

## PY2021-22 WorkSource RFCR Package

### I. Eligibility for Contract Renewal

- A. The City of Los Angeles reserves a right to offer renewal agreements to Workforce Innovation and Opportunity Act (WIOA) funded subrecipients based on the following preliminaries:
  - 1. That funding is available; and
  - 2. That the contractor has no confirmed program, financial, or audit findings.
- B. Only currently contracted PY2021-22 WorkSource Center contractors may submit an RFCR.
- C. Final, enforceable terms will be set forth in the actual agreements with the contractors.

### II. Funding Allocations

Total funding allocations for all contractors are set forth in Appendix I.

### III. WorkSource/BusinessSource Requirements

Program Year (PY) 2021-22 contracts (refer to §202 of the contract) will include the following:

- A. Each WorkSource Center will be required to collaborate with the BusinessSource Center in its region (a regional matrix is attached hereto as Attachment A).
- B. Each WorkSource Center will be required to execute a non-financial Memorandum of Understanding (MOU), valid through **June 30, 2022**, with its regional BusinessSource Center setting forth the circumstances under which business clients will be referred to the appropriate delivery system. A copy of the executed MOU shall be submitted to the City.
- C. The MOU shall set forth a minimum shared goal of **10 business** referrals to be made between each WorkSource Center and its regional BusinessSource Center. Such referrals will be counted toward the *Number of Employer Customers* performance measure mentioned below. The number of required referrals may be changed by directive.
- D. WorkSource Centers (WSCs) will manage referrals to and from BusinessSource Centers (BSCs) and will be required to maintain physical files of businesses served for that PY. WSCs and BSCs will use the *Business Needs Assessment and Business Referral Form* provided by the EWDD to collect and maintain records relative to all business referrals, including listing the services provided as well as service completion dates. WSCs and BSCs will be required to report such information to the City.
- E. WSCs and BSCs will submit to the City a monthly/quarterly calendar of business events and business sources (i.e., entrepreneurial workshops, business resource fairs, business seminars, information on access to capital, etc.).

### IV. Collaboration

In addition to funding from the Workforce Innovation and Opportunity Act (WIOA), the EWDD also administers monies proceeding from a variety of other sources. EWDD requires that its service providers collaborate with other programs/service providers within their areas, including local FamilySource and BusinessSource Centers. EWDD monitors will follow up on such required collaborations during regular monitoring visits.

## V. **Performance Measures and Evaluation**

### A. Performance Measures

1. Initial levels of performance shall be established within agency contracts.
2. The City reserves a right to adjust PY2021-22 contract goals by directive to accord with PY2021-22 State requirements.

### B. Performance Measures for PY2021-22

1. Customer Satisfaction
  - a. Customer Satisfaction (intercept)
  - b. Exiter Satisfaction (telephone)
2. Performance Outcomes
  - a. Employment Rate 2nd Quarter After Exit
  - b. Employment Rate 4th Quarter After Exit
  - c. Median Earnings 2nd Quarter After Exit
  - d. Credential Attainment
  - e. Measurable Skills Gain
  - f. Effectiveness in Serving Employers
3. Customer Flow.
  - a. Number of new WIOA enrollments
  - b. Minimum number of new WIOA enrollments required by December 31, 2021.
  - c. Number of employer customers
  - d. Percentage of hard-to-serve Adult customers
  - e. Number of enrollments of persons with disabilities
  - f. Number of enrollments of veterans and/or their eligible spouses
  - g. Number of enrollments of reentry customers
  - h. Number of enrollments of customers experiencing homelessness
4. Administrative Capability
  - a. Contractor's administrative practices related to work performance, timeliness, fiscal, communication, human resources, and ethics.
  - b. Expenditure of Training Funds.

## VI. **Workforce Innovation and Opportunity Act Modifications**

The City reserves a right to make changes to policies set forth in the RFCR based on clarifications from legislation, regulations, or other guidance provided by the state or federal government relative to final regulations of the WIOA, or implementation of WIOA statewide waivers.

## VII. **WDB Priorities**

- A. For PY2021-22, the Workforce Development System will continue to serve individuals with disabilities. As an Employment Network under the Social Security Administration Ticket-to-Work program, the City seeks to increase the employment opportunities and choices for Social Security disability beneficiaries. For PY 2020-21, Contractor shall

enroll a minimum of 126 individuals with disabilities in any combination of Adult and Dislocated Workers. Eligible individuals must be enrolled into the City of Los Angeles Employment Network.

