

REQUEST FOR Proposals

Sector Partnership-NEG Regional Sector Partnership Development (RSPD)

Bid Number SP-6

Issued on ***October 25, 2016*** by:

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 on December 5, 2016

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Table of Contents

I. Funding Opportunity Description	1
A. Purpose	1
B. Background	1
II. Award Information	2
A. Funding	2
B. Use of Funds	2
1. Allowable Costs	2
2. Restrictions on the use of funds	2
C. Award Minimums	3
D. Contracts	3
E. NYSDOL's Responsibilities	3
F. Contractor Requirements	3
III. Eligibility Information	4
A. Bidder Eligibility	4
IV. Scope of Project	5
A. Business-Driven Sector Partnership Development Strategy	5
B. Project Deliverables	6
V. Process for Proposal Submission	9
A. Questions Concerning This RFP	9
B. Proposals Due Date	9
C. Proposal Submission Instructions and Format	9
D. RFP Timetable	10
VI. Proposal Requirements	10
A. Technical Section	10
1. Minimum Requirements	10
2. Program Design	11
B. Budget Section	11
1. Budget Worksheet	12
2. Budget Narrative	12
VII. Proposal Review and Selection	13
A. Evaluation of Proposals	13
B. Evaluation Criteria	13
1. Minimum Requirements	13
2. Technical Review (up to 80 points as detailed below)	13
3. Budget Review (up to 20 points as described below)	14
C. Method of Selection	14
VIII. Award Administration and Information	14
A. Award Notices	14
B. Payment	15
C. General Requirements	15
D. Buy American Requirements	15
E. Federal Executive Orders	15
F. Reservation Clauses	16
IX. Attachments	17

I. Funding Opportunity Description

A. Purpose

The New York State Department of Labor (NYSDOL) is making up to \$250,000 in funding available under this Sector Partnership National Emergency Grant (SP-NEG) Regional Sector Partnership Development (RSPD) Request for Proposals (RFP).

These regional sector partnership development funds are intended to be flexible in meeting the sector partnership development needs identified as part of 2016 Workforce Innovation and Opportunity Act (WIOA) Regional planning. The focus of 2016 WIOA Regional planning is the identification of sector-based workforce strategies that lead to the creation of strong regional sector partnerships and products that work to serve regional business needs.

B. Background

Building partnerships that bring together workforce related sectors including businesses, education, community organizations, government and other entities is proven to be the most effective strategy to meet the ever-changing workforce needs of regional industries and help jobseekers attain skills that align with business demand. These sector-based workforce strategies align closely with New York State's (NYS) overarching vision of a unified workforce development system that is regionally coordinated and programmatically seamless as well as oriented to primarily serve the needs of business demand. They also align well with the establishment of economic development priorities by the Governor's Regional Economic Development Council (REDC) initiative, as well as regional planning by the LWDBs under WIOA. The funding opportunities under the SP-NEG are designed to further such regional partnerships in support of NYS' workforce vision, the goals of the REDCs, and LWDB Regional Planning.

The United State Department of Labor's Employment and Training Administration (USDOL/ETA) awarded \$7M of SP-NEG funding to NYS to provide employment-related services specifically for dislocated workers in industries with strong labor demand. Funds distributed under this grant will be administered in a manner consistent with WIOA. NYSDOL's award is intended to increase capacity in NYS' ability to implement new or expanded local and regional sector based workforce development partnerships that will serve more dislocated workers and achieve better employment-related outcomes for this group of workers. To accomplish this goal, NYSDOL released five grant solicitations to allow for the tailoring of services to accommodate the wide variety of sector partnerships across NYS. The five SP-NEG program solicitations are:

Incumbent worker training (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20ECSDW%20FINAL%2020160628.pdf>);

Work-based training(<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20IWT%20FINAL%2020160628.pdf>);

Sector partnership capacity building();

Transitional job support(i.e., subsidized time-limited work experiences for those experiencing employment barriers) (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20TEDW%20FINAL%2020160628.pdf>); and

Enhanced Career Center system services to prepare dislocated workers for training and employment (<https://labor.ny.gov/workforcenypartners/fundingopps/SP-NEG%20WBT%20Final%2020160628.pdf>).

