completeness.

Point Total \_\_\_\_\_

Comments:

**B. Program Requirements:**

1. Description of program – 30 points – consider:

- The extent to which the requirements in the RFP are fully, logically and clearly addressed and explained;
- The extent to which the performance requirements are met or exceeded in the proposal including innovative and non-traditional services methods;
- Quality of participant services proposed which includes non-traditional, mobile, creative, innovative, customer-focused designs.
- The extent to which activities and services meet or exceed requirements;
- Does the manner in which activities and services are to be implemented appear to be reasonable;
- The extent to which non-traditional employment for women (NEC) Act was addressed;
- The extent to which linkages between other organizations was addressed.
- Program Integration

Point Total \_\_\_\_\_

Comments:

2. Job placement – Work-based training – 15 points – consider:

- Quality of job placement/development services proposed;
- Appropriateness of efforts to targeted occupational goals;

- Extent that proposed performance exceeds performance standards;
- Extent of coordination with Team Pennsylvania CareerLink system.

Point Total \_\_\_\_\_

Comments:

**C. Cost:**

1. Reasonableness of cost – 20 points – consider:

- Completeness and accuracy of budget;
- Allowability of cost elements (necessary/reasonable/allocable);
- Are cost elements categorized properly;
- Is there a sound basis for estimated costs;
- Are indirect cost rates approved;
- Overall value for the price.

Point Total \_\_\_\_\_

Comments:

## **IX. Contractor(s) Organizational Information**

### **To Be Completed by All Applicants**

Each Contractor(s) answering this RFP must submit the following general information concerning their organization. This information need only be submitted one time even though the Contractor(s) may be submitting for more than one program.

#### **A. Description of Proposing Organization**

1. Type of organization
2. Capacity, capability, and experience for operating employment and training programs
3. Organizational chart which includes a description of proposed staff responsibilities and qualifications. This must include the number of administrative, fiscal and programmatic staff proposed, the technical/educational background of each position and the years of service required, and must include all positions charging time to this RFP.
4. Location and description of facility(ies) where services will be offered. Also, provide description of types of equipment to be utilized to provide services.
5. Address handicap accessibility: whether the agency is accessible, and if not, what is the plan to become accessible.
6. History of providing these types of services.

#### **B. Financial Management System**

The Contractor(s) must have or develop a financial management system that satisfactorily accounts for and documents the receipt and disbursement of all WIOA and EARN funds. While a separate accounting system need not be established, each Contractor(s) must maintain financial records that adequately identify the source and application of all WIOA and EARN funds. In addition, a cash-based accounting system must be capable of developing the accrued expenditure information needed to complete the required reports (invoices and close-out reports).

1. How much, as a percentage of total funding will this funding represent?
2. How will the subcontractor ensure limits for the contract are not exceeded?
3. Identify Key Staff by name and outline qualifications.

4. Describe the agency's cost allocation plan/methodology.
5. Describe the agency's property management system.
6. Describe the agency's methods for recovering disallowed costs.
7. What procedures are in place to ensure timely submission of monthly expenditure reports?

### **Procedures**

In order to determine the Contractor(s) ability to meet the financial management requirements, please provide the following information:

1. Certification by Executive Director or other responsible official that the financial system will account for and control WIOA and EARN funds using Generally Accepted Accounting Principles, applicable Federal and State regulations, applicable OMB Circulars, or other regulations governing the administration of WIOA and EARN funds.
2. Description of the procedures used to account for the receipt and disbursement of WIOA and EARN funds including the name of the accounting software currently being utilized.
3. The method, if any, used to monitor actual expenditures to budget amounts by cost category and line item expense.
4. Procedures used to minimize the amount of cash on hand and the time elapsing between the transfer of funds from NTRPDC and the disbursement of those funds by your entity.
5. Procedures for determining reasonableness, allowability and allocability of costs in accordance with Federal, State and local regulations and requirements (including ability to meet invoice and close-out deadlines).
6. Procedures to ensure accounting records are supported by source documentation for each transaction.
7. Provide for time and attendance records for individual payrolls that reflect salaries and wages chargeable to more than one grant or program.
8. Procedures that allow for reporting of Accrued Expenses.
9. Procedures for recording all expendable and non-expendable personal property acquired with WIOA and EARN funds.

