September 19, 2017

To: All Potential Bidders RE: IWD309NIT18203 – One Stop Operator RFP's

The Department of Administrative Services formally issues a response to questions received for clarification of IWD309NIT18203.

1. **Please explain the 11 month term of contract but we only submit an 8 month cost proposal. Why the difference in timeline?**

It’s common practice to request a budget that covers three quarters of the contract. A bidder may submit a budget proposal that covers the first eight months and a separate budget proposal that covers the first 11 months.

1. **Will the policies developed be required to be voted on by each Local Board?**

Whether each Local Board needs to vote on a specific policy depends on the nature of the policy. The Local Board is charged with oversight of the one-stop delivery system in its Local Workforce Development Area/Region and has some policy-making authority under the law. But the Local Board does not have policy-making authority in other areas. For example, a Local WDB may increase the reimbursement rate for on-the-job training contracts in accordance with 20 C.F.R. section 680.730.

1. **If an entity serves as a One-Stop Operator and a Title I Service Provider which functions will be prohibited? Specifically, please address the development of the Local Plan and development and submission of the budget?**

The one-stop operator shall coordinate the service delivery of participating one-stop partners and service providers in each local workforce development area/region of the Territory. Coordinating the service delivery of participating one-stop partners and services providers shall include facilitating integrated partnerships in each local workforce development area/region in the Territory that:

* Seamlessly incorporate services for the common customers served by multiple program partners of the comprehensive one-stop center.
* Develop and implement operational policies that reflect an integrated system of performance, communication, and case management, and uses technology to achieve integration and expanded service offerings.
* Organize and integrate services at the comprehensive one-stop center in a local workforce development area/region by function (rather than program), when permitted by a program’s authorizing statute and, as appropriate, through the coordinating staff communication, capacity building, and training efforts.

In carrying out its role and activities, the one-stop operator must:

* Disclose any potential conflicts of interest arising from the relationships of the one-stop operators with particular training service providers or other service providers, including but not limited to, career services providers;
* In coordinating services, refrain from establishing practices that create disincentives to providing services to individuals with barriers to employment who may require longerterm services, such as intensive employment, training, and education services; and
* • Comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

A one-stop operator may not perform the following functions:

* Convene system stakeholders to assist in the development of the local plan;
* Prepare and submit local plans (as required under WIOA sec. 107);
* Be responsible for oversight of itself;
* Manage or significantly participate in the competitive selection process for one-stop operators;
* Select or terminate one-stop operators, career service providers, and youth providers;
* Negotiate local performance accountability measures; or
* Develop and submit budgets for activities of the Local WDB (WDB) in the Local Area.

Local organizations often function simultaneously in a variety of roles, including local fiscal agent, Local WDB staff, one-stop operator, and direct provider of services. Any organization that has been selected or otherwise designated to perform more than one of these functions must develop a written agreement with the Local WDB and CEO to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant Office of Management and Budget circulars, and the State's conflict of interest policy. When the entity serving as the one-stop operator is also serving in a different role within the one-stop delivery system (as, for example, when a Local WDB serves as the one-stop operator), the one-stop operator may perform some or all of the functions in this subsection, but only if it has established sufficient firewalls and conflict of interest policies and procedures.

1. **So long as One-Stop Operator staff time allocation and funds are not expended for the prohibited functions listed in section 1.4.3., may a Title I service provider who is selected for One-Stop Operator still perform those prohibited functions with the use of other appropriate funding and allocation of time and resources. Please address each prohibited function individually in response to the proceeding question.**

Under 20 C.F.R. section 678.620(b), a one-stop operator may not perform the following functions:

* Convene system stakeholders to assist in the development of the local plan;
* Prepare and submit local plans (as required under WIOA sec. 107);
* Be responsible for oversight of itself;
* Manage or significantly participate in the competitive selection process for one-stop operators;
* Select or terminate one-stop operators, career service providers, and youth providers;
* Negotiate local performance accountability measures; or
* Develop and submit budgets for activities of the Local Workforce Development Board in the Local Area.

Local organizations often function simultaneously in a variety of roles, including local fiscal agent, Local WDB staff, one-stop operator, and direct provider of services. Any organization that has been selected or otherwise designated to perform more than one of these functions must develop a written agreement with the Local WDB and CEO to clarify how the organization will carry out its responsibilities while demonstrating compliance with WIOA and corresponding regulations, relevant Office of Management and Budget circulars, and the State's conflict of interest policy. When the entity serving as the one-stop operator is also serving in a different role within the one-stop delivery system (as, for example, when a Local WDB serves as the one-stop operator), the one-stop operator may perform some or all of the functions in this subsection, but only if it has established sufficient firewalls and conflict of interest policies and procedures.