II. Award Information

A. Funding

NYS is making up to \$250,000 available for contract awards under this RFP. It is anticipated that five (5) awards will be made for a maximum award of up to \$50,000 each. Awards will be made to eligible bidders, on behalf of a sector partnership in each of the following REDC regions: Central New York, New York City, North Country, Southern Tier and Western New York. More specifically, only one award will be made within each of the five regions referenced above.

Awards are contingent upon the availability of federal SP-NEG funding.

B. Use of Funds

1. Allowable Costs

Funds awarded may be used by the bidder in securing expert speakers, group facilitation, career pathway template development, meeting logistics and supplies required for regional sector partnership and priority industry career pathway template development. Procurement of services must be from an organization(s) with expertise in the development of sector partnerships, knowledge of career pathways, and demonstrated success in group planning efforts as appropriate to the service requested. Funds may be used to cover the fees for services, including, but not limited to:

- The time and travel associated with such services;
- The planning and convening of regional sector partnership meetings;
- The development of materials needed for regional sector partnership meetings and priority industry career pathway instruments;
- The reports detailing the methodology of partnership and career pathway development; and
- The results of the partnership and career pathway templates.

Funds must be used in a fashion that maximizes the development of regional sector partnerships supporting priority industries of the REDCs. Funds remaining but insufficient to establish additional partnerships and pathway activities must be used to distribute templates and lessons learned throughout the State and assist in the replication of the partnership and career pathway process to support current and planned sector based workforce strategies.

Additional guidance in the design of regional sector partnership development is offered in [Section IV](#) of this RFP.

2. Restrictions on the use of funds

The SP-NEG RSPD initiative will only pay for the costs associated with activities as listed above. It will not pay for any of the following items:

- The acquisition, construction, or renovation of buildings or other real estate;
- The purchase of any equipment or operational software;
- Advertising;
- Entertainment;

- Interest costs incurred by provider agencies;
- Costs of organized fund raising;
- Registration fees;
- Costs associated with NYSDOL staff in the One-Stop Centers; and/or
- Any other costs deemed inappropriate by NYSDOL, and any costs that do not meet the intent of the RFP.

C. Award Minimums

There is no minimum award amount under the SP-NEG RSPD. All awards are subject to funding availability.

D. Contracts

Contracts will be awarded for a period not to exceed the end date of the Federal grant currently set to expire on June 30, 2017. Bidders must include only those sector partnership development services that can be reasonably accomplished within the agreement period. Under extenuating circumstances, limited no-cost extensions may be approved at NYSDOL's discretion. The length of the extension is dependent on the original contract duration; however, the length of the contract plus the extension cannot exceed a total of fifteen months. Contracts may not be extended past June 30, 2017, unless USDOL/ETA offers and grants NYSDOL an extension of the SP-NEG grant. In the absence of any extension, all awarded funds must be fully expended by June 30, 2017.

E. NYSDOL's Responsibilities

NYSDOL will oversee implementation of contracts resulting from this RFP, including regular monitoring of implementation and performance of the contracts.

Funding for the activities outlined in this RFP will come from USDOL's SP-NEG and is subject to State and/or Federal legislative appropriation. NYSDOL staff will ensure accurate and timely reporting of program outcomes as well as Federal evaluation documentation as required by the USDOL.

F. Contractor Requirements

By submission of a proposal in response to this solicitation, awarded bidders agree with all of the terms and conditions set forth in the attachments to this RFP.

Awarded bidders will be required to provide reports at no more than quarterly intervals as specified by NYSDOL. In addition, USDOL/ETA may conduct an independent evaluation of the outcomes and benefits of SP-NEGs. By accepting a SP-NEG award under this RFP, the bidder and all associated sector partnership members agree to participate in any such evaluation.

Contractors must comply with Federal and State statutes, regulations and terms and conditions of the Federal SP-NEG award. Contractors must sign and submit the Federal and State Certifications (Attachment 4).

