



FINAL DRAFT

**Request for Proposals (RFP) for
Workforce Innovation and Opportunity Act
“Summer 2020 Youth Academy”**

Issued-February 3, 2020

**Proposal must be received no later than
4:00 PM Mountain Standard Time (MST)**

**April 2, 2020
ABSOLUTELY NO EXCEPTIONS**

An Equal Opportunity Employer

Table of Contents

1. REQUEST FOR PROPOSAL INTRODUCTION 5

1.1 Solicitation 5

1.2 Estimated Funding 6

1.3 Submittal of Proposals 6

1.4 RFP Schedule and Timeline 6

1.5 Notice of Intent to Submit a Proposal 7

1.6 State of Qualifications (SOQ)..... 7

1.7 RFP Questions 7

1.8 Addenda to this RFP 8

1.9 Right to Cancel..... 8

2. BACKGROUND INFORMATION..... 9

2.1 Organizational Overview 9

2.2 Workforce Innovation Opportunity Act (WIOA) 9

2.3 NALWDB Governance 9

The Mission of NALWDB is 9

2.4 Roles and responsibilities of NALWDB..... 9

3. PROGRAM DESCRIPTION..... 11

3.1 Needs Statement 11

3.2 WIOA Program Requirements 11

3.3 Additional Program Requirements..... 12

Access to Records and Records Retention..... 12

3.4 Program Components 13

3.5 Eligibility and Enrollment..... 15

3.6 Program Management 15

Primary Indicators: Outcomes and Progress..... 16

3.7 Tracking Requirements 16

4. REQUIRED PROPOSAL FORMAT 17

4.1 Required Documents and Page Limits 17

4.2 Formatting Requirements..... 17

4.3 Title Page, Table of Contents, and Executive Summary (5 Points) 17

4.4 Business Description and Qualifications (10 Points).....	18
4.5 Program Content (Total 50 points).....	18
4.6 Past Performance (Total 5 points).....	20
4.7 Cost Reasonableness of Proposed Budget (Total 15 Points)	20
5. FINANCIAL REQUIREMENTS	21
5.1 Work experience.....	21
5.2 Indirect Costs and Negotiated Profit.....	21
5.4 Program/Administrative Support vs Program Costs.....	21
5.5 In-Kind and Cash Match Resources.....	22
5.6 Sub contractors	22
5.7 Indemnification	22
5.7 Audit Rights.....	22
6.1 Compliance Review.....	24
6.2 Evaluation Criteria	24
6.3 Selection.....	25
6.4 Appeals Process and Access to Evaluation Information	25
6.5 Board Action	26
6.6 Contract Award.....	26
6.7 Negotiation/Contract.....	26
6.8 Conflict of Interest.....	26
6.9 Ex Parte Communication	26
6.10 Communication	26
6.11 Insurance.....	27
6.12 Contract Terms and Litigation Warranty.....	27
6.13 Funding Warranty.....	27
6.14 Work for Hire.....	27
6.15 Restrictions on Disclosure	27
7. ATTACHMENTS.....	29
A. Map of NALWDB Boundaries.....	29
B. Notice of Intent to Submit a Proposal.....	29
C. Glossary of Terms	29

<i>D. WIOA Youth Program Elements.....</i>	<i>29</i>
<i>E. Conflict of Interest Disclosure</i>	<i>29</i>
<i>F. Campaign Contribution Disclosure.....</i>	<i>29</i>
<i>G. Past Performance Questionnaire</i>	<i>29</i>
<i>H. Budget Instructions</i>	<i>29</i>
<i>I. Budget Shell.....</i>	<i>29</i>
<i>J. Budget Narrative</i>	<i>29</i>
<i>K. General Contract Template</i>	<i>29</i>
<i>L. Proposal Checklist.....</i>	<i>29</i>

1. REQUEST FOR PROPOSAL INTRODUCTION

The Northern Area Local Workforce Development Board (NALWDB) is issuing this Request for Proposals (RFP) to interested and qualified applicants to provide Workforce Innovation and Opportunity Act (WIOA) Youth Program participants ages 16-24. The purpose of this request is to procure qualified service providers for a “special” youth initiative based on funding availability; the NALWDB reserves the right to issue one award or multiple awards to deliver services for this special initiative. The initial period of performance is projected to be March 9, 2020 ending June 30, 2020, these days are approximate based on program projections and the targeted RFP dates and subject to change. Respondents are invited to submit proposal(s) in accordance with the instructions in this RFP.

