

SOUTH FLORIDA WORKFORCE INVESTMENT BOARD
REQUEST FOR PROPOSALS (RFP)
FOR
WORKFORCE SERVICES

Release Date: April 9, 2015

All proposals shall be submitted by 12:00 noon. ET, May 5, 2015

Submit Responses to:
South Florida Workforce Investment Board Headquarters;
CareerSource South Florida, Reception Desk,
7300 Corporate Center Drive, Suite 500
Miami, Florida 33126

South Florida Workforce Investment Board is an equal opportunity employer and program. Auxiliary aids and services are available upon request to individuals with disabilities.

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I. Invitation

A. South Florida Workforce Investment Board (SFWIB) Background

The South Florida Workforce Investment Board (SFWIB) of Region 23 (Miami-Dade and Monroe Counties) is one of 24 regional workforce boards in the State of Florida. Through its 14 CareerSource centers located across the region, SFWIB serves businesses, jobseekers, adults, youth, dislocated workers, refugees and individuals transitioning from welfare to work.

The SFWIB is a governmental agency and instrumentality of both Miami-Dade and Monroe Counties, eligible to exclude income under Section 115 of the U.S. Internal Revenue Code. The Board is composed of volunteers who represent local private sector businesses, educational institutions, economic development agencies, labor organizations, veterans' interests, community-based organizations, state and local government agencies. The Board conducts its business in accord with federal and state laws, the Interlocal Agreement creating the SFWIB for Region 23 of the State of Florida, the By-Laws of the SFWIB and its approved policies.

The following is a list of the Board's strategic goals:

- Premier Florida Provider of Employment and Career Training;
- Strong, Timely Reporting Standards for End User Customers and Providers of Services;
- Improved Digital Literacy;
- Celebrated, Benchmark Leader in Best Practices;
- Dedicated Commitment to Youth Participation in the 21st Century Economy;
- Effective Demand Driven Management Control Tools; and
- State Leader in Collaborative Partnerships.

Additional information regarding the Board, its members and approved policies is located on the SFWIB's website (www.careersourcesfl.com).

B. Workforce Investment Act (WIA) Background

The Workforce Investment Act (WIA) of 1998 (P.L. 105-220) is one of the primary sources of funding for workforce development activities in Region 23. It is the Respondent's responsibility to be familiar with the WIA and the federal regulations applicable to the WIA. Both WIA and the regulations can be accessed on the Department of Labor's site (www.doleta.gov).

C. RFP Purpose

The SFWIB intends to award contracts for a minimum of two (2) separate and distinct types of services. The first type of service will focus on **Workforce Services for the Hialeah Downtown CareerSource center**. The second will focus on **Business Services**. These services are discussed in detail in section **III. Scope of Services**.

Please note, Respondents may bid on one or both of these types of services. Respondents, however, may only be awarded a contract for **one (1)** type of service. If a Respondent intends to apply for both the **Workforce Services for the Hialeah Downtown CareerSource center Contract** and the **Business Services Contract**, two (2) separate proposals must be submitted. A current Workforce Services Contractor shall not be eligible to apply for a Business Services Contract. Proposals shall clearly convey the services that the agency intends to provide (**Workforce Services for the Hialeah Downtown CareerSource center or Business Services**).

The SFWIB is issuing this RFP to solicit agencies capable of successfully delivering Workforce Services for the Hialeah Downtown CareerSource center or Business Services.

Proposal responses shall sufficiently articulate the Respondent's plan of action to deliver the solicited services and demonstrate a successful performance track record in delivering the solicited or comparable services. Responses shall also document an in-depth knowledge of the fiscal, administrative and programmatic requirements of the multiple funding streams utilized by the SFWIB.

D. Eligible Respondents

Private non-profit, for-profit and public entities licensed to operate in the State of Florida are eligible to apply.

E. Anticipated Term of Contract and Available Funding

The SFWIB anticipates executing contracts with successful Business Services Respondents and Workforce Services Respondents for the period of July 1, 2015 to June 30, 2016. The SFWIB reserves the right to renew the contracts for up to one (1) additional year based on successful respondent meeting the SFWIB's contractual requirements. Such renewal(s) shall be made by mutual agreement and shall be contingent upon satisfactory performance and quality assurance evaluations as determined by the SFWIB and shall be subject to the availability of funds. Any renewal(s) shall be in writing and shall be subject to the same terms and conditions as set forth in the initial contract including any amendments.

The total estimated contract award for any contract resulting from this RFP is subject to the availability of funds.

Note: A successful Respondent of a **Business Services Contract** shall **not** be permitted to work as a subcontractor of a current Workforce Services Contract or a successful Respondent of a **Workforce Services for the Hialeah Downtown CareerSource center Contract**. Conversely, a successful Respondent of a **Workforce Services for the Hialeah Downtown CareerSource center Contract** shall **not** be permitted to work as a subcontractor of a successful Respondent of a **Business Services Contract**. A current Workforce Services Contractor shall not be permitted to work as a subcontractor of a Business Services Contract.

Workforce Services for the Hialeah Downtown CareerSource center shall be provided to a diverse population of individuals that includes, but is not limited to, the following:

- Any individual in need of workforce services;
- Dislocated workers;
- Individuals with disabilities;
- Ex-offenders;
- Individuals on public assistance;
- Displaced homemakers;
- Older youth;
- Veterans;
- Mature workers; and
- Reemployment Assistance recipients.

Note: It is the SFWIB's desire that the successful Respondent of a **Business Services Contract** focus solely on services to businesses.

Funding for these solicitations may be from all or any combination of the following funding streams:

- Temporary Assistance for Needy Families (TANF);
- WIA Adult;
- WIA Dislocated Worker;
- Reemployment and Eligibility Assessment (REA);
- Supplemental Nutrition Assistance Program (SNAP); and
- Reemployment Assistance (RA).

The SFWIB's estimated funding by type of contract as set forth below is solely for the purpose of giving Respondents planning guidance.

Funds for a **Workforce Services for the Hialeah Downtown CareerSource center** contract is estimated to be between \$1,000,000 to \$1,750,000 for each year depending on the number of jobseekers and employers proposed to be served, the number of jobseekers proposed to be placed in gainful employment, and the number of successful Respondents, as determined by the SFWIB. Please note, this estimate is subject to the availability of funds.

Funds for a **Business Services** contract are estimated to be between \$250,000 - \$1,000,000 for each year depending on the number of employers proposed to be served, the types of business services proposed to be provided, the number of job openings proposed to be filled, and the number of successful Respondents, as determined by the SFWIB. Please note, this estimate is subject to the availability of funds.

II. RFP Calendar and Process

A. Solicitation Timetable

RFP Events	COMPLETION DATE		
	Day	Date	Time
RFP Issued	Thursday	April 9, 2015	
Deadline for Request for Clarification Inquiries	Monday	April 13, 2015	1:00 p.m.
Offerors' Conference	Monday	April 20, 2015	1:00 p.m.
Deadline for Receipt of Proposals	Tuesday	May 5, 2015	12:00 noon
Public Review Forum	Thursday	June 4, 2015	10:00 a.m.
Funding Recommendations Approved	Thursday	June 18, 2015	
Execution of Contract	Friday	June 26, 2015	
Contract Start Date	Wednesday	July 1, 2015	

The SFWIB, in its sole discretion, reserves the right to change this schedule when it is in the best interest of the SFWIB. Thus, it is the responsibility of the Respondent to routinely check the website (www.careersourcesfl.com) for amendments to the schedule.