III. Eligibility Information

A. Bidder Eligibility

For Program Year 2016 (July 1, 2016 to June 30, 2017), WIOA Regional Planning has been aligned with the Governor's REDC initiative to address the region's workforce needs. Eligible bidders include:

- Private for profit businesses;
- Private not for profit businesses;
- Industry representatives;
- Workforce system government entities;
- Economic development agencies;
- Education and training providers;
- Community based organizations; and
- LWDBs.

Eligible bidders must document the regional sector partnership's confirmation of their leadership role associated with this RFP. This documentation must include a letter from the identified region's LWDB previously designated to submit the regional workforce planning document to NYSDOL, confirming the applicant's leadership role and support of the proposed sector partnership development activities. This letter must include and be carbon copied (cc'd) to all sector partnership members agreeing to participate in the proposed sector partnership development activities.

The designated LWDBs from each region based on the submission of the regional workforce planning document are:

- **Central New York** – Lenore Sealy, Executive Director, CNY Works, 960 James Street, Lower Level, Syracuse, NY 13203, (315) 473-8250
- **New York City** – Chris Neale, Workforce Development Board Director, NYC Mayor's Office of Workforce Development, 253 Broadway - 8th Floor, New York, NY 10007, (212) 676-3009
- **North Country** – Ms. Cheryl Mayforth, Director, Jefferson Co. Department of Employment and Training, 1000 Coffeen Street, Watertown, NY 13601, (315) 782-9252
- **Southern Tier** – Julia Mattick, Executive Director, Tompkins County Workforce Investment Board, 401 East State Street/East MLK Street, Suite 402B, Ithaca, New York 14850, (607) 274-7526
- **Western New York** - Michele L. Lichy, Executive Director, Cattaraugus-Allegany WDB Inc., One Blue Bird Square, Lower Level, Olean, NY 14760, (716) 806-0060

Required partners in the regional sector partnership include any two or more of the following:

- 1) Business – functioning as the industry expert for the regional sector partnership;
- 2) Industry representative – an organization functioning as the workforce intermediary for the express purpose of serving the needs of an industry;

- 3) The Workforce Investment System – a Local Workforce Development Board, American Job Center Operator, or Native American Program entity eligible under Section 166 of WIOA from the regional service area;
- 4) Economic development agency – representing the regional service area;
- 5) Education and/or Training Provider – Community or technical college or system serving the regional service area; or
- 6) Community-based organization – an entity that offers job training or workforce related programming in the regional service area.

To demonstrate the active involvement of the required regional sector partnership members, bidders must provide signed documentation of commitments – such as signed memoranda of understanding, an organizational charter, a partnership agreement, a commitment letter, or other types of signed agreements.

Unincorporated LWDBs interested in applying as the lead applicant must designate the local area's WIOA grant recipient or fiscal agent as the official grantee for any award made under this offering.

IV. Scope of Project

A. Business-Driven Sector Partnership Development Strategy

Researchers, economists, and policymakers agree that in order for businesses to remain competitive in a global economy, workers must continue to be educated, be highly skilled, and have the ability to adapt to changing economic needs. Workforce development initiatives must not only meet the needs of businesses but also enhance employment opportunities and thus, the quality of life for workers. A quality workforce goal translates to the ability of a region to be economically competitive. Community prosperity is the unifying goal for all sector partners. The sector partnership strategy relies on a regionally developed, business-driven process that is headed by industry leaders in the role of partnership champions.

A successful business-driven sector partnership strategy focuses on the needs of a specific industry and aligns the entire workforce development system within the identified region to serve those needs. The workforce development system includes industry, education as well as workforce. The benefits of a business-driven sector partnership approach include:

- The ability to serve more individuals with less money;
- The ability to create systems that align the hiring needs of businesses with job seeking residents according to regional business demand;
- The ability to assist businesses with increasing productivity and customer satisfaction, training incumbent workers, and decreasing employee turnover;
- Providing skills upgrades and credentials to incumbent workers maintaining their competence in current title, and creating the possibility for advancement;
- Backfilling entry-level opportunities for new employees with an available, ready- to- work, trained talent pool;

- Integrating local literacy, education, and training providers to help meet the needs of businesses and job seekers;
- Increasing the competitive advantage and quality of living for sector partnership regions;
- The ability to train and employ youth to build tomorrow's workforce;
- Opportunities to make on-the-job training available in priority industries;
- Developing career ladders and ensuring that the workforce in a specific industry is appropriately skilled to help businesses grow; and
- The ability to leverage and align resources to enhance the strength, flexibility, and responsiveness of businesses.

