



**ORANGE COUNTY, NEW YORK**


Department of General Services  
PO Box 218, 255-275 Main Street  
Goshen, New York 10924

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**RFP TITLE: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH PROGRAM**

**RFP-ETA01-21**

**ORANGE COUNTY WORKFORCE DEVELOPMENT BOARD AND  
EMPLOYMENT AND TRAINING ADMINISTRATION  
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)  
YOUTH PROGRAM**

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**NOTICE TO OFFERORS**

Proposals for the County of Orange **RFP-ETA01-21 Workforce Innovation and Opportunity Act (WIOA) Youth Program** will be received by the undersigned Commissioner of the Department of General Services, in his office at 255-275 Main Street, Goshen NY 10924, **up to and including Friday, May 7, 2021, at 4:00 P.M** prevailing time.

Copies of the Request for Proposals may be obtained beginning **Monday, April 12, 2021** at the above address between the hours of 9:00 A.M. and 4:45 P.M., Monday through Friday (with the exception of County-observed holidays), as well as through **[www.orangecountygov.com/generalservices](http://www.orangecountygov.com/generalservices)** under "Current Bids and Proposals".

April 12, 2021

James P. Burpoe, Commissioner  
 Department of General Services

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**INSTRUCTIONS TO OFFERORS**

Unless a Request for Proposal (RFP) is solicited directly by another County department, the only official distribution source for this RFP is through the Department of General Services. Additionally, most RFP documents issued by the Department of General Services are distributed through BidNet which can be accessed through [www.orangecountygov.com/general-services](http://www.orangecountygov.com/general-services) under "Current Bids and Proposals". If you have obtained this RFP from a different source, you are encouraged to contact the Department of General Services to receive an official copy. You may not receive addenda or important information regarding this RFP if you are not registered with the Department of General Services as having obtained a copy of this RFP through the Department or through BidNet.

By submitting a Proposal, you are asking the County to accept your offer for the sale of goods and/or services. It is important that you READ and UNDERSTAND all terms and conditions in this RFP, as well as understand the laws that govern Public Contracts in New York State. **If you do not agree with the terms and conditions contained in this RFP, you should not submit a Proposal.**

**Your Proposal will be considered by the County if the following conditions are met:**


1. Pursuant to State Finance Law §139-j and §139-k, this solicitation includes and imposes certain restrictions on communications between the County and an Offeror during the procurement process. An Offeror is restricted from contacting other than designated staff from the earliest notice of intent to solicit offers through final award and approval of the Procurement Contract by the County Executive ("Restricted Period") unless it is a contact that is included among certain statutory exceptions set forth in State Finance Law §139-j(3)(a). County employees are required to obtain certain information when contacted during the Restricted Period. The designated staff contact is the Commissioner of General Services or his representative, telephone (845) 291-2792. Offerors responding to this RFP must familiarize themselves with these State Finance Law requirements and will be expected to affirm that they understand and agree to comply on the Proposal Form.

2.  Applicable                       Not Applicable

A pre-proposal conference and site visit will not be held.

3. Offerors are responsible for reporting in writing any errors, omissions or ambiguities found in this RFP. All such reports, requests for information, questions, etc. shall be either faxed to the Department of General on the Questions Form found in this RFP at (845) 378-2365 or emailed to [GeneralServices@orangecountygov.com](mailto:GeneralServices@orangecountygov.com) with questions typed in the body of the email, and the subject line "RFP Questions". **No questions will be entertained by any other means. All questions must be submitted by Wednesday, April 21, 2021 at 3:00 P.M** prevailing time. **Questions received after this time may not be addressed. Please be patient, questions will be answered in an Addendum/Addenda to be shared with all interested Offerors. Questions will not be responded to individually.**

4. Unless otherwise specified herein, all Proposals shall be made upon forms furnished in this RFP, if any, and as may be modified by addenda, contained in sealed envelopes clearly marked on the outside packaging with **Workforce Innovation and Opportunity Act (WIOA) Youth Program, RFP-ETA01-21** addressed to James Burpoe, Commissioner, Department of General Services, PO Box 218, 255-275 Main Street, Goshen, NY 10924 and received up to and including **Friday, May 7, 2021 at 4:00 P.M., prevailing time**. If NOT sending your Proposal via U.S. Mail, (i.e., using FedEx, UPS, hand delivery, etc.) please use the following address: Orange County Department of General Services, 255-275 Main Street, Goshen NY 10924. **It is the Offeror's responsibility to**

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**clearly mark the outside of their mailing package with the RFP title and number. Faxed / E-mailed Proposals are not permitted.**

5. **Six (6)** sets of all Proposals shall be submitted, **ONE SET OF WHICH MUST CONTAIN ORIGINAL SIGNATURES** including completed copies of any forms or certifications required in this RFP. Forms, if any, included in this RFP shall be completely filled in, in ink or by typing, on the original form. Failure to respond to this RFP on any official form(s) included in this RFP, may result in disqualification of a Proposal as non-responsive. No Proposal Form will be accepted which contains any modification to the template, additional information not specifically requested, omissions or erasures. Each Proposal Form shall be signed by a duly authorized individual on behalf of the Offeror. Illegible and unsigned Proposals will be rejected as non-responsive.


6. Permission will not be given to modify or explain any Proposal after it has been opened, unless clearly specified in this document (e.g. interviews). Permission to withdraw a Proposal prior to opening will be at the discretion of the County and no replacement Proposal may be submitted without authorization from the Commissioner of General Services. Opened Proposals which required a deposit for plans and specifications may not be withdrawn until forty-five (45) days after opening.

7. **Basis of Award provisions vary with each RFP, please read that section carefully.** Some RFPs may be awarded to more than one entity. The County reserves the right to waive any informality, reject any and all Proposals, or, if noted in the Basis of Award section of this RFP, accept any Proposal in whole or in part, if deemed to be in the best interest of the County.

8. Any award shall be subject to the execution of a contract (and, if applicable, license or other agreements) between the Offeror and the County. The County's contract obligation is contingent upon execution of the contract between the County and selected Vendor/Consultant, provision of required Pay-to-Play forms, insurance certificates and bonds, as applicable, by the Vendor/Consultant, and the availability of appropriated funds for the contract. No legal liability on the part of the County for payment of any money shall arise unless and until a contract is executed by both parties, funds are appropriated and made available in each year of the term of the contract, and all performance requirements for each payment are met. The County shall have no responsibility or liability for any of Offeror's costs related to preparation of Proposals, attendance at interviews, etc.; all such costs are solely at Offeror's risk and expense.

9. Offeror(s) awarded a contract agree to execute the contract in the same form as the template enclosed in this RFP in the timeframe, if any, indicated in this RFP. Any supplemental agreement(s) (e.g. licensing or maintenance agreements) requested by an Offeror must be included in the Proposal and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the scope of services, include any proposed license or maintenance agreement(s) with your Proposal. Failure to reach agreement on contract terms and conditions may result in rejection of a Proposal, rescission of an award and/or retention of Bid Security by the County.

10. The County maintains a unilateral right to cancel or extend the contract in accordance with the terms of any contract resulting from this RFP. If a Vendor/Consultant fails to perform or otherwise breaches the contract, in addition to any other rights and remedies the County may have, the Vendor/Consultant may be listed as non-responsible and may be ineligible for future contract awards.

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11. If Bid Security is required by this RFP; it must be included in the Proposal. If Performance and/or Payment Bonds are required by this RFP, Proposals must include a letter from the Offeror's bank or surety stating that the required letter of credit or bond(s) will be provided in the event of a contract. The letter of credit or bond(s) shall be provided for each year or relevant portion of the contract, as may be applicable.

12. Offerors should be properly registered to do business in the State of New York and furnish applicable certificates of authority/incorporation/partnership/dba, etc. with their Proposal.

13. The County encourages submission of Proposals by certified Minority- and/or Women-Owned Business Enterprises (MWBE) and/or Disadvantaged Business Enterprises (DBE).

14. A Non-Collusion Certification, Disclosure of Non-Responsibility Determination and Iran Divestment Act Certification are included in this RFP. Bidders must complete and submit a signed original of each and the applicable number of copies of each with each Bid.


15. Supplier Forms are provided with this RFP. Offerors that have not received a purchase order in the last twelve (12) months from the County must submit completed and signed Supplier Forms prior to execution of a contract by the County.

16. Please be advised that this solicitation is subject to Orange County Local Law No. 13 of 2013, as amended, known as the "Pay-to-Play Law". Pay-to-Play Forms will be made available with this RFP. All Pay-to-Play Forms should be submitted with your Proposal and will be required if you are awarded a contract. The Pay-to-Play Forms are required from the Vendor/Consultant (unless exempted by the law) prior to execution of a contract by the County.

17. Pursuant to New York's Freedom of Information Law ("FOIL") (Public Officers Law, Article 6, Sections 84-90) all government records are presumptively open for public inspection unless specifically exempted from disclosure under FOIL. Offerors who have a good faith belief that information contained in their Proposal is exempt from disclosure under FOIL must, at the time of their submission, request the exemption in writing, setting forth the basis for the claimed exemption. In addition, the Offeror must mark each page of its submission claimed to be exempt from disclosure under FOIL with the following legend: **"THE OFFEROR BELIEVES THAT THIS INFORMATION IS PROTECTED FROM DISCLOSURE UNDER THE NEW YORK STATE FREEDOM OF INFORMATION LAW."** Neither the Offeror's classification of materials as exempt under FOIL, nor the County's acceptance of Offeror's Proposal with the claimed exemption(s), should be considered a final determination as to whether the designated materials are exempt from disclosure under FOIL. Any and all determinations as to the propriety of claimed exemptions will be made by the County and/or a court of law in accordance with applicable law.

**INSURANCE REQUIREMENTS**

During the term of the contract, or longer if required, Vendor/Consultant shall maintain, at its expense, Worker's Compensation, Disability and liability insurance policies of the types and minimum coverages specified in the enclosed contract template (e.g., Agreement for Vendor Services), as applicable. Certificates of insurance evidencing Vendor's/Consultant's compliance with these requirements shall be required prior to execution of the contract by the County. Award is conditional upon submission of insurance documents within the time specified in the Notice of Award. Failure to do so may result in disqualification of the Offeror as non-responsive and/or the County's retention of any Bid Security.

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**BONDING REQUIREMENTS**

There are no Bonds required for this contract.

Bid Security

An approved Bid Bond, bank check, certified check, or letter of credit in the amount of [ \$\_\_\_\_\_ /#% of the total contract price] will be required with all Proposals. **Personal and/or corporate checks are not an acceptable form of Bid Security.** Checks should be made payable to the "Commissioner of Finance".

Performance Bond       Payment Bond


The Vendor/Consultant shall, at the time of execution of the contract, in the full amount of the contract price, obtain and maintain in full force and effect for sixty (60) days after contract expiration or longer if the contract so requires:

- an irrevocable letter of credit with a sound and reputable bank authorized to do business in the State of New York, or
- a Performance and/or Payment Bond, as specified above, signed by a surety company authorized to do business in the State of New York, having an A.M. Best rating of A- or better and appearing on the most recent published Department of the Treasury's Listing of Approved Sureties (Department Circular 570) at the time of filing the Bond(s).

