

Unemployed Worker Training Program

III. Program Description

The Unemployed Worker Training Program will fund occupational skills training of dislocated workers to prepare them for full-time jobs (35 hours per week or more) needed by a business or group of businesses in the region. Occupational skills training is defined as up to one year of instruction in a classroom setting designed to provide participants with the skills required to be proficient in a specific job needed by the business or group of businesses. The number of dislocated workers to be trained cannot exceed the hiring needs of the specific businesses.

In general, a “Dislocated Worker” is defined as an individual who:

- Has been terminated or laid off, or who has received notice of termination or layoff, and is unlikely to return to a previous industry or occupation;
- Has been terminated or laid off, or has received notice of termination or layoff, as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise;
- Was self-employed, but is unemployed as a result of general economic conditions or because of natural disasters;
- Is a displaced homemaker; **or**
- Is the spouse of a member of the Armed Forces on active duty and who has experienced a loss of employment as a direct result of relocation to accommodate a permanent change in duty station of such member.

For a full definition of the term “Dislocated Worker”, please see the “Definitions of Terms” attachment to this RFP at <http://www.labor.ny.gov/cfa/>.

In order to ensure compliance with federal requirements concerning the definition of “dislocated worker”, applicants receiving awards must work with New York State Career Centers to recruit eligible participants. Any participant recruited from the outside must be referred to a New York State Career Center to determine their eligibility. To find your local Career Center please visit: <http://www.labor.ny.gov/career-center-locator/>.

Preference in scoring will be given to those proposals that train long-term unemployed workers.

Funds may be used to enlist the services of a training provider to deliver occupational skills training to dislocated workers. Tuition charges and other fees may not be charged to the dislocated workers served under the Unemployed Worker Training program

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 as stated in Section V(B)(1) of this RFP. Applicants who fail to meet these minimum requirements will have their proposals automatically rejected and scoring will not proceed.

B. Technical Section

The CFA must fully describe, identify and document the vision, process, strategies, implementation, leveraged resources and outcomes 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. Tuition charges and other fees may not be charged to the dislocated workers served under the Unemployed Worker Training program. 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).

Unemployed Worker Training Program awards may not exceed \$100,000 per applicant. Please note that there are three other NYSDOL Workforce Development programs available under this RFP: the Existing Employee Training Program; the Special Populations Training Program; and the New Hire 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 of \$5,000 per trainee for each program proposal (not per-trainee per-course). If the training proposed by the applicant exceeds a cost of \$5,000 per trainee, the business must pay the difference/the training provider must absorb the difference. Please note that this is a cap per trainee, not an average cost per trainee.

For those applicants that are also applying for Existing Employee Training, Special Populations Training, and/or New Hire Training funds in addition to Unemployed Worker 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.

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 dislocated workers to be trained should be calculated based on the funding request being made of NYSDOL.

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

1. Allowable Costs

- a. The costs of training providers to provide classroom-based occupational skills training to dislocated workers.

- b. The cost of credentialing exam fees.
- c. The costs of textbooks or training materials directly associated with the training.
- d. The cost of software that is required to deliver the program of training.

2. Restrictions on the use of funds

The Unemployed Worker Training Program will only pay for the allowable costs as described above. It will not pay for any of the following:

- Apprenticeship training;
- One-on-one training, internships and/or mentoring;
- Sales training;
- Human Resources training;
- Conferences and seminars;
- Stand-alone Microsoft Office applications (e.g., Word, Excel, PowerPoint, etc.) and other basic office software applications (Quickbooks, Adobe, etc.). Note: this refers to stand-alone courses in individual applications, it does not refer to larger certifications such as Microsoft Office Specialist;
- Basic Safety training, Sexual Harassment training, Diversity training, or Orientation training (the provision of these types of training is each applicant's responsibility and a normal cost of doing business);
- Registration fees;
- Soft skills training (including but not limited to resume writing, 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 applicant 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 LLCs and LLPs), a private not-for-profit business, a local workforce investment board, or a training provider.
 - 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 (NYS), that it is the intention of the applicant that the dislocated workers to be trained will be hired for work in New York State upon completion of the training, and that the applicant participating in this proposal is headquartered in New York State or has 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.
 - Tuition charges and other fees will not be charged to the dislocated workers served under this training program.

- 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, identify and document the compelling need for the proposed training as follows **(6 points)**:
 - For businesses applying for themselves: the titles of positions and O*NET codes for which they have had difficulty finding qualified workers the local labor pool, justification/explanation for the difficulty finding qualified workers, the number of openings the applicant business currently has in those titles, and the projected number of dislocated workers who will complete the proposed training and be interviewed for the open positions.*
 - For training providers: a listing of the names and addresses of the local businesses that have committed to interview program graduates, job titles and O*NET codes of the open positions with these local businesses, the number of openings for each title, and the projected number of dislocated workers who will complete the proposed training and be interviewed for the open positions.**

For O*NET codes please visit: <http://www.onetonline.org/> and type in the occupation in 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. **(6 points)**

*Note 1: the number of unemployed workers in special populations being trained is limited to the number of openings that have been identified in the application narrative.

**Note 2: the inclusion of courses that are not allowed under this RFP [see Section IV (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 or group of businesses. **(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 applicant business belongs. Points will be awarded to applicants that belong to (or are training workers for) sectors/clusters that have been designated as a priority by New York State: health care, advanced manufacturing, clean energy, construction, and transportation. Note: If the applicant is a training provider, identify the sector or industry cluster of the business(es) where the trainees will be interviewed at the conclusion of the training. **(6 points)**
- **The Implementation. (3 points)**
 - Identify and describe the necessary steps/timeline, and roles/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 applicant. 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 long-term unemployed (defined as individuals who, at the time the Unemployed Worker training starts, will have been unemployed for 20 weeks or more) dislocated workers. 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 percentage of the trainees that are expected to enter employment after successful completion of 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 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/NYCoportunityagenda.pdf>

North Country

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

Southern Tier

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

Western New York

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

3. Program Cost – up to 20 points

For scoring purposes, applications will be subdivided within the Unemployed Worker 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 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 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 will be tabulated separately for the Unemployed Worker Training Program and the Special Populations Training Program and then combined into one master list for the two programs. Proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the WIOA Rapid Response funds allocated to the Unemployed Worker Training and Special Populations Training programs 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 Unemployed Worker Training Program is funded with New York State's WIOA Rapid Response 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 NYSDOL's 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 the discretion of NYSDOL. 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. Contracts will be paid on a reimbursable payment basis, meaning that the Contractor must first pay the trainer and then submit a voucher to NYSDOL for reimbursement. Only not-for-profit organizations will be eligible for a cash advance of up to 25% upon contract execution. Advances will be at NYSDOL's sole discretion and subject to the availability of funds appropriated and available for contracts entered into pursuant to this RFP.

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 Contractor on a cost reimbursement basis, meaning that a grantee must first pay the training costs 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 contractor. For cost reimbursement 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 only be provided as described in Section IV of this RFP.

Also, the contractor must provide documentation that the training took place. This will include attendance records for each training session to document attendance and/or Certificates of completion showing the participant completed all required elements of the training. Attendance sheets must include the Name of Trainee, Signature of the Trainee, the Signature of the Trainer, and Date and Hours of Training.

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.