B. Method of Solicitation

A Request for Proposals (RFP) is a solicitation method that ensures open competition in order to maximize the likelihood of receiving exemplary **Workforce Services for the Hialeah Downtown CareerSource center** and **Business Services** proposals.

Notice of the RFP will be published in the region's major newspapers and also be distributed via e-mail to agencies on the SFWIB's Bidders List. Upon its release, the RFP and all accompanying attachments will be posted on the SFWIB's website.

C. Cone of Silence

The Cone of Silence is designed to protect the integrity of the procurement process by shielding it from undue influences prior to the recommendation of the contract award. Upon the RFP's release, the "Cone of Silence" is in effect, prohibiting communication regarding the RFP between: a potential service provider and the SFWIB's staff; a potential service provider and the SFWIB's Board members; and a potential service provider and members of the selection committee.

Communications regarding the RFP between a potential service provider and the procurement agent responsible for administering the procurement process is exempted from the Cone of Silence provided that the communication is limited strictly to matters of process or procedure. Respondents contacting Board members, staff, or selection committee members risk immediate disqualification from the competitive procurement process.

D. Request for Clarification

Respondents shall submit via e-mail all questions regarding the clarification of any requirement or procedure to the SFWIB's Quality Assurance Coordinator, Frances Gonzalez at frances.gonzalez@careersourcesfl.com no later than 1:00 p.m., Monday, April 13, 2015.

Oral requests for clarification shall not be accepted. The SFWIB reserves the right to reject any or all requests for clarification, in whole or in part. All written requests for clarification accepted by the SFWIB along with corresponding responses will be posted on the SFWIB's website (www.careersourcesfl.com) under this RFP's Q&A.

E. Offerors' Conference

An Offerors' Conference will be held to afford Respondents an opportunity to voice questions and/or concerns relevant to the RFP. Although attendance is not required, all potential Respondents are strongly encouraged to attend. The conference is scheduled for 1:00 p.m., Monday, April 20, 2015 at the SFWIB's Headquarters, 7300 Corporate Center Drive (NW 19th Street), 5th Floor, Miami, FL 33126 (room to be determined).

The conference is the only forum available to Respondents to communicate questions and/or concerns to the SFWIB's staff and to receive responses to the questions and/or concerns. Except for information provided at the Offerors' Conference, the SFWIB's staff is prohibited from communicating with Respondents. Please note, oral answers provided during the conference will not be binding on the SFWIB.

Answers to relevant questions during the conference will be posted on the SFWIB's website (www.careersourcesfl.com) under RFP Q&A.

III. Workforce Services Scope of Services

A. Workforce Services Overview

The solicited **Workforce Services for the Hialeah Downtown CareerSource center** shall be provided in accord with the WIA (P.L. 104-193), Workforce Innovation Act of 2000 (Chapter 445 F.S.), Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193), Family Self Sufficiency Statute (Chapter 414 F.S.) and all other applicable federal, state and local laws and regulations.

Funds allocated to successful **Workforce Services for the Hialeah Downtown CareerSource center** Contractors under the various funding streams are to be used effectively and efficiently to meet the employers' demands by placing jobseekers in employment opportunities to gain economic prosperity. Proposals shall explain how Respondents intend to administer and ensure that jobseekers are provided a standard level of employment services following the Jobseeker Services Flow Chart **Attachment A, (Jobseeker Services Flow Chart)**.

B. Description of Deliverables and Performance Measures

1. Workforce Services for the Hialeah Downtown CareerSource center

The Main goal of **Workforce Services for the Hialeah Downtown CareerSource center** is Job Placement. Federal regulations at 20 CFR 651.10 defines a job placement as the hiring by a public or private employer of an individual referred by the employment office for a job or an interview, provided that the employment office completed all of the following steps:

- a. Prepared a job order form prior to referral, except in the case of a job development contact on behalf of a specific applicant;
- b. Made prior arrangements with the employer for the referral of an individual or individual(s);
- c. Referred an individual who has not been specifically designated by the employer, except for referrals on agricultural job orders for a specific crew leader or worker;
- d. Verified from a reliable source, preferably the employer, that the individual had entered on a job; and
- e. Appropriately recorded the placement.

Workforce Services for Job Placement Assistance for the Hialeah Downtown CareerSource center include Core, Staff-Assisted Core, Intensive and Training Services:

- a. Core/Staff-Assisted services include: job search and job placement assistance, including career counseling; labor market information identifying job vacancies, skills necessary for occupations in demand, and relevant employment trends in the local, regional and national economies; initial assessment of skills and needs; provision of information on available services and programs; and follow-up

services to assist in job retention. Core services are available on a universal basis with no eligibility requirement.

- b. Intensive services: The Respondent shall provide intensive services to unemployed workers who are unable to obtain employment through the core services and to employed workers who are determined to need additional assistance to obtain or retain employment. Intensive services include comprehensive assessments, development of individual employment plans, group and individual counseling, career advisement and short-term prevocational services.
- c. Training services: The Respondent shall provide training services to individuals who: (1) met the eligibility requirements for intensive services, but have been unable to obtain or retain employment through such services; (2) have the skills and qualifications to successfully participate in a selected program; (3) select programs that are directly linked to employment opportunities in the local area; and (4) are unable to obtain other grant assistance, including Pell grants, or need assistance above the levels provided by such other grants. Authorized training includes occupational skills training, on-the-job training, work-based training, skills upgrade, job readiness training and adult education and literacy activities in conjunction with other training. If a Contractor's adult funds are limited, priority for intensive and training services shall be given to recipients of public assistance and other low income individuals.
 - i. WIA requires that training be provided and paid through the use of Individual Training Accounts (ITAs), through which an eligible jobseeker chooses among the SFWIB's approved training programs and vendors. Note, ITAs are applicable to the non-WIA solicited programs such as Trade Adjustment Assistance and Welfare Transition (Career Advancement Program).
 - ii. Training may be provided through a contract for services in lieu of an ITA for: on-the-job training, work based training, and customized training; where there are an insufficient number of providers to meet the competitive purposes of ITAs; and for programs offered by community-based organizations or other private agencies that serve special participant populations that face multiple barriers to employment.
 - iii. Selected Respondents shall adhere to the SFWIB's ITA Policy and ITA Procedures **Attachment O, (ITA Policy)**, and **Attachment P, (ITA Procedures)**, for issuing ITAs and tracking participant training progress and shall cooperate with Training Providers to ensure compliance with the SFWIB's reconciliation requirements.

2. Workforce Services to Businesses

Workforce Services to businesses are a critical component of the solicited integrated Workforce Services delivery system, providing direct value to businesses and enhancing the ability of the workforce system to achieve optimal levels of job placement and job placement assistance. Selected Workforce Services Respondents shall perform the following business services:

- a. Specialized Recruitment and Screening Services
 - i. Advertise Job Openings
 - ii. Conduct Specialized Recruitments
 - iii. Screen Applicants
 - iv. Conduct Job Fairs
- b. Information and Technical Assistance
 - i. Advise on Workforce Issues (e.g. workforce-related tax incentives and labor market statistics)
 - ii. Downsizing Services and Outplacement (e.g. assist the Region's Rapid Response Services Coordinator)
- c. Employee Development Services
 - i. Make Businesses aware of training incentives (e.g. customized, on-the-job, employed worker, quick response and incumbent)
 - ii. Broker On-the-Job Training (OJT) and Employed Worker Agreements
 - iii. Follow-up Services
 - iv. Employee Retention Services

3. Workforce Services for the Hialeah Downtown CareerSource center Performance

The SFWIB's Balanced Scorecard is a performance metric used to measure the effectiveness of Workforce Services delivery and operations. Specific Balanced Scorecard performance measures indicate program compliance of the contracted funding streams awarded to a Workforce Services' Contractor (i.e., WIA, WP, CAP, etc.).

