



Workforce Innovation and Opportunity Act
Request for Proposals for:
Fiscal Administrator

Release Date: 5/1/2024

Proposals Due: 5/31/2024

Contract Period: 7/1/2024 – 6/30/2025

All proposals must be submitted electronically to
layne@diehllaw.net



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Section I: Introduction

1. Workforce Innovation & Opportunity Act (WIOA)

The Workforce Innovation and Opportunity Act (WIOA) was signed into law by President Obama in 2014 and went into effect July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 (WIA) and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. The general description of the One-Stop Delivery System by the federal regulations is a “seamless customer-focused service delivery network.”

WIOA funds are awarded to the Chief Elected Officials (CEOs) of a Local Workforce Development Area (LWDA) to serve two primary customers—job seekers and businesses through a One-Stop system branded as the American Job Center (AJC) system. The intent of WIOA is to strengthen the workforce system through innovation and alignment of services to promote individual and economic growth, meeting the business and industry needs in the area. One of the main purposes is to assist individuals with barriers to employment in increasing their access to employment, education, training, and support so they may succeed in the labor market.

At the State level, WIOA establishes a unified strategic planning process across core programs such as Wagner-Peyser Employment Service and Title I of the Rehabilitation Act programs. WIOA also streamlines the membership of business-led state and local workforce development boards and emphasizes the role of boards in coordinating and aligning workforce programs to meet the needs of both jobseekers and employers. At the local level, WIOA provides flexibility in providing incumbent worker training and transitional jobs as allowable activities and promotes work-based training such as apprenticeships and on-the-job training with reimbursement. The idea is that by promoting work-based training activities, jobseekers will earn industry recognized credentials and be aligned onto a career pathway.

Proposers are strongly encouraged to read the Department of Labor’s WIOA resource page for WIOA information and the latest updates: <https://www.doleta.gov/wioa/>.

2. Region VII Workforce Development Board, Inc.

The Region VII Workforce Development Board, Inc. (WDB) is the grant recipient of United States Department of Labor (USDOL) Workforce Innovation and Opportunity Act (WIOA) funds in the eight-county area of Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral, Morgan, and Pendleton.

The overall mission of the WDB is to provide a framework in which the workforce of West Virginia can attain necessary skills required for the 21st century, serving both individuals and business/industry needs within Region VII. The primary objective of the WDB is to integrate all elements of the public sector through the One-Stop system to contribute to the mission. The action is delivered through a coordinated system of case management, management information systems, and a business service team.

For more information of the WDB, please visit: <https://wvregion7workforce.org/>
For more information of guidance from WorkForce West Virginia, please visit:

<http://workforcewv.org/public-information/guidance-notices-and-policies.html>

3. RFP Purpose

The purpose of this RFP is to procure one (1) Fiscal Administrator to serve the eight-county region. The responsibility of the Fiscal Administrator is to allocate cost using direct cost, indirect cost rate, or both to identify and assign indirect costs to benefiting cost objectives. All costs will be documented, including allocated costs under federal or state awards using Uniform Grant Guidance as a guide in determining allowable cost. Guidelines, as cited in Attachment I, are intended to assist the Fiscal Administrator to develop a plan to document the basis and allocation of General Fund costs to various grant accounts. The guidelines provide definitions, general principles, cost components and alternative methods for addressing the allocation of General Fund costs. The guidelines do not constitute a cost allocation plan and any specific examples referenced herein are not to be considered as prescriptive.

4. Eligible Respondents

Proposals may be submitted by qualified individuals, organizations, or entities (public, nonprofit, or private) or a consortium of entities (including a consortium of entities that, at a minimum, includes 3 or more of the one-stop system partners with demonstrated effectiveness), located in the local area, which may include:

- An institution of higher education
- An employment service State agency established under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) on behalf of the local office of the agency
- A community-based organization, nonprofit organization or intermediary
- A private for-profit entity
- A government agency
- Another interested organization or entity, which may include a local chamber of commerce or other business organization, or a labor organization.

To be eligible, respondents must be authorized to do business in West Virginia. Workforce development-minded organizations or individuals with or without previous experience as a contractor are encouraged to submit proposals; however, only proposals from organizations or individuals that can thoroughly demonstrate they have the ability to provide the required services will be considered. Minority and women-owned and operated businesses are encouraged to submit a proposal.

No provider or entity may compete for funds if:

- The individual or entity has been debarred or suspended or otherwise determined to be ineligible to receive federal funds by an action of any governmental individual/organization
- The individual or entity's previous contract(s) with the Region VII WDB or any one of the eight counties had been terminated for cause
- The individual or entity has not complied with an official order to repay disallowed costs incurred during its conduct of services under any contract
- The individual or entity or its parent organization have filed for bankruptcy during the past 7 years
- The individual or entity has been convicted of a public entity crime pursuant to West Virginia or other state statutes
- The individual or entity developed or drafted work requirements, or statements of work for this RFP

5. Contract Term and Amount

It is the intent of the WDB to award a single contract for the services identified herein. The expected contract term under this solicitation will be from July 1, 2024 to June 30, 2025, provided outcomes are successfully achieved and sufficient funds for the contract term remain available.