10. Procedures to document any interest earned on Federal funds or program income generated by WIOA and EARN funded activities.
11. If cost allocation is used, describe the system used to equitably allocate indirect and/or direct costs attributable to more than one grant, program or cost category. Such an allocation plan must be documented in the financial records, with all supporting information maintained for review by management, auditors, or technical assistance liaisons. The plan must equitably distribute direct costs on the basis of the benefits derived by each grant, program, or cost category. **NOTE:** The “Percentage of Funding” method of allocating costs is not considered reasonable and does not meet the requirements of an adequate cost allocation method.
12. If applicable, when using a pre-approved indirect cost rate, provide the name, address, and contact person at the approving cognizant agency as well as a copy of the approval letter.
13. Provide a copy of any bonding agreements. All persons authorized to receive or deposit WIOA and EARN funds, or to issue financial documents, checks or other instruments of payment for WIOA and EARN program costs, must be bonded for protection against loss. The amount of coverage must be the higher of \$100,000 or an amount equal to the highest advance reserved through check during the immediately preceding grant year or planned for the present year. Contractor(s) may request a waiver of these requirements in order to maintain lower bonding amounts. All requests for waivers must be in writing.
14. Certify ability to comply with the audit requirements of OMB 2 CFR Part 200 Comments, Federal Register, Vol. 78, Issue 248, December 26, 2013. A Contractor(s) must be able to identify whether or not a program audit is necessary at the time of contracting.
  - PA Department of Labor and Industry – WIA/WIOA policy and procedures manual.
  - PA Department Human Services – EARN Program Policy and Procedure Manual

### **Retention and Access of Records**

The following requirements are established for the retention of records related to WIOA Programs and activities.

- All financial and program records, including any supporting documents, must be retained for at least four years from the date of submission of the closeout reports for each program.

- If any litigation, claims or audits are begun prior to the expiration of the four-year period, all records shall be retained until those litigation, claims or audits relating to those records have been resolved.
- Records relating to non-expendable personal property acquired with WIA funds must be retained for at least four years after final disposition of the property.

### **Travel**

Contractor(s) must submit a copy of its travel reimbursements policy. If no policy exists, Federal Travel Regulations will prevail.

### **Procurement**

#### 1. Purchase of Equipment

##### a. Governmental Entities/Non-Profit Entities

1. Equipment having a unit acquisition cost of \$5000 or more requires written authorization from the NTRPDC prior to purchase.
2. Excess property and equipment readily available for transfer will take precedence and the NTRPDC reserves the right to deny any request for purchase.
3. Purchase of paper and any other expendable supplies needed for operation on a day-to-day basis do not require prior approval.

##### b. For-Profit Entities

1. Equipment regardless of cost requires written authorization from the NTRPDC prior to purchase.
2. Excess property and equipment readily available for transfer will take precedence and the NTRPDC reserves the right to deny a request for purchase.
3. Purchases of paper and any other expendable supplies needed for operation on a day-to-day basis do not require prior approval.

Approval of a contract does not constitute an automatic authorization to purchase or lease property and/or equipment. A written request to acquire property must be reviewed and approved by the NTRPDC.

## 2. Leasing or Renting Non-Expendable Personal Property

Each Contractor(s) must formulate procedures for leasing or renting nonexpendable personal property. Approval of lease and rental contracts will be the responsibility of the Contractor(s). However, Contractors are encouraged to contact the NTRPDC prior to executing a lease or rental agreement in order to determine the possibility of transferring existing excess property.

There are three stipulations which the NTRPDC is placing on the Contractor(s) in connection with rentals and leases, as noted below:

- a. The Contractor(s) must ensure open and free competition in bidding.
- b. Each Contractor(s) must ensure that a contingency clause is included in any lease or rental agreement. This clause must state that either party may terminate the lease or rental agreement within a specific period of time. It must also state that the agreement is contingent upon continued receipt of Federal funding.
- c. Lease/purchase agreements are allowable provided such acquisitions do not exceed the rental cost of comparable assets in the same locality.

## 3. Bonding and Liability

- a. A Contractor(s) must bond all officers, directors, agents and employees who are authorized to act on behalf of the Contractor(s) for the purpose of receiving and depositing funds into program accounts or issuing financial documents, checks or other instruments of payment or program costs.
- b. Any amount of funds that have been determined to be expended not in accordance with the Workforce Investment Act will result in a cash repayment of that amount of funds. The Contractor(s) must therefore describe its ability to repay any disallowable costs.

### **Availability of Funding**

Funding for any period will always be subject to the availability of funds.

