



**Request for Proposals (RFP) for  
Workforce Innovation And Opportunity Act (WIOA)  
Youth Programs**

**Issued – December 3, 2015**

**Amended as of January 27, 2016**

**Proposal must be received no later than  
3:00 P.M. Pacific Standard Time (PST)**

**February 2, 2016  
ABSOLUTELY NO EXCEPTIONS**

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**TABLE OF CONTENTS**

<b>1. REQUEST FOR PROPOSALS INTRODUCTION.....</b>	<b>4</b>
1.1. Solicitation .....	4
1.2. Estimated Funding.....	5
1.3. Submittal of Proposals.....	5
1.4. RFP Schedule and Timeline.....	6
1.5. Respondents’ Orientation (Optional).....	6
1.6. Notice of Intent to Submit a Proposal.....	6
1.7. Statement of Qualifications (SOQ) (Required) .....	7
1.8. RFP Questions.....	7
1.9. Addenda to this RFP.....	8
1.10. Right to Cancel.....	8
<b>2. BACKGROUND INFORMATION .....</b>	<b>8</b>
2.1. Organizational Overview .....	8
2.2. Workforce Innovation and Opportunity Act (WIOA).....	8
2.3. SDWP Governance .....	9
2.4. Roles and Responsibilities of SDWP .....	9
<b>3. PROGRAM DESCRIPTION .....</b>	<b>10</b>
3.1. Needs Statement .....	10
3.2. WIOA Program Requirements.....	10
3.3. Additional Program Requirements .....	11
3.4. Program Components.....	12
3.5. Eligibility and Enrollment.....	13
3.6. Program Management.....	14
3.7. Tracking Requirements.....	15
3.8. Technology System Requirements.....	15
<b>4. REQUIRED PROPOSAL FORMAT .....</b>	<b>15</b>
4.1. Required Documents and Page Limits.....	15
4.2. Formatting Requirements .....	16
4.3. Title Page, Table of Contents, and Executive Summary (5 points).....	16
4.4. Business Description and Qualifications (10 points) .....	16
4.5. Program Content (Total 50 points) .....	16
4.6. Past Performance (Total 5 points).....	18
4.7. Cost Reasonableness of Proposed Budget (Total 15 points) .....	19
<b>5. FINANCIAL REQUIREMENTS.....</b>	<b>19</b>
5.1. Work Experiences .....	19
5.2. Cost Allocation Plan .....	20
5.3. Indirect Costs and Negotiated Profit.....	20
5.4. Program/Administrative Support vs. Program Costs .....	20
5.5. In-Kind and Cash Match Resources .....	20
5.6. Subcontractors .....	21
<b>6. EVALUATION PROCESS AND CONTRACT AWARD .....</b>	<b>21</b>
6.1. Compliance Review.....	21

<b>6.2. Evaluation Criteria .....</b>	<b>22</b>
<b>6.3. Selection .....</b>	<b>22</b>
<b>6.4. Appeals Process and Access to Evaluation Information .....</b>	<b>23</b>
<b>6.5. Board Action.....</b>	<b>23</b>
<b>6.6. Contract Award .....</b>	<b>24</b>
<b>6.7. Negotiation/Contract .....</b>	<b>24</b>
<b>6.8. Conflict of Interest .....</b>	<b>24</b>
<b>6.9. Ex-Parte Communication.....</b>	<b>24</b>
<b>6.10. Cooling Off Period .....</b>	<b>24</b>
<b>6.11. Communications .....</b>	<b>25</b>
<b>6.12. Insurance .....</b>	<b>25</b>
<b>6.13. Contract Terms and Litigation Warranty.....</b>	<b>25</b>
<b>6.14. Funding Warranty .....</b>	<b>26</b>
<b>6.15. Work for Hire.....</b>	<b>26</b>
<b>6.16. Restriction on Disclosure.....</b>	<b>26</b>
<b>7. ATTACHMENTS.....</b>	<b>27</b>
Attachment A - San Diego Regional and Geographic Boundaries Map and Zip Codes	
Attachment B - Notice of Intent to Submit a Proposal	
Attachment C - Reference Materials	
Attachment D - Glossary of Terms	
Attachment E - WIOA Youth Program Elements	
Attachment F - Technology Requirements	
Attachment G - Conflict of Interest Disclosure	
Attachment H - Past Performance Questionnaire	
Attachment I - Budget Instructions	
Attachment J - Budget Shell	
Attachment K - Budget Narrative	
Attachment L - Contract General Provisions	
Attachment M - General Contract Template	
Attachment N - Proposal Checklist	

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**1. REQUEST FOR PROPOSALS INTRODUCTION**

The San Diego Workforce Partnership, Inc. (SDWP) is issuing this Request for Proposals (RFP) to interested and qualified applicants to provide Workforce Innovation and Opportunity Act (WIOA) Youth Programs for Out-Of-School Youth (OSY) participants ages 16-24. The purpose of this request is to procure qualified service providers for one year with the option to extend the agreement for four additional one year periods based on need, performance, and funding availability. The initial period of performance is July 1, 2016 ending June 30, 2017. Respondents are invited to submit proposal(s) in accordance with the instructions in this RFP.

This RFP provides potential Respondents with background information and describes the desired services, guidelines for proposals, and the Contractor selection process.

**1.1. Solicitation**

SDWP is soliciting innovative youth programs operated under the provisions of WIOA to provide high quality educational and employment services for OSY, ages 16-24. SDWP is committed to fair and open competition. Respondents may include:

- For-profit organizations;
- Non-profit organizations;
- Public agencies; and/or
- A collaboration of these organizations.

A consortium, joint venture, or collaboration of organizations is permitted to respond to this RFP, however, the proposal must clearly demonstrate that all contractual responsibility rests solely with one legal entity and that the proposed arrangement would enable the Respondent to provide both efficient and quality services.

Agencies which have not previously been awarded a Workforce Investment Act (WIA) or WIOA contract but have managed other federal, state, local, and/or private funds to deliver a similar program design, have served 16-24 years olds with barriers to education and employment success, or have other relevant experience and expertise connecting youth to career pathways, are encouraged to apply. SDWP is committed to equal opportunity in its contracting process.

This RFP contains the requirements that Respondents must meet in order to submit a responsive proposal. This RFP also provides information regarding the format in which proposals must be submitted, the requirements that must be met to be eligible for consideration, the Respondent's responsibilities and the documents that must be included.

**Proposals that do not include the following will be determined non-responsive and will not be considered for funding:**

- Statement of Qualifications (SOQ) (Section 1.7);
- Required Proposal Formatting (Section 4.2);

- Program Content (Section 4.5);
- Budget Shell and Narrative (Section 4.7); and
- Conflict of Interest Disclosure (Section 6.8).

SDWP reserves the right to reject any proposal submitted. SDWP will remove any excess pages from proposals exceeding the stated limits before the proposals are distributed for evaluation.

### 1.2. Estimated Funding

SDWP anticipates awarding approximately \$4.2 million in WIOA Youth funding through this RFP for year-long programs to operate from July 1, 2016 through June 30, 2017. This amount is an estimate based on past WIA/WIOA allocations and is subject to change as SDWP receives funding allocations from the Department of Labor (DOL) and the State of California in the spring of 2016.

SDWP anticipates issuing multiple contracts across San Diego County. Respondents must identify the geographic region(s) in San Diego County they will serve. Respondents may submit proposals for multiple regions; however, a separate proposal must be submitted for each region. Figure 1 shows the region, geographic distribution, estimated funding availability, and the minimum number of contracts that will be awarded per region for this RFP.

**Figure 1: Estimated Funding Availability Per Region\***

<b>Region</b>	<b>Geographic Distribution</b>	<b>Estimated Funding Availability</b>	<b>Min. # Contracts</b>
Metro	40%	\$1,680,000	3
North	29%	\$1,218,000	2
South	16%	\$672,000	1
East	15%	\$630,000	1
<b>Total</b>	<b>100%</b>	<b>\$4,200,000</b>	<b>7</b>

\*Subject to change based on PY 16/17 allocations from DOL/State of California.

