



MEMO

TO: All Potential Workforce Innovation and Opportunity Act (WIOA) Title I On-the-Job Training Providers

FROM: Nathan Ramsey, Executive Director

DATE: April 17, 2023

SUBJ: Request for Proposals--WIOA Title I Adult, Dislocated Worker and NextGen Young Adult On-the-Job Training Program

Mountain Area Workforce Development Board is currently accepting proposals for the operation of the WIOA Title I Adult, Dislocated Worker, and NextGen Young Adults (18-24) On-the-Job Training Program in Buncombe, Henderson, Madison and Transylvania Counties.

The enclosed Request for Proposals (RFP) package contains the application and instructions, specifications describing the services sought, budgeting requirements and format, criteria for proposal review, as well as other information useful in preparing a proposal.

While every effort has been made to include all necessary information, specifications and examples, the possible need for clarification, interpretation, and other detail is recognized.

There will be a bidders' conference held on **May 8, 2023 at 10:00 AM** via Zoom <https://us06web.zoom.us/j/85721906802?pwd=czhPK1Z3S0UyRkhvRklwVStJbUtLZz09>.

If assistance is needed concerning the virtual conference, please contact our office at (828) 251-6622. Bidders should become familiar with the RFP prior to the conference and be prepared to address any questions they have or issues requiring clarification.

Request for Proposals

April 17, 2023

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ONE (1) ORIGINAL PROPOSAL (clearly marked) AND ONE (1) copy of the proposal and attachments by email, must be received by 4:00 PM EST on June 2, 2023 at:

Mountain Area Workforce Development Board

339 New Leicester Highway, Suite 140

Asheville, NC 28806

Emailed Copy to: nathan@landofsky.org

ANY PROPOSAL RECEIVED AFTER THE DUE DATE AND TIME, REGARDLESS OF POSTMARK OR MAILING RECEIPT DATE, OR WITHOUT THE SPECIFIED NUMBER OF COPIES AND CLEARLY MARKED WILL NOT BE CONSIDERED FOR SELECTION.

Thank you for your interest in providing services to participants in the WIOA Title I On-the-Job Training Programs.

Enclosure: RFP Package

WIOA Title I –Adult, Dislocated Worker, and NextGen Young Adult (18-24) On-the-Job Training Program

**REQUEST FOR
PROPOSALS**

APRIL 17, 2023,

ISSUED BY THE



***SERVING BUNCOMBE, HENDERSON, MADISON, AND
TRANSYLVANIA COUNTIES***

**FUNDED BY THE
WORKFORCE INNOVATION AND OPPORTUNITY ACT**

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I. GENERAL INFORMATION

A. PURPOSE

The purpose of this Request for Proposals (RFP) is to solicit competitive proposals for operation of a Regional On-the-Job Training Program funded by the Workforce Innovation and Opportunity Act of 2014 (WIOA) Title I, Public Law 113-128, in the following Counties: Buncombe, Henderson, Madison and Transylvania.

B. ABOUT THE MAWDB

Mountain Area Workforce Development Board (MAWDB) is part of Land of Sky Regional Council which is the grant recipient and Administrative Entity for the Workforce Innovation & Opportunity Act, Title I Program as designated by the Mountain Area Workforce Development Consortium. MAWDB is a department of Land of Sky Regional Council which is a local government pursuant to NC law. MAWDB is governed by a board of directors comprised of business leaders, representatives from education, economic development, social services, rehabilitation agencies, labor and community-based organizations. The Board has professional staff in place to carry out the business of the Board including providing technical assistance, oversight and monitoring of the contracts awarded. The MAWDB key responsibilities include:

- Ensuring that Federal and State procedures and guidelines are correctly implemented; allocating federal workforce development funds; providing data and reports as needed to satisfy Federal and State systems; and participating in Federal and State funding opportunities that further the Board's vision for the NCWorks system.
- Ensuring that Local policies, procedures, and guidelines are correctly implemented; serving as the convener for workforce development in the Mountain Area region; and partnering with local organizations on community needs.
- Designating the One-Stop operators of the NCWorks Career Centers; developing and using standard policies and procedures; meeting with the NCWorks Career Center staff and service providers regularly to listen to suggestions, discussing issues and resolving concerns; and monitoring and reporting on quality, performance, and cost-effectiveness, through on-site visits, records review, evaluations, expenditure review and other methods as needed.
- Approving site location, facilities and equipment that contribute to a center of excellence and customer satisfaction; approving outreach materials funded by the MAWDB or containing information about the MAWB's programs; providing NCWorks Career Centers with a common name, logo and signage to promote the identity of the NCWorks Career Centers; and ensuring connectivity between the NCWorks Operator and local and regional entities such as Chambers of Commerce, public education institutions, economic development entities, etc.
- Providing technical assistance on all policies, procedures and rules that impact the operation of centers and providing assistance as needed for compliance; developing and providing technical assistance to build capacity to help operator meet quality and consistency standards as well as to meet or exceed performance goals within the NCWorks system; ensuring compliance with all rules, regulations and procedures issued by all funding sources; perform fiscal and programmatic monitoring for compliance in accordance with Federal, State and local standards; tracking and maintaining documentation of each performance measure; and approving regional education/training providers for inclusion on the State Training Provider List.
- Ensuring that administrative and programmatic cost categories are properly implemented; confirming that costs are correctly allocated to the associated funding stream; verifying that NCWorks system costs are allocated according to the MOUs; and providing technical assistance to the fiscal staff of the NCWorks Operator.

Contracts entered into with WIOA service providers in the area will be contracts with Land of Sky Regional Council, the administrative entity for WIOA Title I funding in the four-county region that MAWDB serves. All parties contracting with Land of Sky Regional Council must comply with the USDOL regulations and any other interpretations published by the USDOL. Administration and operation of this program is subject to compliance with the Workforce Innovation and Opportunity Act of 2014, State policies, and Local policies and procedures as issued by Mountain Area Workforce Development Board. Funded proposals will be required to meet specific Federal, State and Local guidelines for participant outcomes and program performance.

Please reference the U.S. Department of Labor Employment and Training Administration website www.doleta.gov for guidance on WIOA. Federal policy information is posted on the internet at www.doleta.gov/usworkforce. North Carolina's policy information and the N.C. Strategic Plan are available at the Division of Workforce Solutions' www.nccommerce.com site. For more information about the MAWDB, please visit www.mountainareaworks.org.

II. SOLICITATION PROCESS AND TERMS

A. INSTRUCTIONS FOR SUBMISSION

Proposals are being solicited for specific services recommended by the MAWDB for provision in one or more of the Mountain Local Area's counties. Any governmental, educational, community-based organization or non-profit agency engaged in public service may apply.

B. SCHEDULE FOR REVIEW, AWARD AND NOTIFICATIONS OF PROPOSING AGENCIES

RFP Released	April 17, 2023,
General Bidders Conference – 10:00 a.m.	May 8, 2023
Proposals Due – 4:00 p.m.	June 2, 2023
Board Action – 3:00 p.m.	June 27, 2023
Notice of Selection	June 27, 2023
Contract Period Begins	July 1, 2023

Please email **ONE proposal and attachments** to nathan@landofsky.org and submit **ONE ORIGINAL (clearly marked) and attachments**, to:

**Mountain Area Workforce Development Board
Attention: Mr. Nathan Ramsey, Executive Director
339 New Leicester Highway, Suite 140
Asheville, North Carolina 28806**

All proposals are due by 4:00 p.m. on June 2, 2023.

III. TERMS OF SELECTION

- A. MAWDB reserves the right to accept or reject any or all proposals received. MAWDB reserves the right to waive informalities and minor irregularities in offers received. All solicitations are contingent upon availability of funds.
- B. MAWDB may accept any item or group of items of any offer, or award more or fewer slots at the same price bid, unless the proposer qualifies its offer by specific limitations.
- C. MAWDB may select a service provider based on initial offers received, without discussion of such offers. Accordingly, each initial offer should be submitted on the most favorable terms from a price and technical standpoint that the proposer can submit to the MAWDB. However, the MAWDB reserves the right to request additional data or oral discussion or documentation in support of written offers.
- D. Any proposer may be requested to make an oral presentation of their proposal(s) to the MAWDB. If requested, the MAWDB staff will schedule the time and location for these presentations.

IV. APPEAL PROCEDURES

Appeals by proposing organizations denied funding are limited to procedural appeals only; such appeals shall be based solely on allegations of irregularities in the solicitation and awards procedure and not on the relative merit of the offers submitted. If a proposer believes to have been harmed by the violation or misapplication of procedure or regulation of this program, the proposer has the right to file a grievance. This grievance should be filed according to the written procedures established by the MAWDB and may be obtained by contacting Mountain Area Workforce Development Board at 339 New Leicester Highway, Suite 140, Asheville, NC, 28806.

V. GENERAL PROVISIONS AND REQUIREMENTS

- A. This RFP does not commit the MAWDB to award a grant.

- B. No costs will be paid to cover the expense of preparing a proposal or to procure a contract for services or supplies under WIOA.
- C. Ownership of all data, material, and documentation originated and prepared by the service provider pursuant to the contract shall belong exclusively to the MAWDB.
- D. Proposals should be submitted in the format set forth in the Proposal Format and Required Forms section of the RFP and adhere to the minimum requirements specified therein.
- E. Formal notification to award a contract and the actual execution of a contract are subject to the following:
 - receipt of WIOA funds granted under the WIOA plan.
 - results of negotiations between selected service providers and the MAWDB administrative staff; and
 - continued availability of WIOA funds.
- F. Any changes to the WIOA program, the State of North Carolina WIOA Plan, or the MAWDB WIOA Plan, may result in a change in contracting. In such instances, the MAWDB will not be held liable for what is in the Proposer's proposal or this Request for Proposal package.
- G. Each proposer submitting a proposal will be notified in writing of the MAWDB decision concerning its proposal.
- H. Proposals submitted for funding consideration must be consistent with the federal WIOA legislation, all applicable Federal Regulations, the North Carolina Division of Workforce Solutions policies, and the MAWDB Policies and Procedures.
- I. Proposers selected for funding must also ensure compliance with the following: Office of Management and Budget 2 CFR Part 200, or 48 CFR Part 31, whichever is applicable, and 20 CFR Parts 603, 651, 652, et al. Workforce Innovation and Opportunity Act; Final Rule .
- J. MAWDB may require selected service providers to participate in negotiations and to rewrite their proposals as agreed upon during the negotiations.
- K. Additional funds received by MAWDB may be contracted by expanding existing programs, or by consideration of proposals not initially funded under this RFP, if such proposals were rated in the competitive range. These decisions shall be at the discretion of the MAWDB.
- L. MAWDB may decide not to fund part or all of a proposal even though it is found to be in the competitive range if, in the opinion of the MAWDB, the services proposed are not needed, or the costs are higher than the MAWDB finds reasonable in relation to the overall funds available, or if past management concerns lead the MAWDB to believe that the service provider has undertaken more services than it can successfully handle. MAWDB reserves the right to reject any proposal based upon the total proposed expenditures for staff salaries and compensation that are not considered as "customary and reasonable" for similar staff positions with our Local Area.
- M. Any proposal approved for funding is contingent on the results of a pre-award survey that may be conducted by the MAWDB administrative staff. This survey will establish, to MAWDB's satisfaction, whether the proposed service provider can conduct and carry out the provisions of the proposed contract. If the results of the survey indicate, in the opinion of MAWDB, that the proposed service provider may not be able to fulfill contract expectations, MAWDB reserves the right not to enter into contract with the organization, regardless of MAWDB approval of the Proposer's proposal.
- N. MAWDB is required to abide by all WIOA legislation and regulations and State policies. Therefore, the MAWDB reserves the right to modify or alter the requirements and standards as set forth in this RFP based on program requirements mandated by State or Federal agencies.
- O. Programs must be operated according to the federal WIOA provisions and all applicable federal regulations, the North Carolina Division of Workforce Solutions policies and MAWDB policies and procedures.
- P. Service Providers will be expected to adhere to MAWDB procedures to collect, verify, and submit required monthly reports as well as invoices to MAWDB.