The NTRPDC reserves the right to reobligate funds per contract if enrollment and/or expenditure levels fall below a predetermined level.

The NTRPDC may terminate immediately the whole or any part of the contract if the Contractor(s) fail to provide proper training as determined by the NTRPDC or fails to make progress in accordance with its terms.

Thirty day written notice will be given to the Contractor(s) to terminate the agreement. The NTRPDC agrees to pay the Contractor(s) for the reasonable cost of all work completed by the date of the Agreement if the contract is terminated.

**BUDGET INFORMATION:**

**Budget Format and Cost Categories**

Using the attached Detail Budget Forms, assign all costs associated with the proposed program. The Detail Budget Forms should then be entered on the Overall Budget Summary Sheet. This process is to be followed for each program.

The following is the format to be achieved through this process:

Overall Budget Summary Sheet

Administration Detailed Budget

- Staff Salaries
- Staff Fringe Benefits
- Property and Equipment
- Operating Expenses
- Indirect Costs

Program Detailed Budget

- Staff Salaries
- Staff Fringe Benefits
- Property and Equipment
- Supportive Service Costs
- In-House Training Expenses
- On the Job Training/Subsidized Employment/Skills Training/Work Experience
- Other Operating Expenses
- Indirect Costs

The Contractor(s) must fully comply with the requirements of all Federal and State regulations issued for the programs.

**OVERALL BUDGET SUMMARY SHEET**  
**July 1, 2016 – June 30, 2017**

Contractor(s)  
 Name and Address: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Project Title  
 Funding Source: \_\_\_\_\_

**NOTE: OBTAIN ALL FIGURES FROM DETAILED BUDGETS ATTACHED.**

**ADMINISTRATION COSTS**

A.	Staff Salaries	\$ _____
B.	Staff Fringe Benefits	\$ _____
C.	Property and Equipment	\$ _____
D.	Other Operating Expenses	\$ _____
E.	Indirect Costs (if applicable)	\$ _____
	<b>Subtotal</b>	\$ _____

**PROGRAM COSTS**

	A.	Staff Salaries	\$ _____
	B.	Staff Fringe Benefits	\$ _____
	C.	Property and Equipment	\$ _____
	D.	Supportive Service Costs	\$ _____
	E.	In-House Training Expenses	\$ _____
*	F.	Other Operating Expenses	\$ _____
	G.	On the Job Training/ Subsidized Employment/ Skills Training/ Work Experience	\$ _____
	H.	Indirect Costs (if applicable)	\$ _____
		<b>Subtotal</b>	\$ _____
		<b>Grand Totals</b>	\$ _____

\* Detailed Budget not required for Other Operating Expenses

**ADMINISTRATION STAFF SALARIES  
DETAILED BUDGET  
July 1, 2016 – June 30, 2017**

List all Administrative salaries funded by this grant and compute the total staff salaries and fringe benefits.

- Column 1     **Position Title** – List the title of the position being funded by this grant.  
Column2     **Annual Salary** – List the total annual salary for the position listed.  
Column3     **% of Time to Project** – List the actual percent of time the person in that position will spend and charge to this grant.  
Column4     **Total Amount** – Enter the product of the % of Time to Project and Annual Salary.

(Column 3 X Column 2 = Total charged to this grant)

**Total Cost of Fringe Benefits for Staff** Under “Rate”, list the percentage of the “Total Staff Salaries” line which will be charged for all staff fringe benefits. Under “Amount”, list the total dollar figure paid for applicable fringe benefits.

POSITION TITLE	ANNUAL SALARY	% OF TIME TO PROJECT	TOTAL AMOUNT

**Total Staff Salaries:** \$ \_\_\_\_\_  
 (Transfer this figure to the Overall Budget Summary  
 Sheet – Administrative Costs – A. Staff Salaries.)

**Total Cost of Fringe Benefits for Staff:** Rate \_\_\_\_\_%

**Amount** \$ \_\_\_\_\_  
 (Transfer this figure to the Overall Budget Summary  
 Sheet – Administration Costs – B. Staff Fringe Benefits.)

**ADMINISTRATION PROPERTY AND EQUIPMENT  
 DETAILED BUDGET  
 July 1, 2016 – June 30, 2017**

List below all property and equipment necessary to the operation of the program to be charged to the Administration Cost Category.