An estimated total of up to **\$80,000.00** for the period of July 1, 2024 to June 30, 2025 will be available for the Fiscal Administrator contract.

Note: This amount is provided as a planning figure only and does not commit the WDB to award a contract for this amount. The Respondent is responsible for proposing a reasonable total cost for delivering the services described in this RFP. Funding during the contract period may be adjusted due to changes in WIOA funding received.

6. Contract Type

The WDB contemplated payment under a cost-reimbursement basis, including performance-based provisions that will be based upon actual costs and performance delivery outcomes. A Cost Reimbursement Contract is one that establishes an estimate total of costs for the purpose of obligating funds and a ceiling that the contractor may not exceed (except at a contractor's risk) unless the awarding party agrees to amend the contract and provide additional funds.

The WDB is responsible for ensuring that contracted costs are both necessary and reasonable. Provisions are made for limited movement of funding among line items. The contractor is required to maintain records sufficient to account for all expenditures. Costs will be reported monthly. No part of the work covered by this request is to be subcontracted. The expected performance delivery outcomes will be linked to Duties and Specific Tasks as detailed in the Scope of Work, and as determined and negotiated between the Board and the contractor.

Respondents should develop a line-item budget showing all expected costs associated with delivering the proposed services. Due to the nature of the WDB's funding sources, potential changes in legislation and policies, and performance achieved, respondents are advised that any contract awarded under this RFP may be modified to incorporate such changes, adjustments in the delivery system, or any activities proposed.

7. Center Location and Hours of Operation

The comprehensive One-Stop Centers are open Monday through Friday 8:00 a.m. – 4:00 p.m. and closed each day from 12:00 p.m. – 1:00 p.m. The WDB has an established internal holiday policy. The current center locations include:

Martinsburg One-Stop Career Center
202 Viking Way
Martinsburg, WV 25401

Region VII Workforce Development Board and
South Branch One-Stop Career Center
151 Robert C. Byrd Industrial Park Rd., Suite 2
Moorefield, WV 26836

Section II: Procurement Process

Procurement Action	Date
RFP Issued	5/1/2024
Deadline for RFP Inquiries for Clarification	5/13/2024
Posting of Answers to Inquiries	5/17/2024
Proposals Due	5/31/2024
Review/Selection/Recommendation by Region VII Executive Committee	6/5/2024
Region VII WDB Board Approves Selection	6/20/2024
Region VII WDB LEOs Approves Selection	6/25/2024
Selected Contractor Begins Service Delivery	7/1/2024

1. Questions and Answers

All questions regarding this RFP must be submitted in writing via email to Layne Diehl at layne@diehlhllaw.net by 5/13/2024. No questions will be accepted after this date. Responses to all questions will be located at wvregion7workforce.org by 5/17/2024.

2. Right to Cancel

The Region VII Workforce Development Board (WDB) reserves the right to delay, amend, reissue, or cancel, all or any part of this RFP at any time without prior notice. The Region VII WDB also reserves the right to modify the RFP process and timeline as deemed necessary. Subject to guidance being issued by US Department of Labor and/or WorkForce West Virginia, this RFP and/or any subsequent sub-awards will be modified to ensure compliance.

This RFP does not commit the Region VII WDB to accept any proposal, nor is Region VII WDB responsible for any costs incurred by the respondent in the preparation of responses to this RFP. The Region VII WDB reserves the right to reject any or all proposals, as it is deemed to be in the best interest of the WDB. The WDB reserves the right to negotiate with any respondent after proposals are reviewed, if such action is deemed to be in the best interest of the WDB.

Section III: Scope of Work

Proposals should be developed and organized as outlined below. Interested bidder should respond to each section's requirement in its entirety. For example:

Experience and Qualifications

- 1) Describe your organization's background
 - a. [Provide organization's response]
- 2) Describe evaluations conducted on your organization and/or operations during the past two years
 - a. [Provide organization's response]

1. Abstract/Executive Summary (1-page limit)

- Provide a description of your organization.
- Demonstrate an understanding of the workforce development system in West Virginia.
- Outline key organizational achievement within the past three (3) years.
- Briefly describe why your organization is seeking award of this RFP and any unique or innovative aspects that may set your response apart from others.

2. Narrative (15-page limit)

A. Experience and Qualifications

- Describe your organization's background, including:
 - Description of business
 - Legal Status
 - Number of years in business
 - Brief history of your organization
 - Knowledge of the Region VII local workforce development area
 - Examples of types of contracts you have previously entered, including type of contracting entity, location of the work, and general types of services provided
 - Provide evidence of past performance and customer satisfaction for related services
 - List any legal action taken against your organization, including lawsuits, injunctions, or court orders.
- Describe evaluations conducted on your organization and/or operations during the past two (2) years.
 - Who conducted the evaluations?
 - What were the results of the evaluations?
 - What was the purpose of the evaluations?