- Q. All grievances arising out of the WIOA, or this RFP must be filed according to MAWDB's established grievance procedures.
- R. All service providers must ensure equal opportunity for all individuals. No individual in the Mountain Area Local Area shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any WIOA-funded program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.
- S. Service providers must accept liability for all aspects of any WIOA program conducted under contract with MAWDB. Service Providers will be liable for any disallowed costs or illegal expenditure of funds or program operations conducted. The MAWDB shall pursue legal remedy to recoup any disallowed costs or illegal expenditure.
- T. Reductions in the funding level of any contract resulting from this solicitation process may be considered during the contract period when a service provider fails to meet expenditure, participant, and/or outcome goals specified in the contract or when anticipated funding is not forthcoming from the federal or state governments.
- U. Service providers will allow access to all WIOA records, program materials, staff, and participants to local, state, and federal representatives. **Additionally, service providers are required to maintain all WIOA records for a minimum of three years, beginning on the last day of the program year.**
- V. MAWDB encourages all interested proposers to attend the Bidders' Conference. While every effort has been made to include all necessary information, specifications and examples, the need for clarification or interpretation is recognized as a possibility. This is the forum MAWDB has selected to answer questions so that all interested parties will have the benefit of the same answer.
- W. Service Providers must give credit to MAWDB, as the program activity funding source, in all oral presentations, written documents, publicity and advertisements regarding any activities.
- X. Service Providers will be required to submit monthly status reports and financial updates during the life of this project. Reports will cover areas such as recruitment and enrollment activities, challenges encountered, employer outreach updates, and employment outcomes. Employer outreach with contact information must be recorded in the State Customer Relationship Management system and will be available to designated Mountain Area WDB Staff.
- Y. Program Provisions must be made to ensure the following:
 - 1) Funding of sectarian activities is prohibited.
 - 2) Procedures must be established to prohibit the displacement of current workers, the impairment of existing contracts for services or collective bargaining agreements, the replacement of laid-off workers and the infringement on promotional opportunities of current workers.
 - 3) Working participants must be covered by workers' compensation or other insurance.
 - 4) All WIOA individuals in programs shall be provided benefits and working conditions at the same level and to the same extent as other trainees or employees working for similar lengths of time and doing the same type of work.
 - 5) No funds are being used to assist, promote, or deter union organizing.
 - 6) All individuals in programs shall be compensated at the same rates, including periodic increases, as trainees or employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills. (In no event shall the rate be less than the applicable State or local minimum wage law.)
 - 7) The use of funds to encourage or induce relocation of a business is prohibited.
 - 8) The use of funds for customized or skill training and related activities after the relocation of a business are prohibited until after 120 days.
 - 9) The use of funds for (a) employment generating activities, economic development activities and similar activities that are not directly related to training for eligible individuals, and (b) foreign travel are prohibited.
 - 10) Provisions are made that allow for the testing and sanctioning of participants for the use of controlled substances.
 - 11) Provisions are made to prohibit any discrimination based on: (a) age, disability, race, color, national origin, or sex; (b) participation in a program or activities that receive funds under this title; and (c) certain non-citizens.

- 12) Provisions are made to ensure that funds are not used to duplicate services available in the area.
- 13) Provisions are made to ensure that participants are not being charged fees for placement or referral.
- 14) Provisions are made to ensure that no financial assistance is provided to any program that involves political activities.
- 15) Provisions are made to ensure that participants are aware of grievance procedures.
- 16) Provisions are made for a contractor agreement to abide by the Act, regulations, and applicable business licensing, taxation, and insurance requirements.
- 17) Provisions are made regarding modification, handling of disputes, and termination, including termination for convenience of the government.
- 18) Provisions are made for record maintenance and retention and access to records by the subrecipient, the LA, the State, and the USDOL.
- 19) Provisions are made to include liability, sanctions, and debt repayment.
- 20) Provisions are made for debarment and suspension.
- 21) Provisions are made to prohibit political activities (Hatch Act).
- 22) Affirmative action assurance that the offeror will comply fully with the nondiscrimination and equal opportunity provisions of the Workforce Innovation and Opportunity Act, the Non-traditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973, as amended; the Age Discrimination Act of 1975, as amended; Title IX of the Education Amendments of 1972, as amended; and with all applicable requirements imposed by or pursuant to regulations implementing those laws, including but not limited to 29 CFR Part 34. The United States has the right to seek judicial enforcement of this assurance.

VI. REQUIREMENTS

A. TYPE OF CONTRACT

Bidders must propose a cost reimbursement contract. A Cost Reimbursement Contract is one that establishes an estimate of total costs for the purpose of obligating funds and a ceiling that the contractor may not exceed (except at contractor's risk) unless the awarding party agrees to amend the contract to provide additional funds. A line-item budget shall be based on all legitimate costs to be incurred by the contractor in carrying out the training activity. The contractor is reimbursed for actual expenses according to the approved line-item budget.

B. PROGRAM PERIOD

The funding period is from July 1, 2023, through June 30, 2024. No funds will be exchanged until after the contract is executed by both parties agreeing to the terms outlined in the contract.

C. COUNTIES TO BE SERVED

In preparing a bid, a proposer must specify the counties in which services are being proposed: Buncombe, Henderson, Madison, Transylvania counties and/or all counties.

D. SCOPE OF WORK

The On-the-Job Training (OJT) program is designed to provide an opportunity for WIOA eligible individuals, those with barriers to employment, to receive training, skills and workplace knowledge that enable them to obtain and maintain family-sustaining employment as well as to compete for job advancement opportunities. The OJT program is structured to meet the training needs of a participant. The focus of the OJT training program is individual-oriented, matching the background and experience of the individual with the requirements of the job position.

The OJT program will target job placements in "high demand" industries based on the MAWDB's approved Career Pathways- Energy, Advanced Manufacturing, Information Technology, Healthcare, Construction & Skilled Trades, Hospitality and Tourism. The OJT program will provide training for participants and reimbursement of participants' wage rates to employers to compensate for the costs associated with training. Employers will provide training through a "hire first, train later" approach.

An OJT contract will be limited to a period required for a participant to become proficient in the occupation. Training may be up to six months or 1040 hours, whichever comes first based on the skill gaps of the participant. The employer agrees to retain the participant as an employee after the training is completed and shall pay the employee the same or better wages and benefits as received at the time of this agreement. Training will be conducted only when it benefits the WIOA eligible participant. The OJT Program is conducted in the highest possible skill occupations appropriate for the eligible participant. The desired wage is above \$20.00 an hour.

Files are monitored regularly by the Local Area's Workforce Operations Manager for MAWDB and required to comply with training and guidance of guidelines and policies shared by the Local Workforce Operation Manager. These files are monitored annually by the NC Department of Commerce, Division of Workforce Solutions.

E. OVERALL PROGRAM OBJECTIVES

1. Orientation: All WIOA eligible participants and employers are to be provided with an orientation to the OJT program. All appropriate forms, documents and/or contracts are to be detailed and completed at this time as well. Participants will be provided with a listing of current job openings in "high demand" industries and/or will assist the contractor in the development of potential job openings that are suitable for the participant.
2. Developing Contracts with Local Employers: The contractor will market the OJT program to area employers in Local Career Pathways industries to develop a variety of job openings for potential participants.
3. Identifying Appropriate Participants for Contracted Job Openings: The contractor will review the participant eligibility pools at NCWorks Career Centers on a regular and ongoing basis in an effort to identify job openings that become available. Qualified participants will then be referred to job interviews with appropriate employers.
4. Monitoring Services for Employers/Worksites: The contractor will maintain regular contact with employers and participants during their participation on the OJT program. The contractor will make regular onsite visits at the worksites to ensure compliance with Federal, State and Local rules and regulations. The contractor will document all monitoring visits.
5. Counseling Services: The contractor will provide counseling services to participants on a regular basis. Counseling sessions will be documented in participant files.
6. Additional Services: The contractor will maintain all OJT participant folders. Contractor will provide additional services, including but not limited to, career pathways and career counseling.
7. Job Placement Assistance: The contractor will assist participants with quality job placements. Job placement is defined as full-time (not less than 35 hours), unsubsidized employment.
8. Follow-up Services: The contractor will conduct follow-up services of all participants enrolled in the OJT program for a period of not less than one (1) year after participants have completed and exited the OJT program.

F. NCWORKS CAREER CENTERS

NCWorks Career Center delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. NCWorks Career Centers provide workforce development services as well as access to other programs and activities carried out by one-stop partners identified in WIOA.

OJT Specialist will be expected to operate out of the Local NCWorks Career Centers locations.

In our area, the NCWorks Career Centers locations are as follows:

NCWorks Career Center – Buncombe County

48 Grove Street

Asheville, NC 28806

One-Stop Operator – North Carolina Department of Commerce, Division of Workforce Solutions

NCWorks Career Center – Madison County

A-B Tech Madison

4646 US Hwy 25-70
Marshall, NC 28753
One-Stop Operator – Asheville-Buncombe Technical Community College

NCWorks Career Center – Henderson County

Blue Ridge Community College Flat Rock
130 Eagles Reach Drive
Flat Rock, NC 28731
One-Stop Operator – Blue Ridge Community College

NCWorks Career Center – Transylvania County

Blue Ridge Community College Brevard
45 Oak Park Drive
Brevard, NC 28712
One-Stop Operator – Blue Ridge Community College

G. NCWORKS CAREER CENTER SERVICES

Basic career services are available to any youth, adult, or dislocated worker through the NCWorks Career Centers, and shall, at a minimum, include –

- Determination of eligibility to receive assistance.
- Outreach, intake, and orientation to the information and other services available through the Career Center
- Initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs
- Labor exchange services including job search & placement assistance, career counseling (as appropriate), information on in-demand industry sectors/occupations, information on nontraditional employment, job referrals, and referrals to other workforce development programs (as appropriate)
- Labor market employment statistics information (local, regional, and national) including job vacancy listings, information on job skills necessary to obtain the jobs described and information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations.

If determined to be appropriate, for an individual to obtain or retain employment, additional career services may be provided and may consist of –

- Comprehensive and specialized assessments of skill levels to include the use of WIN and WorkKeys assessments, and other service needs.
- Development of an individual employment plan
- Group counseling
- Individual counseling
- Career planning
- Short-term prevocational services
- Internships and work experiences that are linked to careers.
- Workforce preparation activities
- Financial literacy services
- Out-of-area job search assistance
- English language acquisition and integrated education and training programs
- Follow-up for not less than 12 months after the first day of employment, as appropriate

Training Services may be provided to an eligible adult or dislocated worker who, after an interview, evaluation, or assessment, and career planning, has been determined, as appropriate, –

- To be unlikely or unable to obtain or retain employment leads to self-sufficiency or wages comparable to or higher than wages from previous employment.
- To need training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
- To have the skills and qualifications to successfully participate in the selected program of training services.
- To select programs of training services that are directly linked to the employment opportunities in the

- Local Area, or in another area to which the individual is willing to commute or relocate.
- Unable to obtain other grant assistance or require assistance beyond the assistance made available under other grant assistance programs.
- To be eligible in accordance with the priority system in effect

H. ELIGIBLE TARGET POPULATION/AVAILABLE PROGRAM FUNDS

Targeted populations to be served in the OJT program are: 5 Adults, 5 Dislocated Workers, and 5 Out-of-School NextGen Young Adult (18-24 years of age).

