

Existing Employee Training Program

III. Program Description

The Existing Employee Training Program will provide funds to businesses to train existing employees of the applicant business in specific occupational skills that lead to job advancement. Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with, or upgrade them in, the skills required to perform a specific job or group of jobs needed by the business. The position(s) targeted for training must exist and be filled at the time the proposal is submitted.

Part time employees are eligible for training under this grant if they have a permanent, year-round attachment to the business. Temporary employees, seasonal employees, public (federal, state, county, municipal, public authority and public benefit corporation) employees and volunteers are not eligible for training under the Existing Employee Training Program.

It is the intent of this Request for Proposals (RFP) that all of the funds be invested in the training of workers employed in New York State. Funds may be used to enlist the services of a training provider or in-house instructor(s) to deliver occupational skills training to workers. Training may take the form of on-site training, off-site training, or distance learning. Training must take place on company time and trainees must be compensated at no less than their normal rate of pay while attending training. Trainees cannot contribute to the cost of the training. Training can take place outside of New York State, but please note that the travel and salary costs would still have to be paid by the applicant business.

IV. Proposal Requirements

In order for a proposal to be considered, applicants must meet the eligibility criteria outlined in RFP Section I (C), and include all the required documents and information requested in the Consolidated Funding Application (CFA).

The CFA consists of two parts: a technical section and a budget section. The training needs and costs are defined by the applicant and are reviewed by the New York State Department of Labor (NYSDOL). All proposed expenditures must be reasonable, necessary and clearly related to the purposes and activities of the project as described in the project narrative.

A. Minimum Requirements

In order to qualify for funding consideration, applicants must meet the minimum requirements of the program. Applicants who fail to meet these minimum requirements will have their proposals automatically rejected and scoring will not proceed.

The applicant must attest to all of the stated requirements and provide all of the information requested in Section V(B)(1) of this RFP.

B. Technical Section

The CFA must fully describe, identify and document the vision, process, strategies, implementation, leveraged resources, outcomes, and relationship to NY Rising and the Opportunity Agenda as described in Section V(B)(2) of this RFP.

C. Budget Section

Planned costs must be directly related to the delivery of the training program. If costs for the training program are being shared, the proposal must identify the other funding source(s) and explain the methodology used to allocate costs among funding sources. All proposed expenditures must be reasonable, necessary and clearly related to the purposes and activities of the project as described in the project narrative. Although leveraged funds from the applicant are not required, points will be awarded during the scoring process based on the percentage of leveraged funds being used (see Section V of the RFP). Note that the cost of the employees' wages while in training must be paid by the applicant business (these wages may be counted as leveraged funds). Proposals wherein the workers attend training on their own time, whether voluntarily or involuntarily, will be rejected.

Existing Employee Training Program awards may not exceed \$100,000 per business. Please note that there are three other NYSDOL Workforce Development programs available under this RFP: the New Hire Training Program; the Special Populations Training Program; and the Unemployed Worker Training Program. Eligible businesses may apply for funding under one, two, three or all four of these programs. However, the maximum award that an eligible applicant may receive is \$100,000 regardless of the number of NYSDOL programs for which it applies. In addition, there is a cap per trainee of \$5,000 for each program proposal (not per-trainee per-course). If the training proposed by the business exceeds a cost of \$5,000 per trainee, the business must pay the difference. Note that this is a cap per trainee, not an average cost per trainee.

For those applicants that are also applying for New Hire Training funds, Unemployed Worker Training funds, and/or Special Populations Training funds in addition to Existing Employee Training funds under the CFA, funds for two, three or all four programs cannot be combined to use on the same trainees. For example, an applicant may not use New Hire Training funds to train a new worker on-the-job and then use Existing Employee Training funds to send the same worker to classroom training. Each group of trainees must remain separate and distinct and be trained solely under one NYSDOL CFA program.

Other than the two trainee minimum for in-house training, there is no minimum number of trainees.

Applicants must draft their requests for NYSDOL funding as stand-alone training. The proposal must not be based in whole or in part on the assumption that they will receive complementary funding from other CFA programs/agencies. The number of existing employees to be trained should be calculated based on the funding request being made of NYSDOL.