B. Program Design

- Describe how you will ensure applications for new accounts are properly approved and on file prior to any account activity.
- Describe how you will verify that all authorized account signers are responsible status employees who have proven their integrity through past performances.
- Describe how you will allocate the account budget funds to proper line items, initiating budget transfers when necessary and monitoring the account funds to preclude overspending.
 - Appropriate documentation must be maintained to substantiate the allocation of costs (i.e., invoices from vendors).
 - Reports of current enrollments are obtained from MIS to substantiate the

current number of enrollments by grant or contracts.

- How will you ensure the reconciliation of monthly budget reports and the correction of all discrepancies?
- How will you ensure that all LWDB travel using WIOA funds is compliant with the Region VII Workforce Development Board's travel regulations?
 - Describe how you will ensure that all travel documents are properly prepared and submitted on a timely basis.
 - Describe how you will ensure the proprietary use of direct payment vouchers for purchases, manual checks and LWDB events.
- Describe how you will ensure that all LWDB property is adequately safeguarded against misuse and theft, also ensuring that all changes in location and/or status of LWDB property under your jurisdiction as a fiscal agent is properly reported to property control using a property change notice.
- Describe how you will ensure that proper payroll check distribution and redistribution procedures are followed.
- Describe how you will ensure the propriety of all purchases and ensuring that proper purchasing procedures for goods and services are followed for all Local WIOA fund expenditures.
 - Accounting procedures including expense payments will occur on a weekly basis. Those expenses are directly charged to a specific grant.
- How will you coordinate the hiring of personnel with the WDB and the LEOs in a timely basis?
- Describe your plan to provide payroll, health insurance, retirement, and any other approved benefits to WDB staff.
 - Time and attendance reports are obtained from staff to document the actual distribution of work performed by staff.
- Describe your familiarity with personnel policies and procedures.
- Describe how you will monitor subawards made by the region.
- It is also the responsibility of a Fiscal and Administrative Agent to keep abreast of changes made by the Region VII Workforce Development Board to the policies, procedures and requirements that govern the LWDB.
- It is also the responsibility of a Fiscal and Administrative Agent to provide annual financial statements and follow the single audit requirements as well as report quarterly in the MACC.

C. Statement of Work

- Describe the fiscal services to be provided that will ensure compliance with all Federal and State statutes, regulations, policies, and generally accepted accounting principles. Describe your proposed methods and processes.

D. Staffing & Capacity

- Provide an organizational chart that identifies how each staffing position fits in the proposed model. Identify all vacant positions as such in the organizational chart.
- Describe the roles/titles of the proposed staff assigned to this contract. For positions to-be hired, identify them accordingly.
 - Provide resumes of the assigned staff.

3. **Fiscal Capabilities & Budget (no page limits)**

- Describe your organization's experience managing Federal funds.
- Describe the internal controls of your organization to handle finances
- The budget narrative must be typed and placed in the proposal following the Budget

Form (Attachment C).

- Identify all costs that are necessary to directly operate the proposed program.
- Describe and list any unusual equipment that is essential to the program and indicate whether it belongs to the WDB, the State, or will be purchased if the proposal is funded. If any additional equipment is to be purchased or leased, please indicate this in the proposal. Include a detailed justification of the intended purchase, and why its purchase is essential to the program's operation. The budget narrative should fully describe the cost allocation methods used.
- The budget narrative must describe how funds are allocated to minimize administrative costs and support direct services to participants. The narrative should also describe the indirect costs that are proposed, indicate what costs are included, and explain how these indirect program costs were determined. Any indirect costs budgeted must be supported by an indirect cost rate agreement with a Federal or State cognizant agency, a copy of which must be attached to the budget request.
- Describe past success with leveraging additional resources. Describe both leveraged resources whose purpose has been to ensure and maximize the delivery of services and leveraged resources whose purpose was to maximize the organization's financial resources. Also, specify additional resources to be leveraged and any in-kind contributions the organization will provide to assist in the participant's program's success.
- Describe how you will financially support the costs of doing business until an invoice can be submitted and paid by the WDB
 - No advance payment will be made
 - Indirect costs can only be charged to the contract if an approved indirect cost plan is included with the budget
 - Respondents should note the WDB will pay on a cost-reimbursable basis for all WIOA participant costs, which includes: staff salary/benefits/travel, rent, utilities, telephone, internet, janitorial services, supplies, equipment, maintenance, and direct WIOA participant costs such as training and supportive service costs. Therefore, respondents should not include costs for such expenses in the budget submitted with the proposal.
 - The contractor will be required to submit an invoice accompanied by the appropriate documentation to receive reimbursement for costs. Cash advances will not be available to the contractor. Reimbursements shall be made based on allowable costs incurred. This may include copies of paid invoices, check registers, payroll and benefit records, and similar documents. Additionally, monthly narratives of the accomplishments, challenges, and next month's objective must accompany the invoice.
- Provide a brief description of the internal controls of the agency

Section IV: Proposal Instructions

To be considered, bidders must submit one (1) proposal by 5/24/2024 via email to:

Layne Diehl, Board Chairperson
Region VII Workforce Development Board
layne@diehlaw.net

No proposal submitted after the deadline will be accepted for consideration.