Selected Respondents shall ensure that their staff is trained on all Balanced Scorecard measures **Attachment N, (Balanced Scorecard Report Specifications)**, for more in-depth information on the scorecard.

C. Workforce Services CareerSource centers

The SFWIB's CareerSource South Florida centers operate as a workforce development resource for businesses and jobseekers in Miami-Dade and Monroe Counties (Region 23). **Workforce Services for the Hialeah Downtown CareerSource center** Respondents may propose to deliver such services in the Hialeah Downtown CareerSource center.

The table below sets forth the name and addresses of the CareerSource center where Respondents may propose to provide Workforce Services. The successful Respondent may be required to deliver services at a different location and/or also from an Access Point and/or a Reemployment center.

CareerSource center	Address
Hialeah Downtown	240 East 1 Avenue, Suite 222

D. Workforce Services Programs

The integrated menu to provide Employment and Training Workforce Services for the Hialeah Downtown CareerSource center may include, but is not limited to, the following programs:

- Workforce Investment Act;
- Career Advancement Program (known as Welfare Transition);
- Wagner-Peyser;
- Veterans;
- Reemployment and Eligibility Assessment;
- Supplemental Nutrition Assistance Program;
- Reemployment Assistance; and
- Trade Adjustment Assistance.

1. Workforce Investment Act (WIA) Program Services

The goals of the WIA are to improve the quality of the workforce, enhance the region’s competitiveness and reduce welfare dependency. Selected Respondents shall be responsible for delivering a continuum of WIA services (e.g. core, assisted-core, intensive and training) to adults and dislocated workers. Services shall be rendered based on participant need, eligibility guidelines and funding availability.

Selected Respondents shall also be responsible for the following: (1) WIA eligibility determination and verification; (2) collection of required supporting documentation; (3) completion and submission of necessary eligibility documents; and (4) maintenance of documentation.

2. Welfare Transition Program/Career Advancement Program (CAP)

The goal of the CAP is to emphasize work, self-sufficiency, and personal responsibility as well as enable welfare recipients to move from welfare to work. CAP requires adults receiving cash assistance who are deemed work eligible to engage in work activities in order to develop the ability to support themselves before their time-limited assistance runs out. Work eligible CAP participants who fail to complete required work activities risk losing cash assistance.

The selected Respondent shall be responsible for managing the CAP caseload which includes, but is not limited to, the following:

- a. Work registration of TANF applicants;
- b. Assessment of TANF participants
- c. Assignment to work activities;
- d. Daily management of CAP participants;
- e. Weekly system tracking of participation;
- f. Timely request of sanctions for non-participation; and
- g. Follow-up to determine appropriate disposition;

3. Wagner-Peyser (WP) Program

The Wagner-Peyser Act of 1933, as amended by the WIA, prescribes specific guidelines regarding the registration of jobseekers and the provision of employer services. The main purpose of the WP program is to match employers with qualified jobseekers.

Selected Respondents shall be responsible for the management of the Department of Economic Opportunity (DEO) staff who will provide WP employment services; DEO staff shall document service delivery to all jobseekers and employers and make available labor exchange services to all employers and jobseekers, including, but not limited to, reemployment assistance recipients, veterans, migrant and seasonal farm workers and disabled individuals.

4. Veterans Program

The goal of the Veterans Program is to promote and maximize the employment of the region's veterans, particularly veterans with barriers to employment, utilizing the full menu of Workforce Services and CareerSource center resources.

Region 23 CareerSource centers shall be staffed with a network of professional Disabled Veterans Outreach Program (DVOP) Specialists and Local Veterans Employment Representatives (LVER) who are tasked to provide priority workforce services to veteran customers. DVOP staff focuses on providing intensive case management services to veterans with barriers to employment, such as disabled veterans. LVERs conduct outreach to employers and engage in advocacy efforts with hiring executives and managers to increase employment opportunities for veterans. LVER staff is also responsible for ensuring that veterans are provided the full range of priority workforce services in the CareerSource center.

5. Reemployment and Eligibility Assessment Program (REA)

The REA requires one-on-one assessment interviews with REA customers (UC claimants). The assessment interview includes the following: sharing labor market information, developing an employability development plan, and assisting with job

search and training referrals. The program's goal is to shorten the duration of REA customers' Unemployment Insurance (UI) claims and consequently the length of their unemployment.

6. Supplemental Nutrition Assistance Program (SNAP)

Selected Respondents shall manage SNAP (formerly the Food Stamp Employment and Training Program). SNAP strives to meet the needs of participants in gaining skills, training, work and experience that will increase participants' ability to obtain self-sufficiency. The State of Florida provides SNAP services to able-bodied adults (ages 18-49) without dependents (children). Department of Children and Families (DCF) staff determines which SNAP recipients must register for work and participate in SNAP. The DCF refers all mandatory SNAP participants to the Regional Workforce Board providers for program participation.

7. Reemployment Assistance Program (RA)

The Department of Economic Opportunity (DEO) administers the Reemployment Assistance (RA) program which provides temporary wage replacement benefits to qualified individuals who are out of work through no fault of their own. Selected Respondents shall be responsible for identifying RA customers, providing RA services (e.g. toll free telephone number for RA office, RA booklet, and claim filing methods) and seeking innovative approaches to providing these services.

8. Trade Adjustment Assistance Program (TAA)

TAA is designed to assist workers who have been laid off or whose jobs have been threatened as a result of foreign competition. Workers covered under a certified Trade Act petition are eligible to receive an array of services and benefits to include training, reemployment services, job search, relocation allowances, trade readjustment allowances, wage subsidy for older workers and health coverage tax credit benefits.

E. Support Services

Support Services are a vehicle to eliminate barriers to employment and self-sufficiency. Selected Respondents shall coordinate and pay for support services so eligible participants can fulfill required program activities. Payment of support services shall be documented in both the SFWIB's Workforce Management System (WFMS) and the participant's file. Bulleted below are the primary support services:

- Transportation;
- Work permit;
- Tools;
- Uniforms;
- Clothing;

- Occupational License;
- Credential Validation and Translation; and
- Expunge and Seal.

F. Staffing

In order for Respondents to deliver maximum value of workforce services for the Hialeah Downtown CareerSource center, **Attachment Q, (CareerSource center Staffing)**, shall be adhered to, as it ensures the hiring of qualified staff.

Selected Respondents shall provide their staff an orientation on the workforce development system, specifically on the delivery of the solicited services.

Additionally, selected Respondents shall provide their staff opportunities for continuous skills development and take steps to retain qualified staff.

G. Data Entry Responsibilities

Selected Respondents shall use the Initial Assessment Application (IAA), Employ Florida Marketplace (EFM), One Stop Service Tracking (OSST) and the Workforce Management System (WFMS) to document the provision of jobseeker services. These systems are accessible from the SFWIB's website (www.careersourcesfl.com).