There is no minimum award amount under the Existing Employee Training Program. All awards are subject to funding availability.

The Existing Employee Training Program is intended to fund training for the business' employees. If the business has no employees or if the workers are independent contractors or contract employees, they are not eligible. However, if a business leases their employees for payroll and tax reporting purposes, and it has authority over the hiring, firing and scheduling of workers, it would be eligible for funding consideration.

Consultants, training providers, trade organizations and other third party entities are not eligible to apply for Existing Employee Training Program funds on behalf of other organizations. Training providers are only eligible to apply for this funding to train their own employees if the training is conducted by an outside vendor or school.

All awards are subject to funding availability.

1. Allowable Costs

- a. The costs of outside vendors or in-house trainers to provide on-site or off-site classroom-based occupational skills training and the costs of textbooks or training materials directly associated with the training. Training provided by in-house staff may not be billed at a per trainee rate. NYSDOL will only reimburse for the actual hourly wage rate (salary only, no fringe benefits) of the in-house trainer. Training by in-house staff must be for a minimum of two trainees per course.
- b. Distance learning fees (i.e., the fee for the training slot and software that is required to deliver the program of training) for occupational skills training. This grant will not pay for the cost of any hardware that may need to be purchased in order to access the instruction.
- c. Credentialing exam fees.

2. Restrictions on the use of funds

The Existing Employee Training Program will only pay for the allowable costs described above. It will not pay for any of the following:

- Apprenticeship training;
- One-on-one training;
- Sales training;
- Human Resources training;
- Conferences and seminars;
- Basic Safety training, Sexual Harassment training, Diversity training, or Orientation training (the provision of these types of training are each business's responsibility and a normal cost of doing business);
- Soft skills training (including but not limited to resume writing, interviewing, punctuality, pre-literacy, grooming, attendance);
- Training required as part of a federal, state or local government mandate;
- English as a Second Language (ESL) training (as a stand-alone course of study); and
- Any other costs deemed inappropriate by NYSDOL, such as training that does not result in a transferable skill, activities that are determined to be business consulting rather than training (e.g. coaching, follow-up, reinforcement, etc.), and any costs that do not meet the intent of the RFP.

D. General Requirements

All proposals and accompanying documentation will become the property of the State of New York and will not be returned. The content of each applicant's proposal will be held in strict confidence during the evaluation process, and no details of the proposal will be discussed outside of the evaluation process. The successful proposal and portions of the RFP deemed applicable by NYSDOL will be made part of the contract. Therefore, an official authorized to commit the business to a contract with NYSDOL must sign the proposal documents.

E. Buy American Requirements

Bidders should be aware of the requirements of the Workforce Innovation and Opportunity Act (WIOA), Section 502 which provides that none of the funds made available under Title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. sections 8301 through 8303). It is the sense of Congress that entities receiving assistance should, in expending the assistance, purchase only American-made equipment and products. See WIOA, Section 502 – Buy American Requirements set forth as an attachment to the CFA.

V. Evaluation/Selection/Contracts/Payment

A. Evaluation Process

Proposals that meet the minimum requirements will be subject to reviews by NYSDOL and the REDC. A complete CFA and Budget must be submitted so that a full and proper evaluation can take place. Failure to provide complete answers will jeopardize the proposal's potential for funding.

Proposals will be reviewed and selection will depend on the number of quality proposals. Reviewers will determine if all requirements of the RFP have been met and evaluate the quality of the responses. Points will be awarded for some categories on a "strong", "moderate", "weak" or "not addressed" scale and for others as "criteria met" or "criteria not met." Proposal scores will be 60% technical merit, 20% cost and 20% REDC alignment. NYSDOL reserves the right to make multiple awards or no award.

The evaluation process will be conducted as follows:

1. Incomplete proposals will be disqualified.
2. Ineligible applicants will be disqualified prior to a review of their proposal.
3. Proposals that offer nothing but training that is not allowable under the terms of the RFP will be disqualified during the review.
4. Proposals that offer only training that has skills that are not transferable will be disqualified during the review.
5. All applicants that are determined not to be responsive or responsible will be disqualified after completing a review.
6. Proposals that fail to meet requirements may be disqualified after completing a full review.
7. NYSDOL reviews will result in a final score.

