

**REQUEST FOR PROPOSALS**

**Opportunity Youth Career Exploration and Access for the City of Syracuse (OYCEA-SC)**

Bid Number – OYCEA-SC #4

**Issued on Monday, November 19, 2018**

**(Amended on Tuesday, November 20, 2018)**

**New York State Department of Labor**  
Division of Employment and Workforce Solutions  
Harriman Office Campus  
Building 12, Room 440  
Albany NY, 12240

**Submission Deadline:**

4:00 PM New York State Time on Friday, January 4, 2019

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## **I. Funding Opportunity Description**

### **A. Purpose**

The New York State Department of Labor (NYSDOL) is making up to \$1 million in Workforce Innovation and Opportunity Act (WIOA) funding available under this Opportunity Youth Career Exploration and Access for the City of Syracuse (OYCEA-SC) Request for Proposals (RFP). The funds will support the provision of career exploration services to youth, with programming focused on in-demand occupations as well as engagement with business partners and other organizations.

The funds will support serving youth who are authorized to work (or otherwise able to obtain authorization to work), at least 14 years old but younger than 22 years old at the time of program enrollment, are attending, enrolled or eligible to be enrolled in school, and reside in the City of Syracuse, NY (hereafter referred to as “eligible youth”).

NYSDOL seeks to support Not-for-Profit (NFP) and government Bidders with the ability and experience to:

- Serve the target population;
- Provide trauma informed, strengths-focused, positive youth development and culturally sensitive services;
- Incorporate youth voice, positive youth development and culture in the provision of the program;
- Refer youth unable to be served under the funded program to appropriate alternative services;
- Establish or have existing partnerships that ensure target population outreach, participation, and success;
- Engage businesses, educational institutions, and other human service partners in the program; and
- Evaluate outcomes that measure youth success as well as the incorporation of youth voice, positive youth development and culture.

### **B. Background**

This comprehensive new initiative will provide funding to support necessary programming for young people seeking to improve their academic and career prospects, and develop supportive networks of trusted adults they can turn to for help or guidance.

This funding opportunity will join in the effort to provide youth in the City of Syracuse with greater access to social services and workforce development programs. These programs will offer opportunities for constructive community engagement that will lead to a decrease in juvenile delinquency and justice system involvement.

## **II. Award Information**

### **A. Funding**

Under this RFP, up to \$1 million in WIOA funding is being made available to provide career exploration and access services to eligible youth residing in the City of Syracuse, NY who are attending, enrolled or eligible to be enrolled in school at the time of program enrollment.

OYCEA-SC awards may not exceed \$300,000 per Bidder. NFP organizations and governmental entities, including educational institutions, with two or more employees (or the equivalent of two full-time employees) are eligible to apply for this funding.

Proposals that request more than \$300,000 will be reviewed and scored by NYSDOL. If the proposal is awardable, NYSDOL will proportionately reduce the project funding at the time of award to fit within the \$300,000 maximum funding amount. Proposals unable to remain viable with the reduced funding will not proceed to contract execution. Therefore, it is highly recommended that Bidders keep the cost and scope of proposals within the \$300,000 award amount.

NFP Contractors are eligible to apply for an advance of their award, up to 25% of total contract value. This is detailed in [section VII.B.3](#) of this RFP.

If the Bidder reduces the number of individuals to be served at any time prior to or after an award is issued, the requested level of funding will be proportionately reduced.

All awards are subject to funding availability.

## **B. Use of Funds**

### 1) Allowable Costs

Bidders must be prepared to provide eligible youth residing in the City of Syracuse, NY with educational, vocational and social supports.

All Bidders must propose services to be provided under this funding opportunity that include career exploration and access services, youth retention services, and supportive services, as indicated below. These services must be made available in the program and are to be offered, as appropriate, to the participants based on their needs, strengths, and career goals.

#### Career exploration and access services, which must include:

- Initial Assessment and ongoing assessment, youth discovery, service planning with youth, follow-up, and case management;
- Career Pathways Exploration, which must include the use of CareerZone or JobZone as well as activities such as job shadowing, field trips with planned career pathway and occupational education, career informational fairs, and focus on the provision of labor market information, including demand occupations necessary to make informed career decisions, etc.;
- National Work Readiness Credential (NWRC) skills preparation, which include workplace math, workplace reading, situational judgement, and active listening;
- Tutoring and assistance in preparation for High School Diploma;
- Paid/unpaid internship, or summer youth employment;
- Life Skills Training, which may include personal hygiene, nutrition, parenting, meal planning, computer skills, time management, conflict resolution, anger management, mindfulness practices, correcting records of arrests and prosecutions, obtaining identifications, working papers and certificate of rehabilitation as necessary, working with authorities, networking skills, goal setting, developing action plans, etc.; and
- Financial Literacy Education, which may include creating a budget, initiating bank accounts, manage spending, understand identity theft, evaluating personal lifestyle and plan for self-sufficiency, etc.

Youth Retention Services, which must include but are not limited to:

- Participant incentives for achievement of concrete benchmarks and milestones on their career pathway exploration and access plans as well as participation outcomes;
- Stipends;
- Support Network, such as peer networking, group services, mentorships, and family/guardian involvement; and
- Comprehensive guidance and/or counseling.

Supportive Services, which may include, but are not limited to:

- Child care assistance;
- Community services linkages;
- Dependent care assistance;
- Educational testing;
- Education-related assistance;
- Employment or training-related assistance;
- Health and mental health care referrals;
- Housing assistance;
- Legal aid services;
- Reasonable accommodations for individuals with disabilities;
- Transportation assistance;
- Work attire assistance; and/or
- Work-related tool assistance.

Proposals that fail to propose career exploration and access services, youth retention services, and supportive services will be considered incomplete and will be disqualified from funding consideration.

Additional detail regarding typical career exploration and access activities are in the Typical Career Exploration and Access and Youth Retention Services Detail Appendix (CEAYRS) in [section VIII](#) of this RFP.

2) Restrictions on the Use of Funds

Funds for the following expenditures will not be allowed:

- The purchase, lease or rental of any equipment or operational software;
- The purchase, lease or rental of videos;
- Political activities;
- Written or verbal marketing materials which do not solely provide information regarding youth career exploration and access resources;
- Awards of cash, trophies or the like;
- Purchase and/or rental of cellular telephones and devices;
- Audit services;
- Acquisition, construction, or renovation of buildings or other real estate;

- Entertainment;
- Interest costs incurred by provider agencies;
- Costs of organized fund raising;
- Registration fees not directly associated with the provision of career exploration and access services;
- Payment of fees associated with attendance at seminars, conferences, or meetings of professional organizations not directly associated with the provision of career exploration and access services; or
- Any other cost deemed inappropriate by NYSDOL, such as service that does not directly benefit the participants, or any cost that does not meet the intent of this RFP.

### **C. Award Minimums**

There is no minimum award amount under this RFP. All awards are subject to funding availability.

### **D. Contracts**

Contracts will be awarded for a period not to exceed 18-months. The contract period may include a four-month implementation (start-up) phase, if needed. Under extenuating circumstances, limited no-cost contract extensions may be approved at NYSDOL's discretion. The length of the extension is dependent on the original contract duration; however, under no circumstances may the length of the contract plus the extension exceed a total of eighteen months. Bidders must include only those services in their proposal that can be reasonably provided within the contract period.

Contracts will be paid on a reimbursable payment basis. A Contractor must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Successful Bidders ("Contractors") receiving grant awards will be required to provide reports at intervals specified by NYSDOL. Additional details on reimbursement and payment are outlined in the Payment section ([VII.B.](#)) of this RFP.