A. All non-expendable property and equipment to be acquired through purchase:

Description	Quantity	Unit Price	TOTAL COST

**Subtotal: \$ \_\_\_\_\_**

**Grand Total: \$ \_\_\_\_\_**

(Transfer this figure to the Overall Budget Summary Sheet – Administration Costs – C. Property and Equipment)

**ADMINISTRATION OTHER OPERATING EXPENSES  
DETAILED BUDGET  
July 1, 2016 – June 30, 2017**

Total operating expenses should include rent/use allowance, telephone, postage, maintenance service, utilities, subscriptions, consultants, audit and other appropriate costs to be charged to the Administration Cost Category.

**Other Operating:**

**Total: \$** \_\_\_\_\_

(Transfer this figure to the Overall Budget Summary  
Sheet – Administration Costs – D. Other Operating Expense)

**ADMINISTRATIVE – INDIRECT COSTS  
DETAILED BUDGET  
July 1, 2016 – June 30, 2017**

Indirect Costs (if applicable)

This charge must be previously negotiated. Provide the base figure, multiplied by the percent negotiated, for a total Indirect Cost.

Base \$ \_\_\_\_\_ X \_\_\_\_\_ % negotiated rate = \$ \_\_\_\_\_

(Transfer this figure to the Budget Summary Sheet – Administration Costs – E. Indirect Costs.)

**NOTE: Indirect costs can only be charged by Program Contracts with approved indirect cost rates. Therefore, a copy of the current negotiated rate, supporting the base and rate, must be attached to the proposal.**



**PROGRAM COSTS PROPERTY AND EQUIPMENT  
 DETAILED BUDGET  
 July 1, 2016 – June 30, 2017**

List below all property and equipment necessary to the operation of the program to be charged to the Administration Cost Category.

A. All non-expendable property and equipment to be acquired through purchase:

Description	Quantity	Unit Price	TOTAL COST

**Subtotal: \$ \_\_\_\_\_**

B. All program equipment to be acquired through rental/lease:

Description	Quantity	Unit Price	TOTAL COST

**Subtotal: \$ \_\_\_\_\_**

**Grand Total: \$ \_\_\_\_\_**

(Transfer this figure to the Overall Budget Summary Sheet – Program Costs – C. Property and Equipment.)

**PROGRAM COST SUPPORT SERVICES/CAREER SERVICES/OTHER OPERATING  
DETAILED BUDGET  
July 1, 2016 – June 30, 2017**

**Supportive Services:**

i.e., transportation, child care, clothing/uniforms, and additional supportive services related to training.

**TOTAL**      \$ \_\_\_\_\_

(Transfer this figure to the Overall Budget Summary Sheet – Program Costs – D. Supportive Service Costs)

**Career Services:**

**TOTAL**      \$ \_\_\_\_\_

(Transfer this figure to the Overall Budget Summary Sheet – Program Costs – E. In-House Training Costs)

**Other Operating:**

**TOTAL**      \$ \_\_\_\_\_

(Transfer this figure to the Overall Budget Summary Sheet – Program Costs – F. Other Operating Costs)

**PROGRAM COST – WORK-BASED/SKILLS TRAINING**

**DETAILED BUDGET**

**July 1, 2016 – June 30, 2017**

**On the Job Training:**

List the funds to be used for On the Job Training Activities

**TOTAL**      \$ \_\_\_\_\_

**Skills Training:**

List the funds to be used for Occupational Skills Training:

**TOTAL**      \$ \_\_\_\_\_

**Work Experience:**

List the funds to be used for Work Experience:

**TOTAL**      \$ \_\_\_\_\_

**Grand Total This Page:** \$ \_\_\_\_\_

(Transfer this figure to the Overall Budget Summary Sheet – Program Costs – G. On the Job Training/Skills Training/Work Experience Costs.)

**PROGRAM COSTS – INDIRECT COSTS  
DETAILED BUDGET  
July 1, 2016 – June 30, 2017**

**Indirect Costs** (if applicable)

This charge must be previously negotiated. Provide the base figure, multiplied by the percent negotiated, for a total Indirect Cost.

Base \$ \_\_\_\_\_ X \_\_\_\_\_% negotiated rate = \$ \_\_\_\_\_

(Transfer this figure to the Budget Summary Sheet – Program Costs – G. Indirect Costs.)