B. Evaluation Criteria

1. Minimum Requirements

No points will be awarded for this section of the CFA. Failure to meet these minimum requirements will result in an automatic rejection of the proposal, and scoring will not proceed.

- a. The applicant must attest that:
 - It is a private for-profit business (including corporations, LLCs and LLPs) or a private not-for-profit business.
 - It has two (2) or more employees.
 - It understands that all not-for-profit applicants must register and be prequalified in the Grants Gateway system (<https://grantsgateway.ny.gov>) no later than the due date for

the submission of applications or the not-for-profit organization's application will not be reviewed.

- Any award will be expended on program activities in New York State, that it is the intention of the business that the employees to be trained will continue to work in New York State upon completion of the training, and that the business(es) participating in this proposal are headquartered in New York State or have at least one site located in New York State at the time of application.
- None of the funds being requested under this proposal will be used in the relocation of employment from facilities in other locations which will result in an employee losing his or her job at the original location.
- If any of the workers targeted for training in this proposal are laid off within one year of the end date of the resulting contract, the business may be liable for the reimbursement to the State of the cost of the training associated with the laid-off worker(s).
- The proposal was developed by the applicant after it conducted an assessment of its training needs.
- None of the training providers listed in the proposal, any consultant, or any other third party has written or contributed wording to the proposal or solicited the applicant, as their customer, to apply for these monies.
- The trainees targeted under this proposal are existing employees of the business, not independent contractors or contract employees.
- Training will take place on company time and trainees will be compensated at no less than their normal rate of pay while they are attending training.
- It will comply with New York State labor law and Federal law for the protection of workers.
- If awarded, job openings that occur during the contract period will be listed with the NYSDOL Job Bank. To place a job order go to:
<http://www.labor.ny.gov/businessservices/services/perm.shtm>.

2. Program Design - up to 60 points as detailed below

The CFA fully describes, identifies and documents:

- **The Vision. (12 points)**
 - Describe the compelling need for the proposed training, including:
 - the nature of the skills assessment performed,
 - the results of the skills assessment,
 - job titles and O*NET codes of the employees to be trained, and
 - the current state of the business, industry and economy that dictate the need for training. (6 points)To find O*NET codes please visit: <http://www.onetonline.org/> . Occupations can be found using the Occupation Quick Search box at the top right hand corner of the web site.
 - Provide titles and full descriptions of every course in the program of training and, in the Master List of Trainees Attachment, the names and titles of the workers that will be attending each course. (6 points)

Note: the inclusion of courses that are not allowed under this RFP [see Section V(B)(2) for the list] may result in a complete or partial reduction of points being assigned for the “Vision” sections of the application.

- **The Process. (6 points)**
 - Has the project location been determined to be an area of “high need”? NYSDOL will make this determination. No narrative on this bullet is needed or requested in the application. Indicators such as adult poverty rates, adult unemployment rates, adult literacy rates, and level of education will be taken into account when making this determination.
- **The Strategies. (15 points)**
 - Describe the occupational skills to be acquired. Occupational skills training is defined as instruction conducted in an institutional or worksite setting designed to provide individuals with or upgrade them in the skills required to perform a specific job or group of jobs needed by the business. (6 points)
 - Describe how the occupational skills to be acquired are transferable (i.e., recognized industry-wide or across multiple industries). (3 points)
 - Identify the sector or industry cluster to which the business belongs. Points will be awarded to businesses that belong to sectors/clusters that have been designated as a priority by New York State – health care, advanced manufacturing, clean energy, construction, and transportation. (6 points)
- **The Implementation. (3 points)**
 - Identify and describe the necessary steps, timelines, roles, and responsibilities for implementation of the proposed training.
- **The Leveraged Resources. (6 points)**
 - Identify the resources and value of the resources that will be leveraged (if any) to complement the funding request of the proposal, including in-kind or matching funds by the business. Please note that wages to be paid to existing employees during training can be calculated and cited as leveraged funds in the application budget. Match percentages of 0% to 25% = 0 points; 25.01% to 50% = 2 points; 50.01% to 75% = 4 points; 75.01% and up = 6 points.
- **The Outcomes. (12 points)**