In 2017, the Governor's Lean Office launched the Governor's NFP Prompt Contracting Initiative to assure that New York State (NYS) contracts with NFPs are executed before their start-dates, eliminating the situations where Contractors operated "at risk" and reducing the potential for late contract payments.

NYSDOL is committed to the success of this project. Contractors awarded under this RFP must also be committed to negotiating their contract promptly and submitting all required data and documentation by agreed upon deadlines. Efforts to assist all Contractors and streamline contract development include webinars hosted by the Grants Gateway (see [section IV.C](#) for information on Grants Gateway) team, as well as one-on-one Grant Reform hotline/help desk support. The goal is to have all contracts fully processed to execution, including Office of the Attorney General (OAG) and Office of the Comptroller (OSC) approval, if applicable, on or before the contract start date.

The grant award is subject to contract negotiation and approval of such contract by NYSDOL, OSC and OAG, depending on the value of the contract. A Contractor's failure to sign the contract in a timely manner may cause delay with regard to the contract start date. If the Contractor fails to sign the contract in a timely manner, NYSDOL reserves the right to rescind the grant award and to reallocate the grant funds.

## **E. Contracting Process**

Once the award letters are issued, successful Bidders will be contacted by NYDSOL staff to begin contract negotiations and contract development. Once contracts are executed and programs underway, NYSDOL staff will monitor Contractor performance to ensure compliance with all contract provisions. In addition, Contractors are subject to fiscal audits and program monitoring by the United States Department of Labor (USDOL), NYSDOL, and OSC.

## **F. NYSDOL's Responsibilities**

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

## **G. Bidder's Responsibilities**

The Bidder shall be responsible for any costs incurred by the Bidder in the proposal preparation, or in activities related to the review of this proposal.

The act of filing a proposal indicates acceptance by the Bidder of the provisions and conditions contained in this RFP.

Bidders must comply with the Combined Terms and Conditions (CTC in [section VIII](#)), which will be incorporated into the Master Contract for successful Bidders. These terms and conditions are included with no sections to be filled in. The process of downloading and uploading the CTC document from the Grants Gateway confirms for NYSDOL that the Bidder has received, reviewed, and accepts the content of the document.

If a Bidder secures the services of a grant writer, that Bidder shall only authorize the Grants Gateway role of *Grantee* to the grant writer (see [section IV.C](#) for information on Grants Gateway). The grant writer should answer all questions with information about the Bidder, including name, address, etc. The Bidder, in the role of *Grantee Contract Signatory* or *Grantee System Administrator*, shall completely review the proposal and accept all responsibility for the proposal. Only the Bidder shall submit the proposal using their *Grantee Contract Signatory* or *Grantee System Administrator* role.

Contractors must make their staff available for training offered by NYSDOL or other workforce system partners, on topics such as the use of NYS' employment services case management system, known as the One-Stop Operating System (OSOS), CareerZone and/or JobZone, National Work Readiness Credential, Career Pathways, and more. Staff are expected to be knowledgeable in providing trauma-informed, culturally sensitive, positive youth development, youth discovery, and strengths-focused practices.

## **H. Participation Requirements**

Please refer to [section VIII](#) (Attachments and Appendices) for further information on these requirements.

### 1) Business Participation Opportunities for MWBEs

Pursuant to NYS Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules and Regulations (NYCRR), NYSDOL is required to promote opportunities for maximum feasible participation of NYS certified Minority and Women-owned Business Enterprises ("MWBEs") and the employment of minority group members and women in the performance of the NYSDOL contracts.

a) Contract Goals

For purposes of this solicitation, NYSDOL hereby establishes an overall goal of **30%** for MWBE participation, **15%** for NYS certified minority-owned business enterprises (“MBE”) participation and **15%** for NYS certified women-owned business enterprises (“WBE”) participation (based on the current availability of MBEs and WBEs). A Contractor awarded funds from this RFP must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the contract. To that end, by submitting a response to this RFP, the Bidder agrees that NYSDOL may withhold payment pursuant to any contract awarded as a result of this RFP pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com>. For guidance on how NYSDOL will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR §142.8.

The Bidder understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract.

In accordance with 5 NYCRR §142.13, the Contractor further acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in a contract resulting from this RFP, such finding constitutes a breach of contract and NYSDOL may withhold payment as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the contract.

By submitting a bid or proposal, the Bidder agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the NYS Contract System (“NYSCS”), which can be viewed at <https://ny.newnycontracts.com>, provided, however, that the Bidder may arrange to provide such evidence via a non-electronic method by contacting:

NYSDOL  
Purchase and Contracts, MWBE Administrator  
State Campus  
Building 12, Room 454  
Albany, NY 12240  
518-474-2678  
Fax: 518-457-0620

b) MWBE Utilization Plan (MWBE 100, MWBE-4 in [section VIII](#))

A Bidder will be required to submit the MWBE Utilization Plan with their bid or proposal as evidence of compliance with the foregoing. Any modifications or changes to an accepted MWBE Utilization Plan after the contract award and during the term of the contract must be reported on a revised MWBE Utilization Plan and submitted to NYSDOL for review and approval.

NYSDOL will review the submitted MWBE Utilization Plan and advise the Bidder of acceptance or issue a notice of deficiency within 30 days of receipt.

If a notice of deficiency is issued, the Bidder will be required to respond to the notice of deficiency within seven (7) business days of receipt by submitting to NYSDOL, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by NYSDOL to be

inadequate, NYSDOL shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

NYSDOL may disqualify a Bidder as being non-responsive under the following circumstances:

- If a Bidder fails to submit a MWBE Utilization Plan (MWBE 100, MWBE-4 in [section VIII](#));
- If a Bidder fails to submit a written remedy to a notice of deficiency;
- If a Bidder fails to submit a MWBE 101, Request for Waiver (MWBE 101, MWBE-5 in [section VIII](#)); and/or
- If NYSDOL determines that the Bidder has failed to document good faith efforts.

The Contractor is required to make good faith attempts to utilize any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the contract. Requests for a partial or total waiver of established goal requirements subsequent to contract award may be made at any time during the term of the contract to NYSDOL, but must be made prior to the submission of a request for final payment on the contract.

The Contractor will be required to submit a MWBE Quarterly Compliance Report to NYSDOL, by the 10<sup>th</sup> day following each end of quarter over the term of the contract documenting the progress made toward achievement of the MWBE goals of the contract.

## 2) Equal Employment Opportunity Staffing Plan (EEO 100, MWBE-2 in [section VIII](#))

A Bidder will be required to submit EEO 100 with their bid or proposal as evidence of compliance with the foregoing.

By submission of a bid or proposal in response to this solicitation, the Bidder agrees with all of the terms and conditions of the Master Contract for Grants – Standard Terms and Conditions, specifically Section VI.J. (available in the Contract Documents module of the Grants Gateway portal). Contractors are required to ensure that it and any subcontractors awarded a subcontract for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work"), except where the Work is for the beneficial use of the contractor, undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the contract; or (ii) employment outside NYS.

The Bidder will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement to NYSOL with its bid or proposal.

If awarded a contract, Bidders shall submit a Workforce Utilization Report (EEO 101, MWBE-3 in [section VIII](#)) and shall require each of its subcontractors to submit a Workforce Utilization Report, in such format as shall be required by NYSDOL on a quarterly basis during the term of the contract.