Please see [San Diego Regional and Geographic Boundaries Map and Zip Codes – Attachment A](#) for the zip codes that define each region in San Diego County.

In addition to these funds, SDWP often receives funding for special projects and initiatives and contractors may be required to partner with SDWP to deliver supplemental services.

### 1.3. Submittal of Proposals

SDWP must receive the proposal(s) marked “(Name of Agency and Region) Proposal” no later than **3:00 P.M., PST, Tuesday, February 2, 2016**. Submit one (1) proposal with original signatures, seven (7) copies and one (1) electronic PDF copy on a USB flash drive to:

Attn: Evelyn Ramirez, Finance and Operations Analyst  
3910 University Avenue, Suite 400  
San Diego, CA 92105

Late proposals will not be accepted. SDWP will provide a receipt verifying the time and date the proposal is received. If Respondents send their proposals via U.S. Postal Service, UPS, or any other type of delivery

service, Respondents are responsible for requesting proof of delivery date and time from their chosen carrier.

#### 1.4. RFP Schedule and Timeline

Beginning **December 3, 2015**, the RFP will be available to download from SDWP’s website <http://www.workforce.org/rfqrfp-opportunities>. If you are unable to download the RFP, please email [YouthRFP@workforce.org](mailto:YouthRFP@workforce.org).

<b>Item/Event</b>	<b>Date</b>
Issue RFP	December 3, 2015
Respondents’ Orientation SDWP Offices (3910 University Ave), Julie Benedict Room, 3 <sup>rd</sup> Floor	December 15, 2015 (10:00 A.M. - 12:00 P.M., PST)
Last Day to Submit Questions to <a href="mailto:YouthRFP@workforce.org">YouthRFP@workforce.org</a>	January 22, 2016 (5:00 P.M., PST)
Notice of Intent to Submit a Proposal due to <a href="mailto:YouthRFP@workforce.org">YouthRFP@workforce.org</a>	January 22, 2016 (3:00 P.M., PST)
Last Day Answers Posted on SDWP Website <a href="http://www.workforce.org">www.workforce.org</a>	January 29, 2016
Required Statement of Qualifications (SOQ) Due to SDWP	February 2, 2016 (3:00 P.M., PST)
Proposals Due to SDWP	February 2, 2016 (3:00 P.M., PST)
Oral Interviews and Evaluation Completion	March 15-24, 2016
Youth Council Recommendation	March 28, 2016
Workforce Development Board Recommendation	April 21, 2016
San Diego Consortium Policy Board Recommendation	April 29, 2016
Effective Date of Contract(s)	July 1, 2016

#### 1.5. Respondents’ Orientation (Optional)

SDWP will provide an optional Respondents’ Orientation to present the RFP requirements and address questions from prospective Respondents. All questions posed during the Respondents’ Orientation will be compiled and posted on SDWP’s website. No other communication besides Questions and Answers are allowable as per Section 1.8 RFP Questions. The Respondents’ Orientation will be held on **Tuesday, December 15, 2015 from 10:00 A.M. to 12:00 P.M., PST**, at SDWP, 3910 University Ave., San Diego, CA 92105 (Julie Benedict Room, 3<sup>rd</sup> Floor). Attendance to the Respondents’ Orientation is not required to submit a response to this RFP.

#### 1.6. Notice of Intent to Submit a Proposal

A **Notice of Intent to Submit a Proposal - Attachment B** is requested of all organizations planning to submit a proposal. The Notice of Intent to Submit form is an attachment and will also be available at the Respondents’ Orientation. Providing a Notice of Intent to Submit a Proposal does not commit the Respondent to submit a proposal. All Notices of Intent to Submit are requested by **3:00 P.M. PST, Friday, January 22, 2016** to:

Email: [YouthRFP@workforce.org](mailto:YouthRFP@workforce.org)  
 San Diego Workforce Partnership  
 3910 University Avenue, Suite 400  
 San Diego, CA 92105

## 1.7. Statement of Qualifications (SOQ) (Required)

The SOQ will establish a Respondent's qualifications to bid for WIOA funds. The submission of a SOQ determines an organization's legal, administrative, and fiscal capacity to meet SDWP, state, and federal government requirements. The SOQ places organizations on the Qualified Agencies List (QAL), which allows the organization to be eligible to respond to RFPs and to be awarded a contract with SDWP. The SOQ must be updated annually and filed with SDWP. Organizations that have not submitted the required SOQ documents within the past twelve (12) months must submit a new SOQ.

SDWP encourages the participation of Respondents who are certified as small businesses, minority-owned firms, women's business enterprises, emerging business organization, disabled veteran business enterprise, and disadvantaged business enterprise. Such certification shall be documented in the SOQ.

One (1) original and one (1) copy of all SOQ documents are due **no later than 3:00 P.M. PST, Tuesday, February 2, 2016** to:

Attn: Evelyn Ramirez, Finance and Operations Analyst  
3910 University Avenue, Suite 400  
San Diego, CA 92105

Detailed information and the necessary forms are available for download from SDWP's website <http://www.workforce.org/rfqrfp-opportunities>. Please contact Evelyn Ramirez, Finance and Operations Analyst at (619) 228-2954 or [procurement@workforce.org](mailto:procurement@workforce.org) if you have difficulty downloading the document or require assistance with the completion of the required SOQ documentation.

## 1.8. RFP Questions

To ensure a fair and objective evaluation, questions related to the RFP that arise after the Respondents' Orientation must be submitted via e-mail to: [YouthRFP@workforce.org](mailto:YouthRFP@workforce.org). Written questions will be accepted through **5:00 P.M., PST Friday, January 22, 2016**. Questions received after the deadline will not be answered.

Written responses to questions received by SDWP will be posted on the website, <http://www.workforce.org/rfqrfp-opportunities>. The last date SDWP will post answers to questions is **Friday, January 29, 2016**. If the website is unavailable, SDWP will email the questions and responses to the Respondents who submitted a **Notice of Intent To Submit a Proposal-Attachment B**. It is the Respondent's responsibility to check the website on a regular basis for updated information and written responses to all questions submitted.

NOTE: With the exception of the Respondents' Orientation, oral questions will NOT be accepted.

Only the responses on the website or those emailed directly from SDWP are considered clarifications to the instructions contained in this RFP. In the event that responses modify any of the terms, conditions, or provisions of this RFP, documentation will be given via a subsequent amendment to the RFP. **No other sources of responses or clarification are considered valid.**

**Respondents are strictly prohibited from contacting members of the Workforce Development Board (WDB), San Diego Consortium Policy Board (Policy Board), Adult Programs Committee (APC), San Diego Youth Council (Youth Council) or SDWP staff regarding this RFP other than as stated in Section 6.8 Conflict of Interest.**

## **1.9. Addenda to this RFP**

At the discretion of SDWP, if it becomes necessary to revise any part of this RFP, an addendum will be posted on SDWP's website, <http://www.workforce.org/rfqrfp-opportunities>.

Respondents are responsible for checking the website frequently to remain informed about the procurement process, receive addenda to the RFP, read responses to questions and remain updated on other information that may affect this RFP. If you have difficulty or problems accessing the website or downloading information, please contact Evelyn Ramirez, Finance and Operations Analyst, at (619) 228-2954 or [YouthRFP@workforce.org](mailto:YouthRFP@workforce.org).

## **1.10. Right to Cancel**

SDWP reserves the right to delay, amend, reissue, or cancel all or any part of this RFP at any time without prior notice. SDWP also reserves the right to modify the RFP process and timeline as deemed necessary.

