

STATE OF SOUTH DAKOTA
BUREAU OF ADMINISTRATION
OFFICE OF PROCUREMENT MANAGEMENT
523 EAST CAPITOL AVENUE
PIERRE, SOUTH DAKOTA 57501-3182

ONE-STOP OPERATOR

PROPOSALS ARE DUE NO LATER THAN March 30, 2018; 5:00 p.m. CST

RFP #: 1285

BUYER: Heather Pelle

EMAIL: Heather.Pelle@state.sd.us

READ CAREFULLY

FIRM NAME: _____

AUTHORIZED SIGNATURE: _____

ADDRESS: _____

TYPE OR PRINT NAME: _____

CITY/STATE: _____

TELEPHONE NO: _____

ZIP (9 DIGIT): _____

FAX NO: _____

FEDERAL TAX ID#: _____

E-MAIL: _____

PRIMARY CONTACT INFORMATION

CONTACT NAME: _____

TELEPHONE NO: _____

FAX NO: _____

E-MAIL: _____

1.0 GENERAL INFORMATION

1.1 Purpose of Request for Proposal

The South Dakota Bureau of Administration (BOA) on behalf of the South Dakota Workforce Development Council (WDC), is announcing a Request for Proposal (RFP) from qualified bidders for the operation of the South Dakota One-Stop System.

Consistent with the Workforce Innovation and Opportunity Act of 2014 (WIOA) WIOA§121(d) the Division of Workforce Training is issuing a RFP for the selection of a One-Stop Operator. This RFP is to solicit an entity or consortium of entities with the expertise, creativity and capability to act as the One-Stop Operator within the State of South Dakota. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA requires enhanced coordination among federal workforce development and related programs. WIOA supersedes the Workforce Investment Act of 1998, and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. The text of the statute as enacted is available online here:

<https://www.gpo.gov/fdsys/pkg/PLAW-113publ128/pdf/PLAW-113publ128.pdf>, and the relevant chapter of the codified law in the U.S. Code is available here:

<http://uscode.house.gov/browse/prelim@title29/chapter32&edition=prelim>.

South Dakota has been designated as a “single-area” state with only one federally recognized workforce development board. The WDC manages the statewide workforce area, and operates as both the State and Local Board for federal WIOA purposes.

The One-Stop delivery system is a cornerstone of the reforms contained in WIOA. The One-Stop system is designed to bring together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs’ services and improves long-term employment outcomes for individuals receiving assistance. One-Stop partners administer separately funded programs as a set of integrated, streamlined services to customers. Each One-Stop Center must provide certain programs and ensure that services are accessible.

1.2 Issuing Office and RFP Reference Number

The Bureau of Administration for the State of South Dakota is the issuing office for this document. The reference number for the transaction is **RFP #1285**. This number shall be referred to on all proposals, correspondence, and documentation relating to the RFP.

1.3 Schedule of Activities (Subject to Change)

RFP Publication	03/01/2018
Proposal Submission	03/30/2018; 5:00PM CST
Anticipated Award Decision/Contract Negotiation	May 2018

1.4 Submitting Your Proposal

All proposals shall be completed and received by the date and time indicated in the Schedule of Activities. Proposals received after the deadline will be late and ineligible for consideration. All proposals shall be signed, by an officer of the responder, legally authorized to bind the responder to the proposal, and sealed in the form intended by the respondent. Proposals that are not properly signed may be rejected.

If the proposal will be submitted by mail, an original shall be submitted. The sealed envelope shall be marked with the appropriate RFP Number and Title. **Proposals shall be addressed and labeled as follows:**

**PMB 01231
Request For Proposal #1285
Proposal Due Date 03/30/2018 5:00 p.m. CST Buyer Heather Pelle
Office Of Procurement Management
523 E. Capitol Ave., Pierre, SD 57501-3182**

Proposals submitted by email can be sent to kendra.ringstmeyer@state.sd.us with a subject line of RFP# 1285.

No proposal shall be accepted from, or no contract or purchase order shall be awarded to any person, firm or corporation that is in arrears upon any obligations to the State of South Dakota, or that otherwise may be deemed irresponsible or unreliable by the State of South Dakota.

1.5 Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transactions

By signing and submitting this proposal, the offeror certifies that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation, by any Federal department or agency, from transactions involving the use of Federal funds. Where the offeror is unable to certify to any of the statements in this certification, the bidder shall attach an explanation to their offer.

1.6 Non-Discrimination Statement

The State of South Dakota requires that all contractors, vendors, and suppliers doing business with any State agency, department, or institution, provide a statement of non-discrimination. By signing and submitting their proposal, the offeror certifies they do not discriminate in their employment practices with regard to race, color, creed, religion, age, sex, ancestry, national origin or disability.