The proposal must be signed by an official authorized to represent and bind the bidding organization. The person signing the proposal should certify that:

- He/she is the person in the bidder's organization legally responsible for the decision as to the costs being offered in the proposal and that he/she has not participated in any illegal, non-compliant, etc. action(s), or
- He/she has been duly authorized to act as an agent for the persons legally responsible for such decision, and certified that such persons have not participated, and will not participate in any illegal, non-compliant action(s), etc.

The proposal must contain the following elements:

- Attachment A: Cover Sheet
- Attachment B: Conflict of Interest Form
- Attachment C: Budget Form
- Attachment D: References
- Attachment E: Staffing Plan
- Attachment F: Assurances & Certification
- Attachment G: Certification Regarding Debarment/Suspension
- Attachment H: Certification Regarding Lobbying
- Abstract/Executive Summary (1 page maximum)
- Narrative Sections (15 pages maximum)
- Fiscal Capabilities & Budget (no page limits)
- All pages must be numbered
- Use 12-point font, single spaced

1. Proposal Evaluation

All proposals will be evaluated individually and as a group by the Region VII Workforce Development Board Executive Committee. The Committee will rate proposals and may require interviews with applicants prior to presenting its selection to the Region VII WDB Board. The Executive Committee's recommendation for the Fiscal Administrator will then be forwarded to the Board for approval. If approved by the Region VII WDB Board, the proposal will then be sent to the Region VII WDB LEOs for final approval.

Submitted proposals must meet the following minimum procurement requirements:

- A. The proposal was submitted on or before the closing date and time.
- B. The proposing organization is not on a federal or state Debarment List.
- C. The proposing organization has been a legal business entity for a minimum of one year prior to the start of the contract.
- D. The proposing organization is fiscally solvent.
- E. The person signing the proposal as the submitting organization has the legal authority to do so.
- F. The proposing organization agrees to meet all federal, state, and local compliance

- requirements.
- G. The proposing organization has developed a reporting process for participant and fiscal activity.
- H. The proposing organization has a satisfactory performance record for previous WIOA-related contracts, if applicable.
- I. The proposing organization has accounting and auditing procedures adequate to control property, funds, and assets.
- J. The proposing organization has a satisfactory record of integrity, business ethics, and fiscal accountability (a copy of these policies is required).

All proposals received in accordance with the time and content requirements identified in this request for proposals will be evaluated and scored based on the criteria outlined below. The maximum number of points for any proposal can receive is 100. All proposals will be evaluated based on cost-effectiveness in relation to high quality service delivery. Respondents are therefore encouraged to thoroughly describe and justify the proposed costs. An analysis will be conducted to ensure the proposed costs are necessary, fair, and reasonable to determine if the proposed costs are allowable and allocable.

Proposal Component	Points
Formatting	5
Experience and Qualifications	15
Program Design	35
Statement of Work	10
Staffing & Capacity	15
Fiscal Capabilities & Budget	20
Total Points	100

2. Provisions

- A. All proposals submitted will be subject to competitive review.
- B. The Region VII WDB has the right to reject any and all proposals that do not follow the format instructions set forth by this Request for Proposals.
- C. The Region VII WDB retains the right to accept or reject any or all proposals received or to cancel in part, or in entirety, this Request for Proposals if so determined that it is in the best interest of the Region VII WDB to do so.
- D. The Region VII WDB may modify any portion or terms of this Request for Proposals and may solicit additional proposals, as necessary. The Region VII WDB reserves the right to modify or change this RFP based on rules, regulations, requirements put forth by the U.S. Department of Labor, the West Virginia Department of Commerce, or other regulatory entities.
- E. All proposals will be subject to negotiation of terms, conditions, and amount.
- F. The release of this Request for Proposals does not commit the Region VII WDB to award a contract.
- G. Contracts will be awarded to successful applicant(s) for the period from July 1, 2024 to June 30, 2025.

3. Right to Appeal

Any respondent who has submitted a response to this RFP may appeal the decision of the contract award. All appeals must be made in accordance with the Board's Grievance and Complaint Policy, available at:



151 Robert C Byrd Industrial Park Road, Suite 2 • Moorefield, WV 26836
 Phone: (304) 530-5258 • Fax: (304) 530-5107 • TDD: WV Relay 7-1-1
www.wvregion7workforce.org

An Equal Opportunity Program/Employer. Auxiliary aids and services are available upon request to individuals with disabilities.

4. Contract Provision

The following are examples of the contract provisions that will be included in the contract that will be developed because of this RFP. The exact text of the contract provisions may differ slightly from the examples shown.

Contract Costs – All costs that are approved in a contract must be reasonable and necessary to carry out the planned functions. The costs must be allowable and allocable to the proper grants and costs categories. If the contractor is a public entity or non-profit entity, the contract will not include a provision for profit. Profit margins with individuals and for-profit organizations may be negotiated. Profit margins must be reasonable and cannot be based on a percentage of actual costs. The contract awarded under this RFP is subject to available funding. The WDB does not guarantee any minimum or maximum amount of work and/or dollar value associated with this procurement. The specific method of payment for services to be rendered will be set forth in the negotiated contract and will be contingent upon demonstration that the negotiated performance deliverables have been successfully accomplished.