This RFP does not commit SDWP to accept any proposal, nor is SDWP responsible for any costs incurred by the Respondents in the preparation of responses to this RFP. SDWP reserves the right to reject any or all proposals, to accept or reject any or all items in the proposal, and to award the contracts in whole or in part as is deemed to be in the best interest of SDWP. SDWP reserves the right to negotiate with any Respondent after proposals are reviewed, if such action is deemed to be in the best interest of SDWP.

# **2. BACKGROUND INFORMATION**

## **2.1. Organizational Overview**

SDWP is a 501(c)(3) tax-exempt organization chartered by the City of San Diego and County of San Diego to fund job-training programs in the San Diego region. The organization's primary funding is allocated by Department of Labor (DOL) under the provisions of the WIOA.

The organization's mission is to empower job seekers to meet the current and future workforce needs of employers in San Diego County. The vision of SDWP is that every business in our region has access to a skilled workforce and every job seeker has access to meaningful employment. Our goal is to be the leader of innovative workforce solutions.

For additional information, please visit [www.workforce.org](http://www.workforce.org). A list of reference materials to aid Respondents is available in [Reference Materials–Attachment C](#) as well as [Glossary of Terms–Attachment D](#).

## **2.2. Workforce Innovation and Opportunity Act (WIOA)**

On July 22, 2014, President Obama signed WIOA into law, which supersedes the Workforce Investment Act (WIA) of 1998. Key changes under WIOA for serving youth include increasing the minimum percentage of funds to be spent on OSY from 30% to at least 75%, an increased focus on work-based learning and career pathways, extending the out-of-school age limit from 21 to 24 years, and streamlining the eligibility process.

These changes are consistent with DOL's commitment to providing high-quality services for disconnected youth and young adults; beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training in in-demand industries, occupations apprenticeships and culminating with a good job along a career pathway, enrollment in post-secondary education, or a Registered Apprenticeship.



The Notice of Proposed Rulemaking (NPRM), a public notice that changes regulations for WIOA, is still in draft format. Until the final rules are published in early 2016, program requirements may be changed to meet WIOA compliance.

### **2.3. SDWP Governance**

SDWP is responsible for the fiscal and programmatic administration of federal employment and training funds for the City of San Diego and County of San Diego under a Joint Powers Agreement (JPA).

The Policy Board is comprised of two San Diego City Council members, two San Diego County Supervisors, and one appointee from the United Way. The Policy Board oversees funding and policy development under WIOA. The Policy Board appoints the members of SDWP's Workforce Development Board (WDB).

WDB sets the strategic direction of local workforce strategy and funding priorities with the goal of increasing regional prosperity and income mobility in San Diego. The WDB is a federally mandated board that shares responsibility with the Policy Board for overseeing funding and policy development under WIOA. The WDB's expertise is in labor market conditions and the development of effective responses to regional economic needs.

There are two other bodies that oversee SDWP's activities. The Youth Council, a committee of the WDB, is the primary body providing expertise in youth policy and is responsible for oversight of the contracted youth workforce development services and programs. The Adult Program Committee (APC), also a committee of the WDB, is responsible for oversight of the Adult and Dislocated Worker programs. The APC oversees the operations and performance of the America's Job Centers of California (AJCC) network in the San Diego Region.

For more information about SDWP and its boards please visit the SDWP website at [www.workforce.org/boards](http://www.workforce.org/boards).

### **2.4. Roles and Responsibilities of SDWP**

Roles and responsibilities of SDWP include:

- Overseeing and evaluating the management and operations of all programs funded by SDWP;
- Allocating funds and paying invoices as agreed upon in the contract;
- Monitoring Contractor's performance, quality of service and cost effectiveness, and reporting on performance to the Boards;
- Developing and providing technical assistance to Contractor's staff;
- Informing and assisting Contractor's in the implementation of federal, and state, and local policies, procedures and rules that may impact the operations of the program(s), needed to implement them; and
- Ensuring compliance with all rules, regulations and procedures issued by all funding sources.

The roles and responsibilities may be refined and changed as:

- Relevant federal and state law requirements are enacted and implemented covering the workforce development system;
- Regulations and procedures are developed or changed by the DOL; and/or the Employment Development Department (EDD); and
- SDWP's governing boards adopt local direction and procedures.

## 3. PROGRAM DESCRIPTION

### 3.1. Needs Statement

DOL estimates that nearly 6 million 16-24 year olds in this country are not employed or not in school, which amounts to approximately one in seven youth and young adults. These disconnected youth and young adults are twice as likely to live in poverty, three times as likely to not have a high school diploma or its equivalent and three times as likely to have a disability. Disconnected girls and young women are more than three times as likely to have a child than their connected counterparts.<sup>1</sup>

In San Diego, there is an estimated 47,000 young adults between the ages of 16 to 24 who are not working or not in school. The unemployment rate for this population is 17%, 3% higher than the national average. These young adults are disconnected and disengaged from education, training, and the world of work. High youth unemployment leads to skill atrophy and increased involvement with the juvenile justice system.

Youth unemployment is often characterized as a community issue, a crime issue, an education issue, a public health issue, and a social service issue. But as record numbers of employees begin to retire, the large number of youth and young adults that lack work experience and skills will increasingly become a bottom-line issue for San Diego's business community.

### 3.2. WIOA Program Requirements

Contractors must ensure that they will provide the following core program requirements:

***Outreach, Recruitment and Orientation.*** Outreach and recruitment includes, but is not limited to, identifying potentially eligible youth, working with parents and guardians to secure necessary documentation, and working closely with other governmental and community organizations and school systems to identify and recruit OSY. As part of orientation, all youth must receive information on all services available through the Contractor. Dropout youth are expected to have the ability to earn a high school diploma or its equivalent within a reasonable amount of time (generally within one year of participation date).

***Intake, Eligibility Determination and Registration.*** Contractors will be responsible for determining WIOA eligibility of all youth applicants recruited into the program, determining the youth's suitability for program services, and collecting and verifying all necessary eligibility source documents. WIOA requires all youth to meet certain eligibility criteria and be determined eligible prior to enrollment and receipt of WIOA funded services.

***Objective Assessment and Referral.*** Contractors must conduct an objective assessment of the academic level, skill levels, and service needs of each participant, which will include a review of basic skills, occupational skills, prior work experience, employability, interests, aptitudes, supportive service needs, mental health services, and development needs. The goal is to accurately evaluate each youth in order to develop an appropriate service strategy to meet their individual needs. Eligible youth who do not enroll in WIOA programs should be provided information regarding other applicable and appropriate services available through other local programs that have capacity to serve them. In addition, eligible youth should be given referrals for further assessment if determined appropriate.

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<sup>1</sup> Zeroing in on Place and Race, Youth Disconnection in America's Cities, Sarah Burd-Sharps and Kristen Lewis, June 2015

**Individual Service Strategy (ISS).** Contractor staff should use the results of the youth participant’s objective assessment to develop the ISS for the youth participant. The ISS is an age appropriate, individualized, written plan of short and long-term goals that include career pathways, education and employment goals, involvement in WIOA youth program elements, support services, incentives, and stipends. For all youth, the ISS will identify the timeframe in which each youth will be expected to complete all activities related to each of the goal(s) specified in the ISS. The ISS will clearly connect the services to be provided to each youth identifying the outcomes to be achieved between WIOA enrollment and exit. The ISS directly links to one or more indicators of performance outcomes.

**Case Management.** Case Management is the infrastructure for delivering effective services that will facilitate the positive growth and development of youth and the achievement of performance goals. The process extends from recruitment through follow-up. The case manager motivates participants and coordinates services and information to prepare youth for post-secondary education opportunities, academic and occupational training or employment and training opportunities as appropriate. Contractors are encouraged to incorporate trauma informed approaches into their case management models.