Total Program Funds Available: up to \$100,000 to support administration of the OJT program. These funds do not count toward funding available for the reimbursement to the employer as part of an OJT.

ADULT IS DEFINED AS AN INDIVIDUAL WHO IS AGE 18 OR OLDER.

Priority for individualized career services and training services funded with Title I adult funds must be given to recipients of public assistance, other low-income individuals, and those who are basic skills deficient (as defined in WIOA sec.3(5)(B) – The term “basic skills deficient” means, with respect to an individual who is a young adult or adult, that the individual is unable to compute or solve problems, or read, write, or speak English, at a level necessary to function on the job, in the individual’s family, or in society) in the Local Area.

DISLOCATED WORKER IS AN INDIVIDUAL WHO IS AGE 18 OR OLDER and falls into one of the following:

1. An individual who has been terminated or laid off, or who has received notice of termination or layoff from employment and is eligible for or has exhausted entitlement to unemployment compensation and is unlikely to return to a previous industry or occupation.
2. An individual who has been terminated or laid off, or who has received notice of termination or layoff from employment, **and** has been employed for a duration sufficient to demonstrate, to the appropriate entity at a one-stop center referred to in section 134(c), attachment to the workforce, but is not eligible for unemployment compensation due to insufficient earnings or having performed services for an employer that was not covered under a state unemployment compensation law, **and** is unlikely to return to a previous industry or occupation.
3. An individual who has been terminated or laid off, or who has received a notice of termination or layoff, from employment as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise.
4. An individual who is employed at a facility at which the employer has made a general announcement that such facility will close within 180 days. For purposes of eligibility to receive services other than training services described in section 134(c)(3), career services described in section 134(c)(2)(A)(xii), or supportive services, is employed at a facility at which the employer has made a general announcement that such facility will close.
5. An individual was self-employed (including employment as a farmer, a rancher, or a fisherman) but is unemployed because of general economic conditions in the community in which the individual resides or because of natural disaster.
6. An individual who is a displaced homemaker. The term “displaced homemaker” means an individual who has been providing unpaid services to family members in the home and who has been dependent on the income of another family member but is no longer supported by that income; **OR** is the dependent spouse of a member of the Armed Forces on active duty and whose family income is significantly reduced because of a deployment, a call or order to active duty, a permanent change of station, or the service-connected death or disability of the member; and is unemployed or underemployed **AND** is experiencing difficulty in obtaining or upgrading employment.
7. The spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

8. The spouse of a member of the Armed Forces on active duty and who is unemployed or underemployed and is having trouble in obtaining or upgrading employment.
9. Additional State Eligibility- Individuals who are long-term unemployed as defined as unemployed for 13 consecutive weeks or more are eligible as a Dislocated Worker.

OUT-OF-SCHOOL YOUTH 18-24 YEARS OF AGE – NEXTGEN YOUNG ADULTS

Eligible out-of-school NextGen Young Adult for this OJT program means an individual who –

Is **NOT** attending any school, **and**

Is not younger than 18 and not older than 24 years of age at the point of participation in WIOA services, **and**

Is within **one or more** of the following categories:

1. A school dropout, (a young adult attending an alternative school at the time of enrollment is not considered to be a dropout).
2. Within the age of compulsory school attendance but has not attended school for at least the most recent complete school year's calendar quarter.
3. A recipient of a secondary school diploma or its recognized equivalent who is a **low-income** individual. (*Defined below*) **and** is either basic skill deficient, **or** an English language learner.
4. An individual who is subject to the juvenile or adult justice system
5. A homeless individual, a runaway, or foster child in foster care or has aged out of the foster care system, a child eligible for assistance under 477 of the Social Security Act (42 USC 677), or in an out-of-home placement.
6. Pregnant or parenting.
7. A young adult who is an individual with a disability.

A LOW-INCOME INDIVIDUAL [WIOA Section 3(36)] is one who –

- *receives, or in the past 6 months has received, or is a member of a family that is receiving or in the past 6 months has received, assistance through the supplemental nutrition assistance program (SNAP), temporary assistance for needy families (TANF), supplemental security income program under title XVI of the Social Security Act, or State or local income-based public assistance.*
- *is in a family with total family income for the 6-month period prior to application for the program involved that, in relation to family size does not exceed the higher of the poverty line or 70 percent of the lower living standard income level.*
- *is a homeless individual.*
- *receives or is eligible to receive a free or reduced-price lunch under the Richard B. Russell National School Lunch Act*
- *is a foster child on behalf of whom State or local government payments are made.*
- *is an individual with a disability whose own income meets the income requirements, but who is a member of a family whose income does not meet this requirement.*

The term **"FAMILY"** means two or more persons related by blood, marriage, or decree of court, who are living in a single residence, and are included in one or more of the following categories:

1. A husband, wife, and dependent children
2. A parent or guardian and dependent children
3. A husband and wife

DEFICIENT IN BASIC LITERACY SKILLS means an individual who computes or solves problems, reads, writes, or speaks English at or below grade level 8.9.

The OJT service provider will be responsible for certifying and documenting participant eligibility. The OJT service provider will be required to follow the USDOL requirements on acceptable verification sources as identified by the North Carolina Division of Workforce Solutions. Additionally, the OJT service provider will be required to comply with the MAWDB’s eligibility file maintenance requirements for Data Validation and Data Integrity.

PERFORMANCE MEASURES

Currently, North Carolina uses Common Performance Measures for customers enrolled into WIOA services. Each WDB is expected to meet or exceed all performance goals. For further explanation and detail, please see [DWS Policy Statement Number PS 01-2017](#). Current WIOA measures include the following:

WIOA Performance Measures	Goals for PY 23		
	Adult	Dislocated Worker	NextGen Young Adult
Employment Rate 2nd Quarter After Exit	80%	72%	73%
Employment Rate 4th Quarter After Exit	78%	74%	73%
Median Earnings 2nd Quarter After Exit	\$7,052	\$8,000	\$3,700
Credential Attainment within 4 Quarters After Exit	65%	67%	75.9%
Measurable Skill Gains	52.2%	58.3%	50%

J. PROJECTED PROGRAM OUTCOMES

1. Develop an outreach campaign to promote OJT services.
2. Work with NCWorks Career Center staff to identify eligible OJT candidates.
3. Conduct eligibility and assessments to determine training needs.
4. Provide a detailed orientation to WIOA eligible participants and participating employers.
5. Assist participants in identifying appropriate employment opportunities in “high demand” industries.
6. Assist employers in identifying their employment needs.
7. Match participants’ needs with employers’ needs.
8. Provide additional assessment and career pathways services to participants.
9. Assist participants with job retention.
10. Effectively market the OJT program to the public.
11. Monitor the OJT program on a regular and ongoing basis, and with the Workforce Operations Manager.
12. Meet WIOA Performance Goals as stated.

VII. BUSINESS PLAN FORMAT AND REQUIRED FORMS

The Business Plan MUST include all items listed below in the order shown. The following forms should be completed with all information requested and executed properly. SINCE THE RFP IS TO PROVIDE STAFF FOR THE NCWORKS CAREER CENTER OPERATIONS SERVING ADULTS, DISLOCATED WORKERS, AND NEXTGEN YOUNG ADULTS, ONLY ONE PROPOSAL IS NECESSARY TO ADDRESS THE TARGETED POPULATIONS; HOWEVER, THERE MUST BE SEPARATE BUDGETS FOR EACH PROGRAM. Please respond using one-inch margins, Arial size 11 font. Number each page. We anticipate funding will be available of up to \$100,000 to support the administration, management, and operations of the OJT program. This funding does not include the funds which will be available to support reimbursement to employers through the OJT program.

- A. 2023 WIOA RESPONSE PACKAGE COVER SHEET** - Complete the information and indicate the type of activities proposed and funds requested.
- B. BUSINESS PLAN** – The plan should describe a clear picture of the design of the program, the anticipated outcomes, and the capability to deliver the proposed services. Follow the alphabetical

and numerical sequence of the attached format. If a section does not apply, write “N/A” or “Does not apply” by the respective section.

- C. PY 2023 PLANNED OUTCOMES DATA SHEET** – Complete the information.
- D. WIOA SPECIFIC REQUIREMENTS** – Carefully review each section. Identify the appropriate agency staff member(s) responsible for compliance.
- E. PROGRAM AND FINANCIAL MANAGEMENT** – Carefully review each section. Identify the appropriate agency staff member responsible for compliance.
- F. ASSURANCES AND CERTIFICATION** – Requires signature of authorized representative.
- G. STATEMENT OF COMPLIANCE** – Requires signature of authorized representative.
- H. CERTIFICATE REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION LOWER TIER COVERED TRANSACTIONS** – Requires signature of authorized representative.
- I. BUDGET** – Complete the Budget Summary and supporting worksheets for all costs required to implement the program design. If proposing more than one program, a separate budget for each program must be submitted.
- J. JOB DESCRIPTIONS** – Complete for each member of the WIOA staff.
- K. OTHER – ATTACH THE FOLLOWING ITEMS:**
 - 1. Federal ID Number (Unique Entity Identifier from www.sam.gov)
 - 2. Financial Statement and Copy of last audit
 - 3. Agency Grievance Procedures
 - 4. Copy of Bond Coverage (or explanation of planned coverage if an award is made)
 - 5. Current Organization Chart
 - 6. Charter and Bylaws of Organization, attach list of Current Board Members
 - 7. Cost Allocation Plan (if applicable, provide a copy of the agency Indirect Cost Plan)

2023 WIOA ON-THE-JOB TRAINING RESPONSE PACKAGE COVER SHEET

Agency Name: _____
 Street Address: _____
 Mailing Address: _____
 Contact Person(s): _____
 Telephone Number(s): _____
 Fax Number(s): _____ E-Mail: _____

Check the box that most appropriately describes your organization.

- Unit of Local Government Private Non-Profit Organization
 For-Profit Organization Other _____

CHECK TYPE OF PROGRAM	AMOUNT
<input type="checkbox"/> ADULT <input type="checkbox"/> DISLOCATED WORKER <input type="checkbox"/> NEXTGEN YOUNG ADULT	
TOTAL COST OF PROPOSED PROGRAM =====>	\$
Total Number of Proposed Participants thru 6/30/24=====>	

Are funds from other funding sources requested in order to implement this proposed WIOA program?

YES **NO** If the answer to the above question is yes, please complete the following to indicate sources, amounts and expected dates of funding approval.

OTHER EXPECTED FUNDING SOURCES	EXPECTED AMOUNT	DATE OF APPROVAL
	\$	
	\$	
	\$	
TOTAL OTHER FUNDS EXPECTED =====>	\$	

CERTIFICATION: I certify that the information contained in this business plan, fairly represents this entity and its operating plans and budget necessary to conduct the proposed WIOA Activities described herein. I further certify that I am authorized to sign this proposal. This Response includes the attached:

1. Business Plan with all appropriate attachments
2. PY 2023 Planned Outcomes Data sheet.
3. Program and Financial Management Form
4. Assurances and Certification Form **(SIGNED & DATED)**
5. Statement of Compliance Form **(SIGNED & DATED)**
6. Certificate Regarding Debarment, Suspension, etc., **(SIGNED & DATED)**
7. Budget Summary and Worksheets
8. Job Description(s)
9. WIOA Proposal Budget in Excel format
10. Other Items as requested.