Early Termination – The contract that results from this RFP will have provisions for termination of the contract for failure to satisfactorily perform the tasks that are required. The contract that results from this RFP may also have provisions, which allow the contract parties to cancel the contract at any time by providing advanced notice to other contract parties. The contract will also provide for termination of the contract for lack of funds.

Modifications – The contract will have a provision for modifying the contract. Modifications may be necessary to incorporate changes required by Federal or State laws and policies. Modifications may be necessary to increase funds to the Contractor if funds become available through other sources.

Assignment and Subcontracting – A part of the proposal evaluation is based upon the previous experience of the proposer and its staff. The contract will contain a provision that prohibits subcontracting or assigning the work to be performed to another entity.

Indemnification – The contract will include an indemnification clause which will state the Contractor shall indemnify and hold harmless the State of West Virginia, WIOA Administrative Entity/Fiscal Agency, Local Elected Officials, Region VII Workforce Development Board, its officers, agents and employees from liability of any nature and kind, including costs, expenses, and attorney fees, for or on account of any actions, claims, suits, and damages of any character whatsoever arising out of any negligent act or omission of the Contractor or any of its employees, agents, volunteers, subcontractors, or representatives.

Dispute Resolution – The contract will have a provision for dispute resolution. This provision will require the Contractor to use administrative processes and negotiation in attempting to resolve disputes arising from this contract. The contract will require the contractor to continue to provide services while the dispute process is ongoing.

Audit Rights – The contract will have a provision which will allow the Fiscal Agent, the State of West Virginia, the U.S. Department of Labor, the United States Comptroller General, and any of their duly authorized representatives, or other with statutory audit rights to perform audits after reasonable advanced notice to the Contractor at any time during the contract period or within

three (3) years from the date of the final payment of the contract. At any time during normal business hours and as often as the Fiscal Agent or any of the above parties may deem necessary, the Contractor shall make available to their duly authorized representatives for examination, all its records with respect to all matters covered by the contract. The Fiscal Agent, the State of West Virginia, the U.S. Department of Labor, the United States Comptroller General, any of their duly authorized representatives, shall have the authority to audit, examine, and make excerpts or transcripts from, any books, documents, papers, and records of the Contractor which are directly pertinent to the contract, including all contracts, invoices, materials, payrolls, personnel records, conditions of employment, and other data relating to all matters covered by the contract.

Access to Records and Records Retention – The contract will have a provision relating to Records Retention. That provision will require the Contractor to maintain all records pertinent to the contract, including financial, statistical, property, participant records, and supporting documentation. These records shall be preserved and made available to the Fiscal Agent and its agents for a period of three (3) years after the date of the final closeout of the contract. However, in the event of an audit, records shall be kept by the Contractor until the audit is completely resolved, even if it requires a retention period longer than 3 years. If the Contractor is unable to retain the necessary records for the required period, the Contractor will transfer such records to the Fiscal Agent. Such records shall be transmitted to the Fiscal Agent for acceptance in an orderly fashion with documents properly labeled and filed, and in an acceptable condition for storage.

Performance – The Contractor will be measured for performance of the contract. An evaluation will be conducted by the WDB to determine whether the contract measures have been met. The contract will be evaluated not less than on a semi-annual basis prior to the end of the contract period. This evaluation will determine whether the contract may be extended.

Copyrights and Rights to Data – The contract will have a provision relating to Copyrights and Data. That provision requires Contractor to agree that the Fiscal Agent, State of West Virginia, and the U.S. Department of Labor shall have unlimited rights to any data first produced or delivered under the contract.

De-obligations – The contract that results from this RFP will contain clauses regarding availability of funds. Those clauses will allow the WDB to decrease or eliminate funding to the contractor if funding made available to the WDB is not sufficient to allow for full payment of the contract. At the time the contract is written, the actual funding amounts provided to the workforce area may not be available. The contract may be modified prior to or subsequent to the July 1st start date of each contracted period to reflect changes that are necessary due to actual funding amounts received.

Insurance – There is not requirement that proof of insurance be submitted with the proposal, but evidence of insurance must be provided prior to beginning the performance of work under the contract. The Fiscal Agent requirements may include proof of the following as applicable: general liability coverage, insurance for motor vehicles used by employees of the contractor, workers' compensation, and blanket bond coverage. The WDB will not be responsible for providing any type of insurance for the Contractor.

EEO Requirements – The Contractor will be required to comply with certain EEO requirements. No person in the United States shall be, on the grounds of race, color, religion, sex, sexual orientation, national origin, age, handicap, political affiliation, belief, or marital status be excluded from participation in, be denied benefits of, be subject to discrimination under, or be

denied employment in the administration or in the connection with any program or activity funded in whole or part with funds made available under the agreement.

Duplicate Funding – The contract will have a provision requiring the Contractor to agree that any Contractor’s cost, which is already allocated to other sources, may not be included in the cost of the contract. The Contractor must inform the WDB if the Contractor applies for or receives funds, which affect the cost or performance of work under this contract, and how the Contractor plans to allocate duplicated funds. The WDB must have the right to renegotiate the contract relative to the changed costs.