**Access to a Range of Services.** It is required that the 14 WIOA youth program elements be made available to enrolled youth as needed or requested. If a Contractor does not directly provide one of the program elements, it must demonstrate the ability to make seamless referrals to appropriate providers of such services. The Contractor will have primary responsibility for ensuring that each participant receives the full continuum of services. Services accessed by a WIOA youth participant will depend upon the needs and goals identified by the participant and case manager as documented in the participant’s ISS. See **WIOA Youth Program Elements – Attachment E** for additional information.

**Follow-up Services.** Contractors are required to provide at least 12 months of follow-up services to participants who have completed program services as well as participants who may have dropped out of the program but need additional services. Contractors are encouraged to consider the needs and barriers of the program’s target population(s) in determining the appropriate levels and types of follow-up services.

### **3.3. Additional Program Requirements**

**Access & Locations.** According to a Customer Satisfaction Survey by SDWP during the summer of 2015, approximately 74% of youth surveyed indicated they use public transportation to access services. Of that number, 55% take the bus and 19% take the trolley<sup>2</sup> At least 43% of youth surveyed indicated that the commuting time to access program services was greater than 30 minutes.<sup>3</sup>

Based on this data, SDWP is interested in contractors with a strategy that addresses transportation and other barriers by increasing access points for participants. Contractors should address whether they will maintain a main office, a satellite office, or co-locate with other organizations in the proposed service area.

**Partnerships.** Contractors are expected to demonstrate local partnerships with youth serving systems such as local secondary schools, higher education institutions, law enforcement, juvenile and adult justice systems, local housing programs, community-based agencies, the County of San Diego’s Health and Human Service Agency, vocational rehabilitation programs, employers, and other organizations that serve the OSY population.

Contractors shall demonstrate how they will partner and collaborate with current AJCC contractors in their proposed service area to provide appropriate youth employment services within the AJCC. This may

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<sup>2</sup>San Diego Workforce Partnership, Customer Satisfaction Survey, August 31, 2015, page 30

<sup>3</sup> Ibid, page 30

include providing workshops and classes on-site, technical assistance to AJCC staff on providing youth friendly services, orientations to the array of adult services offered and in-kind resources to/from AJCC sites.

***Business Service Representative and Employer.*** Contractors are required to budget for a minimum of one full-time or part-time (no less than 20 hours per week) Business Service Representative (BSR) whose activities shall be dedicated exclusively to engaging industry and coordinating work-related activities for program participants. The primary role of the BSR is to engage employers and secure internships, job shadow opportunities, occupational skills training, apprenticeships, work experience, and unsubsidized job placements for program participants, as well as track outcomes.

***Mental Health Services.*** Contractor staff will be required to attend at least one training offered by the San Diego County Health and Human Services Agency (HHSA) in partnership with SDWP regarding understanding, recognizing and responding to the effects of trauma and mental health needs. Two additional trainings will be offered on how to identify and access additional mental health resources for staff and participants.

### **3.4. Program Components**

Contractors must ensure that they will provide the following program design components:

***Educational Services.*** Services must include instructional approaches that offer a continuum of skill, grade-level, and developmentally appropriate educational options that connect to career pathways. WIOA and local mandated educational activities include:

- Tutoring;
- Study skills training;
- Evidence-based dropout prevention and recovery strategies that lead to completion of secondary school diploma or its recognized equivalent or for a recognized post-secondary credential;
- Alternative secondary school services;
- Dropout recovery services;
- Activities that help youth prepare for and transition to post-secondary education and advanced training; and
- Prepares an individual to be successful in any of a full range of secondary or post-secondary educational options.

***Career Pathways.*** WIOA places a strong emphasis on career pathways, defined as a combination of rigorous and high-quality education, training, and other services that:

- Includes counseling to support individuals in achieving education and career goals;
- Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- Organizes education, training, and other services to meet the particular needs of an individual in a manner that accelerates the educational and career advancement of the individual to the extent practicable; and
- Helps an individual enter or advance within a specific occupation or occupational cluster.

***Work Readiness Training.*** Work readiness is critical in setting the foundation for work experience opportunities and therefore must be offered to all youth in the program. Youth need the guidance on how to get a job and how to keep that job. WIOA and local mandated work readiness training activities include soft skills and hard skills.

***Work Experience Opportunities.*** WIOA includes a focus on providing youth with work experience

opportunities. Therefore, a minimum of 25% of funding needs to be spent on work experience. Work experience provides youth an invaluable opportunity to develop work place skills. Paid and unpaid work experience must include academic and occupational education and may include the following types of work experiences:

- Summer employment opportunities and other employment opportunities available throughout the school year;
- Pre-apprenticeship programs;
- Internships and job shadowing; and
- On-the-job training opportunities.

The required academic and occupational education must be taught within the same timeframe and connected to training in a specific occupation, occupational cluster, or career pathway. Youth funds may be used to pay wages and related benefits for work experience in the public, private, non-profit sectors when the participant's objective assessment and ISS indicate that a work experience is appropriate. Additionally, youth funds may be used to pay wages and staffing costs for the development and management of work experience. Staff costs incurred for the functions and activities directly serving participants may count as program costs.

**Youth Development.** Positive youth development is important to incorporate into the program design to give youth opportunities to grow and lead in their community. WIOA and local mandated youth development activities include:

- Leadership development opportunities;
- Financial literacy education;
- Entrepreneurial skills training;
- Community service;
- Peer-centered activities encouraging responsibility;
- Positive social and civic behaviors; and
- Adult mentoring.

### **3.5. Eligibility and Enrollment**

For the purposes of this RFP, OSY<sup>4</sup> are defined as youth:

- Ages 16-24 at time of enrollment;
- Not attending any school; and
- Meets one or more of the criteria listed below:
  - School dropout;
  - Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school-year calendar quarter;
  - Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
  - Subject to the juvenile or adult justice system;
  - A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act, or an individual who is in an out-of-home placement;
  - Pregnant or parenting;
  - Low-income individual with a disability;
  - Low-income individual who require additional assistance to enter or complete an educational

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<sup>4</sup> A youth is considered out-of-school for WIOA eligibility purposes if the only "school" the youth attends is adult education provided under Title II of WIOA, Youth Build, or Job Corps.

program or to secure or hold employment:

- Who reside in a public housing program,
- Who are refugees/immigrants,
- Who have serious emotional, medical or psychological barriers;
- Who are in need of substance abuse services; and/or
- Who have a parent or legal guardian that is incarcerated.

For the purpose of this RFP, priority should be given to serving the following populations:

- Justice-involved youth;
- Pregnant or parenting youth;
- Youth with disabilities;
- Current or former foster youth;
- Refugee/immigrant youth;
- Youth residing in a public housing program;
- Homeless/runaway youth; and
- Youth that have dropped out of school and do not have a high school diploma or equivalent.

### 3.6. Program Management

WIOA performance measures will go into effect on July 1, 2016. Contractors will be required to demonstrate how their programs are able to help all enrolled youth achieve the outcomes measured by WIOA. While complete definitions of all the new WIOA measures have not yet been finalized by DOL and final percentages of each measure have not been negotiated with the State of California during this time of transition, the below outcome measures and definitions should inform program designs. Contractor targets and percentages for each measure will be negotiated with selected Respondents based on Program Operating Plan (POP) found in [Budget Shell - Attachment J](#) and San Diego’s local area goals from the State.

**Figure 2: WIOA Youth Performance Measures**

<b>Performance Measure</b>	<b>Definition</b>
Attainment of degree or certificate	The percentage of participants who obtain a recognized credential or secondary diploma during participation or within one year after program exit.
Placement in employment, education, or Training	The percentage of participants who are in employment, education, or training in the 2 <sup>nd</sup> and 4 <sup>th</sup> quarter after program exit.
Earnings after entry into unsubsidized employment	The median average earning of participants who are in employment in the 2 <sup>nd</sup> quarter after program exit.
In-program skills gain	Percentage of participants in education leading to a credential or employment during program year, achieving measurable skills gains.
Employer and youth satisfaction	TBD – definition and target to be negotiated at contract award.