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

1.1 Solicitation

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

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

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

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

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

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

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

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

1.2 Estimated Funding

NALWDB anticipates awarding approximately \$ 475,000 in WIOA Youth funding through this RFP for “special summer program” to operate from contract issuance through June 30, 2020. This amount is an estimate based on WIOA allocations and is subject to change based on funding.

The purpose of this Request for Proposals (RFP) is to procure an offeror to utilize this budget to provide services to the Northern Area Local Workforce Development Board service area. The service provider will establish and operate the “2020 Youth Career Academy” and program compliance will adhere to any and all relevant Workforce Innovation and Opportunity Act and all RFP project initiatives outlined in this proposal.

This program is for a period not to exceed five months from the award of the contract. Multiple awards may be issued for servicing the ten counties. They will be issued if necessary, to address localized needs. The NALWDB reserve the right to issue one or multiple awards on this initiative.

1.3 Submittal of Proposals

The NALWDB must receive the proposal(s) marked “(Name of Agency) Proposal” no later than **4:00 P.M., MST, Tuesday, March 3, 2020**. Submit one (1) proposal with original signatures, seven (5) copies and one (1) electronic PDF copy on a USB flash drive to:

Attn: Dr. LeAnne Salazar Montoya, Procurement Officer
Northern Area Local Workforce
525 Camino de Los Marquez, Suite 250--Physical
1000 Cordova Place, PMB 810--Mailing
Santa Fe, NM 87505

Late proposals will not be accepted. NALWDB will provide a receipt verifying the time and date the proposal is received. If Respondents send their proposals via U.S. Postal Service, UPS, or any other type of delivery Service. Respondents are responsible for requesting proof of delivery date and time from their chosen carrier.

1.4 RFP Schedule and Timeline

Beginning **February 3, 2020**, the RFP will be available to download from NALWDB’s website <https://northernboard.org> (procurement tab).

If you are unable to download the RFP, please email ProcurementOfficer@nalwdb.org.

Action	Responsibility	Date
Issuance of RFP	Procurement Officer	February 3, 2020
Pre-Proposal Conference	Procurement Officer	
Deadline for Submission of Acknowledgement of Receipt Forms	Potential Offerors	February 13, 2020
Deadline to Submit Questions	Potential Offerors	February 13, 2020
Final Response to Written Questions/RFP Amendments	Procurement Officer	February 20, 2020
Submission of Proposal Due	Offerors	March 3, 2020
Proposal Evaluation	Evaluation of Committee	Week of March 3, 2020
Selection of Finalist	Evaluation of Committee	March 6, 2020
Finalize Contract	Procurement Officer and Administrative Entity	Week of March 9, 2020
Contract Award	Board	Week of March 9, 2020
Protest Deadline	Offerors	March 25, 2020

Contract effective date	Board	March 25, 2020
-------------------------	-------	----------------

1.5 Notice of Intent to Submit a Proposal

A **Notice of Intent to Submit a Proposal - Attachment B** is requested of all organizations planning to submit a proposal. The Notice of Intent to Submit form is an attachment. Providing a Notice of Intent to Submit a Proposal does not commit the Respondent to submit a proposal. All Notices of Intent to Submit are requested by **4:00 P.M. MST, Thursday, February 13, 2020** to:

Email: ProcurementOfficer@nalwdb.org
 Attn: Procurement Officer
 Northern Area Local Workforce
 525 Camino de Los Marquez, Suite 250 (Physical)
 1000 Cordova Place, PMB 810 (Mailing)
 Santa Fe, NM 87505

1.6 State of Qualifications (SOQ)

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

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

One (1) original and one (1) copy of all SOQ documents are due **no later than 4:00 P.M. MST, Monday, March 2, 2020** to:

Attn: Dr. LeAnne Salazar Montoya
 525 Camino de Los Marquez, Suite 250 (Physical)
 1000 Cordova Place, PMB 810 (Mailing)
 Santa Fe, New Mexico. 87505

Detailed information and the necessary forms are available for download from NALWDB's website <https://northernboard.org>. Please contact Lisa Ortiz, Finance Specialist at (505) 986-0363 or Procurementofficer@nalwdb.org if you have difficulty downloading the document or require assistance with the completion of the required SOQ documentation.