B. Project Deliverables

Awarded bidders will procure services and resources to develop business-driven regional sector partnerships supporting priority industries of the REDCs. The ability to procure services and resources is strongly encouraged and is intended to allow for third party facilitation of sector partnership and career pathways discussion in settings conducive of creativity and free from workplace distractions. This ensures no one workforce development system partner is driving the conversation and builds trust among the partners.

Eligible bidders seeking funding under this RFP will be required to present a seven-month plan that will address implementation strategies, convening of partners, facilitation of partner discussions, and development of requested materials. It is expected these regional plans will:

Identify regional sector partners for at least one REDC priority industry that is driven and led by businesses from within the region and the identified priority industry;

Schedule, plan, and facilitate regional sector partnership meetings that will:

- Provide examples of and create templates for career pathways in at least one priority industry;
- Assist with the uncovering of skills gaps that exist for incumbent workers in the identified priority industry/industries;
- Identify specific training or credentials needed to fill the identified skills gaps;
- Identify methods to support career pathways for entry and mid—level employees working in the identified priority industry/industries;
- Create a replicable sector partnership process and model that can be used to develop or enhance the region's business driven sector partnerships; and
- Map the region's identified priority industry careers with a resulting analysis that uncovers the training gaps and needs existing in the region's priority industries.

Sector Partnerships

It is anticipated the regional plans will include a variety of program design methods to achieve the sector partnerships as outlined above. Flexibility in this design rests with the regional sector partnerships to allow the development of a plan within the time frame and budget as allowed in this RFP and based on the needs and resources available within the regions. The minimum requirements to the sector partnership program design include:

- Developing written and presenting oral reports to the State Workforce Investment Board (SWIB), with a minimum presentation of reports in December 2016 and March 2017;
- Developing written and presenting oral reports to the SWIB Education and Credential and Significant Industry Committees, with a minimum of quarterly reports via teleconference technology;
- Convening, coordinating and facilitating at least two regional sector partnership meetings to include two or more of the following sector partnership representatives: business, industry representatives, the workforce investment system, economic development agencies, education and training providers, and community-based organizations.
- Developing a career mapping template for at least one regionally identified priority industry.
- Sector partnership plans must include a framework for ensuring the facilitation, coordination, and purchase of necessary supplies for regional sector partnership development. These services may include many of the following activities and must provide as much detail as possible in the planning document (Note, these activities are not required to be completed at the time of request for funding but rather are offered as suggestions of activities that can be included in the seven-month plan.):
- Establishing a project leadership team;
- Identifying a Business Driven Sector Partnership champion(s) from within the identified priority industry/industries;
- Convening meetings of key regional sector partnership stakeholders, such as workforce representatives, business and industry representatives, training providers, community colleges, and labor and community organizations;
- Leveraging existing plans and partnerships in the identified priority industry/industries;
- Conducting asset mapping and other analysis such as Strength, Weakness, Opportunity and Threat (SWOT) analysis;
- Conducting an analysis of existing industry specific training and education in the identified priority industry/industries;
- Conducting research on staffing information and patterns data in the identified priority industry/industries in order to identify in-demand occupations/titles with cross-industry mobility;
- Providing policy recommendations that help to guide public investments;
- Establishing common promotional pathways/career lattices, wherever possible within the priority industry/industries;
- Mapping current or accepted education and training requirements for occupations in the identified priority industry/industries;
- Identifying critical skills and foundational competencies for entry and mid-level jobs in the identified priority industry/industries;
- Analyzing target occupations/titles to determine skills gaps that exist within the identified priority industry/industries occupations where there are lateral or promotional paths;
- Determining what type of education/training/credentialing is needed to address these occupational skills gaps. Identifying where training/credentials are stackable, redundant, or could be supplemented through work experience or OJT to accommodate promotions;

- Locating and/or developing aligned industry curricula in existing training or degree programs that can address gaps as well as competencies/skills needed for entry and mid-level positions in the identified priority industry/industries; and/or
- Documenting the work of this project in oral and written reports to the SWIB and its subcommittees that include such topics as:
 - Regionally identified priority industry/industries stakeholders identified or needed;
 - The process utilized and recommendations on changes needed;
 - Career Pathway findings and recommendations;
 - Highlights of challenges encountered as well as successes; and
 - Lessons learned.