Respondents should refer to the POP in the [Budget Shell–Attachment J](#) to define the number of enrollments, attainments, placements, and exits for Program Year (PY) 2016-2017. To drive continuous improvement and increase program impact, enrollments will be increased five percent every year the contract is extended based on level funding.

### 3.7. Tracking Requirements

The Contractor must utilize the EDD's CalJOBS data management system. This includes the entry of individual participant data such as eligibility determination, demographics, activities, case notes, outcomes and follow-up data. Timely data entry is required and must be entered within five (5) business days after the date of any individual activity. SDWP will conduct ongoing monitoring to evaluate the Contractor's use of CalJOBS. Failure to comply with the required use will result in corrective action and may result in the contract being terminated.

### 3.8. Technology System Requirements

The Contractor must comply with SDWP technology system requirements as indicated in [Technology Requirements-Attachment F](#).

## 4. REQUIRED PROPOSAL FORMAT

The proposal must clearly demonstrate the Respondent's ability to provide the requested services. The RFP provides information regarding the format in which proposals should be submitted, the requirements that must be met to be eligible for consideration, the Respondent's responsibilities and the documents that must be included. Questions regarding the proposal format must be submitted to SDWP in writing by **3:00 P.M. PST, Friday, January 22, 2016** per Section 1.8 RFP Questions.

### 4.1. Required Documents and Page Limits

Respondents must include the following documents and must adhere to the following page limits:

- Title Page (Section 4.3) - 1 page limit
- Table of Contents (Section 4.3) - No limit
- Executive Summary (Section 4.3) - 1 page limit
- Business Description and Qualifications (Section 4.4) - 2 page limit
- Program Content (Section 4.5) - 25 page limit
- Past Performance (Section 4.6) - 2 complete questionnaires
- Required Attachments: Organizational Chart (Section 4.4) - 1 page limit
- Required Attachments: Budget Shell (Section 4.7) - No limit
- Required Attachments: Budget Narrative (Section 4.7) - No limit
- Required Attachments: Conflict of Interest Disclosure (Section 6.8) - No limit

**\*Note:** [Conflict of Interest Disclosure – Attachment G](#) must be submitted even if Respondent does not have a potential conflict.

If applicable, the proposal should also include the following attachments:

- Cost Allocation Plan (Section 5.2) - No limit
- Indirect Cost Agreement (Section 5.3) - No limit
- Additional attachments - 10 page limit

SDWP will remove any excess pages from proposals exceeding these page limits before the proposals are distributed for review and evaluation.

## **4.2. Formatting Requirements**

Respondents must adhere to the following formatting requirements:

- Font size: 12 point
- Font: Times New Roman
- Margins: At least one inch
- Line spacing: Double-spaced
- Pages: Single-sided numbered sequentially
- Language: English

## **4.3. Title Page, Table of Contents, and Executive Summary (5 points)**

### ***Title Page:***

- Include company name, address, phone number, website and federal tax identification number;
- Include region of proposal (North, East, South, Metro);
- Include name of the person authorized to negotiate the contract and make decisions for the organization including the phone number, fax number, and e-mail address; and
- Include authorized signature and submittal date.

### ***Table of Contents:***

- Include a clear identification of the material in the proposal by section and by page number.

### ***Executive Summary:***

- Include a brief overview of the entire proposal including a summary of the understanding of the program, and
- Include an overview of the proposed scope of work.

## **4.4. Business Description and Qualifications (10 points)**

- Respondent must provide an overview of lead organization including: primary location of the organization, type of organization (for-profit, nonprofit, etc.), size of the organization, years in business, history of business, mission and vision, major product lines and/or services, and any other relevant information that helps provides an overview of the organization.
- Respondent must provide evidence of the organization's ability to successfully perform the services described in this RFP, including descriptions of past projects completed with a similar scope of work.
- Describe the organization's knowledge, expertise, and experience working with youth facing challenges within the workforce development industry and/or nonprofit sector.
- Describe the approach for recruitment, training, staff development and support for all staff involved in the program. Include how the approach to staffing takes into account the varied needs of youth served.
- Describe the staffing plan and qualification of staff, including the dedicated BSR position.
- Respondent must provide an organizational chart.

## **4.5. Program Content (Total 50 points)**

Responses to this section must not exceed 25 double-spaced pages and must include the following sections:

### **4.5.1. Program Design (20 points)**

#### ***Target Population, Recruitment, and Enrollment:***

- Describe the demographics and characteristics of the targeted neighborhood(s) to be served. Describe the population(s) to be served.



- Describe potential challenges that may arise in engaging and enrolling this population.
- Describe how many youth and young adults you will enroll in year one and describe your plan to identify, recruit, and enroll OSY into the program.
- Describe the intake process, including the collection of basic information from potential clients, informing potential clients of available services in your organization or elsewhere, and determination of client suitability for program services.

### ***Customer Experience***

- Describe the key steps and milestones youth and young adults will experience from outreach to program exit. Visuals, such as a flow chart, are strongly encouraged to show the program design.
- Describe how you will ensure, measure and continuously improve the experience of the youth and young adults in your program.

### ***Supportive Services***

- Describe barriers to successful reconnection and completion of education and/or employment that the target population faces.
- Describe what incentives, supportive services and stipends you will use to address these barriers.
- Describe how you will incorporate mental/behavioral health services, trauma-informed case management and other support you will provide to program participants.

### ***Performance, Administration and Project Management***

- Describe your strategy for understanding, monitoring and measuring youth performance measures and outcomes.
- Describe your process for ensuring quality, compliance and proper documentation for all youth files.
- Describe how you will ensure funds are used properly and according to the spending plan.

### ***Access and Locations***

- Demonstrate how the proposed program will increase access and address transportation and other barriers for program participants.
- Address whether the responding organization will maintain a main office, a satellite office or co-locate with other organizations in the targeted neighborhood(s).

### ***Partnerships***

- Demonstrate meaningful partnerships that support jobs, internships, and educational opportunities for youth and young adults, such as government agencies, education systems, community/faith-based organizations and other partners that serve similar populations and can support the goals of the programs.
- Describe specific partner roles and, if applicable, how the proposed partnerships will leverage additional funding to serve program participants. Letters of support/commitment and Memorandums of Understanding (MOUs) that details partnership roles and responsibilities and any in-kind resources committed are encouraged and can be included in the 10 pages of “additional attachments” described in section 4.1.
- Describe how you will partner and collaborate with current AJCC’s in your proposed service delivery area.
- Subcontractors: If the proposal includes subcontractors, include information on the specific role of the subcontractor and how subcontractors have been and/or will be procured to ensure fair and open competition.

### ***Employer Connections***

- Describe your relationship with employers in key industry clusters and the specific roles these employers will play in your program.
- Describe past outcomes and how you have developed internships, job shadows, occupational skill training, apprenticeships, work experience, placement in employment, and/or other work-based learning outcomes with employer partners.
- Describe your approach to job placement and how the BSR will be used to identify employment and work-based learning opportunities for program participants.

#### **4.5.2. Program Components (30 points)**

##### ***Educational Services***

- Describe how you will implement tutoring, study skills training, and proven dropout recovery strategies to assist youth and young adults in the completion of secondary school resulting in the attainment of a high school diploma or its recognized equivalent.
- Describe activities that help youth and young adults prepare for and transition to training or post-secondary education.
- Describe your education/training programs, which can include occupational skills training, apprenticeship program, post-secondary bridge programs and/or post-secondary education.
- Describe how your proposed education/training programs will lead to jobs with livable wages.

##### ***Career Pathways***

- Pathway Identification: Describe the sector(s)/industry(ies) you will focus on and why you have selected that industry/sector focus.
- Awareness: Describe how you will help youth and young adults become aware of the career pathways in these sector(s)/industry(ies).
- Training: Describe how you will connect youth to education that leads to post-secondary degrees and/or industry recognized certifications.