1.7 RFP Questions

To ensure a fair and objective evaluation, questions related to the RFP that you may have must be submitted via e-mail to: ProcurementOfficer@nalwdb.org. Written questions will be accepted through **4:00 P.M., MST Thursday, February 13, 2020**. Questions received after the deadline will not be answered.

Written responses to questions received by The NALWDB will be posted on the website, <https://northernboard.org>. The last date NALWDB will post answers to questions is Thursday, February 20, 2020. If the website is unavailable, NALWDB will email the questions and responses to the Respondents who submitted a Notice of Intent to Submit a Proposal-Attachment B. It is the Respondent's responsibility to check the website on a regular basis for updated information and written responses to all questions submitted.

NOTE: Oral questions will NOT be accepted.

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

Respondents are strictly prohibited from contacting members of the Northern Area Local Workforce Development Board (NALWDB), or NALWDB staff regarding this RFP other than as stated in Section 6.8 Conflict of Interest.

1.8 Addenda to this RFP

At the discretion of NALWDB, if it becomes necessary to revise any part of this RFP, an addendum will be posted on NALWDB's website, <https://northernboard.org>.

Respondents are responsible for checking the website frequently to remain informed about the procurement process, receive addenda to the RFP, read responses to questions and remain updated on other information that may affect this RFP. If you have difficulty or problems accessing the website or downloading information, please contact Lisa Ortiz, Finance Specialist at (505) 986-0363 or the Procurement Officer at ProcurementOfficer@nalwdb.org.

1.9 Right to Cancel

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

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

2. BACKGROUND INFORMATION

2.1 Organizational Overview

NALWDB is a 501(c)(3) tax-exempt organization chartered by the State of New Mexico to fund job-training programs in the Northern Area region. The organization's primary funding is allocated to the State of New Mexico by Department of Labor (DOL) under the provisions of the WIOA.

We are One of four Local Workforce Development boards in the state of New Mexico. The Northern Area Local Workforce Development Board covers 10 counties in the Northern part of New Mexico. The counties include: Cibola, Colfax, Los Alamos, McKinley, Mora, San Juan, Rio Arriba, San Miguel, Santa Fe, Taos. The Board of Commissioners from each of those counties has appointed one of their own to sit on the Chief Elected Officials (CEO), whom serve to oversee the fiscal management of the board. NALWDB provides board staffing, fiscal agent functions, and does the contracting of WIOA service provision.

For additional information visit our website at www.northernboard.org

2.2 Workforce Innovation Opportunity Act (WIOA)

WIOA youth funds are targeted at young people who are both in and out-of-school, to assist them in their career and educational development. These funds are allocated to states by the US Department of Labor using a formula based on a number of factors detailed in the WIOA legislation. At least 75% of funds must be used for out-of-school youth. The types of services funded include training and youth development programs for young people who have left school, as well as after-school services and employment supports for young people still in school (see "What are the types of activities available under WIOA Youth Services?" later in this publication). Young people with disabilities are highly eligible for these services. All youth with disabilities, ages 16 -24 who are not attending school, are eligible for out-of-school services. Youth with disabilities up to age of 21 are eligible for in-school services if they are low-income or meet other eligibility criteria. Funds for youth services are primarily administered by local workforce boards, although states may reserve up 15% of funds, they receive from the US Department of Labor for statewide workforce investment activities. Workforce boards have some discretion regarding how funds are utilized, with funds often distributed via a competitive grant process to area youth service providers.

2.3 NALWDB Governance

The Northern Area Local Workforce Development Board (NALWDB) was incorporated in 2001 as a nonprofit 501(c)(3) to operate as the Administrative Entity (AE) for workforce funds in the ten (10) northern New Mexico counties: Cibola, Colfax, Los Alamos, McKinley, Mora, Rio Arriba, San Juan, San Miguel, Santa Fe, and Taos. The Northern Area serves approximately 27.6 percent of New Mexico's total population.