Career Pathways

Such services and resources must include the facilitation of sector partners to envision, inventory, and map priority industry career pathways, as well as create career pathway templates that align the educational and training systems with occupations in demand industries.

While it is beyond the scope of this grant to build sector partnerships and career pathways in every region and priority industry statewide, it is anticipated the processes and materials developed through this effort will be applicable to other regions and priority industries as identified by regional partners and will provide a replicable model for mapping career pathways in a variety of other industries.

Various examples of career pathway templates and toolkits can be found online, including the City University of New York's Career Pathway initiative from 2011 (http://www.gc.cuny.edu/lmis/information/career_maps).

Pathway development will require the active involvement of a variety of stakeholders such as: business and industry leaders, regional LWDB and NYSDOL staff, regional education and training providers, and the REDCs. Bidders are responsible for identifying, contacting, and coordinating with service provider(s) that demonstrate knowledge of and experience with the regional stakeholders essential to the regionally identified priority industry career pathway, existing career pathway development resources and provide suggestions for development of priority industry pathway templates.

Additional information can be found online at resources such as:

- Online Course: The World-Class Sector Strategies Course | KY Sector Strategies. Retrieved from <http://kysectorstrategies.com/resources/the-world-class-sector-strategies-course>
- Sector Partnership Policy Toolkit. Retrieved from <http://www.nationalskillscoalition.org/resources/publications/file/Final-Sector-Partnership-Policy-Toolkit-1.pdf>
- Partnerships: A Workforce Development Practitioner's Guide. Retrieved from http://www.nfwsolutions.org/sites/nfwsolutions.org/files/publications/Partnership_Guidebook_CommCorp_May2013.pdf

V. Process for Proposal Submission

A. Questions Concerning This RFP

Bidders may submit questions via electronic mail (WDTD.Onestop@labor.ny.gov). Questions regarding this RFP will be accepted on an ongoing basis until 4:00 PM Eastern Standard Time on November 28, 2016. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "SP-NEG RSPD Question". Answers to all questions will be posted on NYSDOL's web site (<http://labor.ny.gov/businessservices/funding.shtm>) on an ongoing basis until Friday, November 30, 2016.

B. Proposals Due Date

Proposals, budget worksheet and required attachments must be received by NYSDOL no later than 4:00 PM Eastern Standard Time on Monday, December 5, 2016. Any proposals or unsolicited amendments to proposals received after the due date and time will not be considered in the review process. No faxed documents will be accepted. NYSDOL takes no responsibility for any third party error in the delivery of proposals (e.g. U.S. Post Office, Federal Express, UPS, courier, etc.).

C. Proposal Submission Instructions and Format

Submit two sets of the entire proposal, budget worksheet and required attachments, at least one of which with original signatures, to:

Christopher Myers, Workforce Programs Manager
NYS Department of Labor
Division of Employment and Workforce Solutions
State Office Campus
Building 12, Room 440
Albany, New York 12240

Attention: SP-NEG RSPD RFP # SP-6

The Technical Section (Attachment 1) must not exceed 10 single-spaced, single-sided 8.5 x 11 inch pages. Required attachments (see below and Section XI of this RFP), supporting documents, and the budget worksheet (Attachment 2) are not included in this limit. All text should use a 12-point font and 1-inch margins. All pages must be numbered and begin with page number 1.

The proposal must be transmitted in a sealed envelope with the title of the RFP, and the bidder's name and address clearly displayed on the exterior of the package.

Required proposal attachments are listed below.

- Vendor Responsibility – Applicant Questionnaire (Attachment 3).
- Federal and State Certifications (Attachment 4).
- Notice to Individuals Submitting Proposals (Attachment 5).
- Equal Employment Opportunity Staffing Plan (Attachment 6).
- Minority and Women Owned Business Enterprises (MWBE) Utilization Plan and Requirements (Attachment 7). The MWBE Utilization Plan should list the MWBE subcontractors or suppliers the Contractor intends to use to fulfill the contract should the proposed proposal be awarded.