H. Mandated Workforce Services CareerSource center Partners

Mandated partners contribute to the delivery of workforce development services throughout Region 23. Respondents' proposals shall explain any collaboration with any of the mandated partners from the following list (e.g. a referral process) with Respondent's staff to deliver proposed services:

- Postsecondary Education;
- Department of Children and Families;
- Vocational Rehabilitation;
- Community Services Block Grant;
- Department of Housing and Urban Development;
- Job Corps;
- Senior Community Service Employment;
- Migrant and Seasonal Farm Worker; and
- Native American Employment and Training.

A Memorandum of Understanding (MOU) between the SFWIB and a mandated partner shall be executed prior to collaboration between the Respondent and the partner. The MOU is required irrespective of whether the partner is co-located inside or outside the center.

IV. Business Services Scope of Work

A. Business Services Overview

Business Services is a critical component of the solicited integrated service delivery system. As the economic driver of the 21st century, businesses and the organizations that serve them are critical partners to the workforce development system.

A major challenge facing the Region is that of having more jobseekers than job openings and successful job placements. Business clients are local, national and international companies or local organizations, which employ the jobseekers or workers served in this region. Therefore, they represent any company, firm or institution that provides jobs for the local labor market.

Business partnerships are essential to meet the Region's workforce current and future needs of diverse business sectors. The Region's workforce system has successfully partnered with business and industry. However, current employer penetration data indicate a tremendous opportunity exists to develop additional business partnerships. Businesses and the SFWIB have a vested interest in partnering.

Business Services exists to serve the business client by providing direct value to companies operating in South Florida. A primary function is to develop or reinforce workforce-business partnerships. A fundamental premise of this framework is that Business Services uses a partnership approach in designing and offering workforce development services for targeted industries and businesses.

Workers do not succeed when businesses do not succeed. Furthermore, businesses are at a competitive disadvantage if their workers are not skilled. Therefore, it is imperative that the Respondents understand and demonstrate how well Workforce Business Services meet business' needs. Respondents shall enhance the delivery of Business Services and the value of these services to businesses. Respondents are required to propose service delivery location(s).

B. Description of Deliverables and Performance Measures

1. Workforce Services to Businesses

Selected Business Services shall provide the following business services:

- a. Conduct Specialized Recruitments (screening and applicant referrals)
 - i. Specialized Recruitment should be tailored to meet the specific criterion of the business. The recruitments shall take place at the location, dates, and times specified by the business;
- b. List Job Openings in the State's tracking system;
- c. Conduct Mass Recruitment/Opportunity Fairs;
- d. Increase awareness and market share through marketing, developing and expanding the following services to businesses:

- i. Tax Incentives
 - ii. Customized Training
 - iii. Employed Worker Training grants
 - iv. On-the-Job Training
 - v. Paid Work Experience
 - vi. Labor Market Information statistics
 - vii. Employ Florida Marketplace
- e. Market and develop work sites and training agreements with employers;
 - f. Downsizing Services and Outplacement (e.g. Rapid Response services);
 - g. Information on labor laws and related legislation; and
 - h. Assistance with law compliance, such as I-9 completion.

2. Business Services Performance

Selected Business Services Respondents shall be evaluated on the following performance:

- a. Number of businesses served in the State's tracking system;
- b. Number of new businesses served in the State's tracking system;
- c. Number of job listings entered into the State's tracking system;
- d. Number of job listings resulting with a job placement in permanent/long term employment (long term employment is defined as five (5) months or more employment with a specific business);
- e. Number of businesses served in the following seven (7) targeted industries;
 - i. Aviation
 - ii. Creative Design
 - iii. Hospitality & Tourism
 - iv. Information Technology
 - v. International Banking & Finance
 - vi. Life Science & Healthcare
 - vii. Trade & Logistics
- f. Number of permanent and/or long term direct referral job placements;
- g. Average hourly wage of all job listings resulting with a job placement in permanent/long term employment; and
- h. Average hourly wage of all job listings resulting with a job placement in permanent/long term employment within each of the seven (7) targeted industries.

V. Evaluation Process and Selection Criteria

A. Submission Guidelines

Respondents are required to submit to the SFWIB two (2) unbound originals and eight (8) unbound copies (unless instructed otherwise in subsection B below) of proposal package components **no later than 12:00 noon, May 5, 2015**. Proposal packages shall be delivered to the address set forth on the cover page of the RFP. The SFWIB shall not accept any modifications to any submitted proposal package after the submission deadline. Any proposal package arriving post deadline will not be accepted by the SFWIB and will be returned, unread, to the Respondent. No proposal package will be accepted via electronic mail or facsimile.

NOTE: Use only binder clips or rubber bands to keep copies separate.

B. Proposal Format, Content and Organization

All proposal components shall be separately labeled and packaged, in 12 point font, Times New Roman and assembled in the following manner:

1. Identifying Data Cover Sheet (Attachment B)

Respondents shall use **Attachment B, (Organizational Identification Data form)**, to specify both the name of its organization and the ten-digit alpha-numeric code chosen by it. The code must not contain the initials of the organization. Attachment B will be sealed in an envelope with no identifying information on the cover. **Only one (1) original of Attachment B is required to be submitted.**

Attachment B will be opened at the Public Review Forum scheduled for **Thursday, June 4, 2015**.

2. Organizational Experiences/Capabilities: Ten (10) Page Limit (Limit excludes applicable attachments)

Attachment C, (Organizational Capability Cover Sheet – Workforce Services), or **Attachment R, (Organizational Capability Cover Sheet – Business Services)**, are the Organizational Capability cover sheets for Respondent to utilize for the submission of its experience and capabilities. **Two (2) unbound originals and four (4) unbound copies** are required to be submitted.

The Respondent shall address the items below:

- a. Describe the Respondent's years of experience delivering the solicited workforce services and complete **Attachment E, (Reference Chart)**;
- b. Describe the Respondent's staffing plan using **Attachment Q, (CareerSource center Staffing)**, or **Attachment T, (Business Services Staffing)**, as a reference to ensure the

successful delivery of the solicited services and complete **Attachment D, (Staff Qualifications)**;

- c. Describe the financial control process that Respondent will use in the delivery of the solicited services; and
- d. Complete **Attachment F, (Funding Sources)**.

3. Technical Proposal Narrative – Thirty-Five (35) Page Limit (Limit excludes applicable Attachments)

Attachment G, (Technical Proposal Cover Sheet – Workforce Services), or Attachment S, (Technical Proposal Cover Sheet – Business Services), are the Technical Proposal cover sheets for the Respondent to utilize for the Technical Proposal Narrative component. **Two (2) unbound originals and eight (8) unbound copies are required to be submitted.**

The Technical Proposal Narrative is to be prepared in a manner that ensures that there is no identifying information on any page of the proposal that indicates the organization submitting the proposal. **Technical Narrative Proposals that include identifying information will be deducted one (1) point per occurrence from the total score.**

NOTE: Do not respond to any element of the narrative by referencing information presented elsewhere in the Respondent’s proposal. A response of “see above” or similar statements shall be considered unresponsive. Failure to respond to any section of the RFP may result in the Respondent’s proposal being deemed non-conforming and thus eliminated from the competitive procurement process.

The Respondent’s Technical Narrative shall sufficiently address the management and delivery of proposed services.