The Performance Bond, Payment Bond, letter of credit, etc., shall name the County of Orange as beneficiary and may be invoked to the benefit of the County upon delivery of a certified statement to the issuing bank or surety company that the Contractor has failed to perform, pursuant to the terms and conditions of its contract with the County.

Fidelity Bond

All WIOA Youth Subcontractors shall maintain or cause to be maintained during the term of any contract awarded hereunder, a fidelity bond or letter of credit covering all persons who handle the funds awarded hereunder in an amount equal to the greater of: (a) \$100,000 or, (b) the highest advance received through check or draw down during the preceding grant year, or (c) for new contractors, the highest advance through check or draw down planned for the present grant year. All WIOA Youth Subcontractors awarded funds hereunder shall deliver to ETA, together with the executed contract awarded hereunder, the bond or letter of credit, which shall name the "Orange County Workforce Development Board" and "The County of Orange" as beneficiaries and may be invoked to the benefit of the OCWDB and the County upon delivery of a certified statement to the issuing bank or surety company that the WIOA Youth Subcontractor has failed to perform, pursuant to the terms and conditions of its contract with the County.

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**SCOPE AND SPECIFICATIONS**

**I. INTRODUCTION**

The federal Workforce Innovation and Opportunity Act of 2014, Title I, Subtitle B (Pub. Law 113-128; 29 U.S.C. 3101 et seq.) (“WIOA”) supports program activities to enhance the employability, occupational attainment, retention and earnings of adults, dislocated workers, and youth who face barriers to employment.

The County of Orange (the “County”) has been designated as a single county local workforce development area (“LWDA”) by the Governor of the State of New York in accordance with WIOA section 106(b).

The County receives grant funding to administer programs and services under WIOA. The County’s Office of Employment and Training (“ETA”) has been designated as the fiscal agent to assist with the administration of the WIOA grant funds.

The Orange County Workforce Development Board (the “OCWDB”) is the local workforce development board for the LWDA, established to carry out certain functions as set forth in WIOA. The OCWDB is a strategic planning, policy and oversight body for the LWDA – it does not perform direct services to participants of WIOA programs. The OCWDB does provide technical assistance as needed and supports innovative employment-related programs. The programs supported by the OCWDB serve adults, youth, dislocated workers, and employers throughout the LWDA, thereby creating employment opportunities that lead to independence and self-sufficiency and nurturing a vibrant, well-trained workforce.

The OCWDB, in partnership with the County (by and through its ETA, which functions as the operational arm of the OCWDB), is currently seeking proposals from qualified Offerors to provide year-round services to WIOA eligible youth who are residents of the County.

Please refer to Exhibit A annexed to this RFP for definitions of terms used but undefined herein.

**II. BACKGROUND AND GENERAL INFORMATION**

**A. The Workforce Innovation and Opportunity Act:**

WIOA (or the “Act”) was signed into law on July 22, 2014. WIOA is comprehensive legislation intended to strengthen and improve the public workforce system and help put Americans back to work (see TEN<sup>1</sup> 5-14).

WIOA supersedes Titles I and II of the Workforce Investment Act of 1998 (“WIA”), and amends the Wagner-Peyser Act and the Rehabilitation Act of 1973.

In general, WIOA took effect on July 1, 2015, the first full program year following its enactment, except otherwise noted in the Act.

The purposes of WIOA include the following:

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<sup>1</sup> “TEN 5-14” refers to Training and Employment Notice No. 5-14 issued by the United States Department of Labor Employment and Training Administration.



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1. Increase access to education, training, employment and support services, especially for those individuals with barriers to employment;
2. Align workforce investment, education and economic development so as to create a comprehensive, high-quality workforce development system;
3. Improve the quality and labor market relevance of workforce investment, education and economic development efforts;
4. Promote the improvement in the structure and delivery of services;
5. Increase the prosperity of workers and employers; and
6. Improve the quality of the workforce, reduce welfare dependency and increase economic self-sufficiency by providing workforce development activities aimed at increasing employment obtainment and retention, earnings and post-secondary credential attainment.


**B. Changes to Youth Programs under WIOA:**

WIOA made several important changes to youth programs previously administered under WIA Title I(B), including, but not limited to, the following:

1. The largest change made to youth programs under WIOA is the shift in focus to serve out-of-school youth. Under WIOA, at least seventy-five (75%) percent of LWDA funds must be used to serve eligible out-of-school youth.
2. Another major change is WIOA's focus on providing youth (both in-school and out-of-school) with work experience opportunities. Under WIOA, at least twenty (20%) percent of LWDA funds must be used to provide eligible youth with paid and unpaid work experiences as described in section 129(c)(2)(C)(i)-(iv) of the Act.
3. WIOA also revised the eligibility requirements for youth programs to provide separate criteria for out-of-school youth and in-school youth. WIOA maintains the requirement that a WIOA youth program participant must be authorized to work in the United States and comply with the requirements of section 3 of the Military Selective Service Act, as amended (50 U.S.C. App. 453), if applicable.
4. WIOA makes two (2) significant changes to WIA's requirements for service strategies, namely that they (a) be linked to one or more of the indicators of performance described in section 116(b)(2)(A)(ii) of the Act; and (b) identify career pathways that include appropriate education as well as employment goals.
5. WIOA amends the program elements provided under WIA to link those elements to the attainment of a secondary school diploma (or its recognized equivalent), entry into postsecondary education and career readiness for participants.
6. WIOA also builds upon and expands WIA's set of program elements to include additional components to pre-existing elements together with five (5) new program elements.

Despite the foregoing changes, WIOA did maintain and continue the information and referral requirements set forth in WIA (see WIOA section 129(c)(3)(A)). The Act also maintained and continued WIA's requirement that youth program providers refer eligible applicants who do not meet program enrollment requirements or who cannot be served under the particular program for further assessment, as necessary, and to appropriate programs (see WIOA section 129(c)(3)(B)).

The full text of WIOA can be viewed at [www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf](http://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf). The US Department of Labor Employment and Training Administration ("DOL") has issued, and continues to issue Training and Employment Notices ("TENs") and Training and Employment Guidance Letters ("TEGLs") with regard

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to the passage, transition to and implementation of WIOA. Applicable TENs, TEGs and Fact Sheets pertaining to WIOA can be viewed on the DOL’s website at [www.doleta.gov/wioa](http://www.doleta.gov/wioa).

In April 2015 DOL and the US Departments of Education (“ED”) (collectively, the “Departments”) published several Notices of Proposed Rule Making (“NPRMs”) to solicit public comments on the proposed regulatory action. All NPRMs (one jointly issued by DOL and ED, one issued by the DOL and three issued by the ED) can be viewed at on the DOL’s website at [www.doleta.gov/wioa/NPRM.cfm](http://www.doleta.gov/wioa/NPRM.cfm).

The Departments, in close collaboration with the Department of Health and Human Services, Agriculture, and Housing and Urban Development, have provided leadership in implementation of WIOA. The WIOA Joint Final Rule, issued by the Departments and published in Federal Register on August 19, 2016, at 81 FR 55791, effective October 18, 2016, enables the workforce development system to more efficiently and effectively provide career pathways to Americans of all walks of life. In addition to the Joint WIOA Final Rule, the US Department of Labor issued a separate, DOL-only, Final Rule, effective October 18, 2016, to implement program specific requirements of WIOA that fall within the DOL’s purview, such as Part 681 – Youth Activities Under Title I of the Workforce Innovation and Opportunity Act [pp. 56159-56187] of the DOL-Only Final Rule.

The New York State Department of Labor (the “NYS DOL”) has also issued Workforce Development System Technical Advisories pertaining to the enactment and implementation of WIOA. Those advisories can be viewed on the NYS DOL website at [www.labor.ny.gov/workforcenypartners/tas.shtm](http://www.labor.ny.gov/workforcenypartners/tas.shtm).

**NOTE:** Any contract(s) awarded under this RFP must comply with the Final WIOA Rules and any other WIOA implementation policies or other guidance documents subsequently issued by the DOL and/or the NYS DOL. In that regard, the County reserves the right to include any such requirements into any initial contract(s) that may be awarded under this RFP and modify any such contract(s) at a later date, accordingly.

**III. RFP PURPOSE, FUNDING PERIOD, FUNDS AVAILABILITY, AND ELIGIBLE OFFERORS**

**A. Purpose:**

The purpose of this RFP is to solicit competitive proposals for the delivery of education, employment, training and other workforce preparation services to eligible youth under WIOA. The County may award multiple contracts under this RFP. The contract(s) awarded under this RFP will be for a period not to exceed one (1) year as detailed in section “TERM” of this RFP (“Program Year 2021” or “PY 2021”).

**B. Funding:**

The County has approximately \$300,000.00 in available WIOA Title I youth funding for Program Year 2021. The County will not have any liability under the contract(s) awarded under this RFP beyond the funds appropriated and available for the services solicited hereunder.

WIOA requires that a minimum of seventy-five (75%) percent of WIOA Title I youth funding received by a LWDA be used to provide services to WIOA eligible out-of-school youth. It is anticipated, however, that one hundred (100%) percent of the funds to be awarded under this RFP will be used to serve WIOA eligible out-of-school youth. Further, in accordance with WIOA, at least twenty (20%) percent of the funds to be awarded under this RFP must be used to provide WIOA eligible youth with paid and unpaid work experiences as described in section 129(c)(2)(C)(i)-(iv) of the Act.

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Offerors submitting proposals under this RFP can be private, public, for-profit or not-for-profit entities/organizations. Offerors must demonstrate capability and effectiveness in establishing and maintaining partnerships, recruitment, and integration of partners from business and education, ongoing creative program design and development and ability to administer the services outlined in this RFP. Examples of eligible Offerors include school districts, community-based agencies, employment and training providers, post-secondary institutions, and boards of cooperative educational services.

**III. WIOA YOUTH ELIGIBILITY**

An “Eligible Youth” under WIOA is an individual who, at the time the eligibility determination is made, is either an “Out-of-School Youth” or an “In-School Youth” as defined below.

**A. Out-of-School Youth (“OSY”):**

An OSY is an individual who is,

1. between the ages of sixteen (16) and twenty-four (24);
2. not attending any school (as defined under State law); and
3. one or more of the following:
  - (a) a school dropout (as defined in section 3(54) of the Act);
  - (b) within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter;
  - (c) a recipient of a secondary school diploma or its recognized equivalent who is a low-income individual (as defined in sections 3(36) and 129(a)(2) of the Act) and is either:
    - (i) basic skills deficient (as defined in section 3(5) of the Act), or
    - (ii) an English language learner (as defined in section 203(7) of the Act);
  - (d) an individual who is subject to the juvenile or adult justice system;
  - (e) a homeless individual aged 16 to 24 (as defined in 42 U.S.C. 14043e-2(6)), a homeless child or youth (as defined in 42 U.S.C. 11434a(2)), a runaway, in foster care or aged-out of foster care, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
  - (f) pregnant or parenting;
  - (g) has a disability (as defined in section 3(25) of the Act);
  - (h) a low-income individual (as defined in sections 3(36) and 129(a)(2) of the Act) who requires additional assistance to enter or complete an educational program, or to secure or hold employment.