WIOA section 107(d) sets forth specific functions of a Local WDB. It states in pertinent part:

Consistent with section 108, the functions of the local board shall include the following:

(1) LOCAL PLAN.—The local board, in partnership with the chief elected official for the local area involved, shall develop and submit a local plan to the Governor that meets the requirements in section 108. If the local area is part of a planning region that includes other local areas, the local board shall collaborate with the other local boards and chief elected officials from such other local areas in the preparation and submission of a regional plan as described in section 106(c)(2).

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(3) CONVENING, BROKERING, LEVERAGING.—The local board shall convene local workforce development system stakeholders to assist in the development of the local plan under section 108 and in identifying non-Federal expertise and resources to leverage support for workforce development activities. The local board, including standing committees, may engage such stakeholders in carrying out the functions described in this subsection.

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(12) BUDGET AND ADMINISTRATION.—

(A) BUDGET.—The local board shall develop a budget for the activities of the local board in the local area, consistent with the local plan and the duties of the local board under this section, subject to the approval of the chief elected official.

WIOA section 107(d) expressly lists the highlighted functions as required functions of a Local WDB. They are not functions assigned to the service provider of the WIOA Title I Adult, Dislocated Worker, and/or Youth programs. A one-stop operator is expressly prohibited from performing these functions by 20 C.F.R. section 678.620(b).

1. **If the development of the Local Plan and the Development of the Budget is permissible what examples of firewalls must be in place?**

Under WIOA section 107(d), the Local WDB must develop the Local Workforce Development Plan, which includes convening local workforce development stakeholders to assist with such development. A Local WDB is responsible for developing and submitting its budget under WIOA section 107(d). These are not Title I service provider functions. If the Local WDBs in the Territory perform their statutorily-assigned functions

1. **What will be evaluated in the One-Stop Operator performance?**

Performance measures will be negotiated between the Contractor and Local WDBs in the One-Stop Operator Territory.

1. **In a consortium, is the sole Fiscal Agent allowed to subcontract? Without a consortium is the Fiscal Agent allowed to subcontract?**

It is possible that the one-stop operator might use one-stop operator funds to enter into a contract. It’s also possible that the one-stop operator might authorize the fiscal agent to procure contracts or written agreements at the direction of the one-stop operator.

1. **As a consortium, which documents are required to be provided from each separate entity?**

A consortium should submit one collective proposal. Each entity that is part of a consortium does not need to submit its own transmittal letter. A consortium may submit one transmittal letter, signed by an authorized representative of each entity that is part of the consortium.

However, each entity that is part of a consortium must submit its own, separate authorization to release information and certification letter.

1. **As a Title I Director and One-Stop Operator, would the entity be allowed to provide guidance and assistance to the Local Board?**

The one-stop operator shall coordinate the service delivery of participating one-stop partners and service providers in each local workforce development area/region of the Territory. Coordinating the service delivery of participating one-stop partners and services providers shall include facilitating integrated partnerships in each local workforce development area/region in the Territory that:

* Seamlessly incorporate services for the common customers served by multiple program partners of the comprehensive one-stop center.
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* Organize and integrate services at the comprehensive one-stop center in a local workforce development area/region by function (rather than program), when permitted by a program’s authorizing statute and, as appropriate, through the coordinating staff communication, capacity building, and training efforts.

In carrying out its role and activities, the one-stop operator must:

* Disclose any potential conflicts of interest arising from the relationships of the one-stop operators with particular training service providers or other service providers, including but not limited to, career services providers;
* In coordinating services, refrain from establishing practices that create disincentives to providing services to individuals with barriers to employment who may require longerterm services, such as intensive employment, training, and education services; and
* Comply with Federal regulations, and procurement policies, relating to the calculation and use of profits.

Under 20 C.F.R. section 678.620(b), a one-stop operator may not perform the following functions:

* Convene system stakeholders to assist in the development of the local plan;
* Prepare and submit local plans (as required under WIOA sec. 107);
* Be responsible for oversight of itself;
* Manage or significantly participate in the competitive selection process for one-stop operators;
* Select or terminate one-stop operators, career service providers, and youth providers;
* Negotiate local performance accountability measures; or
* Develop and submit budgets for activities of the Local WDB in the Local Area.

A one-stop operator would be allowed to provide assistance or guidance to a Local WDB so long as it is meeting the requirements and prohibitions with respect to a one-stop operator’s functions under WIOA and its implementing regulations.

# Previous Questions and Answers for this Proposal

In order to ensure that Contractors have as much information as possible, the following are the questions and answers that IWD received from potential Contractors during the previous posting of the Request for Proposals for one-stop operator services.