**NOTE:**      **Indirect costs can only be charged by Program Contracts with approved indirect cost rates. Therefore, a copy of the current negotiated rate, supporting the base and rate, must be attached to the proposal.**

### **C. Administrative Information**

1. Provide a copy of your Equal Opportunity policy statement.
2. Describe your complaint process.
3. Describe what efforts will be made to assure non-discrimination in service provision and staff hiring decisions.
4. Describe the measures taken to ensure the confidentiality of client information and HIPPA regulations. Attach a copy of your confidentiality policy.
5. How are participants informed of the grievance policy?

### **D. General Information**

1. What are the key strengths of your agency?
2. Describe how your agency will ensure corrective action is implemented for program deficiencies.
3. Describe your agency's plan to foster employer linkages.
4. Describe how your agency will ensure that performance standards and indicators are met or exceeded.
5. Describe your agency's continuous improvement process.
6. Provide, in a few paragraphs, how your agency's proposal assists the Northern Tier to meet combined workforce and economic development goals. How will your agency link economic development and workforce development goals?

## XI. Other Program Requirements and Certifications

### Attachment A

#### ADMINISTRATIVE ASSURANCES CHART

The purpose of distinguishing the following assurances is to highlight specific requirements, and does not limit the responsibilities of the applicant agency in anyway. By including these assurances in the grant narrative, the applicant agency assures NTRPDC and the Northern Tier Workforce Development Board that it will abide by the following requirements:

\_\_\_\_\_  
Name of Organization

ASSURANCES	YES	NO
1. Assures that the financial management system satisfactorily accounts for and documents the receipt and disbursement of all WIOA and EARN funds;		
2. Assures that information pertaining to sub grants and contract awards, obligations, unobligated balances, assets, expenditures, and income will be maintained;		
3. Assures that one has effective internal controls in place to safeguard assets and assure proper use (including property location and usage);		
4. Assures that one will maintain source documentation to support accounting records that will permit the tracing of funds to a level of expenditure adequate to establish that funds have not been used in a violation of the applicable restrictions of the use of such funds;		
5. Assures that one financial system will permit the tracing of program income and potential stand-in costs and other funds that are allowable;		
6. Assures that one will maintain a comparison of actual expenditures with budgeted amounts for each sub grant and contract and that this comparison will be used to assess program progress and success;		
7. Assures that one will prepare and submit the required financial reports in a timely manner.		

8. Assures that all persons authorized to receive or deposit WIOA and EARN funds, or to issue financial documents, checks or other instruments of payment for WIOA program costs, will be bonded in accordance with Federal and State regulatory requirements for protection against loss;		
9. Assures that contractors will be mandated to operate programs in compliance with regulations and policies outlined in the Act, Federal Regulations, and State Departments of Labor, Department of Human Service and Industry and/or Education;		
10. Assures that there is no excess cash on hand and that procedures exist for maintaining and monitoring the minimum amount of cash on hand to efficiently improve the timing and control of disbursements;		
11. Assures that all financial and program records, including any supporting documents will be retained for at least four years from the date of submission of the closeout reports for each program;		
12. Assures that all audit findings that impact the WIOA and EARN programs will be resolved and that corrective action for all such findings is instituted within 6 months after receipt of the audit report; and		
13. Assures that one will maintain an audit resolution file documenting the disposition of reported questioned costs and corrective actions taken for all findings.		
14. Assures that there exists adequate internal program management procedures to prevent fraud and program abuse.		
15. Assures that WIOA training shall be provided only for those occupations for which there is a demand in the local area or in another area to which the client is willing to relocate.		
16. Assures that it has the administrative capabilities and expertise to operate an effective program.		
17. Assures that one has no significant outstanding audit deficiencies or disallowed costs.		
18. Assures that one has appropriate staff and material to provide the employment and training services.		

<p>19. Assures that all program clients, regardless of disability, including persons with limited English speaking ability, are provided access to all program activities; that qualified program clients with disabilities will be provided with reasonable accommodation, unless providing the accommodation would cause undue hardship; and that reasonable modifications will be made to policies, practices and procedures when the modifications are necessary to avoid discrimination, unless making the modifications would fundamentally alter the nature of the service, program or activity.</p>		
<p>20. Assures that records will be maintained for the purposes of equal opportunity which include characteristics data on race/ethnicity, sex, age, disability status of applicants, registrants, eligible applicants/registrants, participants, individuals existing in the programs, applicants for employment, and employees.</p>		
<p>21. Assures that all recruitment brochures and other materials which are ordinarily distributed to the public to describe programs funded under WIOA must certify the above using the following wording "The WIOA funded program or activity is an equal opportunity employer/program; auxiliary aids and services are available upon request to individuals with disabilities".</p>		

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Signature

Typed Name and Title

Date

## Certifications

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Name of Organization

The authorized representative agrees to comply with all applicable State and Federal laws and regulations governing the Workforce Innovation and Opportunity Act, Employment Advancement and Retention Network, Workforce Development Boards, and any other applicable laws and regulations. The authorized representative certifies that the proposing organization possesses legal authority to offer the attached proposal. A resolution, motion or similar action has been duly adopted or passed as an official act of the organization's governing body authorizing the submission of this proposal.