 (SIGNATURE of Signatory Official) DATE

 (Typed or Printed NAME of Signatory Official) JOB TITLE

BUSINESS PLAN

Proposals shall include a Business Plan (Statement of Work) narrative detailing all aspects of the proposed project design. The Statement of Work will include all aspects of the program and services outlined in this RFP and other information deemed relevant. The purpose of the Statement of Work is to provide an in-depth description of the design of services, to demonstrate how requirements will be met, and to describe the process for achieving the WIOA Adult, Dislocated Worker & NextGen Young Adult Performance Outcomes. Please address the following components in the statement of work and how they will be carried out.

When preparing your Business Plan, please follow the alphabetical and numerical sequence of the format described below. In order to simplify the review process, each response should begin with the action being addressed (i.e., "Describe the....."), followed by the response. Include, where appropriate, any services leveraged or provided by partners. If a section does not apply, write "N/A" or "Does not apply" by the respective section.

A. PROGRAM INFORMATION

1. Describe the OJT Program being proposed.
2. Describe how the OJT Program will fit into your organization's mission and goals.
3. Describe your past experiences and results delivering services with similar program(s), services, population, etc.
4. Describe how the OJT program will be made available on a regular basis to potential eligible individuals and employers.
5. Detail how you will identify employer needs for services.
6. Describe how you will work with the MAWDB Business Services staff to identify and support employers with the OJT program.
7. Detail how you will identify available employment opportunities within the MAWDB certified Career Pathways industries and other high-wage and high demand industries.
8. Describe how you will ensure that all participants will be registered in NCWorks Online.
9. Describe the orientation process for participants.
10. Describe methods that will be used to better determine an individual's need for training. Include how career pathways services and counseling will be delivered.
11. Describe how you will identify participants for available job openings in the MAWDB certified Career Pathways and high wage/high demand industries. Detail how you will match an employer's needs to the participant's qualifications and address the skill gaps. Include programs and/or software used to identify skill gaps.
12. Describe job retention assistance to be provided to WIOA eligible participants.
13. Describe how information on the Career Readiness Certificate and the opportunity to take the WorkKeys Assessment will be provided to participants.
14. Describe any additional services to be provided to individuals with barriers to employment.
15. Describe how you will make sure that the OJT program is available to small businesses with 25 or less employees.
16. Describe the participant referral process. Describe what happens to those participants not selected for program participation.
17. Describe how WIOA eligible participant and employer records will be maintained.
18. Describe the invoicing procedures to be used with participating employers.

B. STAFFING STRATEGIES

1. Describe your staffing plan, including staff positions, experience/background, and responsibilities.
2. Identify the NCWorks Career Center locations where you propose staff be located.
3. Detail your alternate plan for staff who are absent during the regular work schedule.
4. When hiring new staff, provide a detailed timeline for getting staff in place and trained.

C. PROGRAM OVERSIGHT CAPABILITIES/MONITORING PROCEDURES

1. Detail your agency's oversight capabilities. Detailed extent of in-house monitoring practices.
2. Detail your agency's employer and participant tracking system.
3. Detailed internal monitoring schedules to be implemented to ensure compliance with federal,

state, and local policies governing this program. (Monitoring schedules for both participants and employers).

D. TARGET GROUPS TO BE SERVED

1. Detail the population groups you will serve.
2. Describe outreach and recruitment efforts for targeted population groups.
3. Describe linkages that will be formed with other agencies to recruit these population groups.
4. Detail the criteria to be used to select WIOA eligible individuals and employers for program participation.

E. SUPPORTIVE SERVICES

1. Describe any supportive services to be provided to OJT participants.

F. FOLLOW-UP SERVICES

1. Describe follow-up services to be provided for all WIOA eligible participants following exit from WIOA.

G. PERFORMANCE GOALS/OBJECTIVES

1. Detail your performance goals/objectives. Include methods and/or tools you will use to ensure the Local Area's performance goals will be met and/or exceeded. Include any benchmarks you will implement to show significant progress is being made towards meeting and/or exceeding the Local Area's performance goals.
2. Describe any additional outcomes or benchmarks that will be a part of your OJT program.
3. Describe how you will evaluate the effectiveness of the OJT program on an ongoing basis.

H. FISCAL RECORD KEEPING PROCEDURES

1. Detail your agency's fiscal record-keeping procedures.

**WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
 PY 2023 PLANNED OUTCOMES DATA SHEET
 ON-THE-JOB TRAINING
 ADULT/DISLOCATED WORKER/NEXTGEN YOUNG ADULT**

Proposer Name: _____

Contract Period: **July 1, 2023, through June 30, 2024**

WIOA Program: Adult Dislocated Worker NextGen Young Adult

BASED ON NEGOTIATIONS BETWEEN THE U.S. DEPARTMENT OF LABOR, THE NORTH CAROLINA DIVISION OF WORKFORCE SOLUTIONS, AND THE EASTERN CAROLINA WORKFORCE DEVELOPMENT BOARD, PERFORMANCE GOALS HAVE BEEN ESTABLISHED FOR THE EASTERN CAROLINA LOCAL AREA. CONTRACTORS MUST AGREE TO MEET OR EXCEED THESE GOALS. PLEASE COMPLETE THE APPROPRIATE PORTION BELOW TO SHOW YOUR PLANNED OUTCOMES [NUMBERS].

PLANNED ADULT/DISLOCATED WORKER/NEXTGEN YOUNG ADULT PARTICIPANT DATA	Planned		
	Adult	DW	NGYA
# Enrolled in On-The-Job Training			
Total PY 2023 Enrollments { <i>new enrollments</i> }			
# of Participants to be exited during PY 2023 { <i>July 1, 2023 – June 30, 2024</i> }			

PLEASE COMPLETE THE APPROPRIATE PORTION BELOW TO SHOW YOUR PLANNED OUTCOMES [NUMBERS] FOR PARTICIPANTS EXITING THE PROGRAM.

PLANNED OUTCOMES FOR ADULTS	Local Area Goals	Planned Adult Outcomes
Employment Rate 2 nd Quarter After Exit	80%	
Employment Rate 4 th Quarter After Exit	78%	
Median Earnings 2 nd Quarter After Exit	\$7,052	
Credential Attainment within 4 Quarters After Exit	65%	
Measurable Skill Gains	52.2%	

PLANNED OUTCOMES FOR DISLOCATED WORKERS (DW)	Local Area Goals	Planned DW Outcomes
Employment Rate 2 nd Quarter After Exit	72%	
Employment Rate 4 th Quarter After Exit	74%	
Median Earnings 2 nd Quarter After Exit	\$8,000	
Credential Attainment within 4 Quarters After Exit	67%	
Measurable Skill Gains	58.3%	

PLANNED OUTCOMES FOR NEXTGEN YOUNG ADULTS	Local Area Goals	Planned NGYA Outcomes
Employment Rate 2 nd Quarter After Exit	73%	
Employment Rate 4 th Quarter After Exit	73%	
Median Earnings 2 nd Quarter After Exit	\$3,700	
Credential Attainment within 4 Quarters After Exit	75.9%	
Measurable Skill Gains	50%	

TITLE I WIOA REQUIREMENTS

The WIOA Title I and Title III staff will use NCWorks.gov as designated by NC Department of Commerce-Division of Workforce Solutions (DWS) to complete registration/enrollment into Wagner Peyser and WIOA and to certify eligibility. Documentation of all services, referrals, progress, activities, and follow-up will be entered into NCWorks. Documentation should include eligibility determination, services provided, referrals to other agencies, progress, activities, and follow-up. Documentation should provide information related to the successes and overcoming barriers related to the completion of the service plan along with potential next steps of employment services.

WIOA service providers are responsible for certifying eligibility for each adult and dislocated worker applicant by obtaining acceptable records/documents to verify each required eligibility item. All verification documents must be uploaded into NCWorks.gov and will be reviewed periodically during the MAWDB monitoring process.

The Workforce Operations Supervisor will monitor these files on a regular basis and will provide all training on OJT policies and guidelines, The OJT service provider will n The WIOA service provider will need to ensure that each customer is eligible to receive WIOA-funded services prior to obligating or paying any expenses on a customer's behalf.

A. Assessments

Career center staff are expected to conduct an initial assessment of skill levels (including literacy, numeracy, and English language proficiency). The assessment should determine the educational and employment background, current skill levels, and service needs of each adult, dislocated worker, and NextGen Young Adult at the time of enrollment into WIOA activities. Initial assessments may include, but are not limited to basic skills, work readiness skills, occupational skills, barriers to employment, career interests and aptitudes, financial resources and needs, and supportive service needs. This information should be acquired through various means, including but not limited to, standardized tests, structured interviews, inventories, online assessments, career guidance instruments, where the information is current and reliable, and assessment results from another Staff (school or agency). Additionally, the Local Area utilizes the TABE (as a pre-assessment tool to practice for the Work Keys Assessment).

B. Individual Employment Plan (IEP)/Individual Service Strategy (ISS)

Each adult and dislocated worker customer enrolled into WIOA services will have an individualized employment plan (IEP) for the adult customer and (ISS) individual service strategy for the Youth customer. These will identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives. Employment plans should be flexible and responsive to the individual needs of each customer as they move through needed career services and/or training services, keeping in mind that employment is the goal for all our customers. Each plan will identify educational goals, pre-employment steps, selected learning objectives, training, and work-based training (when provided) and any other preparation for unsubsidized employment. The plan will set clear and realistic goals for educational advancement, entry into employment in a targeted industry, and any continued learning and development, as needed. All plans are to be signed by the participant and career advisor and uploaded into NCWorks.gov. The original should be given to the participant to provide a record of the agreed upon steps for their success. The IEP/ISS must be updated on a yearly basis with appropriate code and case notes. Any changes to the IEP/ISS must be signed, dated, uploaded to NCWorks.

C. Career Management

The Career Center staff will provide career management services to adults, dislocated workers, and NextGen Young Adult to support and assist customers in completing WIOA Title I-funded activities and in attaining meaningful outcomes. Staff are expected to work closely with each customer to provide support and guidance, address needs and barriers, resolve problems that may arise, and assist in the attainment of the goals agreed upon in the IEP/ISS. Regular personal contact between staff and the WIOA customer is expected. Based on the career management relationship, the customer should be aware that he/she has support and accountability in working to achieve his/her workforce development goals. Primary career management functions are services coordination, advising and counseling, advocacy, accurate record-keeping, and follow-up.

All Career center staff members are expected to be informed of, and adhere to, professional standards of client confidentiality. Staff with access to, or control over, WIOA Title I customer records or other confidential information are expected to safeguard such information. No staff member, volunteer, or other person associated with the Career Center staff shall release or disclose information concerning an adult, dislocated worker, or NextGen Young Adult without securing a signed release of information authorization prior to releasing the records. This includes information sharing that is verbal, written, or electronic. Exchange of information is generally to be used for eligibility verification, coordination of services and activities, tracking progress and participation, securing additional services, and for follow-up purposes.