Identify the proposed outcomes of the program including:

 - The percentage of the trainees that are expected to be retained after the training. Percentages of 0% to 50% = 0 points; 50.01% to 70% = 1 point; 70.01% to 90% = 2 points; 90.01% and up = 3 points
 - The amount that the trainees’ wages will increase after completion of the training. (3 points)
 - The name and a description of the specific industry-recognized credential* that the trainees will receive at the conclusion of the training. (3 points)
 - The percentage of trainees who will receive an industry-recognized credential* upon completion of the training. Percentages of 0% to 25% = 0 points; 25.01% to 50% = 1 point; 50.01% to 75% = 2 points; 75.01% and up = (3 points)

*The term “credential” refers to an attestation of qualification or competence issued to an individual by a third party (such as an educational institution or an industry or occupational certifying organization) with the relevant authority or assumed competence to issue such a credential. It does not refer to a certificate of completion for a course of study. Examples of credentials include:

- Educational diplomas and certificates (typically for one academic year or less of study);
 - Educational degrees, such as an associate’s (2-year) or bachelor’s (4-year) degree;
 - Occupational licenses (typically, but not always, awarded by state government agencies; and
 - Industry-recognized or professional association certifications.
- **NY Rising (3 points)**
 - Identify whether or not the project is included in a NY Rising Community Reconstruction Program Plan or a NY Rising Countywide Resiliency Plan. If so, the planning committee name, project name, and location must also be identified.

The NY Rising Community Reconstruction Program is a community driven initiative that empowers localities severely damaged by Superstorm Sandy, Hurricane Irene, or Tropical Storm Lee to develop comprehensive and innovative recovery plans. Projects identified in the NY Rising Community Reconstruction Program recovery plans consist of innovative, transformative projects and actions, enhance resilience and economic development. For more information, please visit:

<http://stormrecovery.ny.gov/community-reconstruction-program>.

- **Opportunity Agenda (3 points)**
 - Each Regional Council may develop region-wide strategies, or may focus its efforts by designating one or more chronically distressed community as an “Opportunity Area.” Projects seeking to apply CFA funds for the purpose of eliminating barriers to skilled employment by poor people in the region, as identified by the Opportunity Agenda and Strategic Plan, must fully describe those efforts in their application. Each region’s Opportunity Agenda can be accessed by clicking on the appropriate link below:

Capital Region

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/capitalregionopportunityagenda.pdf>

Central New York

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/cnyopportunityagenda.pdf>

Finger Lakes

<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/fingerlakes/2013-FLREDC-Opportunity-Agenda-FINAL.pdf>

Long Island

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/longislandopportunityagenda.pdf>

Mid-Hudson

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/midhudsonopportunity.pdf>

Mohawk Valley

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/mohawkvalleyopportunityagenda.pdf>

New York City

<http://regionalcouncils.ny.gov/assets/documents/NYCportunityagenda.pdf>

North Country

<http://regionalcouncils.ny.gov/themes/nyopenrc/rc-files/northcountry/2014OAProgramDescription.pdf>

Southern Tier

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/southerntierportunityagenda.pdf>

Western New York

<http://regionalcouncils.ny.gov/assets/documents/regionalopportunities/WNYportunityagenda.pdf>

3. Program Cost – up to 20 points

For scoring purposes, applications will be subdivided within the Existing Employee Training program according to the skill level (low, medium, high) of the occupations involved. Applications will be scored for program costs separately for each skill level. Skill levels will be determined for each job title targeted for training based on the Job Zone rank (1 through 5) assigned to it by O*NET. The Job Zone rank takes into account the education, related experience, and job training required for the job title.

The cost score will be calculated as follows: the lowest cost per participant of the proposals within the applicable skill level will be divided by the cost per participant of the proposal being scored. The resulting number will then be multiplied by the highest possible cost score of 20 to determine each proposal's cost score. NYSDOL reserves the right to request additional information from submitters during the cost scoring process if the budget information provided is unclear.

The calculated cost per participant from the proposal cannot be exceeded in contracts developed from awards.

Note: During the cost review process, NYSDOL will not remove any disallowed costs included in the proposal. However, during the award process and contract negotiations, if it is determined ineligible costs were included in the proposal, those costs will not be included in the contract.