Compliance with Law – In rendering the performance hereunder, the Contractor shall comply with the requirements of the Workforce Innovation and Opportunity Act (WIOA), Public Law 113-128, with the regulations promulgated thereunder, and with the following:

- Applicable Federal Laws and appropriate OMB Circulars
- Laws of the State of West Virginia
- WIOA policies as adopted by the WorkForce West Virginia
- Local Laws
- WDB policies and procedures
- U.S. Department of Labor statement 29 CFR 37.20 regarding the non-discrimination and Equal Opportunity provisions of the WIA 1998 as reauthorized in the event of a conflict between such laws and regulations and the terms of this agreement, precedence shall be given to the laws and regulations.

Reporting – A monthly Fiscal Administrative Report must accompany any requests for funds to demonstrate justification for payment of request. The items to be reported monthly may include:

- Accomplishments toward current objectives
- Challenges encountered or anticipated
- Objectives for the next month

The contract that results from this RFP may have additional requirements that the contractor make regular presentations to the WDB, Local Elected Officials, or similar groups. These reports may include information on customers, identified customer needs, services being provided for customers, employer needs, reports on progress that have been made on meeting the real-time performance metrics, and similar types of information.

The Contractor will also be required to provide the WDB any narrative, statistical, and financial reports related to the elements of the contract in a format and timeframe determined by the WDB.

Corrective Action – This provision will describe notices to the Contractor, corrective action steps, corrective action plans, timeframes, and similar provisions.

Patent Rights – This provision will state that if products are produced under this contract to which a patent is granted, the patent rights shall belong to the WIOA Fiscal Agent, the State of West Virginia, and to the U.S. Department of Labor. This provision shall not apply to products produced by the Contractor other than this contract and which are used in the performance of the work required by this contract.

Disallowed Costs – The contract will have provisions that require the contractor to repay any expenditure that is found to be unallowable. The contract will have provisions requiring the contractor to remedy any deficiencies found in audits or monitoring reports prior to incurring additional expenditures or receiving additional funds.

Other Contract Provisions – The contract may have provisions, which are not described in this RFP. Those provisions may be necessary due to applicable laws or regulations, provisions added or changed to reflect negotiations made subsequent to the issuance of this RFP, requirements not known at the time of the issuance of this RFP, or for other reasons.

Attachment A: Cover Sheet

Please complete this **mandatory** cover sheet accordingly.

Organization Name				
Address				
Phone Number				
Number of Years in Business				
FEIN #				
DUNS #				
Acknowledgement that Proposing Entity is up to date on taxes and not currently debarred or suspended.		YES	NO	
Type of Organization (check all that apply)	<input type="checkbox"/>	Higher Education	<input type="checkbox"/>	Private
	<input type="checkbox"/>	Community-Based Org.	<input type="checkbox"/>	Business Organization
	<input type="checkbox"/>	Government Agency	<input type="checkbox"/>	Other (explain)
	<input type="checkbox"/>	Labor Organization		
	<input type="checkbox"/>	Non-Profit		
	<input type="checkbox"/>	Employment Service State Agency (Wagner-Peyser)		
Contact Person				
Contact Person's Email Address				
Signatory Authority Signature				

Proposed Budget Amount:

\$ _____ Fiscal Administrator



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 Phone: (304) 530-5258 • Fax: (304) 530-5107 • TDD: WV Relay 7-1-1
www.wvregion7workforce.org

An Equal Opportunity Program/Employer. Auxiliary aids and services are available upon request to individuals with disabilities.

Attachment B: Conflict of Interest Form

By submitting a proposal, the authorized signatory authority of the bidding entity certifies to his/her knowledge and belief that there is no conflict of interest (real or apparent) inherent in the bid or in delivering the scope of work if the WDB awards a contract. A conflict of interest would arise if any individual involved in the preparation of this proposal and delivery of services has a financial or other interest or would be likely to gain financially or personally from the award of a contract. The same would hold true for any member of the individual's family, partner, or an organization employing or about to employ any of the above as a direct result of the successful award of a contract under the RFP. The WDB reserves the right to disqualify a bidding entity should a conflict of interest be discovered during the solicitation process.

Signatory Authority Name	Signature	Date
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*Note: This form is a **mandatory** required document to be considered for the contract.*

Attachment C: Budget Form

Please complete the **mandatory** budget form and narrative explanation below for the Fiscal Administrator contract.

Salaries	\$
Benefits	\$
Travel	\$
Operational (supplies, communication, etc.)	\$
Any Program Indirect Expenses	\$
TOTAL BUDGET REQUEST (max. \$80,000.00)	\$

Budget Narrative: Please provide a detailed explanation for each budget line item to justify the cost. Examples of explanations include job titles, wage rate, hours worked/charged, types of benefits and rates, estimated mileage/visits to locations, office and other supplies, and agency program operation or program costs. No travel expenses may be claimed for commute to/from "official station." Travel expenses may be claimed from the official station. West Virginia State Mileage Rate is \$0.655 per mile.

Attachment D: References

Bidders are required to provide three (3) letters of reference who can verify their experience, along with a contact phone number or email. References should be for experience in the past 5 years.