Pursuant to Executive Order #162, Contractors and subcontractors will also be required to report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the EEO 101 (MWBE-3 in [section VIII](#)) form on a quarterly basis.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other NYS and Federal statutory and constitutional non-discrimination provisions, the Contractor and subcontractors

will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the NYS Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the contract, leading to the withholding of funds, suspension or termination of the contract or such other actions or enforcement proceedings as allowed by the contract.

### 3) Participation Opportunities for New York State Certified Service-Disabled Veteran Owned Businesses

Article 17-B of the NYS Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOB”), thereby further integrating such businesses into NYS’ economy. NYSDOL recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of NYSDOL contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in NYS, Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

#### a) Contract Goals

NYSDOL hereby establishes an overall goal of **6%** for SDVOB participation, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, the Bidder/Contractor should reference the directory of NYS Certified SDVOBs found at: <https://online.ogs.ny.gov/SDVOB/search>. Questions regarding compliance with SDVOB participation goals should be directed to NYSDOL, SDVOB Administrator, Purchase and Contracts, State Campus, Building 12, Room 454, Albany, NY 12240; Email: [Labor.sm.SDVOBAdmin@labor.ny.gov](mailto:Labor.sm.SDVOBAdmin@labor.ny.gov); Phone: 518-474-2678; Fax: 518-457-0620. Additionally, following contract execution, Contractor is encouraged to contact the Office of General Services’ Division of Service-Disabled Veterans’ Business Development at 518-474-2015 or [VeteransDevelopment@ogs.ny.gov](mailto:VeteransDevelopment@ogs.ny.gov) to discuss additional methods of maximizing participation by SDVOBs on the contract.

Contractor must document “good faith efforts” to provide meaningful participation by SDVOBs as subcontractors or suppliers in the performance of the contract (see [section II.G.3.d.](#) below).

#### b) SDVOB Utilization Plan (SDVOB 100, SDVOB-1 in [section VIII](#))

In accordance with 9 NYCRR § 252.2(i), Bidders are required to submit a completed SDVOB Utilization Plan with their bid.

The Utilization Plan shall list the SDVOBs that the Bidder intends to use to perform the contract, a description of the work that the Bidder intends the SDVOB to perform to meet the goals on the contract, the estimated dollar amounts to be paid to an SDVOB, or, if not known, an estimate of the percentage of contract work the SDVOB will perform. By signing the Utilization Plan, the Bidder acknowledges that making false representations or providing information that shows a lack of good faith as part of, or in conjunction with, the submission of a Utilization Plan is prohibited by law and may result in penalties including, but not limited to, termination of a contract for cause, loss of eligibility to submit future bids, and/or withholding of payments. Any modifications or changes to the agreed

participation by SDVOBs after the contract award and during the term of the contract must be reported on a revised SDVOB Utilization Plan and submitted to NYSDOL.

NYSDOL will review the submitted SDVOB Utilization Plan and advise the Bidder of NYSDOL's acceptance or issue a notice of deficiency within 20 days of receipt.

If a notice of deficiency is issued, the contractor agrees that it shall respond to the notice of deficiency, within seven business days of receipt, by submitting to NYSDOL a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by NYSDOL to be inadequate, NYSDOL shall notify the contractor and direct the contractor to submit, within five business days of notification by NYSDOL, a request for a partial or total waiver of SDVOB participation goals (SDVOB 200, SDVOB-3 in [section VIII](#)). Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

NYSDOL may disqualify a Bidder's bid or proposal as being non-responsive under the following circumstances:

- If a Bidder fails to submit a SDVOB Utilization Plan (SDVOB 100, SDVOB-1 in [section VIII](#));
- If a Bidder fails to submit a written remedy to a notice of deficiency;
- If a Bidder fails to submit a request for waiver (SDVOB 200, SDVOB-3 in [section VIII](#)); and/or
- If NYSDOL determines that the Bidder has failed to document good faith efforts.

If awarded a contract, contractor certifies that it will follow the submitted SDVOB Utilization Plan for the performance of SDVOBs on the contract pursuant to the prescribed SDVOB contract goals set forth above.

Contractor further agrees that a failure to use SDVOBs as agreed in the Utilization Plan shall constitute a material breach of the terms of the contract. Upon the occurrence of such a material breach, NYSDOL shall be entitled to any remedy provided herein, including but not limited to, a finding of Contractor non-responsibility.

- c) Request for Waiver (SDVOB 200, SDVOB-3 in [section VIII](#))

Prior to submission of a request for a partial or total waiver, Bidders may speak to the SDVOB Administrator at NYSDOL for guidance.

In accordance with 9 NYCRR § 252.2(m), a Bidder that is able to document good faith efforts to meet the goal requirements, as set forth in Section II(G)(3)(d) below, may submit a request for a partial or total waiver on Form SDVOB 200 (SDVOB-3 in [section VIII](#)), accompanied by supporting documentation. A Bidder may submit the request for waiver at the same time it submits its SDVOB Utilization Plan (SDVOB-1 in [section VIII](#)). If a request for waiver is submitted with the SDVOB Utilization Plan (SDVOB-1 in [section VIII](#)) and is not accepted by NYSDOL at that time, the provisions of Sections II(G)(3)(C-E) of this RFP will apply. If the documentation included with the Bidder's waiver request is complete, NYSDOL shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.

The contractor is required to make good faith attempts to utilize the SDVOBs identified within its SDVOB Utilization Plan (SDVOB-1 in [section VIII](#)), during the performance of the contract. Requests for a partial or total waiver of established goal requirements subsequent to contract award may be made at any time during the term of the contract to NYSDOL, but must be made prior to the submission of a request for final payment on the contract.

If NYSDOL, upon review of the SDVOB Utilization Plan and Monthly SDVOB Compliance Report (SDVOB 101, SDVOB-2 in [section VIII](#)) determines that the contractor is failing or refusing to comply with the contract goals and no waiver has been issued in regard to such non-compliance, NYSDOL may issue a notice of deficiency to the contractor. The contractor must respond to the notice of deficiency within seven business days of receipt. Such response may include a request for partial or total waiver of SDVOB contract goals.

Waiver requests should be sent to NYSDOL, Purchase and Contracts, SDVOB Administrator, State Campus, Building 12, Room 454, Albany, NY 12240.

d) Required Good Faith Efforts

In accordance with 9 NYCRR § 252.2(n), contractors must document their good faith efforts toward utilizing SDVOBs on the contract. Evidence of required good faith efforts shall include, but not be limited to, the following:

- Copies of solicitations to SDVOBs and any responses thereto.
- Explanation of the specific reasons each SDVOB that responded to contractors' solicitation was not selected.
- Dates of any pre-bid, pre-award or other meetings attended by contractor, if any, scheduled by NYSDOL with certified SDVOBs whom NYSDOL determined were capable of fulfilling the SDVOB goals set in the contract.
- Information describing the specific steps undertaken to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified SDVOBs.
- Other information deemed relevant to the waiver request.

e) Monthly SDVOB Contractor Compliance Report (SDVOB 101, SDVOB-2 in [section VIII](#))

In accordance with 9 NYCRR § 252.2(q), the contractor is required to report Monthly SDVOB Contractor Compliance Report to NYSDOL during the term of the contract for the preceding month's activity, documenting progress made towards achieving the contract SDVOB goals. This information must be submitted using form SDVOB 101 (SDVOB-2 in [section VIII](#)) available on NYSDOL's website and should be completed by the contractor and submitted to NYSDOL, by the 10th day of each month during the term of the contract, for the preceding month's activity to: NYSDOL, SDVOB Administrator, Purchase and Contracts, State Campus, Building 12, Room 454, Albany, NY 12240. Email: [Labor.sm.SDVOBAdmin@labor.ny.gov](mailto:Labor.sm.SDVOBAdmin@labor.ny.gov); Phone: 518-474-2678; Fax: 518-457-0620.

f) Breach of Contract and Damages

In accordance with 9 NYCRR § 252.2(s), any contractor found to have willfully and intentionally failed to comply with the SDVOB participation goals set forth in the contract, shall be found to have breached the contract and contractor shall pay damages as set forth therein.