**B. In-School Youth (“ISY”):**

An ISY is an individual who is,

1. is between the ages of fourteen (14) and twenty-one (21) years of age (unless he/she is an individual with a disability who is over the age of 21 and attending school under state law);
2. attending school (as defined by State law);
3. who is a low-income individual (as defined in sections 3(36) and 129(a)(2) of the Act); and
4. is one or more of the following:
  - (a) basic skills deficient (as defined in section 3(5) of the Act);
  - (b) an English language learner (as defined in section 203(7) of the Act);
  - (c) an offender (as defined in section 3(38) of the Act);

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- (d) a homeless individual (as defined in 42 U.S.C. §14043e-2(6)), a homeless child or youth (as defined in 42 U.S.C. §11434a(2)), a runaway, in foster care or aged-out of foster care, a child eligible for assistance under section 477 of the Social Security Act (42 U.S.C. 677), or in an out-of-home placement;
- (e) pregnant or parenting;
- (f) an individual with a disability (as defined in section 3(25) of the Act); or
- (g) an individual who requires additional assistance to complete an educational program or to secure or hold employment (**Note** – not more than five (5%) percent of the ISY served in each LWDA may fall within this category).

**\*Note** – WIOA section 129(a)(3) provides a certain exception and limitation for individuals who fall within a certain category of OSY or ISY but who are not low-income as defined under the Act. Specifically, up to five (5%) percent of the WIOA youth program participants in a LWDA may be individuals who would have qualified as an ISY or an OSY except that they are not low-income individuals as defined under the Act.

WIOA requires that at least seventy-five (75%) of a LWDA's youth program funding be spent on OSY. WIOA further requires that a minimum of twenty (20%) percent of a LWDA's youth program funding be used for work experiences such as summer and year-round employment, pre-apprenticeships, on-the-job training, internships, and job shadowing.

In addition to the above eligibility requirements, a WIOA youth program participant must also be authorized to work in the United States and comply with the requirements of section 3 of the Military Selective Service Act, as amended (50 U.S.C. App. 453), if applicable.

## **V. TARGET SERVICE POPULATION**


The OCWDB and the County anticipates that one hundred (100%) of the funds to be awarded under this RFP will be used to serve OSY. The target service population for this RFP is OSY demonstrating one or more of the following:

1. School dropout;
2. Basic skills deficient;
3. Requires assistance to complete an educational program or assistance in employment preparation and retention;
4. Pregnant or parenting;
5. Subject to the juvenile justice system;
6. In or aged-out of the foster care system;
7. Has a disability; or
8. Is a veteran or eligible spouse of a veteran (*see* Article VI below).

It is recognized by OCWDB and the County that Eligible Youth often have multiple barriers and needs that must be addressed in order for such youth to succeed in the workforce. A youth program funded under this RFP must be aware of and responsive to these particular issues and tailored to fit the needs of the County's youth population.

## **VI. VETERAN PRIORITY**

The federal Jobs for Veterans Act (Pub. Law 107-288; 38 U.S.C. 4215) ("JVA") was signed into law on November 7, 2002. One provision of JVA provides priority of service to veterans and their eligible spouses in qualified job

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training programs. The rules and regulations promulgated under JVA require recipients of federal grants for qualified job training programs funded, in whole or part, by the DOL to provide priority of service to veterans and their eligible spouses (see Section 20 of the Code of Federal Regulations, Part 1010; 20 CFR 1010). TEGL No. 10-09 (which can be viewed at [www.doleta.gov/programs/vets](http://www.doleta.gov/programs/vets)) provides additional information on the scope of the priority of service for veterans and its effect on DOL-funded employment and training programs.

All WIOA Youth Subcontractors awarded a contract hereunder must ensure that priority service is given to Eligible Youth who are veterans or the eligible spouses of veterans. This priority service is guaranteed in federal law and by the New York State Veterans Bill of Rights for Employment Services.

**VII. WIOA ELIGIBILITY DETERMINATION**

WIOA Youth Subcontractors will identify and recruit potential youth program participants, and screen those individuals for initial eligibility and suitability in accordance with WIOA. During the initial intake, potential youth program participants will be asked to provide proof of certain items, such family income and size (if required); birthdate; residence; Social Security number; authorization to work; disability (if appropriate); enrollment in selective service (if required); and employment eligibility (via USCIS Form I-9). ETA’s youth coordinator will certify the initial intake performed by the WIOA Youth Subcontractors and confirm which individuals are Eligible Youth.


WIOA Youth Subcontractors will perform a comprehensive objective assessment of all Eligible Youth prior to program enrollment. This assessment will cover basic skills, occupational skills, prior work experience, employability, interest, aptitudes, and support service needs. Literacy and numeracy levels will be determined by the following assessment test: Test of Adult Basic Education (TABE, Forms 9-10).

WIOA Youth Subcontractors will then develop an “Individual Service Strategy” (or “ISS”) for each WIOA youth program participant. The ISS is a written plan of short- and long-term goals, which addresses educational, occupational or vocational, and personal supportive services. The ISS shall identify an employment goal, appropriate achievement objectives, and an appropriate service plan for the WIOA youth program participant. The ISS will identify the Program Elements (as that term is defined in Article VIII below) that a youth program participant should receive.

**VIII. WIOA REQUIRED PROGRAM ELEMENTS**

The fourteen (14) elements that WIOA youth programs must make available to Eligible Youth in a LWDA (collectively, the “Program Elements”) are as follows:

1. Evidenced-based dropout prevention and recovery strategies, as well as tutoring, study skills training and instruction that lead to completion of the requirements for secondary school diploma (or its recognized equivalent) or a recognized postsecondary credential;
2. Alternative secondary school services, or dropout recovery services, as appropriate;
3. Paid and unpaid work experiences that have as a component academic and occupational education, which may include:
  - (a) summer and other employment opportunities available throughout the school year;
  - (b) pre-apprenticeship programs (see NPRM 681.480 for further information);
  - (c) internships and job shadowing; and
  - (d) on-the-job training opportunities;

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4. Priority consideration for occupational skill training programs leading to recognized postsecondary credentials aligned with in-demand industry sectors/occupations (see NPRM §681.540 for further information);
5. Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster (see NPRM §681.640 for further information);
6. Leadership development opportunities, which may include community service and peer-centered activities that encourage responsibility and other positive social and civic behaviors, as appropriate (see NPRM §§681.520 and 681.530 for further information);
7. Supportive services (see NPRM §681.570 for further information);
8. Adult mentoring for duration of at least twelve (12) months, which may occur both during and after program participation (see NPRM §681.490 for further information);
9. Follow-up services for a minimum of twelve (12) months following the completion of participation, as appropriate (see NPRM §681.580 for further information); and
10. Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling and referrals, as appropriate to the needs of the individual youth (see NPRM §681.510 for further information);
11. Financial literacy education (see NPRM §681.500 for further information);
12. Entrepreneurial skills training (see NPRM §681.560 for further information);
13. Services that provide labor market and employment information about in-demand industry sectors and occupations available in the local area; and
14. Activities that help youth prepare for and transition to post-secondary education and training.

WIOA requires that each of the Program Elements be made available to Eligible Youth in a LWDA. However, with the exception of follow-up services, not all Eligible Youth in a LWDA must receive each program element. WIOA Youth Subcontractors have the discretion to determine which specific services will be provided to a given WIOA youth program participant based upon that participant’s objective assessment and individual service strategy (see NPRM §681.460 for further information). Such determination must be fully documented in the case file for the subject WIOA youth program participant.

Further, a WIOA Youth Subcontractor need not directly provide all of the Program Elements – it can provide certain services indirectly through coordination and collaboration with an agency or entity already providing such services in the LWDA (“Partner Provider(s)”). If an Offeror intends to provide certain of the Program Elements through Partner Provider(s), the Offeror should discuss such intent with, and confirm the Partner Provider(s)’ interest to collaborate in a signed, written document (such as a letter of commitment or memorandum of understanding/agreement). A copy of such written document should be attached to the Offeror’s proposal, as Offeror(s) are rewarded under the rating system (discussed later in this RFP) when they can leverage the resources available under WIOA with other funds available in the LWDA.

All WIOA youth program participants must receive twelve (12) months of follow-up services after exit from the program, which must be reported to ETA. All follow-up services information will be recorded by ETA in the “One Stop Operating System” (the “OSOS”). The level of follow-up should be based on the intensity of the services provided, and the needs of the individual WIOA youth program participant. Follow-up may include:

1. Leadership development or supportive service activities;
2. Regular contact with a WIOA youth program participant’s employer, including assistance with addressing work-related problems that arise;
3. Assistance in securing better paying jobs, career development and further education;
4. Work-related peer support groups;

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5. Adult mentoring; and
6. Tracking the progress of WIOA youth program participants in employment after training.

**IX. WIOA YOUTH PROGRAM DESIGN**

The OCWDB and the County are seeking youth program designs that will serve and provide supportive, wraparound services to program participants, and respond to the following elements:

1. Reduce the high-school dropout rate for at risk youth;
2. Provide for successful passing of the TASC (Test Assessing Secondary Completion) exam or attainment of a high school diploma, certificate or degree;
3. Increase occupational skill levels of youth;
4. Provide unsubsidized employment for youth;
5. Retention of employment for youth; and
6. Linkage to schools, employer, and community support agencies, rehabilitation agencies, and Orange Works (ETA’s One Stop Career Centers).

WIOA youth programs must make the Program Elements discussed herein available to Eligible Youth. Not all Eligible Youth need to receive each of the program services, but each such service must be available to Eligible Youth as needed according to the results of his/her objective assessment and ISS.

This RFP requires collaboration with Orange Works. Proposals must clearly and specifically explain how the integration with Orange Works will occur.


Proposals should be focused on Eligible Youth that reside in the County’s three (3) cities (Newburgh, Middletown and Port Jervis) and that connect support services to related human service agencies for those populations.

Proposals that emphasize Eligible Youth attaining vocational certifications and credentials as a goal will be given preference.

**X. PERFORMANCE MEASURES**

The performance accountability requirements of WIOA took effect on July 1, 2016. WIOA Youth Subcontractors are required to demonstrate how their programs are able to help all WIOA youth program participants achieve the outcomes measured by WIOA. The following six primary indicators of performance should form program designs:

1. **Placement in Employment or Education (2<sup>nd</sup> quarter after exit)** – the percentage of WIOA youth program participants who are in education or training activities, or in unsubsidized employment, during the second (2<sup>nd</sup>) quarter after exit from the program.
2. **Placement in Employment or Education (4<sup>th</sup> quarter after exit)** – the percentage of WIOA youth program participants who are in education or training activities, or in unsubsidized employment, during the fourth (4<sup>th</sup>) quarter after exit from the program.
3. **Median Earnings** – the median earnings of WIOA youth program participants who are in unsubsidized employment during the second (2<sup>nd</sup>) quarter after exit from the program.
4. **Attainment of a Degree or Certificate** – the percentage of WIOA youth program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent during participation in or within one (1) year after exit from the program.