Reference #1

Phone # or Email _____

Reference #2

Phone # or Email _____

Reference #3

Phone # or Email _____

Attachment E: Staffing Plan

Complete the following chart listing all personnel/positions involved in the delivery of the proposed services included in the personnel line item to be allocated to the contract. For positions to-be hired, please indicate accordingly.

Title/Position	Annual Salary	% of Time Charged to Region VII	Total Salary
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Attachment F: Assurances & Certifications

The following assurances and certifications will be made a part of any resulting contract from this solicitation and Respondents must agree to each item below.

1. The individual signing this proposal is authorized to submit the proposal on behalf of the agency/organization.
2. The Contractor assures and certifies that services funded through a contract with WDB shall be administered in full compliance with applicable federal, state, and local laws, regulations, and policies. These include, but are not limited to:
 - maintaining records that accurately reflect actual performance
 - maintaining record confidentiality, as required
 - reporting financial, participant, and performance data, as required
 - complying with Federal and State non-discrimination provisions
 - meeting requirements of Section 504 of the Rehabilitation Act of 1973
 - meeting all applicable labor laws, including the Child Labor Law standard
3. The Contractor shall establish and maintain an auditable financial system, in accordance with recognized accounting practices, with the Act and Regulations, and with State and local requirements on fiscal and programmatic reports.
4. The Contractor must be able to demonstrate that they are fiscally solvent.
5. The Contractor certifies that it will provide a drug-free workplace, as required by Federal law.
6. Any representative/agent of the WDB who participates in the expenditure of WIOA funds shall perform his/her duties in a manner consistent with their obligations to the WDB and in accordance with sound business practices. In complying with these requirements, representatives/agents shall refrain from:
 - Solicitation or acceptance of gratuities favors, or anything of monetary value, from contractors, potential contractors, or parties to sub-agreements.
 - Participation in awards or administration of contracts to firms in which the member, officer, staff or representatives/agent or his/her immediate family has a financial or other interest.
 - Any representative/agent, who is a paid consultant, or who has a relative who is a paid consultant (as defined in A.R.S. 38-502) for any provider which currently transacts business with the WDB is prohibited from participating in a decision process which may lead to the award of a contract involving such firm.

Name of Applicant Organization

Signature of Certifying Official Date

Name and Title of Authorized Representative

Attachment G: Certification Regarding Debarment/Suspension

This certification is required by the regulation implementing Executive Order 12549, Debarment and Suspension 29 CFR Part 98, Section 98.510, Participants' responsibilities. The regulations were published as Part VII of the May 26, 1988 Federal Register (pages 19160-19211).

1. The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property
 - c. Are not presently indicated for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default
2. Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Applicant Organization

Signature of Certifying Official Date

Name and Title of Authorized Representative

Attachment H: Certification Regarding Lobbying

The undersigned certifies, to the best of his or her knowledge and believe that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employer of a Member of Congress in connection with this Federal contract, grant loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying", in accordance with its instructions.
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants and contracts under grants, loan, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Name of Applicant Organization

Signature of Certifying Official Date

Name and Title of Authorized Representative

Attachment I: Background Information

Guiding Principles

1. Federal appropriated funds to the United States Department of Labor allocated to the state of West Virginia are dispersed by WorkForce West Virginia to the seven Local Workforce Development Areas as designated by the governor. The annual WIOA allocations are the primary source of support for the Region VII Workforce Development Board's services and mission.
2. No more than the full costs of a LWDB annual allocation, inclusive of direct or/and indirect costs, may be allocated.
3. All significant incremental costs should be included in the cost allocation plan.
4. Generally, significant means that the effort and cost of allocating the cost is in line with the benefit. The Fiscal Agent for the LWDB should document the reasons for excluding incremental costs.
5. Allocation of indirect costs should be based on a process that is reasonable relative to the activity and the related costs and will be recorded as the total dollars spent.
6. The basis of allocation for a service may vary as the LWDB determines appropriate and reasonable. Expenditure data might be a reasonable basis for allocating accounts payable costs in some cases but not in others.
7. Allocation of the determined in-school and out-of-school youth costs will be tracked using the chart of accounts established by the LWDB's Fiscal Agent Accountant. Costs for participants will be a charged directly to an in-school youth line item or an out-school youth line item within the accounting system used by the LWDB. Financial reporting will be readily available when necessary to determine the expenses incurred by both categories.
8. In accordance with the ACT, a minimum of 75 percent of funding will be allocated for eligible out-of-school youth (OSY).

WDB Cost Allocation Plan

- Charging of costs will be determined based on whether that expense is a direct cost or indirect (allocable) cost. Direct cost expenses will be charged directly to that grant or contract and specific cost category. Once that determination is made the expense will be coded and recorded in the accounting system. At a minimum, the Cost Allocation Plan should include:
 - Organization chart that identifies all departments and types of services provided
 - Description of the types of services provided for all revenue sources and cost objectives
 - Description of the methods including identification of the bases used in distributing the expenses to benefiting cost objectives
 - Certification by an authorized Grant Recipient official (i.e., CEO or CFO) that the CAP has been prepared in accordance with applicable Federal and State legislation and regulations.
- Charging of indirect costs or allocable costs must be determined on whether the expense benefits multiple grants or contracts. A simplified method of distributing cost will be utilized. Costs will be divided between the total costs of administration and the total cost of program activities. Once the determination is made, at the end of the month, on which program(s) received the benefit, then the expense will be coded accordingly and recorded in the accounting system.