1. As defined by the Americans with Disabilities Act of 1990, as amended, P.L. 110-325, et seq., "an individual with a *disability* is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; OR (2) has a record of such an impairment; OR (3) is regarded as having such an impairment."
2. A *physical impairment* is defined by the ADA as "any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine."
3. A disabled individual's self-disclosure is sufficient to document eligibility for services.

#### B. Training and Supportive Services

1. WorkSource Centers must budget and expend an amount equal to or greater than 44% of their total allocation on training services. A portion of the minimum training expenditure requirement (an amount of up to 15% of the adult and dislocated worker allocation) may be met by applying designated leveraged resources, as defined in EDD Directive WSD 18-10, [https://www.edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd18-10.pdf](https://www.edd.ca.gov/Jobs_and_Training/pubs/wsd18-10.pdf), used for training services only. In other words, agencies must set aside a minimum 29% of their City adult and dislocated worker allocation to training services and may leverage the additional 15% to meet the required 44%.
2. Please refer to the budget section (Section X) below for a discussion on reporting Training Leveraged Resources.
3. Supportive Services may also be budgeted. However, only supportive services, as defined by WIOA, that are necessary for an individual to participate in training count toward the 15% maximum training leveraged resource total.
4. Refer to EDD Directive WSD18-10, released January 31, 2019, for training set-asides and a definition of leveraged resources for Items 1-3 immediately above.

#### C. Service to Veterans

1. The enrollment requirement for eligible veterans and their eligible spouses must comprise at a minimum 90 of the total number of participants. This enrollment requirement may consist of any combination of Adult or Dislocated Worker participants. This requirement will be calculated in the *Flow* category of the performance evaluation.
2. In accordance with Section 4215 of the Jobs for Veterans Act, PL 107-288 (38 USC 4215(a)) (HR 4015), **priority of service** will continue to be given to veterans with service-related disabilities, and to spouses of veterans, who meet program eligibility requirements. The contractor must ensure that priority of service for a full array of services, including Career and Training Services, is accorded covered individuals. Priority of service is set forth in the WIOA Annual Plan; State EDD Directive WSD19-04 (supplementing TEGL 10-09), and WIOA-funded contracts. Additional information on hiring veterans and their spouses is available at <https://www.veterans.gov/>.

D. Limited English Proficiency (LEP)

1. The City is committed to ensuring that customers with a limited proficiency in the English language are accorded meaningful access to WIOA funded programs and services.
2. Consistent with previous years, the Workforce Development System (WDS) will conduct an annual *LEP Language Assessment Survey* of the WDS.

E. Gang Reduction and Youth Development

1. By supporting collaborative gang intervention efforts by local, state, and federal entities, the Mayor seeks to bring about significant, long-term reductions in gang activity, thereby improving overall community health.
2. Contractors will be expected to co-enroll eligible clients referred from the Gang Reduction and Youth Development (GRYD) program as stipulated in the Workforce/GRYD MOU.

VIII. **Closeout of Prior Year Contracts**

- A. Completed prior-year (prior to PY2021-22) WorkSource Center contracts must be closed out before PY2021-22 contracts may be executed.
- B. Outstanding PY2021-22 contracts that remain open after the closeout deadline of July 15, 2021, will be closed out unilaterally in accordance with City contractual language:

In the event Contractor does not submit a final closeout or other required documentation within the prescribed time frame, the City reserves the right to unilaterally close out the Agreement and to use the invoice then on file at the City for determination of Contractor's final allowable expenditures. The City will not reimburse Contractor for expenditures reported after the 15-day closeout date following the termination of this Agreement. The City shall provide to Contractor City closeout forms at least thirty (30) days before termination of the Agreement.

IX. **Performance Excellence**

To ensure high quality service and customer satisfaction, the WDB and the WDD are committed to process improvement and performance excellence. Contractors will be required to provide WIOA program customers with effective, consistent and courteous service.