### III. Eligibility Information

#### A. Bidder Eligibility

Eligible Bidders must attest to the following statements:

- 1) The Bidder is either a NFP or a government entity (including educational institutions);

- 2) The Bidder employs two or more paid employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);
- 3) The Bidder is headquartered in NYS or has at least one site located in NYS;
- 4) The Bidder has a physical presence or access to a physical presence in the City of Syracuse, NY at the time of proposal submission;
- 5) The Bidder is in good standing regarding: Unemployment Insurance (UI) Worker Adjustment and Retraining Notification Act (WARN); Public Works; Labor Standards; Safety and Health; NYS Department of State Division of Corporations; Workers Compensation Insurance; and Disability Insurance;
- 6) The Bidder will provide service to the target population year-round and will offer non-traditional services hours and days to accommodate youth;
- 7) The Bidder will provide trauma-informed, strengths-focused, positive youth development, and culturally sensitive services;
- 8) The Bidder will incorporate youth voice, positive youth development, and culture in the provision of the program;
- 9) The Bidder will refer youth unable to be served under the funded program to appropriate alternative services;
- 10) The Bidder will ensure staff meet, or will meet, the training expectations as described in [section II.G.](#) of this RFP;
- 11) The Bidder has, or will have, partnerships that ensure target population outreach, participation, and success;
- 12) The Bidder will engage businesses, educational institutions, and other human service partners in the program;
- 13) The Bidder will evaluate outcomes that measure youth success as well as the incorporation of youth voice and culture;
- 14) The Bidder currently has an executed or pending contract(s) with NYSDOL and is proposing services to different individuals or entities than those targeted by the executed or pending NYSDOL contract(s). (Note: if no executed or pending contract(s) with NYSDOL exists, the Bidder will check Not Applicable to this attestation); and
- 15) The Bidder is a NFP organization and is pre-qualified in Grants Gateway as described in [section IV.C.](#) of the OYCEA-AC RFP. (Note: if the Bidder is a Public Employer, such as a governmental entity or educational institutions operating within NYS, the Bidder will check Not Applicable to this attestation.)

NYSDOL strongly encourages joint proposals to ensure the provision of a full career exploration and access program. Joint proposals must be submitted through a lead Bidder.

Lead Bidders are responsible to coordinate the provision of all required services and compile all required reimbursement and reporting documents. The lead Bidder is considered the fiscal and administrative authority for the project and accepts the responsibility to meet all contract terms and conditions to ensure the successful completion of the project as contracted. Sub-entities in a joint proposal are responsible to report to the lead Bidder regarding their portion of the contracted services and must submit documentation demonstrating their commitment to the project.

Bidders with existing or pending contracts with NYSDOL remain eligible to apply for funding under this OYCEA-SC RFP if the proposal does not propose services to the same individuals or entities as the

existing or pending NYSDOL contract(s). In addition, the payments requested from awarded contracts under this RFP cannot duplicate reimbursement from other sources of funding.

Bidders that fail to demonstrate through the proposed provision of service that they are able to meet the Bidder eligibility statements as indicated in this section, will be deemed ineligible and the proposal will be disqualified from funding consideration.

## **B. Participant Eligibility**

At the time of program enrollment, participants must be individuals who are:

- 1) Residents of the City of Syracuse, NY;
- 2) Eligible youth (At least 14 years of age but less than 22);
- 3) Attending, enrolled or eligible to be enrolled in school (as defined by State law), in the City of Syracuse, NY including home, alternative, secondary and/or postsecondary school; and
- 4) Authorized to work, or otherwise able to obtain authorization to work (i.e. working papers), to participate in paid/unpaid internship, or summer youth employment.

For reimbursement of expenses, participants served must be registered, with the service provided noted in OSOS.

## **IV. Process for Proposal Submission**

### **A. Questions Concerning This RFP**

Bidders may submit questions via electronic mail ([WDTD.Onestop@labor.ny.gov](mailto:WDTD.Onestop@labor.ny.gov)). Questions regarding this RFP will be accepted on an ongoing basis until Monday, December 17, 2018. No telephone inquiries will be accepted. All inquiries should include the following reference in the subject line: "OYCEA-SC Question". Answers to all questions will be posted on NYSDOL's website (<https://labor.ny.gov/businessservices/funding.shtm>) on an ongoing basis until Monday, December 24, 2018. Bidders are encouraged to check NYSDOL's website often for answers to Bidder's questions as important information pertinent to this RFP may be released on the website.

NYSDOL's OYCEA-SC RFP Team can only answer program related questions. Bidders should direct any technical questions about the Grants Gateway portal to [grantsgateway@its.ny.gov](mailto:grantsgateway@its.ny.gov).

### **B. Bidder's Conference**

A Bidder's Conference will be held on Wednesday, November 28, 2018 at **10:00 AM NYS Time** at the NYSDOL office (W. Averell Harriman State Office Building Campus, Building 12, Albany, New York) in Room 425.

Potential Bidders may attend in person at the time and address identified above or may join remotely through a webinar. To join the webinar:

- 1) Go to <https://dews.webex.com/dews/k2/j.php?MTID=t711973b84430f0ba4b3875ca7d0c7d15>
- 2) Register for the Bidder's Conference Webinar by entering your name, organization and email address.
- 3) Once you are approved by the host, you will receive a confirmation email with instructions for joining the session.

The intent of this conference is to answer bidder's questions concerning the scope of work, the bidding requirements, and the bidding process. Attendance is not mandatory. Responses to questions raised at the Bidder's Conference will also be posted on the website by the date listed above.

### **C. Proposal Due Date**

Proposals must be submitted within Grants Gateway no later than 4:00 PM NYS Time on Friday, January 4, 2019. Any proposal or unsolicited amendments to proposals received after the due date and time will not be considered in the review process. No mailed, faxed or emailed documents will be accepted. NYSDOL takes no responsibility for any third-party error in the delivery of proposals (e.g. computer failure, power outages, etc.).

### **D. Proposal Submission Instructions and Format**

A notice of the RFP has been posted in the NYS Contract Reporter, NYSDOL's Funding Opportunities webpage (<https://labor.ny.gov/businessservices/funding.shtm>), and Grants Gateway.

All interested parties must be registered in the Grants Gateway and apply online via the Grants Gateway website at: <http://grantsreform.ny.gov/>. Completed proposals must be submitted through the Grants Gateway by the designated date and time. Sufficient space is provided in each text box to accommodate answers to program specific questions. Therefore, unsolicited documents uploaded by Bidders will not be considered when evaluating program specific questions.

Please refer to the Grants Gateway for guides and videos on the Registration and Online Application Process: <https://grantsreform.ny.gov/grantees>.