The Mission of NALWDB is to educate and train our workforce to meet the changing needs of Northern New Mexico. The Vision of the NALWDB is to design and implement a locally-delivered workforce development system which will enable government, business, education, and labor; to provide the Northern Area with a well-trained, highly-skilled, and competitive workforce and to provide a seamless, business-driven system of service delivery that enhances access for all customers.

2.4 Roles and responsibilities of NALWDB

Roles and responsibilities of NALWD include:

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

- Ensuring compliance with all rules, regulations and procedures issued by all funding sources.

The roles and responsibilities may be refined and changed as:

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

3. PROGRAM DESCRIPTION

3.1 Needs Statement

WIOA outlines a vision for supporting youth and young adults through an integrated service delivery system. This vision includes high quality services for in-school and out-of-school youth beginning with career exploration and guidance, continued support for educational attainment, opportunities for skills training, and concluding with a good job along a career pathway or enrollment in post-secondary education. The following services are permitted with WIOA funding for youth services. The “2020 Youth Career Academy” will focus on the fourteen elements which can be found in attachment D: The 14 Elements.

DOL estimates that nearly 6 million 16-24 year old’s in this country are not employed or not in school, which amounts to approximately one in seven youth and young adults. These disconnected youth and young adults are twice as likely to live in poverty, three times as likely to not have a high school diploma or its equivalent and three times as likely to have a disability.

In Northern New Mexico, reportedly are “very high unemployment rates for youth” (UNM, 2015) and increased numbers of young adults between the ages of 16 to 24 who are not working or not in school. The University of New Mexico has reported that “Many local communities in New Mexico have very high unemployment rates for youth. These young adults are disconnected and disengaged from education, training, and the world of work. History has proven, high youth unemployment leads to skill atrophy and increased involvement with the juvenile justice system. This program is to serve as one of many resources for local youth to avert these staggering statistics.

Youth unemployment is often characterized as a community issue, a crime issue, an education issue, a public health issue, and a social service issue. The NALWDB anticipates this program working to decrease these statistics and locally impact our overall community impact. As record numbers of employees begin to retire, the large number of youth and young adults that lack work experience and skills will increasingly become a bottom-line issue for Northern Area’s business community.

3.2 WIOA Program Requirements

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

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

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

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

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

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

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

Follow-up Services. Contractors are required to provide at least 12 months of follow-up services to participants who have completed program services as well as participants who may have dropped out of the program but need additional services. Contractors must consider the needs and barriers of the program’s target population(s) in determining the appropriate levels and types of follow-up services. The “special” summer program participants will transition and follow up services handled by the year-round youth provider.

3.3 Additional Program Requirements

Contractors should address whether they will maintain a main office, a satellite office, or co-locate with other organizations in the proposed service area.

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

Access to Records and Records Retention

The contract will have a provision relating to Records Retention. That provision will require the Sub-recipient to maintain all records pertinent to this contract, including financial, statistical, property, client records, and supporting documentation. These records shall be preserved and made available to the Fiscal Agent and its agents for a period of five (5) years after the date of final closeout of this contract. However, in the event of an audit, records shall be kept by Sub-recipient until the audit is completely resolved. This may require a retention period longer than 5 years. If the Sub-recipient is unable to retain the necessary Fiscal Agent client and financial records for the required period, the Sub-recipient shall transfer such records to Fiscal Agent. Such records shall be transmitted to Fiscal Agent for acceptance in an orderly fashion with documents properly labeled and filed, and in an acceptable condition for storage.

Business Service Representative and Employer. Contractors are required to budget for a minimum of one full-time or part-time (no less than 20 hours per week) Business Service Representative (BSR) whose

activities shall be dedicated exclusively to engaging industry and coordinating work-related activities for program participants. This individual's responsibilities will morph and meet the needs of the program participants and will be filled throughout the contract for participant service needs. The primary role of the BSR is to engage employers and secure internships, job shadow opportunities, occupational skills training, apprenticeships, work experience, and unsubsidized job placements for program participants, as well as track outcomes. The individual may assist with and facilitate the end of program conference and other activities.

3.4 Program Components

This scope of work is limited to the provision of youth services in accordance with the Workforce Innovation and Opportunity Act (Pursuant to NMSA 1978, Section 8-5-2).