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**Note:** WIOA youth program participants who obtain a secondary school diploma or its recognized equivalent shall be included in the percentage counted as meeting the criterion under this measure only if such participants, in addition to obtaining such diploma or its recognized equivalent, have obtained or retained employment or are in an education or training program leading to a recognized postsecondary credential within one (1) year after exit from the program.

5. **Skills Gains** – the percentage of WIOA youth program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment.
6. **Effectiveness in Serving Employers** - WIOA sec. 116(b)(2)(A)(i)(VI) requires the Departments to establish a primary indicator of performance for effectiveness in serving employers. The Departments have developed three approaches for measuring effectiveness in serving employers. The three approaches implemented by the Departments are designed to gauge three critical workforce needs of the business community: 1) Providing employers with skilled workers; 2) Providing quality engagement and services to employers and sectors and establishing productive relationships with employers and sectors over extended periods of time; and 3) Providing quality engagement and services to all employers and sectors within a State and local economy.

The Departments will evaluate the experiences with the various approaches and plan to identify a standardized indicator that the Departments anticipate will be implemented no later than the beginning of Program Year 2019.

Proposed performance outcomes will be subject to negotiations pending the determination of specific numerical goals, or any other performance-related requirements/information/revisions imposed by the DOL and/or the NYSDOL.

All WIOA Youth Subcontractors will be held accountable for performance measure rates which include future performance outcomes as they become available through the DOL and the NYSDOL. Continued funding may be contingent upon meeting performance measure rates.

As set forth above, the majority of the WIOA performance measures are post-program. However, there are other measures based on “real time” parameters. Thus, WIOA Youth Subcontractors have to be evaluated based on actual “real time” performance during the contract year. Real time contract outcomes that predict WIOA performance include the following:


1. Enrollment of WIOA youth program participants – actual vs. plan;
2. WIOA youth program attendance;
3. Thirty (30)-day retention rate;
4. Attainment of a degree/certificate;
5. Job placement and retention of employment; and
6. Wage at placement.

In addition to post-program performance evaluations, WIOA youth programs will also be evaluated during the contract year, quarterly, based on the above “real time” standards. Those programs that are below plan may subject the offending WIOA Youth Subcontractor to certain contractual sanctions, including suspension and/or termination.

**XI. OBLIGATIONS AND RESPONSIBILITIES OF WIOA YOUTH SUBCONTRACTORS**

1. Trainee Recruitment and Selection – WIOA youth program applicants will be certified WIOA Title I eligible by ETA’s youth coordinator in accordance with WIOA established program entry criteria. Eligible and



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appropriate youth program applicants may be referred to the WIOA Youth Subcontractors for final trainee selection.

2. Record Keeping – All WIOA Youth Subcontractors are expected to maintain complete records to justify payment according to the terms of their contract. As part of ETA’s normal youth program evaluation, training services and the program’s internal system of communication, monitoring and control will be examined. All WIOA Youth Subcontractors are expected to maintain documentation of these processes such as: minutes of meetings, trainee attendance sheets, staff trainee contact sheets, inter-unit communications regarding trainee’s progress, program policies, etc.
3. Reporting Requirements – All WIOA Youth Subcontractors will be required to prepare and submit to ETA accurate and timely reports on enrollments, hourly attendance, trainee activity status expenditures, pre-testing, post-testing, younger youth skill attainment, and follow-up on exited participants.
4. Monitoring and Evaluation – Following the award of a contract hereunder, periodic monitoring and evaluation of program operations and performance will be conducted by ETA’s youth coordinator. WIOA Youth Subcontractors are also subject to monitoring and evaluation by the DOL and the NYSDOL.
5. Bonding – All WIOA Youth Subcontractors shall maintain or cause to be maintained during the term of any contract awarded hereunder, a fidelity bond or letter of credit covering all persons who handle the funds awarded hereunder in an amount equal to the greater of: (a) \$100,000 or, (b) the highest advance received through check or draw down during the preceding grant year, or (c) for new contractors, the highest advance through check or draw down planned for the present grant year. All WIOA Youth Subcontractors awarded funds hereunder shall deliver to ETA, together with the executed contract awarded hereunder, the bond or letter of credit, which shall name the “Orange County Workforce Development Board” and “The County of Orange” as beneficiaries and may be invoked to the benefit of the OCWDB and the County upon delivery of a certified statement to the issuing bank or surety company that the WIOA Youth Subcontractor has failed to perform, pursuant to the terms and conditions of its contract with the County.
6. Insurance – All WIOA Youth Subcontractors will be responsible for providing on-site accident insurance for WIOA youth program participants. Such coverage shall be comparable to the medical and accident insurance required under the New York State Worker’s Compensation statute. All WIOA Youth Subcontractors will need to submit a certificate of insurance evidencing such coverage as well as all other coverages required in this RFP.
7. Equal Employment Opportunity and Affirmative Action Policies – All WIOA Youth Subcontractors shall maintain Equal Employment Opportunity (“EEO”) and Affirmative Action Policies and provide a copy of each to ETA at the time of execution of the contract awarded hereunder.

**XII. WIOA YOUTH OVERSIGHT POLICY**

**A. Monitoring and Oversight Policy:**

All WIOA Youth Subcontractors are subject to and shall observe the terms and conditions of ETA’S “Monitoring and Oversight Policy” (the “Policy”). Under the Policy, ETA’s youth coordinator will conduct an on-site monitoring review of all WIOA Youth Subcontractors on a regular basis, but not less than once per program year. This programmatic monitoring will consist of the following:

1. Review of the WIOA Youth Subcontractor program statement to include number of youth to be enrolled; schedule and content of project activities; projected WIOA performance outcomes vs. actual WIOA performance outcomes. Program review will also include evaluation of the Program Elements;

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2. WIOA youth program participant eligibility review including disadvantaged income status; eligibility barrier identification; five (5%) percent window validation (where applicable);
3. Assessment and ISS review;
4. Counseling notes review;
5. Activity enrollment i.e., High School Equivalency (HSE) Diploma, paid work, classroom training, remediation, tutoring, workshops, community service, mentoring, counseling, support services and other activities;
6. Program exits vs. current enrollments vs. carryovers;
7. Development of corrective action plans whenever appropriate. ETA's youth coordinator will advise the WIOA Youth Subcontractor regarding issues/items in need of corrective action, and provide technical assistance to assist. ETA's youth coordinator will report corrective action issues to ETA's Director and the OCWDB. WIOA Youth Subcontractors will be given a timetable to resolve corrective action issues. Those WIOA Youth Subcontractors that do not address corrective action issues on a timely basis may be subject to contractual sanctions or termination;
8. All WIOA Youth Subcontractors will participate in periodic WIOA EEO compliance monitoring. Orange Works' EEO Compliance Officer, in cooperation with the NYSDOL EEO Coordinator, will conduct the EEO compliance monitoring. ETA's youth coordinator will assist with the scheduling of the EEO monitoring; and
9. ETA's youth coordinator will inform the NYSDOL WIOA Regional Office of any monitoring issues that may have a material impact on the WIOA financial and participant reporting, and will coordinate technical assistance with the Regional Office.

**B. Monitoring Requirements:**

Performance information will be derived and monitored from data input into the OSOS, which is the mandatory-shared case management software for the LWDA. OSOS provides accountability, tracking, and reporting of all serviced provided via One Stop Service Delivery offices and their affiliates. OSOS is an automated approach designed to help ETA and the OCWDB meet the challenges of WIOA through on-line technologies.

The NYSDOL and the ETA's youth coordinator will work with the WIOA Youth Subcontractors to ensure that all aspects of OSOS connectivity and usage are achieved.

The act of monitoring can occur through on-site visits, as well as desk reviews using techniques such as interviews, observations and review of performance. An analysis of how the WIOA youth program is performing in relation to the required performance outcomes stated in the contract awarded hereunder will also be conducted. Findings from these reviews will be shared with the WIOA Youth Subcontractor's staff.

Quarterly Monitoring – In each quarter of the term of the contract(s) awarded hereunder, ETA's youth coordinator will review the progress of all WIOA Youth Subcontractors. The interim outcome measures, expenditures and annual program year performance targets will be assessed. Benchmarks for monthly monitoring are as follows:

1. First (1<sup>st</sup>) Quarter – at least seventy-five (75%) percent of new WIOA youth program enrollments should occur within the first (1<sup>st</sup> quarter) of the contract term. If the WIOA Youth Subcontractor does not meet or exceed this benchmark, ETA's youth coordinator will provide technical assistance and a written corrective action plan;

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2. Second Quarter – the remaining twenty-five (25%) percent of WIOA youth program enrollments will occur within the second quarter of the contract term with the majority of WIOA youth program participants enrolled in a program service or activity that leads to a performance outcome; and
3. Third Quarter – WIOA Youth Subcontractor progress will be rated against the 2019 PY performance targets. If the WIOA Youth Subcontractor fails to provide the required monthly reports and/or fails to comply with the written corrective action plans, the County has the right to not reimburse the WIOA Youth Subcontractor for the timeframe involved.

The County reserves the right to terminate a contract upon thirty (30) calendar days' prior written notice if a WIOA Youth Subcontractor continues to fail to reach enrollment and performance goals.

Interim Outcome Measures – Because most data on performance outcomes will not be available during the program year, ETA will use shorter term or interim outcome measures and process measures in order to ensure progress toward the WIOA outcome measures. The interim outcome measures that will be monitored by ETA's youth coordinator generally include:

1. Activity Reports – All WIOA Youth Subcontractors will provide cumulative monthly activity reports showing the number of youth contacted, the number of WIOA youth program participants newly enrolled, the number of youth program participants receiving services by type of service and date services were received for each program participant, and the number of youth program participants exiting the program. These reports will be submitted to ETA's youth coordinator and will may be shared with the OCWDB.
2. Outcome Reports – All WIOA Youth Subcontractors will provide a monthly report of the following outcome measures:
  - (a) Percent of WIOA youth program participants that completed training, as evidenced by WIOA Youth Subcontractor training certificate (number of youth program participants completing training during report period/number of youth program participants enrolled in training during report period).
  - (b) Percent of WIOA youth program participants receiving an industry-recognized work-readiness credential, as evidenced by a copy of the actual credential received (number of youth program participants completing a credential during report period/number of youth program participants enrolled in program during report period).
  - (c) Percent of WIOA youth program participants entering employment, as evidenced by a copy of pay stubs and/or signed verification from employer (number of youth program participants entering employment during report period/number of youth program participants enrolled during report period).
  - (d) Number of WIOA youth program participants obtaining a high school diploma or HSE as evidenced by a copy of the diploma/certificate.
3. Financial Reports – All WIOA Youth Subcontractors will submit financial reports consisting of line item detail of actual expenses to support each budget line item provided in the program budget with each quarterly invoice, and require any subcontractors, if any, to file financial reports consisting of line item detail of actual expenses to support each budget line item provided in the program budget with each invoice.
4. Coordination of Services – All WIOA Youth Subcontractors will demonstrate coordination of service effort with Orange Works by ensuring enrolled WIOA youth program participants utilize and access Orange Works' resources.
5. Monitoring Approach – ETA's youth coordinator will review the monthly reports submitted by the WIOA Youth Subcontractors to identify any potential performance problems early in the life

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of the contract awarded hereunder. A minimum of two (2) onsite monitoring visits will be conducted. The focus of the first (1<sup>st</sup>) monitoring visit will be to verify that the quality of services provided through observation and case record review. The second (2<sup>nd</sup>) monitoring visit will be a fiscal review.