The Grants Gateway Vault status of all non-governmental NFP Bidders must be designated in one of the status categories below at the date and time the proposal is due:

- 1) Document Vault Prequalified
  - a) Fully Prequalified
    - 2) Document Vault Prequalified Open
      - a) If an organization proactively opens their document vault before the required documents expire, it will go to this status.
        - b) The Organization will not lose prequalification status unless an expiration date passes.
        - c) This allows NFPs to apply for funding opportunities without losing prequalification status.
      - 3) Document Vault Prequalified/In review
        - a) This status is only available if an organization has proactively opened their vault prior to document expiration and has submitted it with updated documents.
          - b) The organization is still considered prequalified during this status EVEN IF the expiration date passes.
        - 4) Document Vault Prequalified/Open for Prequalification Specialist (PQS) Edits
          - a) NYSDOL is making edits and prequalification status is maintained.

NYSDOL will not consider for funding any proposal from a non-governmental NFP that is not designated in one of the status categories above at the date and time the proposal is due.

Once it is determined that the non-governmental NFP is prequalified and if that organization is awarded a grant, the organization must maintain prequalification status during the contract period.

The organization will be given an opportunity to submit documents and information to the Grants Gateway in order to maintain and/or regain prequalification status.

For more information about Grants Gateway and Prequalification, please visit the Grants Gateway website <http://grantsreform.ny.gov> or contact the Grants Reform Team at: [grantsreform@its.ny.gov](mailto:grantsreform@its.ny.gov). The Grants Reform help desk/hotline can be reached at (518) 474-5595.

#### **E. RFP Timetable**

- RFP Release Date: Monday, November 19, 2018
- Bidder's Conference: 10:00 AM NYS Time on Wednesday, November 28, 2018
- Deadline Date for Questions: Monday, December 17, 2018
- Final Date for Responses to Questions: Monday, December 24, 2018
- Proposal Due Date: 4:00 PM NYS Time on Friday, January 4, 2019
- Projected Notification of Awards: Thursday, February 21, 2019
- Projected Contract Start Date: Ongoing, No earlier than date of Notification of Award, No later than 4 months after the date of Notification of Award.
- Latest Possible Contract End Date: No later than 18 months after the contract start date chosen.

#### **V. Proposal Requirements**

A complete proposal, including all required attachments, must be submitted via the Grants Gateway portal so NYS DOL can conduct a full and proper evaluation. Failure to answer all questions in the proposal will jeopardize the Bidder's potential for funding.

Each proposal consists of four parts – Minimum Requirements, Program Design, Work Plan, and Budget. The Grants Gateway system will not allow the submission of a proposal unless all parts are completed. The evaluation of a complete proposal will consist of a review of each part independently.

All proposed expenditures in the Budget section must be reasonable, necessary and clearly related to the purposes and activities of the program as proposed.

#### **A. Minimum Requirements**

Minimum requirements must be responded to, but will not result in any award of points. For definitions of items listed in Minimum Requirements, please refer to the Minimum Requirements Definitions document (MR) in [Section VIII](#) of this RFP. Bidders are required to attest to the following Minimum Requirements:

- 1a) The Bidder is either a NFP or a government entity (including educational institutions);
- 1b) Indicate entity type: NFP; government; neither;
- 2) The Bidder employs two or more paid employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);
- 3) The Bidder is headquartered in NYS or has at least one site located in NYS;

- 4) The Bidder has a physical presence or access to a physical presence in the City of Syracuse, NY at the time of proposal submission;
- 5) The Bidder is in good standing regarding: UI; WARN; Public Works; Labor Standards; Safety and Health; NYS Department of State Division of Corporations; Workers Compensation Insurance; and Disability Insurance;
- 6) The Bidder will provide service to the target population year-round and will offer non-traditional services hours and days to accommodate youth;
- 7) The Bidder will provide trauma-informed, strengths-focused, positive youth development, and culturally sensitive services;
- 8) The Bidder will incorporate youth voice, positive youth development, and culture in the provision of the program;
- 9) The Bidder will refer youth unable to be served under the funded program to appropriate alternative services;
- 10) The Bidder will ensure staff meet or will meet the training expectations as described in [section II.G.](#) of this RFP;
- 11) The Bidder has or will have partnerships that ensure target population outreach, participation, and success;
- 12) The Bidder will engage businesses, educational institutions, and other human service partners in the program;
- 13) The Bidder will evaluate outcomes that measure youth success as well as the incorporation of youth voice and culture;
- 14) The Bidder understands NYSDOL strongly encourages the submission of proposals at least 48 hours prior to the due date and time to allow for sufficient opportunity to obtain assistance and take corrective action should there be a technical issue with the submission process;
- 15) The Bidder understands that proposals must be submitted electronically via the Grants Gateway System before the deadline listed on the cover of the RFP;
- 16) The Bidder understands that only someone in the role of Grantee Contract Signatory or Grantee System Administrator can electronically submit the proposal via the Grants Gateway and the Bidder has taken steps to ensure that correct roles have been assigned for their organization;
- 17) The Bidder understands that the submission of late proposals will not be accepted and the Grants Gateway will prevent the submission of any proposal once the due date and time has passed according to the Grants Gateway System clock;
- 18) The Bidder currently has an executed or pending contract(s) with NYSDOL and is proposing services to different individuals or entities than those targeted by the executed or pending NYSDOL contract(s). (Note: if no executed or pending contract(s) with NYSDOL exists, the Bidder will check Not Applicable to this attestation); and
- 19) The Bidder is a NFP organization and is pre-qualified in Grants Gateway as described in [section IV.C.](#) of the OYCEA-SC RFP. (Note: if the Bidder is a Public Employer, such as a governmental entity or educational institutions operating within NYS, the Bidder will check Not Applicable to this attestation).

## **B. Program Design**

A total of 60 points will be available for Program Design. All questions must be answered and failure to answer all questions will jeopardize the Bidder's scoring and may jeopardize the potential for funding.

- 1) Target Population [12 Points]
  - a) Provide the address(es) of the physical location(s) that service will be provided in the City of Syracuse, NY. [1 point]
  - b) Indicate the exact number of participants proposed to be served in the City of Syracuse, NY under this proposal. Input only a number in response to this question. [1 point]
  - c) Provide, with specificity, the environmental concerns that are currently affecting the target population and placing them in need of the proposed services. [2 points]
  - d) Provide, with specificity, the characteristics of the target population (such as average ages, skills, educational/literacy levels, etc). [2 Points]
  - e) Describe, with specificity, how the Bidder will ensure the target number of participants from the City of Syracuse, NY will be served. [2 points]
  - f) Describe, with specificity, established partnerships that ensure outreach, participation, and success for the target population or the Bidder's ability to establish such partnerships. [2 points]
  - g) Describe, with specificity, the Bidder's established connections to businesses, educational institutions, and other human service partners, or the Bidder's ability to establish connections to the described partners, that will ensure career exploration and/or access to careers for the target population. Please note, a full list of businesses, educational institutions, and other human service partners may be provided in response to questions 6k, 6l, and 6m. [2 points]
- 2) Career Exploration and Access [10 Points]
  - a) Explain, with specificity, how the Bidder will provide the seven career exploration services required to be provided, as described in [section II.B.1.](#) of this RFP. [7 Points]
    - b) Describe, with specificity, how these career exploration services will be tailored by the Bidder to the target population. [3 Points]
- 3) Youth Retention Services [8 Points]
  - a) Explain, with specificity, how the Bidder will provide the four required youth retention services, as described in [section II.B.1.](#) of this RFP. [4 points]
    - b) Provide, with specificity, the plan for participants incentives, including benchmarks and/or milestones for achieving the incentives. [1 point]
    - c) Describe, with specificity, the target population's need for the proposed youth retention services. [2 Points]
    - d) Describe the extent to which the proposed youth retention services are tailored to the target population. [1 Point]
- 4) Supportive Services [5 Points]
  - a) List the support services proposed to be provided. Please type only the support service(s), separated by semi colons. Acceptable support services include, but are not limited to: Child Care Assistance; Community Services Linkages; Dependent Care Assistance; Educational Testing; Education-Related Assistance; Employment-Related Assistance; Health and Mental Health Care Referrals; Housing Assistance; Legal aid services; Other Supportive Services; Reasonable Accommodations for Individuals with Disabilities; Training-Related Assistance; Transportation Assistance; Work Attire Assistance; or Work-Related Tool Assistance. [2 points]
    - b) Describe, with specificity, the target population's need for the proposed supportive services. [2 Points]
    - c) Describe the extent to which the proposed supportive services are tailored to the target population. [1 Point]