The "2020 Youth Career Academy" is an innovative program consisting of six phases to be executed within a three to four-month period. The final phase begins with participants entering the year-round programs under WIOA. Participants will be transitioned and managed by service providers who operate an existing WIOA Adult, Dislocated Worker, or Youth program in the northern region. The elements of the program phases are required, the order of the offerings can be negotiated by the provider and the NALWDB chief administrator.

Program Phases

Phase I – Recruitment of Participants

Phase II – Orientation (Leadership/Character Building)

Phase III – Career Inventory

Phase IV – Internship Assignment

Phase V – Participant Job Readiness Wrap-up Conference (Soft Skills, Resume Writing, etc.)

Phase VI-Transition

Phase I: Recruitment of Participants

The program provider will be required to facilitate a program participant recruitment campaign and initiative to identify and enroll participants.

Phase II: Program Orientation:

Once participants are identified and program employers are recruited an orientation day will take place and both participant and employers will undergo a program orientation to best prepare them for the summer academy. The program expectations, procedures, and requirements will be presented along with other commitments, and skills necessary to prepare the participants and businesses for a successful program.

Phase III: The Career Inventory must entail:

- (a) Using the Why I Work (www.dws.state.nm.us/whyiwork/) career exploration online system and the NM Career Solutions website (www.nmcareersolutions.com) to enable participants in navigating labor market information with an understanding of how to interpret and analyze in-demand occupations by geographic area and their potential salaries (training will be offered to the provider).
- (b) Soft skills training
- (c) Supportive services; and
- (d) Other services deemed beneficial to the participant by the provider, as allowed under WIOA

Phase IV: Paid Work Experience/Job Shadowing:

- (a) Based on the career exploration activity, a participant will select their top three occupations. The provider should first attempt to place the participant at a work experience site that offers one of the participant's three occupational choices
- (b) The participant will gain work experience by job shadowing in different positions (from entry level to senior management/owner) within the work experience site

- (c) A job shadowing schedule will be prepared to show what positions the participant will shadow and when, as well as outlining the skills that will be shown/taught within each position
- (d) A participant must receive approximately 30-40 hours of paid work experience and mentoring per week at a rate of \$10.00 per hour
- (e) The paid work experience training must not exceed 10 weeks

Phase V: Wrap Up Conference:

Employers, participants, the provider and any requested trainers from NALWDB and staff from the local offices will participate in a Conference at the end of the program initiative. It will be held regionally and in a central location to assist participants to wrap up their summer participation. A general intercession at the beginning and end shall be held and a variety of workshops for participants. Resume writing workshops, soft skills refresher, and more can be conference topics.

Phase VI: Co-enrollment or Transfer to the WIOA Adult, Dislocated Worker, or Youth programs:

- (a) The service provider will evaluate and, when beneficial to the participant, co-enroll or transfer the participant to the WIOA Adult, Dislocated Worker, or Youth program for career and/or training services that may include apprenticeships within the on-demand job market

This RFP is designed to not set a minimum number of participants to be served. The intent is to provide offerors the latitude to create proposals with a healthy combination of quality and quantity.

This initiative provides youth participants, ages 14 to 24, with the opportunity to receive career exploration services, paid work experience, mentoring in a field of their interest so that they may become familiar with the different facets of the occupation and career. The initiative is only available to eligible individuals, ages 14 to 24, as prescribed under the Workforce Innovation and Opportunity Act.

This program primarily targets out-of-school youth, ages 16-24, who meet WIOA eligibility requirements. It also allows for in-school youth to be served; however, up to 5 % of the allocated funding may be used and is subject to In School Youth Funding.

Work Experience Opportunities. WIOA includes a focus on providing youth with work experience opportunities. Paid and unpaid work experience must include academic and occupational education and may include the following types of work experiences:

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

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

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

- Leadership development opportunities;

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

3.5 Eligibility and Enrollment

For the purposes of this RFP, OSY are defined as youth: Ages 16-24 at time of enrollment;

- Not attending any school; and
- Meets one or more of the criteria listed below:
 - School dropout;
 - Within the age of compulsory school attendance, but has not attended school for at least the most recent complete school-year calendar quarter;
 - Recipient of a secondary school diploma or its recognized equivalent who is low-income and basic skills deficient or an English language learner;
 - Subject to the juvenile or adult justice system;
 - A homeless individual, a runaway, an individual who is in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act, or an individual who is in an out-of-home placement;
 - Pregnant or parenting;
 - Low-income individual with a disability;
 - Low-income individual who require additional assistance to enter or complete an educational program or to secure or hold employment:
 - Who reside in a public housing program,
 - Who are refugees/immigrants,
 - Who have serious emotional, medical or psychological barriers;
 - Who are in need of substance abuse services; and/or
 - Who have a parent or legal guardian that is incarcerated.