6. Monthly Meetings – All WIOA Youth Subcontractors will attend quarterly meetings to report on their program activity and outcomes.
7. Final Operational Report – At the end of the term of the contract awarded hereunder, all WIOA Youth Subcontractors will complete a final operational report to be submitted with the fiscal close out. The report will examine activity and outcome information, including the percentage of youth contacted that actually enroll in the program, the percentage of WIOA youth program participants enrolled that complete training, the percentage of youth program participants enrolled that received an industry-recognized credential, and the percentage of youth program participants completing the program that actually enter employment, as part of the renewal consideration process.

### **XIII. CERTIFICATIONS AND REQUIREMENTS**

Funding for the services sought under this RFP is provided by either the DOL or the United States Department of Health and Human Services, each of which require certain certifications. Those required certifications are set forth in an addendum to the form contract annexed as Attachment B to this RFP. All WIOA Youth Subcontractors will be required to, as part of the contract(s) awarded hereunder, certify as to each item set forth in that addendum.


Funding for the services sought under this RFP is subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the Federal Office of Management and Budget. As such, all WIOA Youth Subcontractors will be required to comply with all applicable provisions set forth in Title 2 of the Code of Federal Regulations, Subtitle A, Chapter II, Part 200 (which can be viewed at [www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl)), the terms of which are incorporated into and made part of the Scope and Specifications of this RFP by reference.

### **PROPOSAL COMPONENTS AND INSTRUCTIONS**

Proposals must adhere to the instructions outlined in this RFP. All required forms must be submitted with the proposal.

The following proposal components are required to be considered responsive to this RFP:

1. **Proposal Form Cover Sheet** – this shall be completed, executed and submitted as the cover page of the proposal. The completed and executed Non-Collusion Certification, Disclosure of Prior Non-Responsibility Determinations, Iran Divestment Act Certification, and Pay-to-Play Forms shall be included directly behind the Proposal Form Cover Sheet.
2. **Table of Contents** – this shall follow the completed and executed Non-Collusive Certificate, Disclosure of Prior Non-Responsibility Determinations, Iran Divestment Act Certification, and Pay-to-Play Forms, and index proposal contents, with all pages numbered consecutively.
3. **Proposal Summary** – this should be a one (1)-page, concise summary of the WIOA youth program being proposed.

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4. **Organizational Description and Experience** – describe the background and experience of Offeror, including the following:
- (a) Type and purpose of Offeror’s business/organization;
  - (b) Number of years in business;
  - (c) Complete organizational chart for the Offeror’s business/organization;
  - (d) Level of expertise and working knowledge the Offeror’s business/organization has of WIA and WIOA;
  - (e) A list of the demographics of youth recently served in similar programs and the experience Offeror’s business/organization has working with low income, troubled, disadvantaged or special populations such as youth, youth with disabilities or youth that are also veterans, including, but not limited to the types of services provided and the success rate in delivering those services;
  - (f) Explanation as to how the proposed WIOA youth program will connect to the mission and goals of the Offeror’s business/organization;
  - (g) Identification of the sources and usage of other funding the Offeror’s business/organization accesses and the allocation process amongst those various funding sources (include a copy of your cost allocation plan);
  - (h) Offeror’s knowledge, experience and expertise in working within the business community as it pertains to the development of work experiences for youth;
  - (i) A demonstration of Offeror’s capacity and experience in creating work experience opportunities for youth in demand occupations, industry sectors or that lead to self-sufficiency; and
  - (j) Familiarity the Offeror has with placing youth with disabilities in employment.
5. **Capacity to Run the Proposed Program** – describe the Offeror’s ability to administer the proposed WIOA youth program, including the following:
- (a) A complete program chart for all employees assigned to the proposed WIOA youth program, including the number of years each has been employed by the Offeror and the education and relevant work experience for each (include resumes or job descriptions with minimum qualifications for each employee who will be providing services under the proposed program);
  - (b) A description of staff qualifications to deliver the proposed WIOA youth program, and the Offeror’s plan for staff training;
  - (c) A description of the Offeror’s office locations that will be used in delivering services under the proposed WIOA youth program; and
  - (d) A description of existing or new connections with other human service agencies and/or organizations (e.g., business, labor, education) in the community which will have an impact upon the proposed program.

**NOTE: Submission of references to support the Offeror’s capability to provide the proposed services are encouraged.**

6. **Program Narrative** – document how the proposed WIOA youth program will meet the Program Design criteria set forth in Article IX of the Scope and Specifications section of this RFP, including the following:
- (a) A description of the target population to be served under the proposed WIOA youth program, including the number of Eligible Youth to be enrolled during the 2018 PY;
  - (b) Offeror’s plan for recruitment of eligible OSY from multiple locations within the County, and the names of partner agencies from which Offeror receives/expects to receive referrals;
  - (c) An explanation as to how currently enrolled youth will be incorporated into the proposed WIOA youth program;



- (d) A description as to how the Offeror plans to do each of the following:
  - (i) provide WIOA youth services through case-management, beginning with identification/recruitment, intake, assessment and enrollment;
  - (ii) develop and maintain an ISS for each program participant that will lead to successful education, job placement and retention;
  - (iii) implement the changes required by federal legislation and state policy;
  - (iv) provide each of the required WIOA Program Elements – if through collaboration; provide a copy of a fully-executed written agreement between Offeror and Partner Provider(s);
  - (v) facilitate youth referrals to needed non-WIOA services;
  - (vi) assess the skills and needs of program participant throughout the program;
  - (vii) facilitate program participant transitions between various WIOA services;
  - (viii) become part of Orange Works, implementing and maintaining a comprehensive and integrated workforce development system;
  - (ix) coordinate with other local organizations/service providers to co-enroll, increase performance, maximize the use of available funds, avoid duplication, and enhance the delivery of youth services;
- (e) An explanation as to the method of case management Offeror proposes to use;
- (f) An explanation as to how the proposed WIOA youth program will be equipped/prepared to be accessible to Eligible Youth from around the county, including those with disabilities; and
- (g) Outline of the proposed schedule for program operations, indicating all holidays and/or breaks that will be observed during the proposed WIOA youth program.

**NOTE: Please make sure to specifically address each of the required Program Elements and explain how those services will be provided.**

7. **Planned Outcome Strategies** – describe Offeror’s anticipated program outcomes and measurement tools relating to the following:
- (a) Placement in employment, training or education; (b) Credential attainment; and (c) Measurable skills gain.


Also describe how Offeror plans to do the following:

- (d) Attain basic, work readiness and occupational skill achievement for younger youth;
- (e) Facilitate youth connections with post-secondary or advanced training;
- (f) Support credential achievement through labor market connected training, when applicable;
- (g) Support youth-focused job search activities;
- (h) Facilitate employer connections – reaching out to and working with employers to match job openings with job seekers;
- (i) Offer occupational training that moves youth from job seeker to employee; (j) Provide follow-up services that ensure job retention; and (k) Assist employed youth in achieving wage gain.

8. **Program Effectiveness** – describe and document the past success of Offeror in providing the same or similar WIOA services.

9. **Budget** – complete a detailed proposed budget using the forms annexed to this RFP as Attachment A, which include the following:

- (a) Form 1 – Annual Budget Summary (this form contains the total funds being requested by Offeror under this RFP together with the breakdown of proposed program costs, which will be supported by the information provided on Forms 2 through 4);

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- (b) Form 2 – Program Personnel Costs;
- (c) Form 3 – Administrative Overhead (**Note- this may not exceed 10% of the total proposed annual budget**);
- (d) Form 4 – Budget Narrative (this line item budget form describes the basis for the total proposed program budget set forth on Form 1, clearly distinguishing administrative costs from direct service program costs.


**NOTE: Funding provided under this RFP is subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards issued by the Federal Office of Management and Budget (see 2 CFR 200).**

- 10. **Fiscal Capability** – provide a narrative detailing Offeror’s ability to receive, handle and spend governmental funds (i.e., description of current accounting system; statement of cash flow; history of federal debarment, suspension or ineligibility; accuracy and timeliness of claims; history of any disallowed costs; passage of all audits; etc.), together with a true and complete copy of each of the following documents:
  - (a) Federal single audit for the past two (2) years;
  - (b) Performance and monitoring reports from the Offeror’s primary and/or most relevant funding sources for the past two (2) years; and
  - (c) Audited or reviewed financial statements for the past two (2) years.
  
- 11. **Other Funding Sources** – indicate whether funding for the proposed program has been requested from other sources. If so, provide the sources and the amount requested.

**TERM**

The County anticipates that the term of this contract will be for one (1) year. The County reserves the right to extend the contract for up to two (2) additional one (1) year periods, at the sole option of the County and under the terms and conditions of the original RFP, unless alternate terms are specified in this RFP and/or the contract for renewals/extensions. The County’s exercise of one such renewal/extension option does not guarantee the exercise of the remaining option.

Upon expiration of the original term or any renewal thereof, if authorized by the County as above, this contract may be extended unilaterally by the County for an additional period of up to two months upon notice to the Vendor/Consultant with the same terms and conditions as the original contract including, but not limited to, quantities (prorated for such extension), prices, and delivery requirements. With the concurrence of the Vendor/Consultant, the extension may be for a period of up to three months in lieu of the up to two month period.

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**PRICING**


1. The proposed scope and specifications are not a guarantee, were developed based on past or anticipated needs, and are as accurate as the County can ascertain at the time of issuance of this RFP. When an anticipated volume or other quantities of goods or services are listed, the County has listed these either based upon a history of usage over a previous period or anticipated need. The County in no way guarantees that the actual volume or quantities listed will be necessary or ordered. When volume or quantities are listed, the Offeror should understand that the actual volume or quantities may be more or less, depending on the actual needs of the County. The Offeror shall hold the County harmless against any damages because of estimated volume or quantities. In the event quantities exceed the estimate, the County shall receive the price as listed in the contract or, if a better price is available at that time, that price shall be passed on to the County.
  