- 5) Involvement of the Target Population [2 Points]
  - a) Identify the methods by which feedback from members of the target population will be incorporated into the provision of service. [2 Points]
- 6) Ability to Plan and Implement Program/Expertise of Program Staff [21 Points]
  - a) Indicate if the proposal is a Consortium or Joint proposal. [0 Points]
    - b) Based on the response to Question 6a:
      - i. If yes to Question 6a, indicate lead Bidder and provide the contact information of all co-Bidders, including names, mailing addresses, phone and email addresses. [2 Points]
      - ii. If no to Question 6a, please type "Not Applicable" as the response to this question. [2 Points]
    - c) Based on the response to Question 6a:
      - i. If yes to Question 6a, please indicate, with specificity, what services are proposed to be provided by all co-Bidders listed in Question 6b. [2 Points]
      - ii. If no to Question 6a, please type "Not Applicable" as the response to this question. [2 Points]
    - d) Provide a brief summary of the Bidder's or Lead Bidder's organization, describing the mission, current services provided, current number of employees (breaking down the total number into full-time, part-time and volunteers), the ratio of administrative to direct service employees, the trend in size over the past five (5) years, and the length of its existence. [2 Points]
    - e) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience serving the target population. [2 Points]
    - f) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience serving the proposed target communities. [2 Points]
    - g) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience providing service tailored to the target population, such as non-traditional service hours and days. [1 Point]
    - h) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience providing trauma-informed, strengths-based, positive youth development, and culturally sensitive services. [1 Point]
    - i) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience referring youth unable to be served to appropriate alternative services. [1 Point];
    - j) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience and ability to ensure staff meet or will meet the training expectations as described in section II.G. of this RFP. [1 Point];
    - k) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience with engaging businesses in services provided to the target population. [1 Point]
    - l) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience with engaging educational institutions in services provided to the target population. [1 Point]
    - m) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience with engaging other human service partners in services provided to the target population. [1 Point]
    - n) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience evaluating outcomes of services provided to the target population. [2 Points]
    - o) Describe, with specificity, the Bidder, or Lead Bidder, organization's experience evaluating outcomes that incorporate youth voice, positive youth development, and culture. [2 Points]
- 7) Existing/Prior Programs [2 Points]

- a) Provide the grantor name, award amounts, final expenditure amounts (if completed) and performance outcomes for any grants received in the last five (5) years. If this list is lengthy, please focus on grants received that provided service to the target population. [2 Points]

### C. Work Plan

A total of 20 points will be available in scoring the proposed work plan.

Utilizing the Grants Gateway system, Bidders will define the objectives, tasks, and performance measures that will detail the proposed plan to ensure training and service activities as identified in the Program Design. Bidders can include a total of 30 objectives with each having one associated task and one associated performance measure. In defining the Work Plan, Bidders may include 4-months of project start-up/phase in activities. Bidders should:

- Include only objectives, tasks, and performance measures that can be completed within the initial 18-month contract term;
- Describe, with clarity and specificity, the observable objectives (what will the participants do, not do, or do differently) after receiving career exploration and access services;
- Describe the proposed service that will result in the proposed observable objectives; and
- Identify the performance monitoring techniques that will be utilized in documenting the proposed observable objectives.

The Work Plan criteria to be reviewed include the following:

- 1) The objectives are realistic, can be completed within the initial 18-month contract term, and align with career exploration and access services as proposed in the [Program Design section](#) above (5 points);
- 2) The tasks as described align with the associated objectives for providing career exploration and access services (5 points);
- 3) The performance measures as proposed will measure the associated objective attainment (5 points); and
- 4) The performance measures will evaluate task effectiveness in providing career exploration and access services (5 points).

### D. Budget

A total of 20 points will be available in scoring the proposed budget.

The cost per participant of each proposal will be calculated by dividing the total program cost requested in the Budget by the total number of anticipated participants to be served as indicated in question 1b) of the [Program Design section](#) of the RFP. Bidders must fully complete the budget in the Grants Gateway portal so an accurate cost per participant for the program can be calculated by NYSDOL. Bidders who fail to answer question 1b) in the [Program Design section](#) of the proposal and/or fully complete the budget will be given a cost score of 0.

Once a cost per participant is calculated for each proposal, cost scores will be calculated as follows:

- The cost score if less than 10 proposals are received will be calculated using the following formula:

$$\text{Cost score} = (1 - \text{cost per participant difference/highest cost per participant}) \times 20.$$

Where, cost per participant difference is cost per participant of proposal being scored minus lowest cost per participant.

- The cost score if 10 or more proposals are received will be calculated using a statistical normalization method that limits the negative effect on proposals in a comparison pool containing either an extremely low or extremely high cost per participant proposal. The normalization method is as follows:
  - 1) The average cost per participant and standard deviation (i.e., the distribution of cost per participant of each proposal from the average) of costs per participant for all proposals will be calculated;
  - 2) NYSDOL will subtract the average from the cost per participant of each proposal and divide the result by the standard deviation. The result is referred to as the proposal's "z-score," which is the distance (in terms of standard deviations) above or below the average calculated for each proposal;
  - 3) Once a z-score is calculated for each proposal, cost scores will be scaled proportionately on a range from 1 – 20 points based on how their z-score compares to those of the entire group. The proposal with the lowest z-score (e.g., with the cost per participant furthest below the average) would receive the maximum points for cost, and the proposal with the highest z-score (e.g., with the cost per participant furthest above the average) would receive the minimum points for cost; and
  - 4) After calculating z-scores, NYSDOL reserves the right to remove proposals that have an abnormally low or high cost per participant (e.g., cost outliers) from the normalization scaling process. Cost outlier proposals removed from normalization will automatically receive the maximum (if their cost was abnormally below the mean) or minimum (if their cost was abnormally above the mean) points for cost.

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

In the various expenditure budget forms located in the Grants Gateway system (Personal Services which includes Salary and Fringe and Non-Personal Services which includes Contractual, Travel, Operating Expenses, and Other), Bidders will account for how the funding will be allocated. Please consult [Section II.B.1.](#) in this RFP for eligible expenses.

Only categories in which the proposed program will be allocating funding need to be filled in. To avoid errors do not enter any information in categories where grant funding will not be used. Use the following as a guide in completing the budget.