- Application for Waiver of MWBE Participation Goal (Attachment 8). If the bidder will not use subcontractors or suppliers to fulfill services, or will be unable to meet the total MWBE Goals, then it must submit the Application for Waiver of MWBE Participation Goal instead of the (MWBE) Utilization Plan (Attachment 7).

D. **RFP Timetable**

- RFP Release Date – October 25, 2016
- Deadline Date for Questions -- November 28, 2016
- Final Date for Responses to Questions - November 30, 2016
- Proposal Due Date – No later than 4:00 PM EST on December 5, 2016
- Projected Notification of Awards – January 4, 2017
- Latest Possible Contract End Date - June 30, 2017 (in the absence of any USDOL/ETA extensions)

VI. Proposal Requirements

In order for a proposal to be considered, the bidder agency must meet the eligibility criteria outlined in [Section III.A.](#), and include all the documents and information requested in the forthcoming sections.

The proposal consists of three parts – a technical section, a budget section, and attachments to the technical and budget sections. To ensure that all proposals are evaluated on the same basis, all of the criteria set forth in subsections A and B below must be included. Each section will be evaluated independently. All proposed expenditures must be reasonable, necessary and clearly related to the purposes and activities of the project as described in the technical section. Proposals must also be organized in the sequence described below.

A. **Technical Section**

1. **Minimum Requirements**

Failure to attest to and document minimum requirements will result in an automatic rejection of the proposal. Minimum requirements require the bidder to attest to each of the following:

- The bidder is a private for profit or not for profit business, industry representative, workforce system government entity, economic development agency, education or training provider, community based organization or LWDB with two or more employees (principals of corporations and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion);*
- The bidder is headquartered in NYS or has at least one site located in NYS at the time of proposal;*
- The bidder is in good standing for Unemployment Insurance (UI), Worker Adjustment and Retraining Notification (WARN), Public Work, Labor Standards, Safety and Health, NYS Dept of State Division of Corporations, Workers Compensation, and Disability Insurance;*
- The proposal was developed by the bidder and all language therein is presented at the request of the bidder. (The use of a grant writer is acceptable, only if the bidder, and not the grant writer, commits to implementing the services listed in the proposal, if a grant is awarded.);*
- The bidder is a member of a regional sector partnership and is applying as the lead partner and fiscal authority of this partnership for the purposes of this funding opportunity;*

- f) *The bidder understands it must register in the Grants Gateway system at: https://grantsgateway.ny.gov/IntelliGrants_NYSGG/module/nysgg/goportal.aspx prior to submission of a proposal and that not-for-profits have the additional task of being pre-qualified prior to the submission of a proposal. Not complying with this term will render the proposal ineligible to be reviewed; and*
- g) *It will comply with NYS Labor Law and applicable Federal laws for the protection of workers.*

2. Program Design

Sector Partnership

- a) *The proposal must identify the proposed sector partnership's REDC region.*
- b) *The proposal must describe the existing sector partnership that the proposal will enhance or a new partnership that is being created. This description should include composition and activity details. Details may include, but are not limited to, membership, industry area, frequency and/or types of meetings, and/or accomplishments of the existing sector partnership.*
- c) *The proposal must identify the priority industry/industries on which the sector partnership plans to focus the funded sector partnership activities.*

Business-Driven Sector Partnership Activities

- d) *Bidder must provide a framework of activities that will be completed to ensure development of a business-driven regional sector partnership and career pathway materials supporting the identified priority industry/industries within the performance period based on program design guidance located in Section IV.*

Organizational Capacity

- e) *Proposals will identify the bidder's staff or those of sector partners that will ensure the provision of the proposed activities. The activity related job duties of all identified staff must be specified. Resumes, biographical sketches and organizational charts may also be included and do not count toward the proposal page limit.*
- f) *Bidder's organization capabilities must be shown by providing information which demonstrates:*

The organization's ability to provide the regional sector partnership development plan as proposed; and Evidence of the organization's fiscal abilities and experience with current/past award amounts, as well as similar performance goals and performance outcomes.