Respondents to **Workforces Services for the Hialeah Downtown CareerSource center** shall clearly describe planned programmatic efforts. Emphasis should be placed upon customer flow and service delivery. At a minimum, include the following:

- a. The Respondent shall describe the service delivery model that maximizes the collaboration with Workforce Services Contractors to increase employment outcomes and reduce the period of unemployment for Jobseekers.
- b. The Respondent shall articulate its strategy to administer services to Jobseekers. The strategy shall address integral staff for the successful administration of services.
- c. The Respondent shall identify and describe collaboration strategies with any mandated partners that demonstrate success and effectiveness in serving Jobseekers.
- d. The Respondent shall describe its quality assurance processes to ensure proper documentation and value services are provided.

- e. The Respondent shall describe strategies to identify the appropriate training services. The strategy shall address assessment tools and career pathways that lead to employment in one of the One Community One Goal (OCOG) targeted industries.
- f. The Respondent shall articulate its strategy to achieve the proposed number of Job Placements and Balanced Scorecard Performance measures. The strategy should address the staffing patterns by indicating the number of staff for each job title to meet the proposed Job Placements and Balanced Scorecard performance measure.
- g. The SFWIB believes that On-the-Job Training (OJT)/Paid Work Experience (PWE) can be major components in the local scheme for serving employers and jobseekers, alike. Respondent shall describe strategies in providing and/or overseeing OJT/PWE-related activities for Jobseekers to gain employment in OCOG targeted industries.

Respondents to **Business Services** shall include the vision, goals, and priorities for business services to meet outlined performance. More specifically, the following elements of the solicited **Business Services** delivery system shall be addressed:

Service Delivery

- 1. The Respondent shall provide a description of the strategy and design for delivering business services. The methodology shall include, but is not limited to, the following:
 - a. Strategies and how it will be used to identify, engage, and retain the business client.
 - b. A detailed outline of the method/model with measurable goals (i.e., number of employers served, placements into unsubsidized employment, number of incentives offered, number of job postings, number of repeat business clients).
- 2. The Respondent shall provide a detailed description of the methods that will be used to provide incentives and services (i.e., On-the-Job Training (OJT), Paid Work Experience (PWE), Employed Worker Training (EWT), specialized recruitment). The description should include measurable goals for the success of the proposed strategy.

Marketing

- 1. The Respondent shall describe the tools the organization will use to identify, engage, and market/communicate the available incentives and services to businesses in order to increase awareness and market share (i.e., direct mail, chambers, and media). The strategy should clearly detail:
 - a. Frequency
 - b. How the proposed efforts will be effectively measured and managed for success

Respondent's Past Performance

- 1. The Respondent shall describe in detail the type and the number of businesses served within each of the following seven OCOG targeted industries:

- i. Aviation
 - ii. Creative Design
 - iii. Hospitality & Tourism
 - iv. Information Technology
 - v. International Banking & Finance
 - vi. Life Science & Healthcare
 - vii. Trade & Logistics
2. The Respondent shall describe in detail the type and number of jobs listed/advertised on an annual basis.
 3. The Respondent shall describe in detail the type and number permanent and/or long term direct referral job placements provided annually (long term employment is defined as five (5) months or more employment with a specific business).
 4. The Respondent shall describe in detail and provide the average hourly wage of all permanent and/or long term job placements within the seven (7) targeted industries (listed above).

Partners

1. The Respondent shall describe in detail how the organization will expand and/or develop a partner base (chambers, industry associations, education). Strategies should include who the current and targeted partners are (i.e., chamber of commerce, industry associations), as well as how and when the proposed methods will be implemented.
2. The Respondent shall describe its experience in partnering and collaborating with other organizations to address needs of the industry and how these relationships will enhance the Respondent's delivery of successful services to businesses.

4. Proposed Deliverables and Performance Measures

Respondents to **Workforces Services for the Hialeah Downtown CareerSource center** shall complete **Attachment K, (Proposed Deliverables and Performance Chart)**, with Respondent's PY'15-16 proposed number of placements by type, as well as the requested funding dollar amount. The chart shows PY'14-15 Workforce Services for Hialeah Downtown in two types of placements (DJP and OE) and overall cost per placement. The Respondent's alpha-numeric code shall be present in the header of each submitted Proposed Deliverables and Performance Chart. **Two (2) originals and four (4) copies of Attachment K are required to be submitted.**

Respondents to **Business Services** shall provide the following:

1. Proposed Performance
 - a. Respondent shall propose the number of total businesses to be served annually.
 - b. The Respondent shall propose the number of job openings entered into Employ Florida Marketplace (EFM) annually.
 - c. The Respondent shall propose the number of businesses to be served within the following seven targeted industries.
 - i. Aviation

- ii. Creative Design
 - iii. Hospitality & Tourism
 - iv. Information Technology
 - v. International Banking & Finance
 - vi. Life Science & Healthcare
 - vii. Trade & Logistics
- d. The Respondent shall propose the number and type of full-time permanent and/or long term direct referral job placements annually within each of the seven (7) targeted industries. (Long term employment is defined as five (5) months or more employment with a specific business and full-time thirty (30) or more hours per week).
 - e. The Respondent shall propose the average hourly wage of all permanent and/or long term job placements annually within the seven (7) targeted industries (listed above).
 - f. The Respondent shall propose a cost per job placement within each of the seven (7) targeted industries **and** total overall cost per job placement.

5. Budget

Attachment H, (Budget Proposal Cover Sheet), is the Budget Proposal cover sheet for the submission of the Budget. **Two (2) unbound originals and eight (8) unbound copies are required to be submitted in sealed packages.** The Budget is to be prepared in a manner that ensures that there is no identifying information on any page of the budget that indicates the organization submitting the Budget. **Budgets that include identifying information will be deducted one (1) point per occurrence from the total score.**

The Respondent is expected to clearly outline proposed costs in detail on the **Attachment I, (Budget Forms)**. The Respondent shall use pertinent background information provided in the RFP to complete the Budget Forms.

Respondents shall submit individual budgets per proposal.

The Respondent shall provide separate program and administrative budgets per proposal. The Respondent is expected to ensure administrative and indirect costs are properly classified and not exceeding ten percent (10%) of the proposed budget. Administrative/indirect costs (e.g. accounting, auditing, payroll administration, insurance, internet, etc.) are the general overhead expenses necessary to operate the programs and are not program activities. These costs typically relate to the agency's general executive and administrative functions.

The Respondent shall provide a Budget Narrative that justifies each proposed expense included on the Budget Forms in terms of it being necessary, allowable and reasonable. The Respondent shall show the method of computation. The Respondent shall refer to **Attachment J, (Budget Narrative Instructions)**, in completing this requirement.

The Respondent is expected to identify any in-kind resources/support for the service delivery system beyond what is being requested in the budget. Include each committed or proposed source of funding and the amount of that funding.

For line items listed under “Other” in the budget, the Respondent shall clearly correlate proposed costs and outcomes by explaining and justifying the need for proposed costs in the Budget Narrative.

Proposed costs must be allowable as determined by the SFWIB and governing statutes. **Allowable costs** are those that are reasonable, necessary and/or required for the program. A cost is reasonable if, in its nature or amount, it does not exceed that which would be incurred by a prudent person under circumstances prevailing at the time the decision was made to incur the cost. Additionally, the cost is reasonable if it is of a type that is generally recognized as ordinary and necessary for the program.