##### ***Work Experience***

- Describe how you will provide youth with work-based learning opportunities (internships, work experience, pre-apprenticeship/apprenticeship, job shadows, etc.).
- Describe how a minimum of 25% of funds will be spent on work experience.

##### ***Work Readiness, Financial Literacy and Entrepreneurship Training***

- Describe the proposed work readiness training program including instructional techniques, curriculum, competencies, assessments and standards for completion.
- Describe the financial literacy education and entrepreneurial skills training you will offer.

##### ***Youth Development***

- Describe leadership development opportunities, including community service and peer-centered activities encouraging responsibility, and other positive social and civic behaviors.
- Describe how you plan to incorporate adult mentoring for program participants.

A list of reference materials to aid Respondents is available in [Reference Materials – Attachment C](#) as well as a glossary of terms available in [Glossary of Terms–Attachment D](#).

#### **4.6. Past Performance (Total 5 points)**

Two (2) complete [Past Performance Questionnaires–Attachment H](#) must be submitted from organizations/agencies which the Respondent has had direct involvement in projects similar in scope. Questionnaires must be for projects the Respondent has managed within the past five years. If a joint

proposal is submitted, Questionnaires must be completed for the lead entity (i.e., the organization that assumes financial responsibility). Respondents which have had contracts with SDWP within the past two years must include SDWP as one of the agencies completing a Questionnaire. Each of the Respondent's Questionnaires must be completed and **emailed** directly to [YouthRFP@workforce.org](mailto:YouthRFP@workforce.org) by the **referring agency** by the proposal due date. Past Performance Questionnaires received after the proposal due date will not be accepted.

Respondents may be deducted points in this category if SDWP does not receive two past performance questionnaires via email from the **referring agency** by the proposal deadline.

#### **4.7. Cost Reasonableness of Proposed Budget (Total 15 points)**

SDWP will conduct a Cost Price Analysis of the proposed budget details to determine reasonableness, allocability, and allowability of costs. With guidance from Section 5.0 Budget Information, Respondents must complete the following Budget documents and prepare a budget in accordance with **Budget Instructions - Attachment I**:

- **Budget Shell – Attachment J**
  - Budget Detail
  - Personnel Detail
  - In-Kind Personnel Costs
  - Expenditure Plan
  - Program Operating Plan
- **Budget Narrative–Attachment K**
- **Cost Allocation Plan, if applicable**
- **Indirect Cost Agreement, if applicable**

## **5. FINANCIAL REQUIREMENTS**

The Respondent must submit a **Budget Shell - Attachment J**, (e.g., personnel, non-personnel, contracts, indirect, profit) that covers the entire twelve (12) month contract period, a related **Budget Narrative - Attachment K** by line item, and a Cost Allocation Plan. Each Respondent must submit a **Budget Narrative - Attachment K** and a Cost Allocation Plan that corresponds to its line-item budget detail. This narrative should justify the need for all costs built into the line-item detail and the methodology used to derive each cost.

All personnel costs must identify the staff position, annual salary, and percentage of annual time spent on the funding sources for every staff position by program year. Non-personnel costs should also be further outlined into specific line items (such as supplies, equipment, repairs, and mileage).

### **5.1. Work Experiences**

A minimum of 25% of the funds allocated must be spent on paid and unpaid work experiences. Including summer and yearlong employment opportunities, pre-apprenticeship programs, internships and job shadowing. Allowable expenditures beyond wages can include staff time spent identifying potential work experience opportunities, staff time working with employers to develop the work experience, staff time spent working with employers to ensure a successful work experience, staff time spent evaluating the work experience, participant work experience orientation sessions, classroom training or the required academic education component directly related to the work experience, and orientation for employers.

## **5.2. Cost Allocation Plan**

The Cost Allocation Plan describes the methodology that will be used to prorate common operating costs to each funding source. Examples of common operating costs are infrastructure costs (e.g. rent and copier machines), as well as personnel (e.g. receptionist, fiscal staff, senior management) providing benefits to multiple funding sources. Furthermore, the estimated amounts derived from the proposed methodology should be allocated to each budget line item. All costs should be identified as program or program support costs (see Section 5.4 Program/Administrative Support vs. Program Costs).

## **5.3. Indirect Costs and Negotiated Profit**

Any indirect costs budgeted must be supported by an indirect cost rate agreement with a federal or state cognizant agency. If a Respondent does not have an approved indirect rate but wishes to include indirect costs in its proposal, it must submit all relevant financial information that outlines how the indirect rate and costs were determined and future steps for required approval by the relevant cognizant agency. If the Respondent is not required to obtain an indirect rate, then the Cost Allocation Plan must include the methodology describing how common operating costs are distributed to the different funding sources. All costs should be identified as program support or program costs as defined in Section 5.4 Program/Administrative Support vs. Program Costs. For guidance on completing the standard budget shell and the budget narrative, please see [Budget Instructions - Attachment I](#).

For-profit organizations' negotiated profit line item shall not be negotiated at a rate higher than 10% of the total project. The following factors are considered in negotiating profit:

- The Respondent's effort measured by the complexity of the work to be performed and amount of subcontracting (if approved under the contract terms);
- Contract cost risk;
- The Respondent's investment and independent development;
- The quality of the Contractor's record of past performance including cost control and past accomplishments; and
- Additional factors as needed.

The extent to which a Respondent can meet performance objectives while minimizing indirect and profit costs will be a factor in the evaluation process.

## **5.4. Program/Administrative Support vs. Program Costs**

WIOA identifies two cost categories: administrative and program costs. For the purpose of the RFP, SDWP defines administrative costs as program support costs. Respondents may not exceed the cap of 20% on program support costs. Program support costs typically include salary and wages for staff who work in Finance, Human Resources, Payroll, Legal, Property Management, etc. as well as other associated costs related to these functions. For more information on program support and program costs, refer to 2 CFR parts 200 and 2900. All Respondents should follow this rule when classifying budget costs as program support or program costs. SDWP encourages Respondents to use in-kind or other revenue streams other than WIOA funding to pay for program support costs. The extent to which a Respondent can meet performance objectives while minimizing support costs will be a factor in the evaluation process.

## **5.5. In-Kind and Cash Match Resources**

In order to efficiently use WIOA funds and deliver program services to residents and businesses within San Diego County, it is important to leverage a wide-range of public and private resources to support program services. Respondents are encouraged, but not required, to demonstrate either in-kind or cash match

resources from any variety of funding sources. For more information on cost sharing or matching, refer to 2 CFR part 200 and 2900.

In-kind and cash match resources can support any particular budget item as long as it supports program activities. Cash match is defined as a contribution of funds made available to the Respondents to be used specifically for program activities. Respondents are required to assign a monetary value to any in-kind contributions. Examples of in-kind resources include but are not limited to:

- Staff time from lead and/or partner agencies (directly related to jobseeker or business customers);
- Facilities/Infrastructure (where services are provided);
- Participant expenses (e.g. internship/work experience wages, incentives, supportive services, tuition, books, fees, tools or clothing for employment);
- Equipment (directly related to services to jobseeker or business customers); and
- Outreach and/or media support.

These in-kind or cash-match resources must directly support the proposed program activities and should be documented with a Letter of Commitment, MOU, or other documentation. The documentation of in-kind or cash-match resources will include agreed-upon details of the support, that includes the amount to be lent or the services or supplies to be provided, the terms and goals of the agreement, and each parties roles and responsibilities in the agreement.