2. The prices submitted shall be exclusive of federal and state sales taxes (or other taxes inapplicable to government entities) and must not include any tax for which the Offeror may claim exemption because of doing business with the County. Unless otherwise indicated in this RFP, prices shall be net, including any applicable transportation and delivery charges fully prepaid by the successful Vendor/Consultant to the destination(s) indicated in the contract. Prices are to be listed as FOB Delivered: ORANGE COUNTY, NY. No freight and/or handling and/or fuel surcharges will be accepted, unless otherwise agreed to in the contract.

**PAYMENT**

All payments pursuant to the contract(s) to be awarded under this RFP will be in accordance with the contract template attached to this RFP. All WIOA Youth Subcontractors will be required to invoice the County, by and through ETA, on a monthly basis. Reimbursement for expenses will be provided on an actual cost reimbursement basis and subject to the approval of ETA. All budgets and invoices shall be based on ETA’s standardized budget forms which will be provided to each WIOA Youth Subcontractor with the contract documents.

Invoices shall be prepared by the WIOA Youth Subcontractor and submitted to ETA with all necessary back-up documentation attached. Payment will be made in accordance with the terms of the contract(s) awarded hereunder. However, no payment will be made until all required reports are received, and expenses are reviewed and approved, as well as the most recent audit reports as required by the DOL are submitted to ETA.



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**SUBMISSION OF PROPOSALS**

Unless otherwise noted below, one (1) signed original (as applicable to the document type) and the number of copies specified in Item #5 of the Instructions to Offerors, of each of the following items should be submitted in your Proposal package- **It is NOT necessary to include a copy of the entire RFP in your Proposal package only the items required below. Proposals must include:**

1. Completed and signed Proposal Form
2. Background and Experience: as referenced in RFP
3. Proposal Narrative: as referenced in RFP
4. Pricing: as referenced in RFP
5. References: as referenced in RFP
6. Non-Collusion Certification
7. Iran Divestment Act Certification
8. Disclosure of Non-Responsibility Determination (copy of instruction page not required)
9. Certificate of Authority/Incorporation/Partnership/dba, etc., as applicable to your business entity
10. Bid Security and/or letter from bank or surety if requested in the Bonding section of this RFP
11. Manufacturers' Warranties, as applicable
12. Sample(s), if requested in the Specifications
13. Supplier Forms (if not already a current Orange County awarded vendor)
14. All Pay-to-Play Forms should be submitted with your Proposal and will be required if you are awarded a contract. The Pay-to-Play Forms are required from the Vendor/Consultant (unless exempted by the law) prior to execution of a contract by the County. (Due to an exemption in the Pay-to-Play Law, Government Entities and School Districts do not need to complete Pay-to-Play forms.)
15. Information or other materials to be included, only as requested in the Specifications
16. Any supplemental agreements (e.g. a licensing agreement) requested by an Offeror must be included in the Proposal and are subject to the discretionary approval of the County Attorney and the County Executive. For any software required in the Specifications, include any proposed license or maintenance agreements with your Proposal. Offeror awarded a contract agree to execute the contract in the same form as the template enclosed in this RFP and in the timeframe, if any, indicated in this RFP. Failure to reach agreement on contract terms and conditions may result in rejection of a Proposal, rescission of an award and/or retention of Bid Security by the County.

**ALL SUBMISSIONS MUST BE CLEARLY MARKED ON THE OUTSIDE PACKAGING WITH THE RFP TITLE AND NUMBER.**

**INSURANCE:** While not required in the Proposal package, Offerors are reminded that Certificates of Insurance evidencing Vendor's/Consultant's compliance with the Insurance requirements of this RFP must be provided prior to execution of the contract by the County. The number of days for submission may vary but it may be less than one business week, please be prepared. **FAILURE TO SUBMIT INSURANCE DOCUMENTS MAY RESULT IN DISQUALIFICATION OF THE VENDOR/CONSULTANT AS NON-RESPONSIVE AND/OR THE COUNTY'S RETENTION OF BID SECURITY.**

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**ADDITIONAL INFORMATION, INTERVIEWS & SITE VISITS**

The County may require any or all Offerors to present additional evidence of experience, ability and financial standing as well as a statement as to the materials, equipment or personnel which the Offeror will have available for the performance of this contract. The County reserves the right to interview, any or all Offerors and/or visit any or all Offeror's sites during the evaluation of Proposals. If applicable, the County shall contact Offerors to arrange an interview (which County may require to be held at the Department of General Services) and/or a site visit of Offeror's facilities at any time during the evaluation process. Offerors are reminded to include their best technical and price terms in their initial offer and not to automatically assume that they will have an opportunity to participate in interviews, site visits or be asked to submit a best and final offer. The County may award the contract without interviews and/or site visits for any or all Offerors, if deemed to be within the best interests of the County.

**BASIS OF AWARD AND PROPOSAL REVIEW PROCESS**

Offerors are advised that the selection of a proposal for contract award is to be made after careful evaluation of the proposals received in response to this RFP. The proposals will be reviewed by a team designated by and comprised of members of the OCWDB ("Youth Review Team"). The proposals will be evaluated and ranked in accordance with the criteria noted below.

The County, in conjunction with the OCWDB, will make the final selection of the proposed program(s) it deems appropriate to fund under this RFP. Even if a proposal is selected, it may not be for the full amount of funds requested and/or for the full number of youth the Offeror has proposed to serve.

**Evaluation and Rating Criteria**

1. It is recommended that Offerors review the rating criteria before writing their proposals. This will assist in assuring that information relative to each category being rated is included. The following criteria will be used to evaluate the proposals. Award(s) may be made to the highest scoring Offeror(s) resulting from the evaluation procedure described below. The maximum point value that may be afforded to each of the following factors is listed in the table below.
  - A. The proposal is complete and consistent with the RFP requirements.
  - B. The proposed program design - the clarity and specificity of the proposal such that the evaluator can clearly understand what is being proposed and how it will positively affect youth, and that it details strategies to be used to recruit and retain youth program participants to help them gain skill competencies needed to obtain the expected results in objective, measurable terms to meet WIOA performance standards including outcomes during the follow up period.
  - C. The demonstrated and documented effectiveness of the services in assisting youth with multiple barriers listed in the eligibility criteria to attain the program goals to stay in and/or complete school or post-secondary training, and to be self-sufficient.
  - D. The Offeror provides evidence to demonstrate their capability and relevant experience in developing, operating, and reporting on successful programs providing the same or similar WIOA services, or ability of



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an organization to replicate a successful model provided elsewhere (ensuring that all fourteen (14) of the required Program Elements are available when required).


- E. The cost of the proposed services. Cost will be calculated based on overall request divided by the number of Eligible Youth to be served. The extent to which other funding sources are being leveraged will also be considered here.
- F. Linkages between the Offeror and other agencies/organizations in the community offering services that are important to the success of the proposed program. The extent to which coordination with the local schools, post-secondary institutions (including the local community college), juvenile justice agencies, community-based organizations, youth organizations, and employers is part of the proposed program design.
- G. References, which support the Offeror’s capability to provide the proposed services.
- H. Fiscal capability of the Offeror.

Quality of the proposed program, which includes the program design, effectiveness of services, breadth of relevant experience, and linkages with other service providers, price and any other factors shall be given the values as set forth below in evaluation. As quality scores and relative advantages and disadvantages become less distinct between proposals, differences in price between proposals may be of increased importance in determining the most advantageous proposal. Conversely, as differences in price become less distinct, differences in relative advantages and disadvantages between quality factors may be of increased importance to the determination.

2. Proposals will be scored and weighted against each criterion by an evaluator or evaluation team using the rating scale below, in accordance with the weight given to the applicable point range for that criterion.

Item	Criteria	Point Value
A	Proposal and all requirements are complete	1-5
B	Proposal of Program Design	4-20
C	Effectiveness of Services	4-20
D	Qualifications & Experience	4-20
E	Cost Proposal	3-15
F	Linkages with community agencies/organizations	1-5
G	References	1-5
H	Fiscal capability	2-10
	<b>TOTAL AVAILABLE POINTS</b>	<b>100</b>

Item	Proposal Does Not Meet Criterion Requirements / Expectations	Proposal Partially Meets Criterion Requirements / Expectations	Proposal Meets Criterion Requirements / Expectations	Proposal Partially Exceeds Criterion Requirements / Expectations	Proposal Exceeds Criterion Requirements / Expectations
A, F, G	1	2	3	4	5
B, C, D	4	8	12	16	20
E	3	6	9	12	15
H	2	4	6	8	10

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If the evaluator or evaluation team determines, at his/her/its sole discretion, that interviews are in the best interest of the County, responsive proposals will be reviewed and scored as described above in a preliminary round to aid in determining whether all Offerors, or just those with top scoring proposals, will be interviewed. If interviews are held, the same review and scoring process described above will be repeated for those Offerors interviewed, and any award(s) made will be based on that secondary scoring round.


3. The submission of a Proposal implies the Offeror's acceptance of the evaluation criteria and acknowledgment that subjective judgments must be made by the evaluation committee. Award of any contract(s) shall be made to the responsible Offeror(s), whose Proposal(s) is(are) determined to be in the best interest of the County.

4. The County reserves the right to: accept other than the lowest priced offer, waive any informality, or reject any or all Proposals, with or without advertising for new Proposals, if in the best interest of the County.

**ANTICIPATED RFP TIMELINE**

All dates except for the Proposals Due date are approximate and subject to change, unless otherwise noted. Any change in the Proposals Due date will be made by an Addendum to the RFP issued by the County.

Publication of RFP	4/12/21
Questions Due	4/21/21
Addendum(s) issued	on or about 4/23/21
Proposals Due	5/7/21

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**PROPOSAL FORM**

BUSINESS NAME: \_\_\_\_\_

BUSINESS ADDRESS: \_\_\_\_\_

\_\_\_\_\_

NAME, TITLE, TELEPHONE, FAX AND EMAIL OF CONTACT PERSON: \_\_\_\_\_

\_\_\_\_\_

Does this business have a minority, women's, disadvantaged, or small business certification?      Yes      No

If yes, please list the designation(s) and the certifying entity(ties) \_\_\_\_\_

\_\_\_\_\_

The undersigned proposes to furnish and deliver the services described in **Workforce Innovation and Opportunity Act (WIOA) Youth Program RFP-ETA01-19** and its responding Proposal to the County of Orange, at the prices stated in the Proposal submitted. The individual submitting this Proposal on behalf of the business entity noted above, certifies by his or her signature below that:

- he or she understands and has complied with the requirements of State Finance Law Sections 139-j and 139-k and will continue to do so throughout the Restricted Period;
- he or she has read and understood the full Request for Proposal cited above; and
- he or she is duly authorized to submit this Proposal on behalf of the business entity noted above.

Additionally, by submission of this RFP, the person signing on behalf of the business entity noted above certifies, and in the case of a joint quote each party thereto certifies as to its own organization, under penalty of perjury, that the business entity submitting this quote has and has implemented a written policy addressing sexual harassment prevention in the workplace and provides annual sexual harassment prevention training to all of its employees. Such policy shall, at a minimum, meet the requirements of Section 201-g of the New York State Labor Law.