6. Cost Allocation Plan (CAP)

Due to the integrated approach for service delivery in the RFP, the Respondent’s staff will be cost allocated across all applicable funding streams.

A detailed Cost Allocation Plan (CAP) must be submitted with the Respondent’s proposal **in accordance with the guidance that can be accessed through the link provided below**. The CAP is a document that specifies the allocation methods used for distributing all costs of an organization. A plan for allocating shared costs is required to support the distribution of those costs to grant and non-grant programs. All Respondent’s costs shall be included in the plan. Official accounting records must support all costs.

In order for costs to be allowable in Federal grant programs, the costs must be allocable on the basis of benefits received. The requirements and guidance for cost allocation are found in the Office of Management and Budget (OMB): *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*. This final guidance is located in Title 2 of the Code of Federal Regulations. For additional information, please visit:

<http://www.floridajobs.org/pdg/guidancepapers/050FinalRwbCapProcedures072805.pdf>

One (1) original and **one (1) copy** labeled Cost Allocation Plan must be packaged separately and included in the Respondent’s submission.

7. Due Diligence Requirements

Attachment L sets forth the **Due Diligence Requirements**. **One (1) original** labeled Due Diligence documents must be packaged separately and included in Respondent’s submission. Included in the Due Diligence package will be the organization’s most recent Audit and Management Letter.

NOTE: Failure to include all of the above required proposal components will result in a reduced score or disqualification. The SFWIB will not advise a Respondent of disqualification prior to the Public Review Forum.

8. Operational Documents

Attachment M identifies the required **Operational Documents**. **One (1) original** labeled Operational Documents must be packaged separately and included in the Respondent's submission.

C. Selection Process

The SFWIB will conduct a review of all proposals received by the deadline. Proposals will be evaluated first to determine if all information required by the RFP is complete. Incomplete proposals or those not satisfactorily addressing each requirement may be disqualified. A Respondent may include additional information and such information may or may not be considered by the SFWIB during the evaluation process.

The evaluation process is designed to assess the Respondent's ability to meet the SFWIB's requirements and to identify those Respondents most likely to satisfy those requirements. The evaluation process will be conducted in a thorough and impartial manner at a publicly noticed selection committee meeting held in accordance with the Florida Public Meetings Law. That meeting (Public Review Forum) is scheduled for **Thursday, June 4, 2015 at 10:00 a.m.** at the SFWIB's Headquarters. Respondents are encouraged to attend the Public Review Forum.

Price is an important factor in selecting a Respondent. However, other factors in the competitive selection process will be considered and may take precedence over price. These factors may include, but are not limited to, quality of services offered, operating methodologies, administrative capability, previous experience in providing the same or similar services and the ability to achieve the deliverables. The SFWIB may elect not to award a contract to any Respondent under this solicitation.

The SFWIB reserves the right to accept one or more portions of competing Respondents' responses and use such portions to form an overall program in the best interest of the SFWIB. The SFWIB reserves the right to reject any and all responses or portions thereof. The SFWIB reserves the right to withdraw this solicitation or any portion thereof at any time without prior notice.

The table below displays the maximum points the Respondent may earn per proposal component.

PROPOSAL COMPONENT	MAXIMUM VALUE
Organizational Experience and Capabilities	5
Technical Narrative	70
Performance	10
Budget	10
Cost Allocation Plan	5
TOTAL SCORE	100

Note: PY 2015-16 Workforce Services contractors must meet at least 65 percent of the PY 2015-16 Balanced Scorecard performance measures for renewal and/or future contract consideration.

D. Contract Award

The SFWIB reserves the right to request additional data, oral discussions or presentations to support proposals. A contract or contracts may be negotiated with one or more Respondents based upon Board action.

Final award of a contract or contracts will be contingent upon:

- Successful negotiation of a contract between the SFWIB and Respondent;
- Acceptance by the Respondent of the contract terms and conditions;
- Satisfactory verification of past performance and systems (e.g. financial);
- Availability of funds.

E. Appeal Process

Respondents will be advised of the SFWIB's appeal process at the June 4, 2015 Public Review Forum.

VI. Contractual Specifications

A. Payment Structure

The contract awarded shall be a fixed rate (Job Placements unit cost) contract with cost reimbursement components (i.e. support services and OJT). The SFWIB agrees to pay the successful Respondent up to a total amount not to exceed the terms of the contract, subject to the availability of funds. All service unit rates and service unit types may be negotiated and adjusted at any point within any resulting contract term, including any extensions or renewals, to best meet the needs of the Jobseekers and the SFWIB, available funding and/or to match Respondent expenditures.

Payment for any contract entered into as a result of this solicitation will be made monthly subject to the receipt of the contractor's request for payment. All payments under any fixed rate contract awarded as a result of this RFP are associated with completion of the deliverables defined in Section III. Scope of Services.

For payments under the cost reimbursement component of the contract, the successful Respondent shall request reimbursement for actual, allowable expenditures that are made within the limits of the approved line item budget submitted by the successful Respondent through the submission of a properly completed monthly invoice that includes supporting documentation. Once approved, the SFWIB will pay the invoice in accordance with the SFWIB's policies and procedures.

Note: Although payment is based on fixed unit rates, payments in any contract funded by a Federal grant(s) must ultimately be based on actual reimbursable costs. The successful Respondent shall submit a final cumulative expenditure report indicating actual expenditures by line item to the SFWIB within thirty (30) days following the end of the contract term. The actual expenditure report may be used to negotiate service unit rates in future contracts. If the expenditure report submitted identifies any unearned income, the successful Respondent may be directed to return funds to the SFWIB.

NOTE: Respondents who are for-profit organizations shall be awarded profit based upon earned fixed rate unit costs and actual reimbursable costs. Said profit amount shall be calculated and paid in accordance with the specific federal and state laws and regulations applicable to each of the funding streams.

B. Contract Terms and Financial Capacity

Solicitation regulations provide that awards are to be made to organizations with demonstrated ability, including consideration as to whether the organization has:

1. Adequate financial resources;
2. Satisfactory record of integrity, business ethics and fiscal accountability;
3. Necessary organization, experience, accounting and operational controls.

The SFWIB expects that all Respondents will be capable of operating the solicited programs without any payments for at least eight weeks from initial implementation of contracts. **Cash advances will not be provided.** Therefore, successful Respondents must have sufficient resources to await payment/reimbursement.

Note, if the SFWIB, in its sole discretion, relocates the awarded workforce services facility to a new facility, the Respondent must perform the workforce services from the new facility.

C. Confidentiality

The successful Respondent in the course of the Respondent's duties under this contract, may handle or have access to confidential participant information, and to the extent required by any applicable federal or state law, or as requested by a regulatory authority or as requested by the SFWIB, the Respondent shall keep confidential any and all information obtained during the course of the contract.

D. Level 2 Background Screening Requirement

The SFWIB requires and Respondent agrees to comply with all applicable federal, state and/or local laws, regulations, ordinances regarding background screening of employees, volunteers and subcontracted personnel. The Respondent's failure to comply with any applicable federal, state and/or local laws, regulations, and ordinances regarding background screening of employees, volunteers and subcontracted personnel is grounds for a material breach and termination of the contract at the sole discretion of the SFWIB.

Laws include, but are not limited to, the National Child Protection Act (NCPA) of 1993, as amended, and as implemented by Sections 943.0542, 984.01(2), Chapters 39, 402, 409, 394, 407, 393, 397, 984, 985 and 435, Florida Statutes, as may be amended from time to time. The Respondent agrees to perform background screening through the Florida Department of Law Enforcement (FDLE), Volunteer & Employee Criminal History System (VECHS) program.