- 1) Personal Services
  - a) Salaries: List the annual salaries of the staff that will be working on the project and the corresponding percentages of their time spent. Describe briefly, in the Budget Narrative, the roles of the staff titles listed. Provide an explanation of any anticipated changes or exceptions in staffing patterns and/or annual salary costs during the contract period.
  - b) Fringe: Briefly explain the calculation of fringe benefits, including a breakdown of the fringe benefit structure. Fringe benefits include social security, workers' compensation, UI, disability insurance, and any insurance programs the Bidder organization provides. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.
- 2) Non-Personal Services

- a) **Contractual:** This category includes institutions, individuals, or organizations external to the Bidder which have entered into an agreement with the Contractor to provide any services outlined in or associated with the contract, and whose services are to be funded under the contract. All such agreements are to be by bona fide written contract and a copy of each must be attached. If details are not known, include a brief narrative of each contracted service to be provided, indicating the organization/individual selected, anticipated outcomes, and projected budget.
- b) **Travel:** Staff travel costs should be budgeted in line with standard agency travel policy or OSC guidelines. Travel costs are reimbursed at NYS rates. Only travel costs for personnel listed under Staff Salaries are acceptable. Consultant or sub-contractor's travel expenses should be included in Contracted Services. Use the Budget Narrative to indicate how Staff Travel costs were calculated (i.e. number of miles, mileage rate). Any exceptional staff travel costs must be justified in the Budget Narrative. No out of state travel costs are allowed unless specifically detailed and approved. All non-local destinations for travel must have prior NYSDOL approval.
- c) **Space/Property & Utilities:** This section is used to itemize costs associated with Property related costs for space that is rented or owned. Use the respective Budget Narratives to indicate how the expense related to the training purposes funded by this grant and how the proportion of costs were determined.
- d) **Operating Expenses:** List operating expenses, such as supplies, postage, printing, photocopying, rent, and telephones. Use the Budget Narrative to indicate how operating expenses were calculated. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the budget narrative.
- e) **Other:** List other items not included under any other category. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the budget narrative. Indirect Costs, if applicable, should be listed in this category and are described here:
  - i. Costs that are not directly accountable to a particular grant award, contract, program function or activity, but are necessary for the general operation of the organization are considered indirect costs. Indirect costs may be either fixed or variable and may include administration, personnel and security costs. Some indirect costs may be overhead. Indirect costs for this funding opportunity will be the approved federally recognized indirect cost rate negotiated between the applicant and the Federal government; if no such rate exists, then 10% of the modified total direct cost of the proposed budget.

While in the Grants Gateway, in order to confirm the Expenditure Budget is correct, the Expenditure Summary must be reviewed. The summary will show how much has been allocated in the grant request. The "Total" field must be the total of the grant request. Any changes must be made in the category's corresponding form. No changes can be made on the Expenditure Summary page.

## **VI. Proposal Review and Selection**

### **A. Evaluation of Proposals**

Failure to answer all questions in the proposal or upload all required attachments will jeopardize the Bidder's potential for funding. NYSDOL will first make an initial eligibility determination (minimum requirements) on each proposal received. Proposals deemed eligible will be scored based on further review and evaluation. Proposal scores will consist of 60% on Program Design, 20% on Work Plan, and 20% on Budget. Technical scoring will award points based on a "criteria met" or "criteria not met" scale. The technical review will be a combination of the Program Design and the Work Plan.

NYSDOL will establish both a Technical Review Committee and a Budget Review Committee. The Technical Review Committee will consist of two reviewers who will review both the Program Design

and the Work Plan sections of the assigned proposal. Each proposal will be evaluated and scored separately.

It is important to note that:

- 1) Ineligible Bidders will be disqualified before completing a review;
- 2) Incomplete proposals will be disqualified;
- 3) All Bidders that are determined not to be responsive or responsible will be disqualified after completing a review;
- 4) Proposals that fail to meet minimum requirements will be disqualified; and
- 5) NYSDOL reviews will result in a final award.

## **B. Method of Selection**

NYSDOL's review will result in a score comprised of the cost score as described in the Budget section ([V.D.](#)) of this RFP as well as the combined technical score as described in the Program Design section ([V.B.](#)) and the Work Plan section ([V.C.](#)). A complete response to each question is crucial to ensure full points are awarded.

Proposals are awarded in rank order beginning with the proposal(s) with the highest total points until the funds allocated are exhausted. To ensure awards are made to quality proposals, Bidders must obtain a minimum score of 60 to be awarded funding.

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

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

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

## **VII. Award Administration and Information**

### **A. Award Notices**

If at any time prior to or after an award is issued the Bidder reduces the number of participants to be served, the funding will be proportionately reduced.

All Bidders will receive a letter informing them of the decision on their proposal and successful Bidders will be contacted by NYSDOL contract development staff.

Bidders who receive an award must be prepared to enter into contract negotiations immediately, and be prepared to begin program activities no later than four months from the date of the award letter. Failure to do so may reduce the length of any possible contract renewal. NYSDOL reserves the right to rescind the award of any successful Bidder that is unable or unwilling to promptly engage in the contracting process or to begin conducting their project activities in accordance with the terms of the contract.

## B. Payment

Once a contract has been developed and formally executed, funds will be released on a cost reimbursement basis. A Contractor must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved, certain records must be kept and specific documents submitted. The Contractor must provide documentation that the service was provided. This documentation will be negotiated as part of the contract development process. NFP entities that have a fully executed contract qualify for a 25% advance, the details of which will be discussed during contract negotiations.

Please be advised that funded services may not begin until after an award is made. This includes the completion of proposal reviews, due diligence being confirmed, awardees determined and award letters being issued. The earliest start date for any contract resulting from this RFP is the date of the award letter. Any service that begins and/or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

**Electronic Payments** -- Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary NYS procedures and practices. The Contractor shall comply with OSC procedures to authorize electronic payments. Authorization forms are available at the OSC website at [www.osc.state.ny.us/epay/index.htm](http://www.osc.state.ny.us/epay/index.htm), by email at [helpdesk@sfs.ny.gov](mailto:helpdesk@sfs.ny.gov), or by telephone at 518-474-4032. The Contractor acknowledges that it will not receive payment on any vouchers submitted under this contract if it does not comply with OSC electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

### 1) Contract Reimbursement

Contracts valued at more than \$10,000 will be reimbursed on the basis of supporting documentation attached to vouchers which identify the costs incurred. Vouchers must be presented for payment quarterly, unless required monthly by a grant manager, during the contract's duration; the final voucher must be submitted within 60 days after the expiration date of the contract. Supporting documentation includes, but is not limited to, invoices, receipts, canceled checks, and computer printouts of salaries and fringe benefits. The Contractor's financial administration of the grant will be considered in evaluating subsequent grant proposals.

Vouchers from consultants must be on letterhead and must show the nature of the services rendered, dates of service, rates of pay and total payment.

### 2) Purchase Order Agreements – Upfront Payments

Awards valued at \$10,000 or less will be paid as Purchase Order Agreements. The Purchase Order Agreements have different agreement terms and program requirements from standard contracts. The grant fund payments are provided in advance after the Purchase Order Agreement is executed. A reconciliation of expenses is conducted after the training and/or grant year are complete, at which time the Contractor shall provide supporting documentation showing how the grant funds were used. The Contractor must immediately return any funds not used toward the training program as described in the Agreement. Failure to do so will affect funding approval for future grant requests.

### 3) Advances for NFP Contractors

In addition to the reimbursement process described above, NFP Contractors are eligible to apply for an advance of their award, up to 25% of total contract value. The following items must be submitted in order to receive such an advance:

- A statement from a certified public accountant which certifies that the Contractor's bookkeeping practices have been reviewed within the past twelve months and that they meet generally acceptable accounting principles;
- A copy of a fidelity bond which covers all persons who will handle funds granted by the State, such bond shall be at least equal to or greater than the maximum amount of the advance, and indicate that NYSDOL is named as co-insured;
- A completed "Standard Voucher" (AC 92) form, available through NYSDOL, with a letter requesting advance payment; and
- A statement signed by the Chairman of the Board of Directors, the Chief Operating Officer, or other appropriate chief executive official, accepting responsibility for operation of this program. In addition, this statement must certify that all federal, state, local taxes and Unemployment contributions resulting from operation of this program will be paid, and that no past taxes or contributions are due and owing.