# 1)      We are applying as a consortium….Do we need to have a lead or can it be a true consortium with 1 fiscal agent?

There is no requirement that a consortium have a lead. A consortium may have one fiscal agent.

**2)      If we apply as a consortium, do each of us need to submit the transmittal letter, authorization to release info, and certification letter?**

Each entity that is part of a consortium does not need to submit its own transmittal letter. A consortium may submit one transmittal letter, signed by an authorized representative of each entity that is part of the consortium.

However, each entity that is part of a consortium must submit its own, separate authorization to release information and certification letter.

# 3)      Can we do one transmittal letter which all three entities sign?

Each entity that is part of a consortium does not need to submit its own transmittal letter. A consortium may submit one transmittal letter, signed by an authorized representative of each entity that is part of the consortium.

# 4)      Regarding questions 6 and 7.  What is difference between cost proposal and questions 6-7 in technical specifications?   It appears that sections 6 and 7 would not be included in the Technical Proposal, but rather in the Cost Proposal.  Is this correct, and if so, how will they be scored?

Part 6 of Section 4.2 is included in the Cost Proposal. It will be scored on a 15-point scale in accordance with Section 5.5.

Part 7 of Section 4.2, which is a description of how the Contractor’s created the one-stop operator budget, is included in the Technical Specifications. It will be scored on a 10-point scale.

# 5)      When will answers be released so we can plan out our work to review and made changes to plan as appropriate prior to deadline?

July 28, 2017.

# 6)     Do we need an MOU or something to codify the partnership?  If so, is that required upon application for the RFP or can we develop when/if awarded?

A memorandum of understanding (MOU) establishing the consortium is not required at the time the consortium submits a proposal in response to the request for proposals. But an MOU will be required as part of the final contract, if a Contractor that is a consortium is awarded the contract.

**7) City National Security Services (CNSS) is providing Staffing and Security services throughout the united states since 2005. In order to streamline and segregate the work different in nature, CNSS formed two subsidiaries named Perfecta, LLC for Staffing services and City National Guard for Security services in the year 2017.**

**Going forward CNSS will bid on all the staffing contracts through its wholly owned subsidiary Perfecta. I would like to understand and know, whether Perfecta can use CNSS references and Past performances while bidding on this and other upcoming staffing contracts with the department/agency or not? I would also like to make a point that the delivery team which was working under CNSS earlier, is now a part of Perfecta and there has been no changes in the management. The management of the holding company “CNSS” completely owns and runs the daily show of Perfecta.**

A letter of reference for another corporate entity may be used to satisfy this requirement in the request for proposals, so long as the Contractor provides sufficient documentation to establish that the new entity is substantially similar to the entity for which the letter of reference is written. Factors that will be considered when weighing whether an entity is substantially similar to the entity for which the letter of reference is written include, but are not limited to:

1. Identities of executive officers of the entities;
2. Identities of managers of the entities;
3. Identities of personnel of the entities;
4. Type of work performed by the entities;
5. Physical location of the entities’ place(s) of business; and
6. Other relevant factors.

# 8) This is a four posts in a different Distt. ??

There are four distinct requests for proposals. Each individual request for proposal is for a different District. Each District consists of multiple local workforce development areas/regions. Each local workforce development area/region has a different comprehensive one-stop center.

# 9) What is the scope of work??

The one-stop operator shall coordinate the service delivery of participating one-stop partners and service providers in each local workforce development area/region of the Territory. Coordinating the service delivery of participating one-stop partners and services providers shall include facilitating integrated partnerships in each local workforce development area/region in the Territory that:

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# 10) Is this a New Contract or Follow on, if Follow on who is the currant vendor/contractor?

This is a new contract.

# 11) What was the Previous Spending of this contract?

This is a new contract, so there is no “previous spending” of it.

# 12) Is there any Local or other preference?

No.

# 13) What might some daily activities look like for the selected vendor under this RFP? Please provide a few specific examples.

Please see the above response to Question No. 9.

# 14) What is the anticipated FTE for this project?

Because of the variety in the types of entities that qualify to provide one-stop operator services and the possibility for a consortium of entities to be a one-stop operator under section 121(d) of WIOA, the Agency will not develop an anticipated full-time equivalent (FTE) position total on one-stop operator services.

# 15) How should the electronic copy of the proposal be submitted?

A Contractor may submit an electronic copy of the Contractor’s proposal via USB drive or CD-ROM.

A Contractor may not submit an electronic copy of the Contractor’s proposal via email.

Respectfully submitted by,

Randy Bennett, Purchasing Agent

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