For the purpose of this RFP, priority should be given to serving the following populations (in no particular order):

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

3.6 Program Management

The contract that results from this RFP will have certain requirements for performance. The contract may require that the sub-recipient submit reports of expenditures, Clients served, goals versus actual performance reports, WIOA performance reports, audits, reviews made by other entities, or other information that is necessary for the NALWDB to evaluate the performance of the contractor. The contract may have provisions requiring minimum performance levels to be achieved.

The contract may have a provision to reduce or eliminate funding for future periods if that minimum performance level is not attained. Sub-recipient Performance will be based on the following purpose and measures (the measures will be provided during contract negotiations):

This proposal's primary scope of work is to adhere to the standard WIOA Youth regulations and to develop a summer youth program that is aimed at reaching youth in the 10 northern counties during the summer of 2020. Participants will have the opportunity to explore their interests and career pathways, develop workplace skills and engage in learning experiences that help in developing their social, civic and leadership skills. By participating in structured project and work-based opportunities, NNM youth will be better prepared for careers of the future. March 6-June 30, 2020

The determination of whether the sub-recipient has met or exceeded the performance items shown above will be made as of June 30 of each year. To be determined to have satisfactory performance, the Sub-recipient must meet or exceed the performance items in 3 of the Youth measures as negotiated in their contract with no measure falling below 50% of the negotiated rate. Sub-recipient will complete the Projected Performance Form included in the RFP. Should the provider fail to meet the performance goals a corrective action plan will be developed for the provider.

Primary Indicators: Outcomes and Progress

- 200 Out of School Youth (TARGET)
- 75% participants with paid work experiences--enrolled successfully placed in a relevant paid work experience
- Will meet all 14 of the Youth Elements
- 10 communities/counties targeted/ impacted by activities (would help to show depth of the program to hit all the proposed counties)
Cibola | Colfax | Los Alamos | McKinley | Mora | San Juan | Rio Arriba | San Miguel | Santa Fe | Taos
- 85% of youth will successfully transition to programs/activities at the completion of Summer Youth Program

3.7 Tracking Requirements

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

4. REQUIRED PROPOSAL FORMAT

The proposal must clearly demonstrate the Respondent's ability to provide the requested services. The RFP provides information regarding the format in which proposals should be submitted, the requirements that must be met to be eligible for consideration, the Respondent's responsibilities and the documents that must be included. Questions regarding the proposal format must be submitted to NALWDB in writing by 4:00 P.M. MST, Thursday, February 13, 2020 per Section 1.8 RFP Questions.

4.1 Required Documents and Page Limits

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

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

***Note:** **Conflict of Interest Disclosure – Attachment E** must be submitted even if Respondent does not have a potential conflict.

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

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

4.2 Formatting Requirements

Respondents must adhere to the following formatting requirements:

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

4.3 Title Page, Table of Contents, and Executive Summary (5 Points)

Title Page:

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

Table of Contents:

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

Executive Summary:

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

4.4 Business Description and Qualifications (5 Points)

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

4.5 Program Content (Total 50 points)

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

4.5.1. Program Design (20 points)

Target Population, Recruitment, and Enrollment:

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

Customer Experience

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

Supportive Services

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

Performance, Administration and Project Management

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

Access and Locations

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

Partnerships

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

Employer Connections

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

4.5.2. Program Components (30 points) *Educational Services*

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

Career Pathways

- Pathway Identification: Describe the sector(s)/industry(ies) you will focus on and why you have selected that industry/sector focus.

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

Work Experience

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

Work Readiness, Financial Literacy and Entrepreneurship Training

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

Youth Development

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

A glossary of terms available in [Glossary of Terms–Attachment C](#).