Priority Industry/Industries Impact

- g) *The bidder will describe the impact the proposed regional sector partnership development and career pathway materials will have on the identified priority industry/industries:*

B. Budget Section

All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the project as described in the Technical Section (Attachment 1).

1. Budget Worksheet

Please use the following as a guide to complete the Budget Worksheet (Attachment 2). Planned costs must be directly related to the delivery of the services and activities that will take place during the contract term.

1) Salaries

List the annual salaries of the staff that will ensure the provision of the activities as proposed. Include the corresponding percentages of their time spent on this project. 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.

2) Fringe Benefits:

Briefly explain the calculation of fringe benefits. Fringe benefits include social security, workers' compensation, unemployment insurance, disability insurance and any insurance programs the bidder organization provides. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.

3) Contracted Services:

This category includes institutions, individuals, or organizations external to the contractor which have entered into an agreement with the contractor to provide any services 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 known at the time of proposal. 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.

4) Other Operating Expenses:

List other items not included under any other category, such as supplies, postage, printing/photocopying, advertising, and telephones. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the Budget Narrative.

5) Indirect Costs:

Indirect costs are costs that are not directly accountable to a particular program, function or activity, but are necessary for the general operation of the organization. Indirect costs under this RFP may be reimbursed at either a federally approved indirect cost rate if the bidder has one, or if no approved rate exists, a de minimis rate of 10% of modified total direct costs (MTDC) of the total cost of the program may be reimbursed.

2. Budget Narrative

The budget narrative must provide concise explanations of costs associated with each line item indicated in [Section VI.B.1](#).

VII. Proposal Review and Selection

A. Evaluation of Proposals

A complete proposal, including the technical section, the budget section and all attachments to the technical and budget sections, must be submitted so that NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the proposal will jeopardize the bidder's potential for funding. NYSDOL will first make a minimum requirement eligibility determination on each proposal received (see [Section VI.A.1.](#)). Proposals deemed eligible will be scored based on further review and evaluation. Proposal scores will consist of 80% on technical merit and 20% on budget. Scoring of technical merit will award points based on a "criteria met" or "criteria not met" point scale with points awarded up to the available points as indicated.

B. Evaluation Criteria

The Evaluation Criteria has three parts: Minimum Requirements, Technical Review, and Budget Review. Each is described below.

Proposals must first meet all minimum eligibility requirements. Each proposal will be evaluated and scored independently. Each proposal will be scored on its individual merit and will not be compared to other proposals.

1. Minimum Requirements

No points will be awarded for this section of the proposal. Failure to meet minimum requirements will result in an automatic rejection of the proposal, and scoring will not proceed. Minimum requirements (detailed in [Section VI.A.1.](#)) must be attested to by the bidder.

2. Technical Review (up to 80 points as detailed below)

The proposal must fully describe, identify and document:

Sector Partnership (27 points)

- a) *The proposed sector partnership's REDC region is identified and includes the membership as defined in [Section IV.B.](#) (9 points)*
- b) *The existing sector partnership that the proposal will enhance or a new partnership that is being created is fully described, including composition and activity details. (9 points)*
- c) *The priority industry/industries on which the sector partnership plans to focus the funded sector partnership activities is identified (9 points).*

Business-Driven Sector Partnership Activities (27 points)

- d) *A framework of activities to ensure development of a business-driven regional sector partnership and career pathway materials is clearly described as defined in [Section IV.](#) (27 points)*

Organizational Capacity (26 points)

- e) *The detail of staff ensures the provision of the proposed activities. (7 points)*
- f) *Bidder's organization capability description demonstrates (6 points):*

- g) *the organization's ability to provide the regional sector partnership development plan as proposed (7 points); and*
- h) *evidence of the organization's fiscal abilities and experience with current/past award amounts, as well as similar performance goals and performance outcomes (6 points).*

3. Budget Review (up to 20 points as described below)

NYSDOL will evaluate proposals based on the costs of each activity proposed in Attachment 2. The budget must demonstrate the reasonableness and accuracy of each budget component in relation to the proposed project activities.