By: \_\_\_\_\_

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

\_\_\_\_\_  
Name

\_\_\_\_\_  
Federal Tax ID Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
DUNS Number, if applicable

**ADDENDA CONFIRMATION** (Offerors should only complete this section if any addenda were issued for this RFP.)

Addendum # \_\_\_ - Received \_\_\_\_\_, 20\_\_\_ Initialed by person signing above \_\_\_\_\_

Addendum # \_\_\_ - Received \_\_\_\_\_, 20\_\_\_ Initialed by person signing above \_\_\_\_\_

Addendum # \_\_\_ - Received \_\_\_\_\_, 20\_\_\_ Initialed by person signing above \_\_\_\_\_





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**NON-COLLUSION CERTIFICATION**

(a) "By submission of this Bid, each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint Bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

- (1) The prices in this Bid have been arrived at independently without collusion, consultation, communication, or agreement, for the purpose of restricting competition, as to any matter relating to such prices with any other Bidder or with any competitor.
- (2) Unless otherwise required by law, the prices which have been quoted in this Bid have not been knowingly disclosed by the Bidder and will not knowingly be disclosed by the Bidder prior to opening, directly or indirectly, to any other Bidder or to any competitor; and
- (3) No attempt has been made or will be made by the Bidder to induce any other person, partnership or corporation to submit or not to submit a Bid for the purpose of restricting competition."

(b) A Bid shall not be considered for award nor shall any award be made where the provisions of (a)(1)(2) and (3) above have not been complied with; provided however, that if in any case the Bidder cannot make the foregoing certification, the Bidder shall so state and shall furnish with the Bid a signed statement which sets forth in detail the reasons therefore. Where (a)(1)(2) and (3) above have not been complied with, the Bid shall not be considered for award nor shall any award be made unless the head of the purchasing unit of the political subdivision, public department, agency or official thereof to which the Bid is made, or his designee, determines that such disclosure was not made for the purpose of restricting competition.

The fact that a Bidder (a) has published price lists, rates, or tariffs covering items being procured, (b) has informed prospective customers of proposed or pending publication of new or revised price lists for such items, or (c) has sold the same items to other customers at the same prices being proposed, does not constitute, without more, a disclosure within the meaning of subparagraph (a)(1) of this certification.

Any Bid hereafter made to any political subdivision of the state or any public department, agency or official thereof by an Bidder for work or services performed or to be performed or goods sold or to be sold, where competitive bidding is required by statute, rule, regulation, or local law, and where such Bid contains the certification referred to in subparagraph (a)(1) of this certification, shall be deemed to have been authorized by the board of directors of the Bidder, and such authorization shall be deemed to include the signing and submission of the Bid and the this Non-Collusion Certification as the act and deed of the corporation or other business entity submitting the Bid.


\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE

\_\_\_\_\_  
BUSINESS NAME

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**IRAN DIVESTMENT ACT CERTIFICATION**

The Iran Divestment Act of 2012 (“Act”), Chapter 1 of the 2012 Laws of New York, added State Finance Law (SFL), §165-a and General Municipal Law §103-g, effective April 12, 2012. Under the Act, the Commissioner of the New York State Office of General Services (“OGS”) developed a list (“Prohibited Entities List”) of “persons” who are engaged in “investment activities in Iran” (both are defined terms in the law). In accordance with SFL § 165-a(3), the Prohibited Entities List may be found on the OGS website at <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> .

Pursuant to General Municipal Law §103-g, by signing below, Bidder certifies as true under the penalties of perjury that: By submission of this proposal each Bidder and each person signing on behalf of any Bidder certifies, and in the case of a joint proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each Bidder is not on the list created pursuant to paragraph (b) of subdivision 3 of section 165-a of the State Finance Law.

A proposal shall not be considered for award nor shall any award be made where the certification has not been made, provided, however, that if in any case the Bidder cannot make the certification, the Bidder shall so state and shall furnish with the proposal a signed statement which sets forth in detail the reasons therefor. The County may award a contract to a Bidder who cannot make the required certification on a case-by-case basis if:

1. The investment activities in Iran were made before April 12, 2012, the investment activities in Iran have not been expanded or renewed after April 12, 2012, and the person has adopted, publicized, and is implementing a formal plan to cease the investment activities in Iran and to refrain from engaging in any new investments in Iran; or
2. The County makes a determination that the goods and services are necessary for the County to perform its functions and that, absent such an exemption, the political subdivision would be unable to obtain the goods or services for which the contract is offered. Such determination shall be made in writing and shall be a public document.

During the term of the Contract, should the County receive information that a person is in violation of the above-referenced certifications, the County will offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment which is in violation of the Act within 90 days after the determination of such violation, then the County shall take such action as may be appropriate including, but not limited to, imposing sanctions, seeking compliance, recovering damages, or declaring the contractor in default.

The County reserves the right to reject any Bid, Proposal, contract or request for assignment for an entity that appears on the Prohibited Entities List prior to the award or execution of a contract or any renewal thereof, as applicable, and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities List after contract award.

\_\_\_\_\_  
DATE


\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
BUSINESS NAME

\_\_\_\_\_  
NAME

\_\_\_\_\_  
TITLE



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**INSTRUCTIONS FOR COMPLETING THE DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS**

**Background:**

New York State Finance Law §139-k(2) obligates a Governmental Entity to obtain specific information regarding prior non-responsibility determinations with respect to State Finance Law §139-j. In accordance with State Finance Law §139-k, an Offeror must be asked to disclose whether there has been a finding of non-responsibility made within the previous four (4) years by any Governmental Entity due to: (a) a violation of State Finance Law §139-j or (b) the intentional provision of false or incomplete information to a Governmental Entity. The terms “Offerer” and “Governmental Entity” are defined in State Finance Law § 139-k(1). State Finance Law §139-j sets forth detailed requirements about the restrictions on Contacts during the procurement process. A violation of State Finance Law §139-j includes, but is not limited to, an impermissible Contact during the restricted period (for example, contacting a person or entity other than the designated contact person, when such contact does not fall within one of the exemptions).

As part of its responsibility determination, State Finance Law §139-k(3) mandates consideration of whether an Offeror fails to timely disclose accurate or complete information regarding the above non-responsibility determination. In accordance with law, no Procurement Contract shall be awarded to any Offeror that fails to timely disclose accurate or complete information under this section, unless a finding is made that the award of the Procurement Contract to the Offeror is necessary to protect public property or public health safety, and that the Offeror is the only source capable of supplying the required Article of Procurement within the necessary timeframe. *See State Finance Law §§139-j (10)(b) and 139-k(3).*

**Instructions:**

The County of Orange includes the following disclosure request regarding prior non-responsibility determinations in accordance with State Finance Law §139-k in its solicitation of Proposals or Bid documents or specifications or contract documents, as applicable, for Procurement Contracts. The attached form is to be completed and submitted by the individual or entity seeking to enter into a Procurement Contract, Supplement or Change Order. It shall be submitted to with your Bid or Proposal to the County agency conducting the Governmental Procurement.

The following disclosure form must accompany each Bid Form, Letter of Interest, or Proposal submitted by all Offerors.



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**DISCLOSURE OF PRIOR NON-RESPONSIBILITY DETERMINATIONS**

Name of Individual or Entity Seeking to Enter into the Procurement Contract:

\_\_\_\_\_

Address:

\_\_\_\_\_

Name and Title of Person Submitting this Form:

\_\_\_\_\_

1. Has any Governmental Entity made a finding of non-responsibility regarding the individual or entity seeking to enter into the Procurement Contract in the previous four years? (Please circle):    No        Yes

**If Yes, please answer the next questions:**

2. Was the basis for the finding of non-responsibility due to a violation of State Finance Law §139-j (Please circle):  
No        Yes

3. Was the basis for the finding of non-responsibility due to the intentional provision of false or incomplete information to a Governmental Entity? (Please circle):    No        Yes

4. If you answered yes to any of the above questions, please provide details regarding the finding of non-responsibility below and attach additional pages as necessary.

Governmental Entity:

\_\_\_\_\_

Date of Finding of Non-Responsibility:

\_\_\_\_\_

Basis of Finding of Non-Responsibility:

\_\_\_\_\_

5. Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named individual or entity due to the intentional provision of false or incomplete information? (Please circle):    No        Yes

6. If yes, please provide details below and attach additional pages as necessary.

Governmental Entity:

\_\_\_\_\_

Date of Termination or Withholding of Contract:

\_\_\_\_\_

Basis of Termination or Withholding:

\_\_\_\_\_

Offerer certifies that all information provided to the Governmental Entity with respect to State Finance Law §139-k is complete, true and accurate.

By:

\_\_\_\_\_

Signature

Date:

\_\_\_\_\_



**ORANGE COUNTY, NEW YORK**

Department of General Services  
PO Box 218, 255-275 Main Street  
Goshen, New York 10924

**RFP TITLE: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH PROGRAM**

**RFP-ETA01-21**

**INFORMATION SHEET**

The questions asked on this Information Sheet are voluntary. It is not necessary to complete this Information Sheet. Filling out this sheet does not change your chances of a contract award in any respect. By completing this form, you will be helping the County track trends that we believe to be of importance. The information collected will NOT be used to compile mailing lists and will not be used to contact you. It will also not be sold. The information collected may be used to generate reports showing historical data with regard to the County's purchasing process.

Business Name: \_\_\_\_\_

Address: \_\_\_\_\_

In what county are the primary operations of this business conducted? \_\_\_\_\_

Business type (Sole Proprietorship, Corporation, LLC, etc.) \_\_\_\_\_

Does this business have a minority, women's, disadvantaged, or small business status?    Yes    No

If yes, please list the designation(s) and the certifying entity(ties) \_\_\_\_\_

\_\_\_\_\_

How many individuals does this business employ? \_\_\_\_\_

Have you conducted business with the County before?    Yes    No

How did you discover this Proposal opportunity? \_\_\_\_\_

Do you use the Empire State Municipal Purchasing Group Website (BidNet)?    Yes    No

If Yes, do you find it useful (explain) or if No, why? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Please list any other comments or suggestions pertaining to doing business with Orange County. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



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**RFP TITLE: WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) YOUTH PROGRAM**

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**NON-OFFEROR'S RESPONSE**

BUSINESS NAME: \_\_\_\_\_

For the purpose of facilitating your firm's response to our Request for Proposals, the County of Orange is interested in ascertaining reasons for prospective Offerors' failure to respond to Requests for Proposals. If your firm is not responding to this Proposal, please indicate the reason(s) by checking any appropriate item(s) below and faxing it to the Department of General Services at (845) 378-2365 or mailing it to the above address.

We are **not** responding to this RFP for the following reason(s):

- We do not offer this product or service.
- We are unable to meet specifications.
- Specifications not clearly understood or applicable (please note in "Other reason(s)" below if too vague, too rigid, etc.).
- We are unable to meet your bond requirements.
- Insufficient time allowed for preparation of Proposal.
- Incorrect address used or our branch/division does not handle this type of Proposal. Correct name and mailing address is:

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Other reason(s): \_\_\_\_\_

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**EXHIBIT A**

**DEFINITIONS**

The following key terms shall have the meanings as set forth below:

**Advanced Training** - This is an occupational skills employment/training program, not funded under Title I of WIOA, which does not duplicate training received under Title I. It includes only training outside of the One-Stop, WIOA, and partner system (i.e., training following exit).