X. **Budget/Expenditure Plan**

- A. Your contract analyst will review and recommend approval of your WIOA PY2021-22 program budget/expenditure plan.
  1. To ensure that the proposed PY2021-22 budget incorporates WorkSource Center program design, operation, and performance requirements, it is recommended that the Center program director and its fiscal/budget officer (and/or other appropriate staff) jointly prepare the budget packet.
  2. **Contractors should prepare two budgets, one for Adult and one for Dislocated Worker funds. Please note: the Excel file budget/expenditure plan worksheets include a section for training leveraged resources.** The forms for PY21-22 are attached hereto as Form 5. An electronic version of such budget documents should be e-mailed to your assigned City program analyst for review and approval. **Once approved, the budget/expenditure plan and budget narrative should be submitted to the City a) in hardcopy form along with the RFCR, and b) electronically to your assigned contract analyst.**

3. Approval of the budget/expenditure plan does not constitute an approval to incur expenses for individual purchases or acquisitions. In all instances, contractors shall follow proper procurement procedures, including securing the City's prior written approval for purchase of equipment and/or computers.
4. For PY21-22, pursuant to CFR Section 662.270, each co-located partner must contribute a fair share of the operating costs, which is proportionate to the use of services at the WorkSource Center by individuals attributable to the partner's program. The particular funding arrangements for services and operating costs of the must be set forth in a Memorandum of Understanding (MOU) and Resource Sharing Agreement. Contractors must submit a list of WSC partners for PY2021-22 using "Form 5 – WorkSource Center Plan."
5. Guidelines for determining contributions from co-located partners, principles for resource sharing and a methodology for calculating costs are set forth in WDS Directive 11-06. For PY2021-22, the assigned EWDD monitor will conduct a review of WorkSource Center MOUs with partner agencies for compliance with WIOA regulations.

B. Budget Preparation Guidelines and Parameters

In preparing the PY2021-22 program budget, contractors are required to review and adhere to: a) the requirements set forth in FMD Information Bulletin FMDIB #20-001 – Financial Grants Management Training dated September 10, 2019; and b) the requirements set forth in the *Leveraged Resources* section appearing immediately below.

1. Leveraged Resources

- a. **Contractors must report leveraged resources on a monthly basis using the Summary of Training Leveraged Resource forms contained in WDS Directive 20-13,** [https://ewddlacity.com/images/directives/wds-directive/WDS-Dir\\_20-13.pdf](https://ewddlacity.com/images/directives/wds-directive/WDS-Dir_20-13.pdf).

The forms can be downloaded here: [https://ewddlacity.com/images/directives/wds-directive/WDS-Dir\\_20-13\\_attachment2.docx](https://ewddlacity.com/images/directives/wds-directive/WDS-Dir_20-13_attachment2.docx).

The completed leveraged resource forms must be submitted along with expenditure reports on the 15<sup>th</sup> of each month. The value assigned to the leveraged resource is subject to review and audit, and therefore must be documented appropriately in individual client files or in a general file maintained at the WorkSource Center main facility.

- b. Additionally, Centers will be required to demonstrate that reported leveraged resources are consistent with the general objectives of the WIOA program and that they bear some relation to the identified barriers or planned services documented in the Individual Employment Plan (or Individual Service Strategy) on file for each client recipient.
- c. The annual amount of leveraged resources reported must be equal to or greater than the amount indicated in the contractor's response to the WorkSource RFP.

2. Participant Costs Set-Aside Requirement

Participant training activities, including ITAs, OJTs, customized training, and supportive services, must be proportionally allocated in your PY 21-22 budget. WorkSource Centers must budget and expend an amount equal to or greater than 44% of their total allocation on training services. A minimum of 29% must

be budgeted from the City adult and dislocated worker allocation for training services. Centers may also leverage a maximum of 15% of their base allocation for training as defined by SB 734 and as modified by AB 1149. Supportive services do not fall under the definition of training and are defined as leveraged resources by the State only if necessary, for participation in training, therefore Centers may choose to budget for this participant service separately.

3. Administrative Cost Limit

For PY2021-22, administrative costs are limited to four percent (4%) of each Center's total WIOA funding allocation.

4. Supporting Costs for Carryover Clients

All costs associated with the provision of appropriate services to carryover clients should be factored into the PY2021-22 budget.

5. Personnel Cost Parameters

a. Any contractor that submits a total schedule of Personnel Costs that is **less than 45 percent** of its PY2021-22 funding allocation is required to include in its budget narrative a discussion of the following:

- i. How the proposed PY2021-22 level of staffing compares to that of prior program years.
- ii. How the proposed PY2021-22 staffing level will be adequate to support the full array of required and necessary WIOA program services and operations.

b. Any contractor whose total schedule of Personnel Costs **exceeds 60 percent** of its PY2021-22 funding allocation is required to explain how the remaining portion of the allocation will provide adequate support for the contractor's operational needs and for the provision of direct client services.