D. Information and Referrals to other Staff/Agencies

Career Center staff will ensure that adults, dislocated workers, and NextGen Young Adult will be provided information on services and opportunities that are available from local agencies, through the Career Center, and other appropriate community-based organizations that provide workforce development, social services, and/or education and training opportunities in the community. WIOA Staff will refer WIOA customers to other employment, training, and/or human service organizations that may be of benefit to them. This requirement applies to WIOA customers who may benefit from services other than, or in addition to, WIOA-funded activities. Records of these referrals and the outcome of the referral must be recorded in case management records and NCWorks online.

E. Job Search and Job Readiness

Some customers may need assistance with resume preparation, interviewing skills, researching the local job market, internet job search, etc. Job Search and Job Readiness services may include one-on-one or group activities such as workshops, job clubs, and staff assisted computer labs, etc. Some WIOA customers may successfully obtain employment on their own through contacts made while in training. In either case, staff members are required to document employment data as an outcome of the WIOA-funded services. For this reason, it is important that the Career Center staff maintain regular contact with customers. This allows the staff to update NCWorks online and to prepare for the customer's transition into Post-Employment Follow-up Services.

F. Rapid Response Services (Dislocated Worker ONLY) *Not Applicable for this RFP*

Rapid Response Services, as mandated by USDOL, are services delivered to businesses and employees of companies that are experiencing downsizing through layoffs or closure and may have also been impacted by a Worker Adjustment & Retraining Notification (WARN) issued by the state of North Carolina. Coordination of the Rapid Response teams and operation of the Trade Adjustment Assistance (TAA) program across the state is the role of NC Department of Commerce-Division of Workforce Solutions. The selected WIOA Title I service provider will be expected to participate and assist in outreach services to the impacted workers. NCWorks Career Center staff shall provide the following Rapid Response Services to employees of businesses issuing WARN notices or experiencing layoffs or closures, in conjunction with other appropriate partners:

- Reviewing affected workers' assistance needs
- Offering Rapid Response workshop presentations to assist with career transition, job search tools and skills, résumé preparation, and interviewing techniques.
- Assessing re-employment prospects for workers in the local community
- Providing information on available resources to meet the short and long-term needs of affected workers.
- Assisting with the development of re-employment activities

G. Post-Employment Follow-Up

Follow-up services must be made available, as appropriate, for a minimum of 12 months following the first day of employment, to WIOA Title I adults, dislocated workers, and NextGen Young Adult who are placed in unsubsidized employment. During this period, the customer and/or employer may be contacted periodically to assist in employee retention and to make certain that the customer's employment situation is going well. During follow-up, Career Center staff may assist the customer to work toward future goals such as career advancement and/or other job-related issues. Customers may be asked to participate in a survey about the services received at the Career Center.

H. WIOA Data Validation and Record Keeping

The US Department of Labor has issued a data validation policy that establishes recordkeeping requirements to ensure the accuracy and integrity of information collected and reported on WIOA activities and program outcomes. This requirement applies to WIOA services and outcomes as well. The Federal policy mandates that states demonstrate the validity of reported data and conduct data validation and program monitoring annually. North Carolina has set statewide policy for data validation, program, finance and the MAWDB has developed guidelines and instructions for participant records/files that include file content and structure, data validation labeling requirements, and file maintenance. The MAWDB staff will provide training and technical assistance on data validation and program monitoring to Career center staff.

I. Career Pathways

A Career Pathway is a holistic blend of high-quality education, training, and other services that:

- Aligns with the skill needs of industries in the region.
- Prepares individuals to be successful in secondary or post-secondary education opportunities.
- Includes advising to support individuals in achieving their education and career goals.
- Offers education and workforce training for a specific job or occupational field.
- Organizes education, training, and other services to meet individuals' needs in a way that helps speed up your educational and career advancement.
- Enables individuals to attain a high school diploma or equivalent, and at least one post-secondary credential; and
- Helps individuals enter or advance within a specific occupation or occupational field.

The Career Pathways that have been identified and certified in the MAWDB Region include high-wage, high-growth careers in the following industries:

- Advanced Manufacturing
- Healthcare
- Hospitality and Tourism
- Construction & Skilled Trades
- Information Technology
- Energy

Priority for On-the-Job training opportunities are to be targeted and developed within these industries to provide participants with the best chance to obtain unsubsidized employment in a high-wage, high-growth career.

J. On-the-Job Training (OJT)

On-the-Job Training is designed to provide occupational/professional skills and job-specific knowledge that is essential to the full and adequate performance of a job. A regular (not temporary) job opening must exist where the OJT customer can be retained in a full-time unsubsidized job upon successful completion of the subsidized training. OJT is limited in duration, based on the occupation for which the WIOA customer is being trained, the content of the OJT training, and considers the skills gap of the customer. OJT trainees must be certified as WIOA-eligible and OJT-eligible (eligibility and initial assessment records completed) prior to final hire decision by an employer. Training content for the OJT period must go beyond general orientation content that may be given to all employees to include job-specific learning objectives and skills training.

Under an OJT contract and a training plan between the WIOA contractor and the employer, the employer may be reimbursed for up to 75% of the base wage rate (converted to an hourly rate) of the OJT trainee for the extraordinary costs of providing the training and the additional supervision related to the training. OJT requires written documentation by the employer of the OJT trainee's progress during training. Staff access to observe the actual training, and access to and/or copies of the OJT trainee time and payroll records prior to reimbursement to the employer for OJT training is expected. The employer must have appropriate employee's compensation and/or other forms of workplace insurance to cover OJT trainees.

K. Supportive Services

WIOA funds may be used to provide WIOA Title I-enrolled adults, dislocated workers, and NextGen Young Adult with needed supportive services if the following conditions apply a.) the WIOA customer is unable to obtain supportive services through other programs, and, b.) supportive services are necessary to enable the individual to participate in WIOA training or work activities. WIOA funds may only be spent on supportive services for WIOA customers who are enrolled in one or more allowable/appropriate WIOA activity(s). **Other resources that provide supportive services in the county must be utilized first before expending WIOA funds for the supportive service.** The participant must be enrolled in training to receive approved supportive services.

Allowable types of WIOA supportive services include the following: transportation assistance; child or dependent care assistance; rent, utilities, or car repairs; records required for employment such as a background check; appropriate work attire; safety equipment or work-related tools for OJT or Work Experience; special services/supplies for persons with a disability; and uniforms and other required items for specialized or health occupations training not included in tuition. No government payments will be made for participants and no late fees will be paid. For car repairs, three estimates are required.

Career Center staff are responsible for obtaining written verification of the actual costs for any of the above expenses prior to authorizing WIOA funds for supportive services. All such payments must be authorized in writing by staff and must be issued as payment directly to a vendor or as reimbursement to a WIOA customer who has valid receipts for purchases or payments. Written authorization by staff must precede payment or reimbursement. Payment or reimbursement of costs for penalties, court costs, and other related criminal fees are not allowable supportive service costs. Receipts must be uploaded to NCWorks along with appropriate code and case note.

The staff is responsible for ensuring that transportation and childcare supportive services are paid only for actual days in school, at work, and/or days of participation in a WIOA activity. Licensed daycare providers that have a policy requiring continued payment of the regular weekly or daily daycare charge during school breaks/holidays is an allowable exception. The use of a timesheet or other attendance record is required to document attendance and authorize supportive service payments. Funds for supportive services are limited and may only be provided as needed. Any funds paid for the participant should be limited to a one-time payment.

L. NCWorks.gov

Accountability is an essential aspect of the administration of WIOA. All services and outcomes must be tracked, and federal and state reporting requirements must be met. North Carolina uses a web-based software product, *NCWorks Online*, to support WIOA. The software was specifically developed to provide an automated client intake, tracking, case management and reporting system for WIOA. The *NCWorks Online* MIS System will fulfill the functions of eligibility determination and certification, comprehensive case management, and reporting participant outcomes.

The system is browser-based, provides security for participant records, and will provide reports, which will be accessible to the WIOA Contractor and the local Board. Contractors will use this system to input data and maintain program information. It is encouraged that all entries be made within five working days of the action or event for each participant but in no case more than 10 working days of the activity. The *NCWorks Online* MIS tracking system is designed to track all customers and services provided at the Center. Career center staff members are required to use NCWorks Online to track all customers from initial contact through intake/application, WIOA registration and enrollment into selected activities, case management/case notes, activity status updates, outcomes reporting, exit, and post-employment follow-up.

M. Performance Measures for Adults and Dislocated Workers

WIOA establishes a comprehensive performance accountability system to optimize the return on investment of Federal funds and to assess the effectiveness of local boards in achieving continuous improvement of Workforce Innovation and Opportunity Act activities funded under Title I. The U. S. Department of Labor has approved accountability requirements for WIOA, including core measures and numerical goals for each measure.

All adults, dislocated workers, and NextGen Young Adult who receive WIOA-funded services will be

measured against MAWDB performance measures. Measures are calculated throughout the adult or dislocated workers WIOA-funded services and continue through the first, second, and third quarter after exit. WIOA staff members are expected to meet or exceed the Program Year (PY) 2023 goals for adults, dislocated workers, and NextGen Young Adult. MAWDB will provide detailed methodology. information concerning the performance measures. The WIOA Contractor will be required to collect data pertaining to the performance measures.

N. Staff Development

MAWDB will provide training and technical assistance for Title I WIOA staff as necessary and required. Engaged staff are the critical component for delivering great customer service. It is imperative that staff are well-trained, friendly, professional, and highly knowledgeable. Staff must have a strong commitment to customer service. They also need to have strong organizational skills, attention to detail, and a working knowledge of current economic and workplace trends. This forms the basis for their ability to properly advise job seekers about skills and training that will result in employment.

Staff training will be provided by the Workforce Operations Supervisor and additional training through Center staff cross training during Center meetings; NCWorks Training Center workshops; webinars; attending conferences; as well as by MAWDB or Regional training offerings. It is expected that all NCWorks staff members will participate in all of the online training offerings as provided by the NC Workforce Development Training Center.

NCWorks Career Centers and service providers are provided with MAWDB updates, policies and procedures as warranted by the Workforce Operations Supervisor.

O. Continuous Improvement

Title I WIOA service providers are expected to adhere to the continuous improvement activities as directed by the MAWDB. Continuous Improvement should focus on, but is not limited to, program operation, performance outcomes, customer satisfaction, and cost-effectiveness.

Indicate the staff person(s) responsible for WIOA specific requirements.

Staff Assigned	Job Title	Phone #
Staff Assigned	Job Title	Phone #
Staff Assigned	Job Title	Phone #
Staff Assigned	Job Title	Phone #

PROGRAM AND FINANCIAL MANAGEMENT

Instructions: Please complete the following section. Areas that address compliance issues must identify the appropriate member of the agency’s staff responsible for compliance. Add any comments you find necessary for clarification.

A. Equal Opportunity (EO)

The Program Applicant (hereinafter referred to as the “Contractor”) assures compliance with Section 188 of the Workforce Innovation & Opportunity Act; Age Discrimination Act of 1975; Section 504 of the Rehabilitation Act of 1973; the American with Disabilities Act of 1990; Title IX of the Education Amendments of 1972; and Title VI and Title VII of the of the Civil Rights Act of 1964 which govern the Contractor’s responsibilities in upholding laws pertaining to equal opportunity employment.

All participants and staff will be informed of EO policies and guidelines and the name of the EO Officer during a formal orientation prior to participating in any WIOA-funded activity. The Contractor is required to develop and adhere to affirmative action policies. All grievances and complaints submitted by WIOA participants involving allegations of discrimination, violations of the WIOA, or criminal fraud, abuse or misconduct must be processed according to the MAWDB’s Grievance/Complaint Procedures.