4. Regional Economic Development Council Alignment – up to 20 points

The REDC will review each application that meets the minimum requirements to determine if it aligns with priorities set for the region.

Applicants are encouraged to review the strategic plans to determine how practical it will be to align their projects with the REDC's vision for the region. Copies of the strategic plans can be

can be viewed by visiting <http://regionalcouncils.ny.gov/>, and clicking the “Regional Councils” button.

C. Method of Selection

The method of selection will be based on a point system with the technical portion of NYSDOL’s rating criteria at 60% of the total and cost at 20% of the total. The REDC will also review the proposal and award a maximum of 20 points (20%). Scores for the Existing Employee Training Program will be tabulated and ranked separately from the other three NYSDOL programs available under this RFP because of the different source of funding. Existing Employee Training Program proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the WIOA Statewide Activities funds allocated to the program have been exhausted, but no proposals that score under 60 will be considered for an award. Therefore, a score of 60 or higher makes an applicant eligible for an award, but does not guarantee an award.

If a proposal achieves a score that would be awarded, but the costs are not reasonable to NYSDOL and/or the skills are not transferable, NYSDOL reserves the right to reject the proposal.

In the case of tied scores, preference will be given to proposals with the highest program merit evaluation score. If the program merit evaluation scores are also tied, the award will be decided by the Deputy Commissioner for Workforce Development.

NYSDOL may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet agency program requirements consistent with the RFP. Any costs that are disallowed will be costs that are not permitted under the requirements of this RFP. Proposals must first meet all minimum eligibility requirements. As the Existing Employee Training Program is funded with New York State's WIOA Statewide Activities funds, proposals will be reviewed within the context of the need identified and the workforce to be upgraded. All applicants will receive a letter informing them of the decision on their proposal and successful applicants will be contacted by contract development staff.

D. Contracts

The start date for all contracts resulting from this RFP may be no earlier than the date of the award letter issued by NYSDOL and no later than six months from the date of the award letter. Any awardee that is unable or unwilling to begin their contracted training activities within that six-month period may have their award rescinded.

Please be advised that training may not begin until after an award is made (i.e., once the due date has passed, reviews have been completed, due diligence has been completed, EEO Staffing plan approvals have been made, awardees have been determined and award letters have been issued). The earliest start date for any contract resulting from this RFP is the date of the award letter. Any training that begins and/or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

Contracts will be awarded for a period of up to one year. Applicants must include only those training needs that can be reasonably accomplished within a one-year time period. Under extenuating circumstances, limited no-cost contract extensions may be approved at NYSDOL’s discretion. The length of the extension is dependent on the original contract duration; however, under no circumstances may the length of the contract plus the extension exceed a total of fifteen months.

Contractors may be required to provide reports on program performance at intervals specified by NYSDOL.

E. Payment

Once a contract has been developed and formally executed, funds will be released to the business on a cost reimbursement basis, meaning that a grantee must first pay the trainer and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made to the business. For cost reimbursements to be approved certain records must be kept and specific documents submitted. Reimbursement requirements will include: project training costs incurred during the period covered by the voucher; cumulative project training costs; trainee wage data and trainer wage data (for those projects that include in-house trainers) such as employee name, Social Security number, payroll check number, date and amount, and the period covered by the check. Award advances will not be provided.

Also, the Contractor must provide documentation that the training took place. This will include attendance records for each training session to document attendance. They must include the Name of the Trainee, Signature of the Trainee, Title of the Trainee's Current Position, the Signature of the Trainer, and Date and Hours of Training. Certificates of completion are allowable as attendance support.

Electronic Payments - Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the State Comptroller's procedures to authorize electronic payments. Authorization forms are available at the State Comptroller's website at www.osc.state.ny.us/epay/index.htm, by email apunit@osc.state.ny.us, or by telephone at 518-474-4032. The Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the State Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

F. Reservation Clauses

- NYSDOL reserves the right to request additional information from submitters during the cost scoring process if project or budget information provided is unclear.
- If at any time after an award is issued, the applicant reduces the number of trainees to be served; the funding will be proportionately reduced.