## 5.6. Subcontractors

If applicable, the Respondent must describe its plan to subcontract any portion of the services in Section 4.5 Proposal Content. The Respondent must follow their own procurement procedures to procure subcontractors if those procedures reflect state and local laws and conform to the standards in 2 CFR §§200.318–326. If a proposal identifies a specific subcontractor as collaborating in the design or provision of services, SDWP’s award of the grant does not provide the justification or basis to sole source the procurement of those services, thereby avoiding full and open competition for the provision of the planned services. Procurement of subcontractors may be done before or after submitting a proposal. See **Contract General Provisions - Attachment L** (Section 29.0 Procurement and Purchases and Section 42.0 Subcontracting), for additional information. The Respondent’s subcontracts funded with WIOA must be reviewed and approved by SDWP prior to executing.

# 6. EVALUATION PROCESS AND CONTRACT AWARD

## 6.1. Compliance Review

Upon receipt of proposals, SDWP staff will review submitted proposals for completeness and technical compliance with the terms and conditions of the RFP. All proposals should adhere to the required format and, in order to be competitive, should include all of the requested information, all sections awarding points, completed forms, and attachments. **Proposals that do not include the following will be determined non-responsive and will not be considered for funding.**

- Statement of Qualifications (Section 1.7);
- Proposal Formatting (Section 4.2);
- Program Content (Section 4.5);
- Budget Shell and Narrative (Section 4.7); and
- Conflict of Interest Disclosure (Section 6.8).

SDWP reserves the right to reject any proposal submitted. SDWP will remove any excess pages from proposals exceeding the stated limits before the proposals are distributed for evaluation.

## 6.2. Evaluation Criteria

SDWP will put together an RFP Scoring Panel of community leaders, board members and outside experts who will score and rank all proposals that meet the compliance requirements described in Section 6.1 Compliance Review. The RFP Scoring Panel will score and rank all responsive proposals using the criteria described within the RFP and make a recommendation for funding based on the evaluation scores.

Respondents who receive 70 or more points on the written portion of the proposal will move on to the oral interview stage of the evaluation. Respondents that qualify for oral interviews will be given thirty (30) minutes to highlight the different areas of their proposal, and will then answer a series of questions from the RFP Scoring Panel. Respondents may not present any new information during the oral interview that is not included in their proposal. The individual designated as the authorized negotiator, the individual who will serve as the Program Manager, and other key personnel must be in attendance at the interview. The Respondent is limited to a presentation team of five (5) individuals.

Oral interviews will be worth a total of fifteen (15) points and will take place between March 15-24, 2016. After oral interviews are complete, final evaluation scores will be submitted, and the RFP Scoring Panel will make a recommendation for funding. The table below provides a summary of the scoring method for this RFP:

RFP Scoring Methodology*	
Section 4.3: Title Page, Table of Contents, and Executive Summary	5
Section 4.4: Business Description and Qualifications	10
Section 4.5: Program Content	50
Section 4.6: Past Performance	5
Section 4.7: Cost Reasonableness of Proposed Budget	15
Written Proposal Total Available Points	85
Oral Presentation Total Available Points	15
Total Available Points	100

\*SDWP will use a weighted scoring methodology to finalize all scores. The RFP Scoring Panel will score each category on a 0-5 point scale. Total points will be converted based on a determined weight as defined by the points and questions per section available.

Respondents must have a total average score of 80 points or higher to be recommended for funding. SDWP reserves the right to recommend multiple proposals to governing boards. In the event that the primary Respondent recommended fails to provide services outlined in the agreement and proposal, SDWP may use an alternate Respondent to perform services based on a score of 80 points or higher and approved by the Boards.

## 6.3. Selection

The RFP Scoring Panel will recommend as the successful Respondent the organization whose proposal is determined to best meet the needs of SDWP, based on the evaluation criteria discussed above.

The selection of the successful proposal will be based upon information supplied by the Respondent in response to this RFP and upon other information that will be obtained by the RFP Scoring Panel, as deemed necessary. The lowest-cost proposal may not be determined to be the most responsive when all factors of evaluation of the proposal have been considered. However, the quoted budget will be an important factor in the determination of the successful proposal.

SDWP reserves the right to negotiate with any Respondent after proposals are opened, if such action is deemed to be in the best interest of SDWP.

#### **6.4. Appeals Process and Access to Evaluation Information**

The information below outlines the appeals process and procedure to access evaluation information. An appeal will only be considered valid if there has been a violation of the one of the following criteria:

- The procurement process as outlined by the RFP was violated in some manner; and/or
- Federal, state, and/or SDWP procurement guidelines, as described in **SDWP Contract General Provisions-Attachment L**, have been violated.

An appeal would not be allowed:

- To contest individual scores, the rating system, or dissatisfaction with the evaluation results unless there is a violation of the process as outlined above; or
- By those other than RFP Respondents.

The appeals process shall consist of the following steps:

- A written letter of appeal must be delivered to SDWP's Director of Operations at [procurement@workforce.org](mailto:procurement@workforce.org)
- The written appeal shall specify evidence for valid appeal and the specific relief sought;
- The written appeal must be received by SDWP within three (3) business days from the date the RFP recommendation is first publicly posted on SDWP's website. Pursuant to the Ralph M. Brown Act (Cal. Gov't Code §54950 et al.), the agenda for a publicly noticed meeting shall be posted no later than 72 hours prior to the meeting being held. Therefore, the agenda for the March 28, 2016 Youth Council meeting shall be posted no later than Thursday, March 24, 2016 at: <http://workforce.org/boards>. If the website is unavailable on this date, SDWP will email the agenda to the addresses on the SDWP RFP contact list;
- A designated third-party appeals review panel comprised of non-SDWP staff shall have ten (10) business days to determine if the criteria for a valid appeal have been met. The decision of the review panel shall be final with no provision for reconsideration.

#### **Access to Score Sheet and Comments**

Individual score sheets and comments used during the evaluation process may be provided in the form of summaries as prepared by SDWP staff. Each individual score sheets will not be disclosed. These summaries will be provided to applicants of the RFP who submit a written request. Requests for this information shall be responded to within ten (10) business days of the Policy Board reviewing the final contract recommendations and any appeals submitted. The purpose for releasing this information is for technical assistance and continuous improvement and not for purpose of an appeal.

#### **6.5. Board Action**

The Youth Council's recommendation will be presented at the WDB meeting on April 21, 2016 and at the Policy Board meeting on April 29, 2016. These dates are subject to change at SDWP's discretion. Respondents are advised that the WDB and the Policy Board must approve the final selection, based upon the results of the evaluation process and the recommendations of the RFP Scoring Panel.

## 6.6. Contract Award

The Policy Board will approve the final selection of the successful Respondent's with contract negotiations and contract signing to follow.

These target dates are subject to revision. Once the successful Respondent is approved, arrangements will be made to begin contract negotiations and contract implementation. The term of the contract will be for one (1) year with the option to extend the agreement for four (4) additional one-year periods based on need, performance and funding availability. The period of performance for the agreement to be awarded is twelve (12) months, beginning July 1, 2016 and ending June 30, 2017.

## 6.7. Negotiation/Contract

All Respondents must designate an authorized negotiator. The name and contact information for this person should be included on the title page of the proposal. This designated person must be empowered to make binding commitments for the successful Respondent and its subcontractors, if any. SDWP reserves the right to negotiate the final terms of the contract agreements with the successful Respondent(s). Items that may be negotiated include, but are not limited to, the scope of work, the staff as proposed, budget, the implementation schedule and the final award amount.

## 6.8. Conflict of Interest

Respondents are required to list any and all individuals who contributed to the preparation of the proposal in the **Conflict of Interest Disclosure – Attachment G**. Disclosure of any actual or potential conflicts of interest relative to this RFP is required. **All Respondents must fill this out and submit if even if there are no actual or potential conflicts of interest.**

## 6.9. Ex-Parte Communication

It is the policy of SDWP to prohibit ex-parte communication with any board member (Policy Board, WDB, APC, or Youth Council), SDWP staff, consultants or other persons serving as an evaluator during the procurement process. Respondents that directly contact board members or evaluators on matter related to this RFP risk elimination of their proposals from further consideration.