6. Planned Salary Adjustments

a. Planned cost of living or merit salary increases expected to occur during the PY2021-22 contract term must accord with the Center's approved personnel policies and must be factored into the initial budget submitted to the City in response to this RFCR.

b. Salaries in excess of the limit set forth by Public Law 109-234 may not be charged to the City's WIOA grant program. Per WSD20-07 dated February 26, 2021, the limit is \$197,300 or the prorated share based on the amount of time dedicated to the City's WIOA program. Please see [https://edd.ca.gov/Jobs\\_and\\_Training/pubs/wsd20-07.pdf](https://edd.ca.gov/Jobs_and_Training/pubs/wsd20-07.pdf) for more details.

c. Bonus and incentive payments may not be charged to the City's WIOA grant program.

7. Single Audit

a. Expenses associated with the single audit requirement must be a) classified as an administrative cost, and b) set out separately as a clearly identified line item reflected in the "Other Cost" Category 2000.

b. Any contractor that does not include a "single audit" line item as part of the initial PY2021-22 budget submitted in response to this RFCR will be expected to support this cost from a non-City WIOA source.

8. Profit Rate

Any contractor proposing a profit rate for PY2021-22 must submit a proposal packet. Proposal packets may be requested from your assigned program analyst.

C. Budget Narrative

1. Please use Form 6 to set out the budget narrative information in support of your proposed PY2021-22 budget. Please provide the name(s) and contact information of staff who may be contacted about questions concerning your budget submission. The budget narrative form must be submitted to the City in:  
a) **hardcopy form** along with the RFCR, and b) **electronically** to both [Tony.Estrada@lacity.org](mailto:Tony.Estrada@lacity.org) and your assigned program analyst.
2. The budget narrative must include the following: a) a statement setting forth the intended use of the monies for each line item, and b) an explanation/ justification for that use or a rationale that explains the need and intended use of each line item contained within the proposed PY2021-22 budget plan. In preparing the budget narrative, please provide information so that the reviewer understands the necessity of each proposed item as well as the process used to arrive at each budgeted amount (e.g., formulas used).

D. Budget Support Documentation

1. In addition to the budget narrative, support documentation must be submitted for each budget line item, as applicable. Applicable support documentation may include the following:
  - a. Personnel/Job descriptions.
  - b. Organization chart (covering all positions cost allocated against WIOA funds).
  - c. Approved staff salary ranges.
  - d. Personnel policies (amendments to policy on file with City).
  - e. Executed copies of all subcontract agreements and professional service agreements with vendors for outside services (e.g., legal or accounting). It is the policy of the City of Los Angeles (City) to encourage fair and open competition in its procurement for goods and services. By practicing sound purchasing and contracting practices, we are demonstrating the highest ethical standards possible. Procurement shall be conducted at least **once every three years**. Contractor shall conduct and document oversight to ensure compliance with procurement procedures.
  - f. New or amended lease agreements, including applicable security deposits or facility lease-sharing agreements with EDD or other co-located partners, etc.
  - g. Cost allocation plan defining method for allocating various shared expenses between all City WIOA programs and all other non-City WIOA programs.
  - h. Floor plan of the Center facility and the methodology used to calculate space costs.
  - i. Copies of the contractor's indirect cost rate approval letter from the contractor's **cognizant agency** (if any) and the proposal submitted. **Agencies that do not have a cognizant Federal agency may submit a request to the EWDD Financial Management Division to propose a**

**rate. An agency who has never negotiated and does not intend to negotiate a rate with its federal cognizant agency may request a 10% de minimis rate or a one-time four-year extension of a currently approved rate. (Note that the administrative portion of the indirect cost, together with all other administrative costs in the budget, will be subject to the 4% administrative limit.)**

## **XI. Inventory**

- A. Please refer to the draft Annual Plan, Tab 6, “Policies,” for the “Property/Equipment – Purchasing, Inventory, and Disposition Policy,” which provides guidelines for the management, control, transfer, disposition and safeguarding of property purchased with WIOA funds by the EWDD and its contractors. The policy may be found here beginning on page 6-130: [https://ewddlacity.com/images/reports/ap22/2draft-AP22\\_Tab6\\_Policies.pdf](https://ewddlacity.com/images/reports/ap22/2draft-AP22_Tab6_Policies.pdf).
- B. For PY2021-22, contractors are requested to submit an inventory of all equipment purchased with WIOA funds (Form 12). Your program analyst will conduct a physical count to validate the inventory submitted.