4.6 Past Performance (Total 5 points)

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

Respondents which have had contracts with NALWDB within the past two years must include NALWDB as one of the agencies completing a Questionnaire. Each of the Respondent’s Questionnaires must be completed and emailed directly to ProcurementOfficer@nalwdb.org by the referring agency by the proposal due date. Past Performance Questionnaires received **after the proposal due date will not be accepted.**

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

4.7 Cost Reasonableness of Proposed Budget (Total 20 Points)

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

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

5. FINANCIAL REQUIREMENTS

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

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

5.1 Work experience

A minimum of 50 % of the funds allocated must be spent on paid and unpaid work experiences. Including summer employment opportunities, and job shadowing. Allowable expenditures beyond wages can include staff time spent identifying potential work experience opportunities, staff time working with employers to develop the work experience, staff time spent working with employers to ensure a successful work experience, staff time spent evaluating the work experience, participant work experience orientation sessions, classroom training or the required academic education component directly related to the work experience, and orientation for employers.

5.2 Indirect Costs and Negotiated Profit

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

The following factors are considered in negotiating profit:

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

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

5.4 Program/Administrative Support vs Program Costs

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

Respondent can meet performance objectives while minimizing support costs will be a factor in the evaluation process.

5.5 In-Kind and Cash Match Resources

In order to efficiently use WIOA funds and deliver program services to residents and businesses within Northern Area, it is important to leverage a wide-range of public and private resources to support program services. Respondents are encouraged, but not required, to demonstrate either in-kind or cash match resources from any variety of funding sources. For more information on cost sharing or matching, refer to 2 CFR part 200 and 2900.

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

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

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

5.6 Sub contractors

If applicable, the Respondent must describe its plan to subcontract any portion of the services in Section 4.5 Proposal Content. The Respondent must follow their own procurement procedures to procure subcontractors if those procedures reflect state and local laws and conform to the standards in 2 CFR §§200.318–326. If a proposal identifies a specific subcontractor as collaborating in the design or provision of services, NALWDB's award of the grant does not provide the justification or basis to sole source the procurement of those services, thereby avoiding full and open competition for the provision of the planned services. Procurement of subcontractors may be done before or after submitting a proposal.

5.7 Indemnification

The contract will include an indemnification clause. The indemnification clause will state that the proposer (sub-recipient) shall indemnify and hold harmless the State of New Mexico, the U. S. Department of Labor, the Northern Area Local Workforce Development Board, the Northern New Mexico Workforce Board officers, agents, and employees and the WIOA Chief Elected Officials 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 proposer (sub-recipient(s) or any of its employees, agents, volunteers, sub-recipients, or representatives.

5.7 Audit Rights

The contract will have a provision which will allow The Fiscal Agent, the State of New Mexico, the U. S. Department of Labor, the Comptroller General of the United States, any of their duly authorized representatives, or others with statutory audit rights to perform audits after reasonable advance notice to the Contract or at any time during the contract period or within five (5) years from the date of final payment of this contract. At any time during normal business hours and as often as Fiscal Agent or any of the above parties

may deem necessary, the Contract or shall make available to their duly authorized representatives for examination, all its records with respect to all matters covered by this contract. The Fiscal Agent, the State of New Mexico, the U. S. Department of Labor, the Comptroller General of the United States, or any of their duly authorized representatives shall have authority to audit, examine, and make excerpts or transcripts from, any books, documents, papers, and records of the Contract or which are directly pertinent to this Contract, including all contracts, invoices, materials, payrolls, personnel records, conditions of employment, and other data relating to all matters covered by this contract.

6. EVALUATION PROCESS AND CONTRACT AWARD

6.1 Compliance Review

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

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

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

6.2 Evaluation Criteria

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

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

The Evaluation Committee may make such investigations as necessary to determine the ability of the offeror to adhere to the requirements specified within this RFP. The Evaluation Committee will reject the proposal of any offeror who is not a responsible offeror or fails to submit a responsive offer as defined in NMSA 1978, §§13-1-83 and 13-1-85.

Oral interviews will be worth a total of fifteen (15) points and will take place between March 3-6, 2020. After oral interviews are complete, final evaluation scores will be submitted, and the RFP Scoring Panel will make a recommendation. The table below provides a summary of the scoring method for this RFP:

RFP Scoring Methodology*	
Section 4.3: Title Page, Table of Contents, and Executive Summary	5
Section 4.4: Business Description and Qualifications	5
Section 4.5: Program Content	50
Section 4.6: Past Performance	5
Section 4.7: Cost Reasonableness of Proposed Budget	20
Written Proposal Total Available Points	85
Oral Presentation Total Available Points	15
Total Available Points	100

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

Respondents must have a total average score of 80 points or higher to be recommended.