The SFWIB requires and Respondent agrees that the Respondent's current and prospective employees, volunteers and subcontracted personnel must satisfactorily complete and pass a **Level 2** background screening before working, volunteering or doing any work for Respondent related to the contract and the work set forth in the Statement of Work, Exhibit A. Respondent shall furnish the SFWIB with proof that the employees, volunteers and subcontracted personnel who will be working for Respondent on the contract satisfactorily passed Level 2 background screening, pursuant to Chapter 435, Florida Statutes, as may be amended from time to time.

The **Level 2** background screening shall include, but is not limited to, fingerprinting for statewide criminal history records checks through the Florida Department of Law Enforcement (FDLE) and nationwide criminal history records checks through the Federal Bureau of Investigation (FBI), and may include local criminal records checks through local law enforcement agencies.

- The Respondent shall not hire persons that have been arrested for and are awaiting final disposition of, have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to, or have been adjudicated delinquent and the record has not been sealed or expunged for, any offense prohibited under any of the following provisions of state law or similar law of another jurisdiction for any offense prohibited under any of the provisions of section 435.04, Florida Statutes.
- The Respondent shall not hire persons that may have been found guilty of, regardless of adjudication, or entered a plea of nolo contendere or guilty to any offense in Chapter 414, Florida Statute, relating to public assistance fraud or Chapter 443, Florida Statutes, relating to unemployment compensation fraud, or any offense that constitutes domestic violence as defined in section 741.28 Florida Statute, whether such act was committed in this state or in another jurisdiction.

The Respondent shall make the decision to hire or retain persons on a case-by-case basis where the background screening, for the current and prospective employee, volunteer, and subcontracted personnel with criminal history information unrelated to theft, fraud, or financial crime, is not expressly prohibited by section 435.04, Florida Statutes or other applicable law.

Any current employee, volunteer, or subcontracted personnel with criminal history information described above and as outlined in section 435.04, Florida Statutes, shall immediately cease working in any SFWIB-funded program. The Respondent, employees, volunteers and subcontracted personnel must comply with sections 943.0585(4) and 943.059(4), Florida Statutes, or other applicable law. Respondent's failure to immediately terminate an employee, volunteer or subcontracted personnel for failure to comply with sections 943.0585(4) and 943.059(4), Florida Statutes, or other applicable law and report said termination to the SFWIB is grounds for a material breach and termination of the contract at the sole discretion of the SFWIB.

It is the responsibility of the Respondent to provide the SFWIB an **Affirmation/Acknowledgement Form** not later than ninety (90) days of contract execution, which confirms the background screening, was completed for all current employees, volunteers and subcontracted personnel. The Form must include the names of all person(s) screened, date of screening, and the employment decision made by the Respondent. The Respondent shall ensure during the hiring process all prospective employees, volunteers and subcontracted personnel submit to a **Level 2** background screening as specified above.

The Respondent shall take necessary precautions to safeguard the background screening records of employees, volunteers, and subcontracted personnel. Background screening results are exempt from public records and, therefore, must be maintained accordingly in a secured and access controlled area to ensure that the records are accessible only to those authorized to examine such records. The Respondent shall make available all records to the SFWIB in accordance with contract requirements.

If the Respondent fails to furnish the SFWIB with proof that an employee, volunteer or subcontractor's Level 2 background screening was satisfactorily passed and completed prior to that employee, volunteer or subcontractor working or volunteering for Respondent on an

SFWIB-funded program, the SFWIB shall not disburse any further funds and the contract may be subject to termination at the sole discretion of the SFWIB.

The **Level 2** background screening records shall be retained as required herein in accordance with **Article III, Section G** of the contract. The Respondent shall ensure each employee, volunteer and/or subcontractor undergoes this background screening every year from the initial Level 2 background screening date.

Even if applicable law would otherwise permit, as a provision of the contract, the Respondent agrees it shall not hire any persons or permit any persons to begin work or to volunteer or to remain employed, volunteering or doing any work for Respondent related to the contract and the work set forth in the Statement of Work of the contract without submitting proof of satisfactory completion of Level 2 background screening to the SFWIB.

If the Contractor is prohibited from disclosing the background screening records of employees, volunteers and subcontracted personnel to the SFWIB, the Contractor shall furnish the SFWIB with a notarized Affirmation/Acknowledgement Affidavit not later than ninety (90) days of contract execution, for each employee, volunteer and subcontracted personnel stating that a Level 2 Background Screening was conducted and that the individual is in compliance with the SFWIB's Level 2 Background Screening requirements as found herein. If applicable, the Respondents' failure to provide the SFWIB with a timely notarized Affirmation/Acknowledgement Affidavit may be grounds for termination at the sole discretion of the SFWIB.

E. Cancellation Clause

It should be understood that the submission of a response does not commit the SFWIB to award a contract, to pay any costs incurred in the preparation of the response, or to procure or contract for services or supplies. The SFWIB reserves the right to accept or reject any or all responses received as a result of this request or to cancel and revoke this RFP in whole or in part. The SFWIB also reserves the right to end negotiations if acceptable progress, as determined in the sole discretion of the SFWIB, is not being made within a reasonable timeframe. All contract awards are subject to the availability of funds.

F. Omission from the Specification

The apparent silence of this specification and any addendum regarding any details or the omission from the specification of a detailed description concerning any point, shall be regarded as meaning that only the highest professional standards are to be maintained and that only professionalism of the highest quality is expected and shall be utilized at all times.

G. Indemnification

For Florida Governmental Entities. The Respondent shall indemnify and hold harmless the SFWIB, its officers, employees, agents, servants, agencies and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the SFWIB and its officers, employees, agents, servants, agencies or instrumentalities may incur as a result of any and all claims, demands, suits, causes of action or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Contract by the Respondent or the Respondent's officers, employees, agents, servants, partners, principals or subcontractors. The Respondent shall pay all claims and losses of any kind in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the SFWIB, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorney's fees which may issue thereon. Provided, however, this indemnification shall only be to the extent and within the limitations of Section 768.28 Florida Statutes, subject to the provisions of that statute whereby the Respondent shall not be held liable to pay a personal injury or property damage claim or judgment by any one person which exceeds the sum of \$200,000, or any claim or judgment or portions thereof, which, when totaled with all other claims or judgments paid by the Respondent arising out of the same incident or occurrence which exceeds the sum of \$300,000 from any and all personal injury or property damage claims, liabilities, losses or causes of action which may arise as a result of the negligence of the Respondent or the Respondent's officers, employees, servants, agents, partners, principals or subcontractors.

All Entities Which are Not Florida Governmental Entities. The Contractor shall indemnify and hold harmless the SFWIB, and its officers, employees, agents, servants, agencies and instrumentalities from any and all liability, losses or damages, including attorneys' fees and costs of defense, which the SFWIB and its officers, employees, servants, agents, agencies or instrumentalities may incur as a result of any and all claims, demands, suits, causes of action or proceedings of any kind or nature arising out of, relating to or resulting from the performance of this Contract by the Contractor or the Contractor's officers, employees, agents, servants, partners, principals or subcontractors. The Contractor shall pay all claims and losses in connection therewith and shall investigate and defend all claims, suits or actions of any kind or nature in the name of the SFWIB, where applicable, including appellate proceedings, and shall pay all costs, judgments, and attorneys' fees which may issue thereon. The Contractor expressly understands and agrees that any insurance policies required by this Contract or otherwise provided by the Contractor shall in no way limit the responsibility to indemnify, keep and save harmless and defend the SFWIB and its officers, employees, agents, servants, agencies and instrumentalities as herein provided.