## **XII. Additional Required Contract Documentation – Checklist of Required Documents Form**

- A. Organizations recommended for funding by the EWDD and WDB and approved for funding by the City Council and Mayor are required to comply with the City’s requirements for contract execution. These requirements include the submission of various compliance statements, corporate documents, and certifications. Organizations receiving WIOA funds through the City must also meet federal requirements imposed by the U. S. Department of Labor.
- B. Code of Conduct contract language
  - 1. Contracts include language regarding the Code of Conduct.
  - 2. The EWDD issued a *Policy on Conflict of Interest*, WDS Directive No. 17-08 dated January 10, 2017, informing contractors of the new requirements: [https://ewddlacity.com/images/directives/wds-directive/WDS-Dir\\_17-08.pdf](https://ewddlacity.com/images/directives/wds-directive/WDS-Dir_17-08.pdf).
  - 3. Contractors submitting an RFCR must have adopted, by duly authorized motion of their Board of Directors, the following:
    - a. The Code of Conduct provided by the City of Los Angeles; or
    - b. The contractor’s own Code of Conduct subject to City approval.
  - 4. Only contractors who have **not** filed a Code of Conduct **or** who have changes to their Code of Conduct need to submit new documentation to the EWDD.
- C. Corporate Documents. If there have been any changes to your City Business License Number (BTRC), IRS Taxpayer Identification Number (copies must be dated after 2013), Articles of Incorporation, or Corporate Bylaws, you must submit the updated/revised documents with this RFCR. If there are no changes in these documents, indicate “No change” on the Checklist of Required Documents/Required Information.
- D. Signatory Authorization. Contractors must ensure that they have submitted a new Certification of Authorities. To comply with the RFCR you must do the following:
  - 1. Submit an updated Certification of Authorities with signatory email addresses;
  - 2. Also include, appropriate board resolution. The board resolution must specifically list all individuals appearing on the Certification of Authorities form as well as the signature authority such individuals are authorized to perform.



- E. Board of Directors. A current, updated list of board members and a certifying board action with individual board member contact information must be submitted.
- F. Municipal Lobbying Ordinance. The Municipal Lobbying Ordinance established by Council requires City departments to include a copy of the Municipal Lobbying ordinance in all invitations for bids, requests for proposals, requests for qualifications or other solicitations relative to entering into agreements with the City. Contractors must submit Bidder Certification CEC Form 50 along with their RFCR documentation. This ordinance may be viewed and completed at the City website <http://ethics.lacity.org>.
- G. Contractor Responsibility Ordinance. Original wet signed Contractor Responsibility Questionnaire and Pledge of Compliance forms must be submitted with RFCR package.
- H. The following documents are required for contract execution but are not required with your RFCR package submission.
1. Los Angeles Business Assistance Virtual Network (LABAVN) - <https://labavn.force.com/LABAVN/s/>  
Active status of all City ordinance forms in the Company Compliance Documents section of LABAVN:
    - Equal Benefits /First Source Hiring Ordinance
    - Disclosure Ordinance
  2. Living Wage Ordinance (LWO)  
LWO documents shall be submitted with signed contract package or within 30 days of contract execution to EWDD.  
Agency who is in compliance with LWO should submit a copy of company's 1<sup>st</sup> payroll under this City contract and should provide the employer's monthly contribution amount(s) toward the health benefits premium(s) for each employee working on this City contract along with the submission of LW-6 and LW-18. Any LW-6 form submitted without the documentation shall be considered incomplete and will be returned to agency unprocessed.  
Non-Profit agency who is qualified to be exempt from LWO should submit a copy of IRS 501C3 letter dated after 2013 along with the submission of LW-28 and LW-18.
  3. Insurance  
The City requires that proof of current insurance coverage be submitted electronically via the City's *KwikComply* site by the contractor's insurance agent/broker (not by the contractor itself), who must register at <https://kwikcomply.org/>. For EWDD contractors, the insurance agent/broker must include Alma Armenta-Azizieh (alma.armenta-azizieh@lacity.org) in the notification section of the form.