**Advanced Training/Occupational Skills Training** – To count as a placement for the youth performance measures, advanced training constitutes an organized program of study that provides specific vocational skills that lead to proficiency in performing actual tasks and technical functions required by certain occupational fields at entry, intermediate, or advanced levels. Such training should: (1) be outcome-oriented and focused on a long-term goal as specified in the Individual Service Strategy, (2) be long-term in nature and commence upon program exit rather than being short-term training that is part of services received while enrolled in ETA-funded youth programs, and (3) result in attainment of a certificate (as defined below).

**Basic Skills Deficient** – The individual computes or solves problems, reads, writes, or speaks English at or below the eighth grade level or is unable to compute or solve problems, read, write, or speak English at a level necessary to function on the job, in the individual’s family, or in society. In cases where states or grantees establish such a definition, that definition will be used for basic skills determination.

**Basic Skills Goal** - A measurable increase in basic education skills including reading comprehension, math computation, writing, speaking, listening, problem solving, reasoning, and the capacity to use these skills.

**Certificate** – A certificate is awarded in recognition of an individual’s attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation. These technical or occupational skills are based on standards developed or endorsed by employers. Certificates awarded by workforce investment boards are not included in this definition. Work readiness certificates are also not included in this definition. A certificate is awarded in recognition of an individual’s attainment of technical or occupational skills by:

- A state educational agency or a state agency responsible for administering vocational and technical education within a state.
- An institution of higher education described in Section 102 of the Higher Education Act (20 USC 1002) that is qualified to participate in the student financial assistance programs authorized by Title IV of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs.
- A professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification, National Institute for Metalworking Skills, Inc., Machining Level I credential) or a product manufacturer or developer (e.g., Microsoft Certified Database Administrator, Certified Novell Engineer, Sun Certified Java Programmer) using a valid and reliable assessment of an individual’s knowledge, skills, and abilities.

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- A registered apprenticeship program.
- A public regulatory agency, upon an individual's fulfillment of educational, work experience, or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession (e.g., FAA aviation mechanic certification, state certified asbestos inspector).
- A program that has been approved by the Department of Veterans Affairs to offer education benefits to veterans and other eligible persons.
- Job Corps centers that issue certificates.
- Institutions of higher education which is formally controlled, or has been formally sanctioned, or chartered, by the governing body of an Indian tribe or tribes.

**Credential** - A nationally recognized degree or certificate or state/locally recognized credential. Credentials include, but are not limited to, a high school diploma, TASC, or other recognized equivalents, post-secondary degrees/certificates, recognized skill standards, and licensure or industry-recognized certificates. States should include all state education agency recognized credentials. In addition, states should work with local workforce investment boards to encourage certificates to recognize successful completion of the training services listed above that are designed to equip individuals to enter or re-enter employment, retain employment, or advance into better employment.

**Date of Exit** – Represents the last day on which the individual received a service funded by the program or a partner program (see definition of "Exit" below).


**Date of Participation** – Represents the first day, following a determination of eligibility (if required), that the individual begins receiving a service funded by the program (see definition of participant).

**Diploma** – The term diploma means any credential that the state education agency accepts as equivalent to a high school diploma. The term diploma also includes post-secondary degrees including Associate (AA and AS) and Bachelor Degrees (BA and BS).

**Educational Gain** – At post-test, participant completes or advances one or more educational functioning levels from the starting level measured on entry into the program (pre-test).

**Employed at the Date of Participation** – An individual employed at the date of participation is one who:

- Did any work at all as a paid employee on the date participation occurs (except the individual is not considered employed if: a) he/she has received a notice of termination of employment or the employer has issued a Worker Adjustment and Retraining Notification (WARN) or other notice that the facility or enterprise will close, or b) he/she is a transitioning service member;
- Did any work at all in his/her own business, profession, or farm;
- Worked 15 hours or more as an unpaid worker in an enterprise operated by a member of the family;  
or

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- Was not working, but has a job or business from which he/she was temporarily absent because of illness, bad weather, vacation, labor-management dispute, or personal reasons, regardless of whether paid by the employer for time off, and regardless of whether seeking another job.

**Employed in the Quarter After the Exit Quarter** – The individual is considered employed in a quarter after the exit quarter if wage records for that quarter show earnings greater than zero. When supplemental data sources are used, individuals should be counted as employed if, in the calendar quarter of measurement after the exit quarter, they did any work at all as paid employees (i.e., received at least some earnings), worked in their own business, profession, or worked on their own farm.

**Employed in the Second or Third Quarter After the Exit Quarter** - The individual is considered employed if wage records for the second or third quarter after exit show earnings greater than zero. Wage records will be the primary data source for tracking employment in the quarter after exit. When supplemental data sources are used, individuals should be counted as employed if, in the second or third calendar quarter after exit, they did any work at all as paid employees, worked in their own business, profession, or worked on their own farm.

**Exit** - The term “program exit” means a participant does not receive a service funded by the program or funded by a partner program for 90 consecutive calendar days and is not scheduled for future services. (See Section 6. B. 2. of the TEGl for exceptions to the program exit definition).


**Exit Quarter** – Represents the calendar quarter in which the date of exit is recorded for the individual.

**Last Expected Service** – Occurs when the participant completes the activities outlined in his or her service strategy or service plan and there are no additional services expected other than supportive or follow-up services. Last expected service may also occur in situations where the participant voluntarily or involuntarily discontinues his or her participation in services outlined in the service plan.

**Last Expected Service Date** - This date is used to determine when a customer becomes a part of the sampling frame for the customer satisfaction survey. In many instances, this date will be the same as the exit date. In situations where a case was ended, reopened within 90 days of the original closure date, and then ended again, the date used to determine inclusion in the sampling frame is the initial last expected service date. This date is also the date that triggers follow-up services as long as no additional services are provided (other than supportive or follow-up services) 90 days following this date.

**Not Employed at the Date of Participation** - An individual is also considered not employed at the date of participation when he/she (a) did no work at all as a paid employee on the date participation occurs, (b) has received a notice of termination of employment or the employer has issued a WARN or other notice that the facility or enterprise will close, or (c) is a transitioning service member.

**Occupational Skills Goal** - A measurable increase in primary occupational skills encompassing the proficiency to perform actual tasks and technical functions required by certain occupational fields at entry, intermediate or advanced levels. Secondary occupational skills entail familiarity with and use of set-up procedures, safety measures, work-related terminology, record keeping and paperwork formats, tools, equipment and materials, and breakdown and clean-up routines. (Please note: this term applies to the current WIA statutory youth measures only, it does not apply to the common measures).

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**Participant** – A participant is an individual who is determined eligible to participate in the program and receives a service funded by the program in either a physical location (One-Stop Career Center or affiliate site) or remotely through electronic technologies.

**Participation Quarter** – Represents the calendar quarter in which the date of participation is recorded for the individual.

**Physical Location** – A physical location means a designated One-Stop Career Center, an affiliated One-Stop partner site, including a technologically linked access point, where services and activities funded by the program are available, or other specialized centers and sites designed to address special customer needs, such as company work sites for dislocated workers.

**Post-Secondary Education** – A program at an accredited degree-granting institution that leads to an academic degree (e.g., A.A., A.S., B.A., B.S.). Programs offered by degree-granting institutions that do not lead to an academic degree (e.g., certificate programs) do not count as a placement in post-secondary education, but may count as a placement in “advanced training/occupational skills training.”

**Post-test** – A test administered to a participant at regular intervals during the program.

**Pre-test** – A test used to assess a participant’s basic literacy skills, which is administered to a participant up to six months prior to the date of participation, if such pre-test scores are available, or within 60 days following the date of participation.


**Qualified Apprenticeship** - A program approved and recorded by the ETA Bureau of Apprenticeship and Training or by a recognized state apprenticeship agency or council. Approval is by certified registration or other appropriate written credential.

**Training Services** - These services include WIOA-funded and non-WIOA funded partner training services. These services include: occupational skills training, including training for nontraditional employment; on-the-job training; programs that combine workplace training with related instruction, which may include cooperative education programs; training programs operated by the private sector; skill upgrading and retraining; entrepreneurial training; job readiness training; adult education and literacy activities in combination with other training; and customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

**Transitioning Service Member** - A service member in active duty status (including separation leave) who participates in employment services and is within 24 months of retirement or 12 months of separation.

**Work Readiness Skills Goal** - A measurable increase in work readiness skills including world-of-work awareness, labor market knowledge, occupational information, values clarification and personal understanding, career planning and decision making, and job search techniques (resumes, interviews, applications, and follow-up letters). They also encompass survival/daily living skills such as using the phone, telling time, shopping, renting an apartment, opening a bank account, and using public transportation. They also include positive work habits, attitudes, and behaviors such as punctuality, regular attendance, presenting a neat appearance, getting along and working well with others, exhibiting good conduct, following instructions and completing tasks, accepting constructive criticism from supervisors and co-workers, showing initiative and reliability, and assuming the responsibilities involved in maintaining a job. This category also entails developing motivation and adaptability,



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obtaining effective coping and problem-solving skills, and acquiring an improved self-image. (Please note: this term applies to the current WIA statutory youth measures only, it does not apply to the common measures).

**Work Experience** – Funds under WIA may be used to pay wages and related benefits for work experiences in the public, private for-profit or non-profit sectors where the objective assessment and individual’s services strategy indicate that work experiences are appropriate.

- Work experiences are planned, structured learning experiences that take in a workplace for a limited period of time. Work experiences may be paid or unpaid.
- Work experience workplaces may be in the private for-profit sector, the non-profit sector, or the public sector.
- Work experiences are designed to enable youth to gain exposure to the working world and its requirements. Work experiences should help youth acquire the personal attributes, knowledge, and skills needed to obtain a job and advance in employment. The purpose is to provide the youth participant with the opportunities for career exploration and skill development. Work experiences may be subsidized or unsubsidized and may include the following elements:
  - (a) Instruction in employability skills or generic workplace skills such as those identified by the Secretary’s Commission on Achieving Necessary Skills (SCANS);
  - (b) Exposure to various aspects of an industry;
  - (c) Progressively more complex tasks;
  - (d) Internships and job shadowing;
  - (e) The integration of basic academic skills into work activities;
  - (f) Entrepreneurship; and
  - (g) Other elements designed to achieve the goals of work experience.



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**INSERT BUDGET FORMS HERE**

**ATTACHMENT A**

**Annual Budget Summary**



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**INSERT FORM AGREEMENT HERE**

**ATTCHMENT B**

**FORM OF AGREEMENT TO PROVIDE WORKFORCE INNOVATION AND OPPORTUNITY ACT  
EMPLOYMENT AND TRAINING SERVICES**