B. Internal Program Management

All WIOA contractors are required to establish internal program management procedures to assure compliance and to review program progress. The contractor agrees to monitor and review the following major areas of operation.

1. Compliance with the provisions of the Workforce Innovation and Opportunity Act (P.L. 113-128) and regulations or any applicable federal or state regulations.
2. Compliance with the provisions of the contract.
3. Compliance with all applicable State and MAWDB policies; guidelines and
4. Compliance with 2 CFR 200.333 to 200.337 regarding records maintenance.

The internal program management procedures must be sufficient to prevent fraud and abuse. All reports of information creating suspicion of, or instances of criminal misconduct, fraud, or willful and gross misconduct, in connection with any WIOA program shall be reported immediately to MAWDB, the North Carolina Division of Workforce Solutions, and the U.S. Department of Labor. Internal program management procedures must also ensure that auditable and otherwise adequate records are maintained to support the eligibility of all WIOA participants and confirm adherence to specific program requirements and limitations. MAWDB will require that WIOA contractors adhere to the established monitoring procedures for ensuring program compliance with federal regulations. Indicate how this will be accomplished by your agency:

Identify the staff person(s) responsible for internal program management, compliance monitoring and performance reviews.

Staff Assigned	Job Title	Phone #
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C. Monitoring Procedures

MAWDB has developed a systematic monitoring system for evaluating the quality and effectiveness of WIOA funded programs. Monitoring is the quality control system whereby the MAWDB gathers and analyzes information to detect problems, identify strengths and weaknesses, and propose improvements to the program. Monitoring activities are conducted periodically to determine whether programs follow contractual agreements, MAWDB policies and guidelines, WIOA regulations, and MAWDB requirements. MAWDB monitors performance, programmatic, and fiscal activities. In many instances, the different types of monitoring are interrelated, and conducted simultaneously by the Workforce Operations Supervisor.

Contractors must cooperate with any monitoring, inspection, audit, or investigation of activities related to WIOA contracts. These activities may be conducted by the North Carolina Division of Workforce Solutions, the State of North Carolina, the U.S. Department of Labor and the MAWDB, or their designated representatives. These are also conducted by the Local Workforce Operations Supervisor. This cooperation includes access to the premises for the purpose of interviewing employees or participants and permitting the examination of, and/or photocopying of books, records, files, or other documents related to the contractual agreement.

D. Records Retention

The following records and documents must be maintained for WIOA participants and employees. The proposed contractor agrees to make these records available for monitoring and review by MAWDB and agrees to retain these records, subject to audit, for three years from completion of services. Release of responsibility to retain records after the three (3) year period will not be authorized until final resolution of all audit findings. In the event the contractor goes out of business or ceases to be an organization prior to the expiration of records retention responsibility, the contractor will deliver all records required to be retained hereunder to MAWDB. The following records shall be transmitted to MAWDB for acceptance in an orderly fashion, with documents properly labeled and filed and in an acceptable condition for storage:

- 1) General ledger or equivalent
- 2) Cash receipts and cash disbursement journals/reports or equivalent
- 3) Bank statements, reconciliation, deposit slips, and canceled checks for each bank account through which WIOA funds were received or disbursed.
- 4) Contract with MAWDB, including all amendments.
- 5) All financial reports and requests for reimbursement
- 6) Payroll records including Individual Earning Record, Employee Withholding Authorization (W-4), FICA reporting forms, Federal and State Withholding, Unemployment taxes, Employee Personnel Files, Time Records and Employee Time/Salary Allocation plan.
- 7) Invoices and/or supporting data for non-payroll disbursements.
- 8) Participant records including data forms, verification/documentation items, assessment tests and results and the Employment Plan (or Individualized Service Strategy)
- 9) Monthly Participant and Financial Reports and Monthly Program Performance reports; and
- 10) Any other financial records requested by MAWDB.

E. Internal Financial Management

The Contractor agrees to conduct internal financial reviews of the following major areas:

- 1) Compliance with the provisions of the WIOA and its regulations
- 2) Compliance with the provisions of the WIOA Contract
- 3) Compliance with the applicable State and MAWDB Policies
- 4) Compliance with the WIOA contract regarding record maintenance
- 5) Compliance with accepted financial management and accounting practices as appropriate.
- 6) Compliance with applicable OMB 2 CFR Part 200 as appropriate

- 7) Internal financial management procedures shall be sufficient to prevent fraud and abuse. All suspicion of, or instances of criminal misconduct, fraud or willful and gross misconduct, in connection with any WIOA program shall be reported immediately to MAWDB, the North Carolina Division of Workforce Solutions and to the U.S. Department of Labor. Internal financial management procedures must also ensure that auditable and otherwise adequate records are maintained which support all expenditures of WIOA funds and confirm adherence to policies regarding allowable costs and allocations of costs to proper cost categories. The contractor shall document all internal financial compliance reviews.

List the name and title of the person(s) responsible for maintaining financial records, monitoring fiscal activities for contractual compliance and assisting monitors/auditors during on-site visits.

Staff Assigned	Job Title	Phone #
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F. Invoicing, Reporting and Contractor Close-out

MAWDB will reimburse the contractor for total allowable costs incurred as agreed upon between the MAWDB and the WIOA contractor. The contractor will submit a MONTHLY FINANCIAL STATUS REPORT AND INVOICE (form) for reimbursement of incurred allowable costs. The invoice must be submitted to MAWDB within timeframes established by MAWDB.

In order to assure that MAWDB reimbursements are used in accordance with the provisions of the contract, the contractor shall: (a) use such fiscal, audit, and accounting procedures as may be necessary to assure proper accounting for reimbursements received; and (b) provide MAWDB and authorized representatives of the U.S. Department of Labor or the Comptroller General of the United States access to and the right to examine any books, documents, papers, records, property and equipment pertaining to funds provided or activities undertaken concerning the program.

All contractor invoices and other reports must contain information required by MAWDB. The final contract closeout report must be furnished to MAWDB within thirty (30) days after the end date of the contract.

G. Submission of Most Recent Audit

All applicants' awarded contracts are required to submit a copy of their annual independent audits conducted covering WIOA funded activities. As a recipient of WIOA funds, contractors will comply with the audit requirements of OMB Omni Circular [Audits of States, Local Government and Non-Profit Organizations]. For-Profit WIOA Contractors must have an annual financial and compliance audit performed as required by MAWDB. The audit shall be performed by an independent Certified Public Accountant selected by methods recommended by the NC Local Government Commission.

This requirement will be met by providing MAWDB with a copy of the annual audit. The audit should be submitted within 30 days after the completion and acceptance by the contractor's Board, but not later than one year after the end of the audit period. The audit expense cannot be billed to the WIOA program. **ATTACH a copy of the organization's most recent annual financial and compliance audit.** If a copy of the most recent audit has previously been submitted, please indicate below.

Audit Firm	Audit Period	Date Submitted to MAWDB
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Note: If the proposing applicant is not required to have an annual audit and has not had an annual audit, the proposing applicant must submit copies of the three most recent financial statements including balance sheets, income statements, summary of aging reports for payables and receivables, and statements of cash flow.

H. Bonding Insurance Requirements

Agencies must meet bonding requirements as required through the Office of Management and Budget Circulars or other applicable regulations. Public agencies are required by the North Carolina General Statute to be bonded. Non-governmental agencies shall procure a blanket fidelity bond, position bond, or name schedule fidelity bond for **all** persons or positions authorized to receive or disburse WIOA funds. The Contractor must maintain all bonding in force for the period of the contractual agreement. The proposed contractor must submit a written notice to MAWDB within fifteen (15) calendar days prior to any reduction in the limits stated on the bonding document. Similarly, the contractor must provide written notice of any cancellation of the bonding policy to MAWDB immediately upon receipt of the cancellation notices. The bond coverage limit shall be for the total contracted amount or \$50,000.00, whichever is less. **Attach a copy of the current bonding document, issued by the vendor's insurance company, clearly indicating the staff/job titles covered.**

I. Requirements for Depository Accounts Holding WIOA Funds

Provide the name of the depository with whom the proposed program funds will be deposited.

Name/Address of Depository

Will the depository account for WIOA funds be an interest-bearing account? Yes No

The contractor must assure the U.S. Treasury restrictions on excess cash will be observed and that interest will be properly tracked and used for WIOA operations as program income.

J. Program Income Requirements

The United States Department of Labor requires that all income generated under any WIOA program shall be reported and used to further program objectives. The contractor assures us that it will comply with the addition method, described at 2 CFR 200.307, as appropriate, for all program income earned under the WIOA. **Indicate how program income will be tracked by the contractor and recorded on financial reports to MAWDB:**

K. Property Management Requirements

The contractor agrees to maintain careful accountability of all WIOA purchased non-expendable property (property with a life expectancy of one year or more and a unit cost of \$500.00 or more) and to maintain an inventory of all properties issued by MAWDB or subsequently acquired with WIOA funds. Acquisition of non-expendable property with a unit cost of \$500.00 (including taxes, shipping and handling costs) will be procured directly by MAWDB and provided to the contractor for its use during the term of the contract. MAWDB will maintain a fixed-asset listing to be verified for physical location and serviceability at your agency at least annually. Ownership of all non-expendable property purchased with WIOA funds remains with MAWDB. Continued rights to use such property is contingent on continued use in WIOA activities as determined by MAWDB.

1. Any purchases made for \$5,000 or more with WIOA funds must be approved by MAWDB and the State. The State will monitor the inventory of all items purchased or leased with a value of \$5,000 or more.
2. The contractor agrees not to dispose of or transfer any non-expendable property purchased with WIOA funds which has a unit cost of \$500 or more and/or a life expectancy of one year or more until written authorization is received from MAWDB. Any disposal of WIOA property must be according to applicable Federal, State and Local disposal procedures. Any revenues derived from the sale of property purchased with WIOA funds must revert to a WIOA activity.

3. The contractor will be responsible for maintaining an accurate inventory of all WIOA property in their possession. **A copy of the updated annual inventory shall be submitted by the contractor to the MAWDB with the contract closeout document.**
4. In the event property purchased with WIOA funds is stolen or destroyed by criminal act, the contractor will notify appropriate law enforcement officials immediately. The MAWDB Director must be notified within three (3) working days of discovering the loss or damage. A copy of the police report will be maintained as documentation of loss, and a copy forwarded to the MAWDB.
5. The contractor agrees to pay for or replace any property purchased with WIOA funds that is lost, damaged or destroyed. Federal funds may not be used to pay for, or replace, the missing property.
6. The contractor will identify the staff specifically assigned to maintain property inventory records and serve as a liaison with the MAWDB Director (or designee) regarding matters of non-expendable property, inventory, and accountability.

Staff Assigned	Job Title	Phone #
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L. Accident Insurance

The contractor shall provide adequate on-site accident insurance for all enrollees not covered by the North Carolina Workers' Compensation law. This coverage shall not include income maintenance. Contributions to a self-insurance plan, to the extent that they are comparable in cost and extent of coverage had insurance been purchased and are allowable upon prior approval by the State (NC Division of Workforce Solutions), through MAWDB. Requests for such approval are to be submitted in writing to the MAWDB.

M. Insurance and Working Conditions

The service provider shall provide adequate on-site medical and accident insurance for all enrollees not covered by North Carolina's Workers' Compensation law. This coverage shall not include income maintenance. Contributions to a self-insurance plan, to the extent that they are comparable in costs and extent of coverage had insurance been purchased, are allowable upon prior approval by the State of North Carolina, Division of Workforce Solutions, through MAWDB. Requests for such approval are to be submitted in writing to MAWDB. OJT employers must provide proof of workers' compensation or comparable coverage prior to execution of the OJT contract. No WIOA client will be required or permitted to work or receive services or training in building or surroundings or under working conditions which are unsanitary, hazardous, or dangerous to the client's health or safety.