The authorized representative certifies that their agency will comply with the following provisions:

1. **Non-discrimination and Equal Opportunity** As a condition to the award of financial assistance from the Department of Labor under Title I of the Workforce Innovation and Opportunity Act (WIOA), the grant applicant assures that it will comply fully with the nondiscrimination and equal opportunity provisions of WIOA Section 188:
  - **WIOA Section 188 (a)(1) Federal Financial Assistance.** – For the purpose of applying the prohibitions against discrimination on the basis of the following:
    - Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
    - Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
    - The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age: and
    - Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

Programs and activities funded or otherwise financially assisted in whole or in part under this Act are considered to be programs and activities receiving Federal financial assistance.

- **Section 188 (a)(2) Prohibition of discrimination regarding participation, benefits, and employment.** -- No individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under Title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.
- **Section 188 (a)(3) Prohibition on assistance for facilities for sectarian instruction or religious worship.** -- Participants shall not be employed under WIOA Title I to carry out the construction, operation, or maintenance of any part of any facility

that is used or to be used for sectarian instruction or as a place for religious worship (except with respect to the maintenance of a facility that is not primarily or inherently devoted to sectarian instruction or religious worship, in a case in which the organization operating the facility is part of a program or activity providing services to participants).

- **Section 188 (a)(4) Prohibition on discrimination on basis of participant status.** -- No person may discriminate against an individual who is a participant in a program or activity that receives funds under WIOA Title I, with respect to the terms and conditions affecting, or rights provided to, the individual, solely because of the status of the individual as a participant.
- **Section 188 (a)(5) Prohibition on discrimination against certain noncitizens.** -- Participation in programs and activities or receiving funds under WIOA Title I shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and other immigrants authorized by the Attorney General to work in the United States.

The grant applicant also assures that it will comply with WIOA regulations and all other regulations implementing the laws listed above. This assurance applies to the applicants operation of the WIOA Title I-financially assisted program or activity, and to all agreements the applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance.

## **2. Conflict of Interest**

The undersigned applicant certifies that:

- No manager, employee or paid consultant of the Proposer is a member of the Board of Directors, or an employee of the Board;
- No manager or paid consultant of the Proposer is married to a member of the Board of Directors, or an employee of the Board;
- No member of the Board of Directors, or an employee of the Board owns or has any control in the Proposer's organization;
- No spouse of a member of the Board of Directors, or employee of the Board receives compensation from Proposer for lobbying activities;
- Proposer has disclosed within the proposal response any interest, fact or circumstance which does or may present a potential conflict of interest;
- Should Proposer fail to abide by the foregoing covenants and affirmations regarding conflict of interest, Proposer shall not be entitled to the recovery of any costs or expenses incurred in relations to any contract with the Board and shall immediately refund the Board any fees or expenses that may have been paid under the contract and shall further be liable for any other costs incurred or damages sustained by the Board relating to that contract.

3. **Lobbying** This certification is required by the Federal Regulations, Implementing Section 1352 of the Program Fraud and Civil Remedies Act, Title 31 U.S. Code for the Department of Agriculture (7 CFR Part 3018), Department of Labor (29 CFR Part 93), Department of Education (34 CFR Part 82), Department of Health and Human Services (45 CFR Part 93).

The undersigned applicant certifies that:

- 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 any officer or employee of Congress, or an employee of a Member of Congress, or locally elected officials.
- In connection with the awarding 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.
- If any funds, other than Federal 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, a Member of Congress, any officer or employee of Congress, an employee of a Member of Congress, or locally elected officials in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit "Disclosure Form to Report Lobbying", in accordance with its instructions.
- The undersigned shall require that the language of this certification be included in the award 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 provide disclosure accordingly.

4. **Drug-Free Workplace** This certification is required by the Federal Regulations, Implementing Section 5150-5160 of the Drug-Free Workplace Act, 41 U.S.C. 701; for the Department of Agriculture (7 CFR Part 3017), Department of Labor (29 CFR Part 98), Department of Education (34 CFR Part 85, 668 and 682), Department of Health and Human Services (45 CFR Part 76).