#### 4) Contract Changes

Any change to the program or budget, as described in the executed contract, will require prior approval by NYSDOL. A formal or informal contract modification may be necessary.

#### 5) Reporting Requirements

OSOS will be used to record basic participant information as well as to track the provision of required services. OSOS is a web-based job matching, case management, and reporting system that allows workforce professionals to effectively manage workforce development programs. This system will be a valuable resource for maintaining data, including services and outcomes, for the youth provided services under this grant. NYSDOL will provide OSOS training to appropriate awardee staff. NYSDOL will require quarterly reports on program updates, progress and success which may include information beyond the available data in OSOS.

#### 6) Monitoring

NYSDOL staff will monitor compliance with contract provisions through desk reviews and on-site visits to verify fiscal data, program progress, and target participant performance.

NYSDOL shall be permitted unrestricted entry into group or individual sessions conducted by the Contractor, and/or any subcontractor(s) of the Contractor, when confidentiality rules do not preclude access, for the purpose of monitoring the same to determine satisfactory compliance with the purposes and objectives of the grant. Entry may be without prior notification to the Contractor or subcontractor.

#### 7) Program Assessment and/or Evaluation

The Contractor acknowledges that a written assessment and/or evaluation of the grant program will be made by NYSDOL at the end of the contract period, and may be used in determining the rating of the Contractor's proposal(s) for succeeding year grants.

#### 8) Auditing

Contractors and subcontractors are subject to fiscal audits by staff of USDOL, NYSDOL and the OSC. The purpose of such audits is to assure that all costs incurred were necessary, reasonable, and in compliance with contract terms and conditions. The contractor and its subcontractor must maintain all documents, records, and accounts to support the OYCEA program activities and expenditures for at least six years following closeout of the contract.

As a condition of any subcontract, a proposed subcontractor or consultant of the Contractor must expressly agree to be audited by NYSDOL to the extent of its performance under the grant. Further, all such policies and/or procedures shall be expressly accepted by the Contractor or consultant as compliant with standards promulgated by OSC.

NYSDOL expressly reserves the right to audit any and all funding sources of the Contractor to ensure that payment requests will not duplicate the reimbursement of costs and services received from other sources.

### **C. General Requirements**

All proposals and accompanying documentation will become the property of the NYS and will not be returned. During the bidding and evaluation process, the content of each proposal will be held in strict confidence and no details of the proposal will be discussed outside of the evaluation process. The successful proposal and portions of the RFP deemed applicable by NYSDOL will be made part of the contract; therefore, an official authorized to commit the Bidder to a contract with NYSDOL must sign the proposal documents.

### **D. Buy American Requirements**

Bidders should be aware of the requirements of WIOA, section 502 which provides that none of the funds made available under Title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. sections 8301 through 8303). It is the sense of Congress that entities receiving assistance should, in expending the assistance, purchase only American-made equipment and products. See WIOA, section 502 – Buy American Requirements included in the WIOA References document (WIOA Appendix) located in [section VIII](#) of this RFP.

### **E. Federal Executive Orders**

Please note that the Federal WIOA funds supporting this initiative are subject to the following federal Executive Orders:

- Executive Order 13513 – Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Sub-recipients. Successful Bidders, subcontractors, and recipients and sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving a vehicle when performing official Government business or work on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.
- Executive Order 12928 – The recipients are strongly encouraged to provide contracting/subcontracting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Business Owned and Controlled by Socially and Economically Disadvantaged Individuals.
- Executive Order 13043 – Recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.
- Executive Order 13166 – Recipients must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to programs in accordance with USDOL's Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with LEP Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.

## **F. Reservation Clauses**

NYS DOL, to serve the best interests of the State, reserves the right to:

- 1) Make no awards;
- 2) Postpone or cancel this RFP upon notification to all Bidders;
- 3) Amend the specifications after their release with appropriate notice to all Bidders;
- 4) Request Bidders to present supplemental information clarifying their proposal, either in writing or in formal presentation;
- 5) Waive or modify minor irregularities in proposals received after prior notification to the Bidder. This will in no way modify the RFP documents or excuse the Bidder from full compliance with its requirements;
- 6) Remove proposals with unreasonable costs from award consideration;
- 7) Correct any arithmetic errors in any proposal;
- 8) Reject any and all proposals received in response to this RFP;
- 9) Contact Bidders' references as a check on qualifications;
- 10) Award contracts to more than one Bidder;
- 11) Make reductions to proposals at any time before the award is made, if such action is in the best interest of NYS;
- 12) Make any payment contingent upon the submission of specific deliverables;
- 13) Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing; and
- 14) Rescind the award of any Contractor that is unable or unwilling to promptly engage in the contracting process or to begin providing the service in accordance with the contract terms. No Bidders will have any rights against NYS DOL arising from such action.

### VIII. Attachments and Appendices

Attachment or Appendix Name	Document Title	Required to be Uploaded in Grants Gateway with Proposal Submission
CTC	<a href="#">Combined Terms and Conditions – A-1 and A-2</a>	Yes
VRBQ	<a href="#">Vendor Responsibility – Bidder Questionnaire</a>	Yes, with original signatures
CEAYRS	<a href="#">Appendix - Typical Career Exploration and Access and Youth Retention Services Detail</a>	No
WIOA	<a href="#">Appendix - WIOA References</a>	No
MR	<a href="#">Appendix - Minimum Requirements Definitions</a>	No
MWBE	<a href="#">Appendix – Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) Requirements and Procedures</a>	No
MWBE-1	<a href="#">MWBE and EEO Policy Statement</a>	Yes, with original signatures.
MWBE-2	<a href="#">EEO 100 - EEO Staffing Plan</a>	Yes, with original signatures
MWBE-3	<a href="#">Appendix – EEO 101 – Workforce Utilization Report</a>	No, required quarterly AFTER Contract Award
MWBE-4	<a href="#">MWBE 100 - MWBE Utilization Plan</a>	Yes, for Bidders requesting \$25,000 or more in grant funds.
MWBE-5	<a href="#">MWBE 101 - Application for Waiver of MWBE Participation Goal</a>	Yes, for Bidders requesting \$25,000 or more in grant funds and if MWBE participation is anticipated to be less than 30%, with original signatures.
MWBE-6	<a href="#">Appendix - MWBE 105 - MWBE Quarterly Compliance Report</a>	No, required quarterly AFTER Contract Award
SDVOB	<a href="#">Appendix – Service-Disabled Veteran-Owned Businesses (SDVOB) Requirements and Procedures</a>	No
SDVOB – 1	<a href="#">SDVOB 100 - SDVOB Utilization Plan</a>	Yes, for Bidders requesting \$25,000 or more in grant funds, with original signatures
SDVOB – 2	<a href="#">Appendix – SDVOB 101 – SDVOB Monthly Compliance Report</a>	No, required monthly AFTER Contract Award
SDVOB – 3	<a href="#">SDVOB 200 - Application for Waiver of SDVOB Participation Goal</a>	Yes, for Bidders requesting \$25,000 or more in grant funds and if SDVOB participation is anticipated to be less than 6%, with original signatures
EO	<a href="#">Executive Order (EO) 177 Certification</a>	Yes, with original signatures
KC	<a href="#">Key Contacts</a>	Yes

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