N. General Liability Insurance

General public liability insurance coverage in the amount of \$500,000 single limit coverage is required of all WIOA contractors except where a lesser amount may be agreed to by the Consortium. NOTE: Contractors that are state agencies or political subdivisions of the State of North Carolina are exempt from the public liability insurance requirement referenced above. Provide information about your organization's General Liability Insurance Carrier as specified below:

Name/Address of Liability Insurance Carrier	
Policy #	\$ Amount

O. Automobile Insurance

Contractors using motor vehicles in conducting program activities shall provide automobile insurance which clearly specifies that Land of Sky Regional Council, Mountain Area Workforce Development Consortium, Mountain Area Workforce Development Board, and/or staff are held harmless against claims arising from ownership, maintenance, or use of said vehicle. The MAWDB requires a minimum coverage

of \$100,000 per person. and \$300,000 per accident for bodily injury and \$25,000 per accident for property damage.

P. Buy American Notice Requirement

In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds available under the Workforce Innovation and Opportunity Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products, as required by the Buy American Act (41 USC 10a et seq.). See WIOA Section 502—Buy American Requirements.

Q. Salary and Bonus Limitations

None of the funds appropriated under the heading ‘Employment and Training’ in the appropriation statute(s) may be used by a recipient or sub-recipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate more than Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Uniform Guidance. Where states are recipients of such funds, states may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from sub-recipients of such funds, taking into account factors including the relative cost-of-living in the state, the compensation levels for comparable state or local government employees, and the size of the organizations that administer federal programs involved including Employment & Training Administration programs. See Public Law 113-76 (Division H, Title I, Section 105), and USDOL training and Employment Guidance Letter (TEGL) Number 05-06 for further clarification.

TEGL No. 05-06 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

R. Intellectual Property Rights:

The Federal Government reserves a paid-up, non-exclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: a) the copyright in all products developed under the grant, including a sub-grant or contract under the grant or subgrant; and b) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the US Department of Labor has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

As applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner.”

S. Veterans’ Priority Provisions

This program, funded by the U.S. Department of Labor, is subject to the priority of service requirements of 38 USC 4215 and 20 CFR Part 1010. Section 4215 of Title 38 requires that priority of service be provided to veterans and spouses of certain service members and veterans for the receipt of employment, training, and placement services. TEGL No. 10- 09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

ASSURANCES AND CERTIFICATION

General Assurances

- A. The Program Applicant (hereinafter referred to as the “Contractor”) assures that it will fully comply with the requirements of the Workforce Innovation and Opportunity Act and its regulations, and the WIOA Local Area Plan approved by MAWDB, the Chief Elected Official for the Mountain Area Workforce Development Consortium, and the North Carolina Division of Workforce Solutions.
- B. The Contractor assures that it will administer its services under the WIOA in full compliance with safeguards against fraud and abuse as set forth in the WIOA regulations; that no portion of its service will in any way discriminate against, deny benefits to, deny employment to, or exclude from participation any person on the grounds of race, color, national origin, religion, age, sex, disability, or political affiliation or belief; that it will target employment and training services to those most in need of them.
- C. The Contractor assures that it will administer its services funded under the WIOA in accordance with these provisions: (1) a trainee will receive no payments for training activities in which the trainee fails to participate without good cause; (2) on-the-job training participants will be compensated by the employer at the same rate, including periodic increases, as similarly situated employees or trainees and in accordance with applicable law, but in no event less than the higher of the rate specified in Section 6(a)(1) of the Fair Labor Standards Act of 1938 of the applicable State Minimum Wage Law; and (3) participants employed in activities authorized under the Act must be paid wages which will not be less than the highest of (a) the minimum wage under Section 6(a)(1) of the Fair Labor Standards Act of 1938, (b) the minimum wage under the applicable State Minimum Wage Law, or the prevailing rates of pay for individuals employed in similar occupations by the same employer.
- D. The Contractor assures that it will administer its services under the WIOA in full compliance with health and safety standards established under State and Federal law and those conditions of employment and training are appropriate and reasonable in light of such factors as the type of work, geographical area and proficiency of the participant.
- E. The Contractor assures that all staff and participants/enrollees paid from the grant funds and employed in any service will be covered by workers compensation benefits in accordance with State law; that enrollees in WIOA work-related training will be provided accident or medical insurance to cover any injury resulting from participation in the program; and that enrollees employed in subsidized jobs will be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work.
- F. The Contractor assures that no funds available under the WIOA will be used for contributions on behalf of any enrollee to retirement systems or plans; to impair existing conditions for services or collective bargaining agreements; to assist, promote, or deter union organization; and to displace any currently employed worker.
- G. The Contractor assures that no enrollee will be employed or fill a job opening when any other individual is on layoff from the same or substantially equivalent job, or when the employer terminates the employment of any regular employee or otherwise reduces its workforce with the intention of filling vacancies so created by hiring participants subsidized under the Act; and no funds may be used to create promotional lines that infringe upon any current promotional opportunities.
- H. The Contractor assures compliance with all federal rules and regulations which prohibit the use of WIOA funds to lobby the Executive or Legislative Branches of the Federal Government in connection with a specific contract, grant or loan. If lobbying has occurred utilizing other than Federal appropriated funds, the contractor agrees to file a disclosure report if applicable.
- I. The Contractor assures and certifies that it is following Federal rules and regulations, Debarment and Suspension, 29 CFR Part 98 and is not presently debarred, suspended, for debarment, declared ineligible, or involuntarily excluded from participation in this transaction by any Federal department or agency.

- J. The Contractor assures and certifies that the Contractor has in place an established grievance procedure to be utilized for grievances or complaints about its program and activities from participants/enrollees, sub-grantees, and subcontractors and other interested parties.
- K. The Contractor will comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646) which requires fair and equitable treatment of persons displaced because of Federal and federally assisted programs.
- L. The Contractor will comply with the provisions of the Hatch Act which limits the political activity of certain State and Local government employees.
- M. The Contractor will comply with NC-GS-234 which contains a provision that prohibits public officials and employees from having a personal interest in any contract to which s/he is also a party in an official capacity.
- N. The Contractor assures and certifies that it will comply with restrictions regarding conducting business with businesses on the Environmental Protection Agency's List of Violating Facilities. Contracts and subcontracts more than \$100,000, or circumstances where the Division of Workforce Solutions has determined that orders under an 'indefinite quantity financial agreement' in any year will not exceed \$100,000, or if a facility to be used has been the subject of a conviction under the Clean Air Act [42 U.S.C. 1319 (c)] and is listed by the Environmental Protection Agency (PA) or is not otherwise exempt, the Contractor assures that: (1) no facility to be utilized in the performance of the grant has been listed on the EPA List of Violating Facilities; and (2) it will notify the MAWDB, prior to award of the receipt of any communication from the Director of Federal Activities, U.S.E.P.A., indicating that a facility to be utilized for a contract is under consideration to be listed on the EPA List of Violating Facilities.
- O. The Contractor assures and certifies that it, and all of its subcontractors, will comply with applicable provisions of the following laws as they relate to employment and training procedures:
 - The Drug-Free Workplace Act
 - The Immigration Reform Act
 - The American's with Disabilities Act
 - The Davis-Bacon Act
 - Child Labor Laws
 - The Fair Labor Standards Act

Certification

This is to certify that all specifications contained within this document have been read, understood, and addressed in the business plan; that the required format has been followed; that all of the information contained in this proposal is true and correct; that the Contractor organization will comply with all of the above assurance; and that this proposal has been duly authorized by the governing body of the Contractor organization.

Signature of Authorized Representative	Date
Name	Title

STATEMENT OF COMPLIANCE

As the authorized signatory official for: _____
Submitting Firm/Organization

I hereby certify:

that the above-named proposer is duly approved to submit this application requesting funding under the Workforce Innovation and Opportunity Act (P. L. 113-128);

that the above-named proposer does hereby agree to execute all work related to this application in accordance with the Workforce Innovation and Opportunity Act (P. L. 113-128) and the North Carolina Division of Workforce Solutions Issuances/Policy Statements, Mountain Area Local Area policies and guidelines, and other administrative requirements issued by the Governor of North Carolina. The vendor shall notify MAWDB within 30 calendar days after issuance of any amended directives if it cannot comply with the amendments.

that the above-named proposer will ensure special efforts to prevent fraud and other program abuses, such as but not limited to, deceitful practices, intentional misconduct, willful misrepresentation, and improper conduct which may or may not be fraudulent in nature.

that the contents of the application are truthful and accurate, and the above-named proposer agrees to comply with the policies stated in this application.

that this application represents a firm request subject only to mutually agreeable negotiations.

that the above-named proposer agrees that the Mountain Area Local Area reserves the right to accept or reject any proposal for funding.

that the above-named proposer has not been debarred or suspended from receiving federal grants, contracts, or assistance; and that if awarded a contract for the proposed service, assures that no subcontracts, grants or assistance will be made, or permitted, to any debarred or suspended organization as provided under Executive Order 12549; and

that the above-named proposer waives any right to claims against the members and staff of Land of Sky Regional Council, Mountain Area Workforce Development Board, Mountain Area Workforce Development Consortium, or Mountain Area Local Area in their individual capacities.

Authorize Representative Signature

Notary Name/Date

Typed Name/Title

Affix Notary Seal

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

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

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

1. By signing and submitting the certification signature page with this proposal, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, the failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participants, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered, it shall not knowingly enter any lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "A Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transaction," provided by the department or agency entering this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not proposed for debarment under 48 CFR Part 9, Subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Non-Procurement programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR Part 9, Subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default.

Printed Name and Title of Authorized Administrative Entity Signatory Official

Signature

Date

MOUNTAIN AREA WORKFORCE DEVELOPMENT BOARD ON-THE-JOB TRAINING (OJT) SPECIALIST POSITION DESCRIPTION

SERVICE PROVIDER: _____
STAFF NAME(S): _____
STAFF NAME(S): _____
STAFF NAME(S): _____

POSITION TITLE: OJT SPECIALIST

PRIMARY FUNCTION: The individual in this position is a WIOA Title I-funded OJT Specialist who will assist customers in their employment and training activities. Services include, but are not limited to, promoting, and developing employment and on-the-job training opportunities, job search activities, eligibility determination and enrollment for Wagner Peyser and Workforce Innovation and Opportunity Act Title I programs, career advising, case management, referring customers to additional resources, enrolling customers into On-the-Job training, assisting customers with their individual employment plans, and employment search activities. This position will also be expected to establish relationships with employers to promote and demonstrate the effectiveness and benefit of on-the-job training opportunities.