6.3 Selection

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

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

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

6.4 Appeals Process and Access to Evaluation Information

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

- The procurement process as outlined by the RFP was violated in some manner; and/or
- Federal, state, and/or NALWDB procurement guidelines, have been violated.

An appeal would not be allowed:

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

The appeals process shall consist of the following steps:

- A written letter of appeal must be delivered to NALWDB's Procurement Official at ProcurementOfficer@nalwdb.org
- The written appeal shall specify evidence for valid appeal and the specific relief sought;
- The written appeal must be received by NALWDB within three (3) business days from the date the RFP recommendation is first publicly posted on NALWDB's website.
- A designated third-party appeal review panel comprised of non-NALWDB staff shall have ten (10) business days to determine if the criteria for a valid appeal have been met. The decision of the review panel shall be final with no provision for reconsideration.

Access to Score Sheet and Comments

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

6.5 Board Action

The review committee's recommendation will be presented at the NALWDB board meeting following the review. These dates are subject to change at NALWDB's discretion. Respondents are advised that the Youth Committee and the full NALWDB must approve the final selection, based upon the results of the evaluation process and the recommendations of the RFP Scoring Panel.

6.6 Contract Award

The full NALWDB will approve the final selection of the successful Respondent with contract negotiations and contract signing to follow.

Target dates are subject to revision. Once the successful Respondent is approved, arrangements will be made to begin contract negotiations and contract implementation. The term of the contract will be for one (1) year based on need, performance and funding availability. The period of performance for the agreement to be awarded is five (5) months, beginning March 9, 2020 and ending June 30, 2020.

6.7 Negotiation/Contract

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

6.8 Conflict of Interest

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

6.9 Ex Parte Communication

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

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

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

6.10 Communication

NALWDB takes sole responsibility for any and all outreach and distribution of information about the status of contracts and/or public relations matters to the media and/or other parties. Any and all media or

information inquiries about NALWDB contracts and/or public relations matters should be immediately directed to NALWDB's Communications Department at amber@nalwdb.org or (505) 986-0363.

6.11 Insurance

A full line of business insurance will be required of all successful Respondents.

6.12 Contract Terms and Litigation Warranty

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

The RFP, any addendums, and the Respondent's response shall also become part of the contract agreement between NALWDB and the Respondent. NALWDB is not responsible for oversights in this RFP that are not brought to the attention of NALWDB prior to starting contract negotiations. Contract terms required by the Respondent must be included or attached to the Respondent's proposal.

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

6.13 Funding Warranty

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

6.14 Work for Hire

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

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

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

6.15 Restrictions on Disclosure

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

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

Proposals will be received, maintained, and disclosed to the public consistent with the California Public Records Act and the Freedom of Information Act. Proposals will be exempt from disclosure until the evaluation and selection process has been completed. Respondents should be aware that NALWDB is required by law to make its records available for public inspection and copying, with certain exceptions (see New Mexico Open Meetings Act).

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

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

Respondent, by submission of materials marked confidential or proprietary, expressly acknowledges and agrees that neither NALWDB nor State of New Mexico will have any obligation or liability to the Respondent in the event a court of competent jurisdiction compels the disclosure of these materials.

7. ATTACHMENTS

Attachments are separate documents to this RFP and maybe downloaded from NALWDB's website <https://northernboard.org> (Procurement)

- A. Map of NALWDB Boundaries
- B. Notice of Intent to Submit a Proposal
- C. Glossary of Terms
- D. WIOA Youth Program Elements
- E. Conflict of Interest Disclosure
- F. Campaign Contribution Disclosure
- G. Past Performance Questionnaire
- H. Budget Instructions
- I. Budget Shell
- J. Budget Narrative
- K. General Contract Template
- L. Proposal Checklist
- M. Training and Employment Guidance Letter (TEGL) 08-15
- N. Training and Employment Guidance Letter (TEGL) 21-16
- O. Training and Employment Guidance Letter (TEGL) 23-14