Any written communication to a board member or evaluator from potential Respondents will be distributed to all board members and evaluators. Collaboration with members of the various SDWP boards and committees on or about the proposal is a violation of the ex-parte communication rule. However, recognizing the value that such collaborations may bring to our system, SDWP has developed **Conflict of Interest Disclosure Form-Attachment G** to ensure that these types of arrangements do not place Respondents in jeopardy. **All Respondent must include a Conflict of Interest Disclosure Form-Attachment G, even if no real or potential conflicts exist.** Financial relationships with Respondents will disqualify a Policy Board, WDB, Youth Council or APC member from participating in the discussion and voting to fund proposals and will also disqualify any individual from evaluating proposals.

NOTE: Under no circumstances may an individual who is part of the RFP Scoring Panel collaborate with any Respondent. All individuals on the RFP Scoring Panel will be asked to sign the "Conflict of Interest Certification for Request for Proposal" stating they have not collaborated with any Respondent.

## 6.10. Cooling Off Period

SDWP, the WDB and the Policy Board shall not approve or contract with, and shall reject any bid or proposal submitted by, an individual or entity who within the preceding twelve (12) months was themselves or employs anyone who:

1. Is a current, dismissed, separated, or formerly employed person of SDWP, and



- a. Was employed in any position(s) of substantial responsibility in the area of service to be performed by the contract; or,
- b. Participated in any way in the negotiations, transactions, planning, arrangements, or any part of the decision making process relevant to the proposed contract/service agreement, or was or is employed in a role of substantial responsibility in the same general subject area as the proposed contract; or,
- c. Is an owner, officer, principal, partner, or major shareholder of the proposed Contractor.

This prohibition will apply to any qualified person(s) leaving employment of SDWP, and will apply at all times during the twelve-month period beginning on the date the person left the employment of SDWP. This policy will apply to procurements issued or contracts executed for program-related services and not to internal SDWP operational support executed within that twelve-month period. Potential Respondents must detail any Cooling Off Period disclosures on the required **Conflict of Interest Disclosure Form-Attachment G**. The Policy Board may, upon a showing of special circumstances that would justify the approval of such a contract, waive this prohibition.

### **6.11. Communications**

SDWP takes sole responsibility for any and all outreach and distribution of information about the status of contracts and/or public relations matters to the media and/or other parties. Any and all media or information inquiries about SDWP contracts and/or public relations matters should be immediately directed to SDWP's Communications Department at [communications@workforce.org](mailto:communications@workforce.org) or (619) 228-2904.

### **6.12. Insurance**

A full line of business insurance will be required of all successful Respondents. Please refer to SDWP's **Contract General Provisions-Attachment L** (Section 19.0 Fidelity Bonding and Section 20.0 Insurance) for complete information.

### **6.13. Contract Terms and Litigation Warranty**

SDWP will negotiate contract agreements with the successful Respondent(s). SDWP's standard contract terms are included in the **Contract Template-Attachment M** and **Contract General Provisions - Attachment L**. These will be the terms and conditions used by SDWP in its contract, and will form the basis for contract negotiations.

The RFP, any addendums, and the Respondent's response shall also become part of the contract agreement between SDWP and the Respondent. SDWP is not responsible for oversights in this RFP that are not brought to the attention of SDWP prior to starting contract negotiations. The Respondent shall indicate in its proposal any exceptions that the Respondent takes to the terms and conditions in **Contract General Provisions-Attachment L**, or to any of the contents of this RFP. Contract terms required by the Respondent must be included or attached to the Respondent's proposal.

Respondents, by submitting a proposal, warrant that they are not currently involved in litigation or arbitration concerning their performance as it relates to the same or similar services to be supplied pursuant to the referenced contract and that no judgments or awards have been made against the Respondents on the basis of their performance in supplying the same or similar services, unless such fact is disclosed to SDWP in the proposal(s). Disclosure will not automatically disqualify the Respondents; however, SDWP reserves the right to evaluate proposal(s) on the basis of facts surrounding such litigation or arbitration. These will be reviewed and decided upon at the discretion of SDWP.

#### **6.14. Funding Warranty**

Respondents, by submitting a proposal, warrant that in the preceding three (3) years they have not had one or more public transactions (federal, state, or local) terminated for cause or default.

#### **6.15. Work for Hire**

Respondent agrees that all intellectual properties created by the Respondent in the course of performance of Respondent's duties under a contract with SDWP, including without limitation, all patentable and copyrightable inventions and recordings, in every format, are each a "work for hire" and are the sole and exclusive property of the State, except as provided in 2 CFR 97.34 where it is the property of DOL.

In the event the contract does not qualify as a "work for hire" agreement, in partial consideration for the compensation paid to the Respondent pursuant to the contract, the Respondent hereby irrevocably assigns to SDWP, on behalf of the State and DOL, in perpetuity, all of the Respondent's rights, title, and interest in and to all copyrights, patents, know-how, and other forms of intellectual property created by the Respondent in the course of performance of Respondent's duties under a contract with SDWP.

Respondent agrees to execute any forms of assignment or transfer reasonably requested by SDWP during or following the term of this Contract in order to evidence the foregoing agreement of the parties.

#### **6.16. Restriction on Disclosure**

Any information deemed confidential or proprietary by Respondent must be clearly marked and identified by Respondent as such and include an explanation of why such information is exempt from disclosure under applicable law. Such clearly marked and identified confidential or proprietary information will be protected and treated with confidentiality only to the extent permitted by law. Information not protected from disclosure by law will be considered a public record.

If Respondent does not mark information as confidential or proprietary, SDWP will assume that Respondent believes such unmarked data should be released to the public.

Proposals will be received, maintained, and disclosed to the public consistent with the California Public Records Act and the Freedom of Information Act. Proposals will be exempt from disclosure until the evaluation and selection process has been completed. Respondents should be aware that SDWP is required by law to make its records available for public inspection and copying, with certain exceptions (see California Public Records Act, California Government Code Section 6250 et seq. and the Freedom of Information Act - 5 U.S.C. Sec. 552).

Proposals submitted in response to RFP, amounts actually paid by the government under a contract, and cost and pricing data incorporated into a contractual document such as line item prices, contract award prices, and modifications are released. Explanatory material and headings associated with costs and pricing data are normally released unless the Respondent can justify their deletion.

SDWP will not notify Respondent of requests for release of information or that SDWP released data unless SDWP receives a request for information previously marked and identified by Respondent as confidential or proprietary. If SDWP receives a request for release of such previously marked and identified confidential or proprietary information, SDWP will notify Respondent of such request to allow Respondent to challenge such request consistent with applicable law.

Respondent, by submission of materials marked confidential or proprietary, expressly acknowledges and agrees that neither SDWP nor the City of San Diego and County of San Diego will have any obligation or

liability to the Respondent in the event a court of competent jurisdiction compels the disclosure of these materials.

Any data to be returned should be so marked by Respondent and will be returned if not essential to the proposal or contract record.

## **7. ATTACHMENTS**

Attachments are separate documents to this RFP and maybe downloaded from SDWP's website [www.workforce.org](http://www.workforce.org).

- Attachment A - San Diego Regional and Geographic Boundaries Map and Zip Codes
- Attachment B - Notice of Intent to Submit a Proposal
- Attachment C - Reference Materials
- Attachment D - Glossary of Terms
- Attachment E - WIOA Youth Program Elements
- Attachment F - Technology Requirements
- Attachment G - Conflict of Interest Disclosure
- Attachment H - Past Performance
- Attachment I - Budget Instructions
- Attachment J - Budget Shell
- Attachment K - Budget Narrative
- Attachment L - Contract General Provisions
- Attachment M - General Contract Template
- Attachment N - Proposal Checklist