DUTIES AND RESPONSIBILITIES:

- Conducts eligibility determination and collects necessary documentation to demonstrate customer's eligibility for WIOA Title I program services including entering and uploading all documentation into NCWorks Online and follows WIOA policy and guidelines per Workforce Operations Supervisor.
- Enter all relevant data (enrollment, case management notes, job placement data, follow-up information, etc.) into NCWorks Online.
- Maintain organized database of clients while keeping detailed documentation of all contact with client, and updating NCWorks Online as each contact or service is provided.
- Provide individualized service to each client, including assessment of work and training needs, and what type of position would interest that person, vet well to assist with a career choice.
- Determines job seekers' need for training based on skills gap.
- Provides access to and information on labor market including occupations in demand, education requirements, industry growth predictions, and salary ranges, etc.
- Uses labor market information to enable customers to make informed choices regarding occupations, training, resources, and other workforce items.
- Build a professional one-on-one working relationship with participants to aid in eliminating challenges that are hindrances to obtaining and retaining employment. This includes assessments, individualized attention, and coordination.
- Help to ensure that positive outcomes and goals are met as required by contract.
- Assists participants with supportive services as per their assessed needs.
- Provides career guidance to include skill matching and assist job seekers with their employment plan.
- Assists job seekers with resume review, preparation and updates as required for potential OJT placements.
- Completes documentation for the on-the-job-training programs.
- Markets OJT programs and serves as the point of contact for developing OJT employer contracts.
- Develops and maintains business contacts.
- Prepares OJT employer agreements.
- Monitors and evaluates OJT activities under the state/local area guidelines and policies.
- Visits training sites to evaluate participant progress and ensure midpoint and final performance reviews are conducted for OJT training.
- Prepares an individualized training plan for each OJT trainee based on the OJT position and skills gap analysis.
- Negotiates OJT contracts – training time and reimbursement amount based on skills gap analysis.

- Performs an analysis of skills gap of trainee to determine actual OJT training time for each participant by utilizing assessment tools approved by the Mountain Area Workforce Development Board
- Adheres to all policies, procedures, and goals of Career Center
- Ensures customer complaint procedures are followed.
- Ensures confidentiality of all customer information
- Attends required meetings and training.
- Perform all other duties as needed to provide direct service to client and ensure success of the on-the-job training program.

PERFORMANCE EXPECTATIONS:

Provides quality services which meet customer needs, delivers excellent customer service in an effective and efficient manner, and manages resources within established guidelines, laws, and regulations. Maintains and projects a professional, positive, and friendly image to clients, customers, visitors, callers, and co-workers. Maintains a cooperative and team player attitude with co-workers to ensure that job responsibilities are carried out accurately and timely. Maintains detailed files. Follows all guidelines and policies shared by the Local Workforce Operations Supervisor.

JOB SPECIFICATIONS:

Education: Graduation from a college or university with a major in public administration, human resource development, or a related field OR an equivalent level of skills and experience.

Experience: A minimum of three years of human services experience in education, public administration, career development, or workforce development.

Knowledge: Must have a thorough knowledge of Federal Workforce Innovation and Opportunity Act Title I and state workforce development initiatives, barriers to employment, reasonable accommodation, and Federal Equal Opportunity guidelines/requirements. Education and experience qualifications required of the person to perform the above job duties [WIOA-funded staff who provide services such as assessment, determination of eligibility, counseling, case management, job development, job referral, and follow-up. Staff must have successfully completed a Career Development Facilitator Course, or must be willing to complete 120 hours of training in the 12 Global Career Development Facilitator competency areas from a training provider using a curriculum approved by Center for Credentialing & Education, Inc. (a listing of approved curricula providers can be viewed at www.cdf.global.org). Staff must complete the NC Training Center Welcome to Workforce modules by June 30, 2024.

Abilities: Ability to read, interpret and apply State and federal laws, rules, regulations, procedures, Mountain Area Local Area Issuances, and Career Center policies, ability to utilize assessment instruments, able to communicate effectively (oral and written) at a professional level, able to generate, interpret and analyze reports, ability to work well in teams and independently, be flexible and creative in the use of resources to meet changing customer demands, self-motivated and self-directed, results-oriented, skilled in operating standard office equipment, to include personal computers, copy machines, facsimile machines, scanners, etc., proficient in Microsoft Windows and Office (Word, Excel, PowerPoint, Access), able to learn new software, including internet applications, review and interpret highly technical information, knowledge of current testing and assessment processes. Ability to work well in teams and independently.

Mental, Physical, and Emotional: Must be mentally and emotionally able to perform a variety of essential duties under both normal and stressful or emergency conditions. Must be able to independently plan, prioritize, and organize work. Must be able to accept change and interruption. Must be able to interact with Board Members, staff, clients, and other visitors. Must be physically able to perform general office work eight (8) or more hours daily as deadlines and workload mandates. Must be able to operate a calculator, computer, copier, typewriter, and telephone system.

Miscellaneous Standards: ability to adhere to high standards of personal business ethics and behavior; create an environment where individuals are encouraged to enter discussions and voice their thoughts and concerns; treat others with respect even when under stress; foster good relationships with diverse groups and individuals; build and maintain strong partnerships and collaborations; and readily understand, accept, prioritize, and complete new assignments. Unquestionable character, willingness to work with people from diverse backgrounds, and maintain a well-groomed appearance. Exercise mature judgment in making decisions, communicate well, and maintain a positive working relationship with fellow staff members. A current driver's license and a reliable vehicle is required.

For each WIOA Career Advisor position, identify the breakdown of time devoted to this WIOA program as follows:

- a. _____ hours per day, (*maximum of 8 hours*);
- b. _____ hours per week (*maximum of 40 hours*).

NOTE: If staff are expected to perform duties outside of the provision of delivering WIOA services as specified in this RFP, the proposer must disclose those activities and will be expected to use other resources to fund a portion of the staff person's salary for those other duties to be performed outside of this contract.

ATTACHMENT A

A. SELECTION OF SERVICE PROVIDERS

The primary consideration in selecting agencies or organizations to deliver services will be the effectiveness of the agency or organization in delivering comparable or related services based on demonstrated performance, in terms of the likelihood of meeting performance goals, cost, quality of training, and characteristics of participants.

Determinations will take into consideration such matters as whether the organization has:

1. adequate financial resources or the ability to attain them.
2. the ability to meet the program design specifications at a reasonable cost, as well as the ability to meet performance goals.
3. a satisfactory record of past performance (in employment and training related activities), including demonstrated quality of training, the ability to provide or arrange for appropriate supportive services, retention in employment at follow-up and earning rates of participants.
4. the ability to provide services that can lead to long-term unsubsidized employment, retention, and earnings for participants.
5. a satisfactory record of integrity, business ethics and fiscal accountability.
6. the necessary organization, experience, accounting, and operational controls.
7. the technical skills to perform the work; and
8. an adequate business plan to provide services and all related aspects of providing services as described in the RFP.

The evaluation criteria which will be used to evaluate proposals are listed below along with their point values. An application must achieve a minimum score of 75 percent of total points to be considered for funding. All proposals received from bidders will be reviewed and evaluated by MAWDB staff.

B. EVALUATION CRITERIA

All proposals received from bidders will be reviewed and evaluated by MAWDB staff. Final approval will be made by the MAWDB.

The following items will be evaluated using a point system that equals a total of 100 possible points.

- I. Management/Administration (Total points possible = 30)
- II. Personnel Qualifications (Total points possible = 10)
- III. Past Performance (Total points possible = 10)
- IV. Technical Approach (Total points possible = 30)
- V. Budget (Total points possible = 20)

Attachment B: ASSIGNMENT OF EXPENSES TO WIOA COST CATEGORIES

Line	Description	Examples/Explanation	Supporting Documentation
1000	Staff Salaries	Wages paid to staff assigned to directly work with the participants. Examples include assessment and development of ISS/IEP after eligibility is determined, teaching a class, monitoring a worksite, counsel participant, development of training plans and curriculum for participants. Titles might include Counselor, Case Manager, or Job Developer who supports one of the above.	Evidence of employment by agency. Job Description, staff- work schedule, time and attendance records, justification of any pro-rations of salary, daily logs/reports, payroll records/ledgers, etc.
1010	Staff Fringe Benefits	Paid on the wages of the aforementioned staff: FICA, WC, Pension, and U.I, others. Staff bonding costs.	Payroll records, proof of FICA and taxes being properly withheld and paid, proof of other fringes being properly paid, etc.
1020	Other Staff Expenses	Travel expenditures for staff noted in the staff salary section above. Includes: mileage and related conference/workshop costs (lodging, transportation, meals, attendance fees, etc.).	Properly approved travel requests, travel vouchers, mileage forms, receipts, copies of checks, finance records, proof of attendance, application, etc.
*1060	Employer OJT Incentives (Held at MAWDB Administrative Level and not in program contract)	Financial incentives provided to employers for participation in the OJT program.	WIOA eligibility and enrollment showing on State MIS system for trainees. Properly selected. worksite. Signed timesheets, payroll records, OJT contract, OJT training outline, etc.
1090	Supplies	Costs of items used by staff who provide direct services to the participants. Examples: copy costs, paper, pencils, pens, reference material, subscriptions, postage, etc.	Evidence of need, purchase order, invoice, packing slip, voucher, bills, copies of advertisements, physical evidence of receipt/use, etc.
1110	Participant Support Costs	Childcare, travel expenses, temporary shelter, etc.	Documentation of: 1. Need 2. Reasonableness of Expense 3. Reason why WIOA funds are needed to pay (Documentation of other avenues of payment that were explored?)

*Depends on what is allowable by contract

Line Item 1110: Participant Support Cost

Note: Checks are to be made out and mailed to vendor. The need must be documented in the ISS/IEP. Adequacy of support services to be evaluated and documented at least quarterly and adjusted to meet current needs.

Item	Documentation of Need	Test of Usual, Reasonable, and Customary	Test of WIOA Payment	Limitations/Exclusions
Travel	Request from participant for mileage, cab, bus or other transportation fees to engage in OJT.	For private vehicle use verification of Driver's License and Insurance. Mileage rate set by Local Area; cost set by vendor of service.	Use a source to verify mileage. (Yahoo, mapquest, etc.)	Paid for own vehicles only—not for riding with others (except vendor). Use WIOA or provider's travel voucher for mileage. Mileage limited to \$300.00 per month for miles traveled while actively engaged in training activities.
Shelter/housing Utilities- electric, water, heating	Demand letter for payment of rent or mortgage in participant's name. Documentation from social agency of individual being homeless. Demand letter from vendor in participant's name.	Amount stated in the demand letter. Local knowledge of cost of shelter in area.	Participant to provide proof of being turned down for help by DSS and other appropriate agencies available in area.	Pay only one time (one month) per fiscal year for each participant.

Child Care Dependent Care	Request from participant for daycare, dependent care or after school care. Proof that the child, children, or dependent for whom the request is made is a blood relative of the participant and that they reside in the same household. (Copies of birth certificates, marriage or divorce documents, lease or DSS document showing child or dependent as residing with participant, etc.)	Use judgment. After school care costs or dependent care costs are not warranted unless participant attends training program during the time period and days for which care is to be paid.	Participant to provide proof of being turned down for help by DSS, Smart Start and other appropriate agencies available in area. If participant is approved for assist by one of the above, but there is a documented waiting list and waiting would delay participant's entry or continuation in training—cost may be allowable.	Take into account the amount available in budget and encumbered funds to assure that the childcare can continue through the remainder of the fiscal year. Check with DSS regarding classification of daycare—attempt to avoid placements in daycare not approved by DSS. Use Head Start whenever possible.
Other emergency assistance Food/meals Specify: _____	Participant request. Corroborating statement from someone other than a family member stating need.	Use judgment and evaluate cost/benefit.	Participant to provide proof of being denied for assistant by DSS and other appropriate agencies available in area.	Take into account the amount available in the supportive services budget. Requires approval from Local Area Director or designee.

Attachment C: WIOA OJT Project Budget Proposal Workbook included in RFP package as Excel workbook. The electronic copy of the RFP requires that the proposed budget be submitted in Excel format. Signature is not required on the budget until the contracting phase of procurement.