The following information will be used as the cost scoring criteria, and is provided to help guide bidders in preparing their budget:

- a) A budget narrative is provided which clearly describes each cost component noted and how the cost was determined (7 points);
- b) All budgeted costs appear reasonable and are related to the provision of planned activities described in the Technical Section (7 points); and
- c) If contracted services are to be used by the bidder, the budget provides a clear and compelling justification for these costs. The budget spells out what procurement procedures will be implemented to ensure a competitive process for selecting contracted services (6 points).

NYSDOL reserves the right to request additional information from bidders during the cost scoring process if the budget information is unclear.

During the program cost review process, potentially unallowable costs will not be removed from the proposal. However, during the award process and contract negotiation, if it is determined that unallowable costs were included in the proposal, those costs will not be included in the contract.

C. Method of Selection

The method of selection will be based on a point system with the technical portion of the rating criteria worth 80% and the budget worth 20% of the total score, and bidders must receive a total score of 70 points or more to receive an award. Bidders who receive a total score of 70 points or more will be contacted by NYSDOL staff to begin the contract development process.

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 SP-NEG RSPD RFP.

VIII. Award Administration and Information

A. Award Notices

All bidders applying to the SP-NEG RSPD program will receive a letter informing them of the decision on their proposal and successful bidders will be contacted by contract development staff. Bidders who receive an award must be prepared to enter into contract negotiation immediately and begin securing the services and resources necessary for the sector partnership plan implementation.

B. Payment

Once a contract has been developed and formally executed, funds will be released on a cost reimbursement basis. A grantee must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on 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. The documentation will be negotiated as part of the contract development process.

Please be advised that service procurement activities will not be funded until after an award is made (i.e., once reviews have been completed, due diligence has been completed, awardees have been determined and award letters have been issued). The earliest start date for any contract resulting from this RFP is the date of the award letter. Any procurement 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 State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email <mailto:helpdesk@sfs.ny.gov>, or by telephone at 518-474-4032. The Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

C. General Requirements

All proposals and accompanying documentation will become the property of the NYS and will not be returned. The content of each proposal will be held in strict confidence during the evaluation process, 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 agreement; therefore, an official authorized to commit the bidder to an agreement with NYSDOL must sign the statement documents.

D. Buy American Requirements

Bidders should be aware of the requirements of the Workforce Innovation and Opportunity Act (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 set forth as Attachment 10 to this RFP.

E. Federal Executive Orders

The WIOA funds supporting this initiative are subject to the following Federal Executive Orders.

- Executive Order 13333 –This contract may be terminated without penalty, if the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex

act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement. (22 U.S.C. § 7104(g))

- Executive Order 13513 – Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Sub-recipients. Contractors, 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 13043 – Increasing the Use of Seat Belts in the United States. Recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.

F. Reservation Clauses

NYS DOL, in order to serve the best interests of NYS, 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.
- 6) Remove proposals with unreasonable costs from award consideration.
- 7) Correct any arithmetic errors in any proposal or budget.
- 8) Reject any and all proposals received in response to this RFP.
- 9) Award contracts to more than one bidder.
- 10) Negotiate with selected bidder prior to contract award.
- 11) Make any payment contingent upon the submission of specific deliverables.
- 12) Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing.
- 13) Rescind the award of any grantee that is unable or unwilling to promptly engage in the contracting process or to begin conducting their activities immediately following contract execution. No applicants will have any rights against NYS DOL arising from such action.
- 14) Contact applicants' references as a check on qualifications.

IX. Attachments

Attachment Number	Document Title	Required to be reviewed/completed and submitted by due date (unless specified)
1.	Technical Section	Yes, with original signatures
2.	Budget Worksheet	Yes
3.	Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
4.	Federal and State Certifications	Yes, with original signatures
5.	Notice to Individuals Submitting Proposals	Yes, with original signatures
6.	Equal Employment Opportunity Staffing Plan	Yes, with original signatures
7.	MWBE Utilization Plan	Yes, with original signatures (if not applying for a waiver)
8.	Application for Waiver of MWBE Participation Goal	Yes, with original signatures (if not submitting a Utilization Plan)
9.	Workforce Investment Act Regulations Section 671	No
10.	Workforce Innovation and Opportunities Act References	No

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