The undersigned applicant certifies that it shall provide a drug-free workplace by:

- Publishing a policy statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace and specifying the consequences of any such action by an employee;
- Establishing an ongoing drug-free awareness program to inform employees of the dangers of drug abuse in the workplace, the Contractor's policy of maintaining a

drug-free workplace, the availability of counseling, rehabilitation and employee assistance programs, and the penalties that may be imposed on employees for drug abuse violations in the workplace;

- Providing each employee with a copy of the Contractor's policy statement;
- Notifying the employees in the Contractor's policy statement that as a condition of employment under this contract, employees shall abide by the terms of the policy statement and notifying the Contractor in writing within five (5) days after any conviction for a violation by the employee of a criminal drug statute in the workplace;
- Notifying the Commission within ten (10) days of Contractor's receipt of a notice of a conviction of an employee; and,
- Taking appropriate personnel action against an employee of violating a criminal drug statute or require such employee to participate in drug abuse assistance or a rehabilitation program.

These certifications are material representations 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.

## **5. Labor Standards**

Applicant agrees and certifies that it will comply with applicable provisions of the Davis-Bacon Act (40 U.S.C. 276a- 276a-7), the Copland Act (40 U.S.C. 276c), the Contract Work Hours and Safety Standards Act (40 U.S.C. 327-332), as set forth in Department of Labor Regulations at 20 CFR 5.5a.

## **6. Confidentiality**

- The Health Insurance Portability and Accountability Act (HIPAA) of 1996 require that organizations protect identifiable individual health care information. Applicant must ensure that each staff member who has contact with clients or client information receive HIPAA training. New staff members must be trained in HIPAA requirements within 14 days of the start of employment. Applicant must ensure that all subcontracted staff with access to clients or client information are also trained and must maintain documentation of all training. The documentation must include a list of the staff persons that were trained and the date and location of the training.

Applicant acknowledges that the use or disclosure of information concerning applicants or recipients of public assistance for purposes other than as provided in this agreement is strictly prohibited by state and federal law. Applicant will keep such information confidential and will require its employees accessing confidential information to sign an acknowledgement to evidence their understanding and agreement concerning the confidential nature of the information. Applicant will use the information only as agreed to and for no other purpose.

Applicant will properly instruct any person having access to this information as to security requirements and obligations, and to inform persons having access that they are bound by confidentiality provisions. All employees must be informed that violation may result in disciplinary action, including discharge or criminal prosecution if the employee knowingly uses the information for fraudulent purposes. The applicant and its employees may have access to information only on a “need to know” basis. These obligations will survive the expiration or termination of the contract.

- The applicant will ensure the proper handling and protection of Personally Identifiable Information (PII). PII is defined as information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual.

Federal law, Office of Management and Budget (OMB) Guidance, DOL and ETA policies require that PII and other sensitive information be protected. To ensure compliance with Federal law and regulations, local Administration and Contractors must secure transmission of PII and sensitive data developed, obtained, or otherwise associated with grants/contracts funded by ETA directly or through the state.

Failure to comply with the requirements, or any improper use or disclosure of PII for an unauthorized purpose, may result in the termination or suspension of the grant/ contract, or the imposition of special conditions or restrictions, or such other actions as the applicable grant/contract administrator may deem necessary to protect the privacy of participants or the integrity of data. *Employment and Training Guidance Letter No. 39-11*

## **7. Pennsylvania Right-to-Know-Law**

- The Grantee and any of its lower tiered grantees understands that this grant agreement and records related to or arising out of the grant agreement are subject to requests made pursuant to the Pennsylvania Right-to-Know Law, 65P.S. §§ 67.101-3104, (“RTKL”). For the purpose of these provisions, the term “the Commonwealth” shall refer to the granting Commonwealth agency.
- If the Commonwealth needs the grantee’s assistance in any matter arising out of the RTKL related to this grant agreement, it shall notify the grantee using the legal contact information provided in the grant agreement. The grantee, at any time, may designate a different contact for such purpose upon reasonable prior written notice to the Commonwealth.
- Upon written notification from the Commonwealth that it requires a grantee’s assistance in responding to a request under the RTKL for information related to this grant agreement that may in the grantee’s possession, constituting, or alleged to constitute, a public record in accordance with the RTKL (“Requested Information”), grantee shall:

- Provide the Commonwealth, within ten (10) calendar days after receipt of written notification access to and copies of any document or information in grantee's or any of its lower tiered grantee's possession arising out of this grant agreement that the Commonwealth reasonably believes is requested information and may be a public record under the RTKL; and
  - Provide such other assistance as the Commonwealth may reasonably request, in order to comply with the RTKL with respect to this grant agreement.
- If grantee or any of its lower tiered grantees consider the requested information to include a request for a trade secret or confidential proprietary information, as those terms are defined by the RTKL, or other information that the grantee considers exempt from production under the RTKL, grantee must notify the Commonwealth and provide within seven (7) calendar days of receiving the written notification a written statement signed by a representative of grantee or lower tiered grantee explaining why the requested material is exempt from public disclosure under the RTKL.
  - The Commonwealth will rely upon the written statement from grantee or its lower tiered grantee in denying a RTKL request for the requested information unless the Commonwealth determines that the requested information is clearly not protected from disclosure under the RTKL. Should the Commonwealth determine that the requested information is clearly not exempt from disclosure, grantee or its lower tiered grantee shall provide the requested information within five (5) business days of receipt of written notification of the Commonwealth's determination.
  - If grantee or its lower tiered grantee fails to provide the requested information within the time period required by these provisions, grantee or its lower tiered grantee shall indemnify and hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of grantee's or its lower tiered grantee's failure including any statutory damages assessed against the Commonwealth.
  - The Commonwealth will reimburse the grantee or its lower tiered grantees for any costs associated with complying with these provisions only to the extent allowed under the fee schedule established by the Office of Open Records or as otherwise provided by the RTKL if the fee schedule is inapplicable.
  - Grantee or its lower tiered grantee's may file a legal challenge to any Commonwealth decision to release a record to the public with the Office of Open Records or in the Pennsylvania courts. However, grantee or its lower tiered grantees shall indemnify the Commonwealth for any legal expenses incurred by the Commonwealth as a result of such a challenge and shall hold the Commonwealth harmless for any damages, penalties, costs, detriment or harm that the Commonwealth may incur as a result of grantee's or its lower tiered grantee's failure, including any statutory damages assessed against the

commonwealth, regardless of the outcome of such legal challenge. As between the parties, grantee or its lower tiered grantee agrees to waive all rights or remedies that may be available to waive all rights or remedies that may be available to it as a result of the Commonwealth's disclosure of requested information pursuant to the RTKL.

- The grantee's or its lower tiered grantee's duties relating to the RTKL are continuing duties that survive the expiration of the grant agreement and shall continue as long as the grantee or its lower tiered grantee has the requested information in its possession.

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Signature

Typed Name and Title

Date

## Attachment C

### INSTRUCTION FOR CERTIFICATION-LOWER TIER TRANSACTIONS

1. By signing this certification and submitting it with this proposal, the prospective recipient of State and /or Federal assistance funds is providing the certification as set out below.
2. The certification in this clause is a material representative of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective recipient of State and/or Federal assistance funds knowingly rendered an erroneous certification, in addition to other remedies available to the State and/or Federal Government, the Department may pursue available remedies, including suspension and/or debarment.
3. The prospective recipient of State and/or Federal assistance funds shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective recipient of State and/or Federal assistance funds learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” and used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective recipient of State and/or Federal assistance funds further agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the Department.
6. The prospective recipient of State and/or Federal assistance funds further agrees by submitting this proposal that it will include the clause title “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions,” without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. For contracts involving Federal funds, each participant may, but is not required to check the List of Parties Excluded from Procurement or Non-procurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the State and/or Federal Government, the Department may pursue available remedies, including suspension and/or debarment.

**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY  
AND VOLUNTARY EXCLUSION**

**LOWER TIER COVERED TRANSACTION FOR PY' \_\_\_\_\_**

Contractor: \_\_\_\_\_

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 68.510, Participant's Responsibilities. The regulation were published as Part VII of the May 26, 1988 Federal Register (Pages 19160-19211).

**BEFORE COMPLETING CERTIFICATION,  
READ INSTRUCTIONS**

1. The prospective recipient of federal assistance funds certifies, by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal Department or Agency.
  
2. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

\_\_\_\_\_  
Name of Contractor Representative

\_\_\_\_\_  
Signature and Date

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

\_\_\_\_\_  
Signature and Date