Term of Indemnification. The provisions of this indemnification shall survive the expiration of this Contract and shall terminate upon the expiration of the applicable statute of limitation.

H. Non-Discrimination and Equal Opportunity

As a condition of the award of financial assistance from the Department of Labor under Title I of the Workforce Investment Act of 1998, and the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Respondent assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawful admitted immigrant authorized to work in the United States or participation in any WIA Title I – financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C 2000d et seq., which prohibits discrimination against qualified individuals from participating or receiving benefits in any Federal Assisted Programs on the basis of race, color, or national origin;
3. Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination against qualified individuals with disabilities;
4. The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 et seq., which prohibits discrimination on the basis of age;
5. Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 et seq., which prohibits discrimination on the basis of sex in educational programs;
6. Section 654 of the Omnibus Budget Reconciliation Act of 1981, as amended, 42 U.S.C. 9849, which prohibits discrimination on the basis of race, creed, color, national origin, sex, handicap, political affiliation or beliefs;
7. Titles II and III of the Americans with Disabilities Act of 1990, 42 USC 12131 et seq., which prohibit discrimination on the basis of disability by a public entity and public accommodation and requires public entities to provide persons with disabilities an equal opportunity to benefit from all of their programs, services and activities and mandates that places of public accommodations and commercial facilities be designed, constructed, and altered in compliance with specific accessibility standards;
8. Executive Order (EO) No. 11246, Equal Employment Opportunity, as amended by EO No. 11375, and as supplemented in Department of Labor regulation 29 CFR Parts 33 and 37 as well as 41 CFR, Part 60 and 45 CFR Part 80; if applicable;
9. Equal Employment Opportunity in Apprenticeship and Training (29 CFR Part 30); and
10. Chapter 11A of the Code of Miami-Dade County which prohibits discrimination in employment on the basis of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status, status as a victim of domestic violence, dating violence and stalking, gender identity, gender expression or sexual orientation.

The Respondent also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the Respondent's operation of the WIA Title I and TANF – financially assisted program or activity and to all agreements the Respondent makes to carry out the WIA Title I and TANF – financially assisted program or activity. The Respondent understands the United States has the right to seek judicial enforcement of this assurance.

I. Operating Requirements

Organizations shall adhere to all of the SFWIB's policies and procedures. Copies of said policies and procedures will be provided after a contract is awarded. Site visits may be conducted to determine whether an organization's fiscal and administrative systems satisfy its contractual obligations. On-site reviews of programmatic, administrative, and fiscal capabilities will include, but may not be limited to, the following:

Operational Status: The Respondent must be an incorporated organization or a governmental entity that has been operating **for at least two (2) years**.

Funding Reserve: The Respondent must be able to document that it is currently receiving, and expects to continue receiving for the next fiscal year, **at least twenty percent 20% of its requested budget from non-federal and non-state (Florida) sources**. This requirement helps to ensure Respondent can adequately assume liability for program costs in instances where an audit identifies disallowed costs. The only exception to this requirement may be made in the case of government agencies.

Fiscal Review: The Respondent must be able to meet the SFWIB's fiscal capability requirements through a review, which may be on-site, of fiscal systems, including documentation of fiscal accountability with previously operated programs, through the submission of copies of the Respondent's most recent independent audit and management letters, if applicable, and evidence that the Respondent:

- ✓ has an established system of internal controls,
- ✓ maintains a set of books,
- ✓ closes the books at the end of each month,
- ✓ has a monthly trial balance prepared,
- ✓ has a bank account with pre-numbered checks that require two signatures,
- ✓ has a written Employee Procedures Manual,
- ✓ has a written Accounting Procedures Manual,
- ✓ has procurement procedures,
- ✓ maintains personnel files,
- ✓ maintains time and attendance records,
- ✓ has general liability, bonding, and workmen's compensation insurance in a form and in amounts deemed sufficient by the SFWIB.

If a Respondent is approved for funding and does not have an independent audit for review, the Respondent will be given up to ninety (90) days (from the date the funding is approved by the SFWIB) to provide the required audit. Contract execution will be deferred until the required audit is submitted and accepted by the SFWIB.

Programmatic and Administrative Review: The Respondent must be able to meet the SFWIB's programmatic and administrative capability requirements through a review process, which may be on-site. The review includes an inspection of staff resumes, facilities and equipment (if appropriate), insurance, documentation of the agency's past performance in meeting training and employment goals, past programmatic quality assurance reviews, and other relevant documentation.

J. Collusion

Where two (2) or more related parties, as defined herein, each submit a bid for any contract, such bids shall be presumed to be collusive. The foregoing presumption may be rebutted by the presentation of evidence as to the extent of ownership, control and management of such related parties in preparation and submittal of such bids. "Related parties" shall mean the bidder or the principles thereof which have direct or indirect ownership interest in another bidder for the same contract. Furthermore, any prior understanding, agreement or connection between two or more corporations, firms or persons submitting a bid for the same materials, supplies, services or equipment shall also be deemed collusive. Bids found to be collusive shall be rejected. Bidders who have been found to have engaged in collusion may be considered nonresponsive, and may be suspended or debarred, and any contract resulting from collusive bidding may be terminated for default.

K. Fraud or Misrepresentation

Any individual, corporation or other entity that attempts to meet its contractual obligations with the SFWIB through fraud, misrepresentation or material misstatement, may be debarred for up to five (5) years. The SFWIB, as a further sanction, may terminate or cancel any other contracts with such individual, corporation or entity. Such individual or entity shall be responsible for all direct or indirect costs associated with termination or cancellation, including attorney's fees.

L. Public Records

Bidders are hereby notified that all information submitted as part of, or in support of bid submittals will be available for public inspection after opening of bids in compliance with Chapter 119 of the Florida Statutes; popularly known as the "Public Records Law." The bidder shall not submit any information in response to this invitation which the bidder considers to be a trade secret, proprietary or confidential. The submission of any information to the SFWIB in connection with this invitation shall be deemed conclusively to be a waiver of any trade secret or other protection, which would otherwise be available to the bidder.

M. Code of Business Ethics

Each person or entity that seeks to do business with the SFWIB shall adopt a Code of Business Ethics ("Code") and shall, prior to the execution of any contract between the contractor and the SFWIB, submit a completed **Business Ethics Affidavit** as referenced in **Attachment M, (Operational Documents)**, stating that the contractor has adopted a Code that complies with the requirements of Section 2-8.1 of the Miami-Dade County Code. Any person or entity that fails to submit the required affidavit shall be ineligible for a contract award. The Code of Business Ethics shall apply to all business that the contractor does with the SFWIB and shall, at a minimum, require the contractor to comply with all applicable governmental rules and regulations including, among others, the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance and the Miami-Dade County False Claims Ordinance. The failure of a contractor to comply with its Code of Business Ethics shall render any contract between the contractor and the SFWIB voidable, and subject violators to debarment from future work with the SFWIB pursuant to Section 10-38(h)(2) of the Code of Miami-Dade County.