Basis of Allocation/Specific Costs

- Typical Distribution:
 - Administrative costs to WIOA grants; based upon an availability basis. Program administrative costs to WIOA grants; based upon programmatic function such as a Service Provider. Portions of program costs may be charged to various WIOA grants if both administrative and program functions are performed.
- Basis of Distribution:
 - **Salaries** – Time and attendance of staff will be charged to various grants based upon time expended in those grants.
 - **Rent** - Amounts for the Administration office will be charged to Program Cost based upon square footage. Whereas the rent charges for a satellite office or a One Stop System office will be determined using percentages based upon floor plan distribution of space.
 - **Utilities** – Amounts will be charged to Program Cost based upon floor plan distribution of space and will include a distribution of cost for One Stop System, Satellite office, and Administration.
 - **Telephone & Cell Phone Services** – Charges will be charged to programs based upon program codes used by staff at the One Stop Career Centers and/or satellite offices for Long Distance telephone services. Direct Line charges, which include incoming calls, will be based upon equal percentages between partners.
 - **Internet Costs** – Charges will be based upon equal percentage between partners as stated for the telephone charges.
 - **One Stop Operator Expense** – Expenses for the One Stop Operator will be charged to the various WIOA grants. The One Stop Operator tracks the One Stop System’s core services as outlined in the Memorandum of Understanding. Duties include verifying that the One Stop partners are utilizing the common intake, case management, client tracking systems appropriately, and maintain working relationships with employers in the eight-county area. The One Stop Operator helps the One Stop partners in providing career services in accordance with the WIOA, WIOA regulations, State Policies and Local Policies. The One Stop Operator also provides information to the public and local employers concerning Workforce System Services, using seminars presentations and/or conferences.
 - **One Stop System Costs** – Expenses for the One Stop System will be distributed fairly among the partners based on the use of the One-Stop delivery system by individuals attributable to the partner’s program, on a percentage basis. For the purposes of developing a system-wide cost allocation plan, it will be necessary for expenses to be shared by each partner as a “shared system costs.” A shared system cost is one that is incurred by one partner, but which benefits at least one other partner in the One-Stop system.
 - **Staff Travel and Training** – Expenses for travel and training will be charged to the specific cost category which relates to their functions.
 - **Workers Compensation Expense** – Payroll types include Adult, Dislocated Worker, Youth (In School and Out of School), Administration, Program, Career Services, WDB, One Stop Operator, and NEG. The total wages paid for all types is the amount reported and based upon which premium is calculated. The net premium is then distributed according to the total wages for each payroll type. Some payroll amounts will be charge to various grants based upon percentages according to staffing functions.
 - **Other Costs** – Depending on the allocable costs the charges will be distributed either as a direct charge to the grants or as indirect charge then distributed again depending upon the function of the costs to the various grants.

Documentation

- Staff may be working and providing benefits to various grants and to various functions. Our Staff may provide benefits to Adult clients, Dislocated Worker clients and Youth clients. The Timesheet will reflect the distribution of time between each of those cost objectives. The time is distributed in quarter hours based upon the actual amount of time spent providing services which benefit the specific cost objective.
- The Training Provider's responsibility is to provide Region VII WDB's Fiscal/Administrative Agent the necessary documentation when invoicing for reimbursement. The documentation to be provided will include a detailed report showing the actual amount incurred per line item, the distribution amount for the specified cost category – totaling the amount incurred. All cost incurred per bill will be categorized accordingly.
- Accounting procedures include paying expenses on a weekly basis. Those expenses are directly charged to a specific grant (which need no further allocation). Invoices are entered into the accounting system, as well as payroll for staffing. At the end of the month, all indirect costs expense will be charged to the various grants and contracts that benefited from the expense. The amount of the allocation will be determined by the total dollars spent divided by the percentage which the total amount of allowable indirect costs bears to the base selected (i.e. fixed amount, square footage, relation to functions, hours based upon time spent providing services, etc.).

Definitions

- **Costs** refers, for purposes of guidelines, to expenditures incurred by the "LWDBs" to provide facilities, goods, and services. These costs shall be recorded as personnel services (salaries and benefits), operating expenses and equipment, support services to clients (adult, dislocated worker, and youth), etc.
- **Direct Costs** refers to costs that can be readily assigned to a particular cost objective, i.e. identified, and charged (billed) to a specific grant, with a high degree of accuracy and without an inordinate amount of accounting.
- **Indirect Costs or Allocable Costs** refers to cost that cannot be readily assigned to a particular cost objective without effort disproportionate to the benefits received. The total dollars spent may be distributed to more than one cost objective. Indirect costs or Allocable costs are those incurred for purposes common to a number or all programs or activities of the organization, but which cannot be identified and charged directly to such programs or activities with a reasonable degree of accuracy and without an Inordinate amount of accounting. Indirect costs or Allocable Costs may be called by other terms such as overhead or administrative expenses.