1.7 Modification Or Withdrawal Of Proposals

Proposals may be modified or withdrawn by the offeror prior to the established due date and time. No oral, telephonic, telegraphic or facsimile responses or modifications to informal, formal bids, or Request for Proposals will be considered.

1.8 Offeror Inquiries

Vendors may make written or email inquiries concerning this RFP to obtain clarification of requirements. Email inquiries must be sent to Heather Pelle at Heather.Pelle@state.sd.us with the subject line "RFP #1285."

The Office of Procurement Management will respond to vendor's inquiries (if required) via e-mail. All vendors will be informed of any inquiries and the State's response. Vendors may not rely on any other statements, either of a written or oral nature, that alter any specification or other term or condition of this RFP. Vendors will be notified in the same manner as indicated above regarding any modification to this RFP.

1.9 Proprietary Information

The proposal of the successful offeror(s) becomes public information. Proprietary information can be protected under limited circumstances such as client lists and non-public financial statements. Pricing and service elements are not considered proprietary. An entire proposal may not be marked as proprietary. Offerors shall clearly identify in the Executive Summary and mark in the body of the proposal any specific proprietary information they are requesting to be protected. The Executive Summary shall contain specific justification explaining why the information is to be protected. Proposals may be reviewed and evaluated by any person at the discretion of the State. All materials submitted become the property of the State of South Dakota and may be returned only at the State's option.

1.10 Length Of Contract And Budget

Start Date:	July 1, 2018
End Date:	June 30, 2022
Available for this RFP:	\$800,000

1.11 GOVERNING LAW

Venue for any and all legal action regarding or arising out of the transaction covered herein shall be solely in the State of South Dakota. The laws of South Dakota shall govern this transaction.

1.12 DISCUSSIONS WITH OFFERORS (ORAL PRESENTATION/NEGOTIATIONS)

An oral presentation by an offeror to clarify a proposal may be required at the sole discretion of the State. However, the State may award a contract based on the initial proposals received without discussion with the Offeror. If oral presentations are required, they will be scheduled after the submission of proposals. Oral presentations will be made at the offeror's expense.

This process is a Request for Proposal/Competitive Negotiation process. Each Proposal shall be evaluated, and each respondent shall be available for negotiation meetings at the State's request. The State reserves the right to negotiate on any and/or all components of every proposal submitted. From the time the proposals are submitted until the formal award of a contract, each proposal is considered a working document and as such, will be kept confidential. The negotiation discussions will also be held as confidential until such time as the award is completed.

2.0 STANDARD CONTRACT TERMS AND CONDITIONS

Any contract or agreement resulting from this RFP will include the State's standard terms and conditions as detailed in *Appendix A*, along with any additional terms and conditions or modifications as negotiated by the parties.

3.0 SCOPE OF WORK

The WDC is seeking to establish an agreement with an entity or consortium of entities that can operate the South Dakota One-Stop System by coordinating the delivery of services provided by required One-Stop partners and service providers.

This RFP seeks to identify an entity or consortium of entities that is qualified both to serve in the role of the One-Stop Operator. The One-Stop Operator will coordinate the delivery of services provided by required One-Stop partners and service providers. Bidders must demonstrate the administrative, fiscal, and reporting capacity to successfully provide the services identified in this RFP, and to comply with all federal and state laws, rules, regulations, and guidance.

Services offered shall be delivered through the established One-Stop service delivery system, and must be made available statewide through the South Dakota One-Stop Career Centers.

The successful bidder will enter into negotiations with the WDC for a contract of a duration of four continuous years, contingent on continued annual funding from the U.S. Department of Labor, and an evaluation of successful performance by the WDC.

The provider selected under this RFP will be expected to continue to develop and enhance South Dakota's workforce development system by focusing on a fully coordinated and integrated customer service strategy amongst all required partners under WIOA.

The model for all services provided by One-Stop partner programs is an integrated service model. This model requires integration of the customer pool, so that all people coming in the doors are shared customers. Functional teams of staff members from multiple organizations are expected to work as a unit with functional supervision.

4.0 ONE-STOP OPERATOR

The WIOA regulations define the One-Stop System as consisting of at least one comprehensive, physical One-Stop Center where job seekers and employers can access the programs, services, and activities of all required One-Stop partners. Services may be co-located or available through a network of affiliated sites or One-Stop partners linked electronically. A

comprehensive One-Stop Center must have all WIOA Core Programs consisting of Adult, Dislocated Worker, Youth, Adult Education and Family Literacy, Wagner-Peyser Act, and the Vocational Rehabilitation program present in one physical location.

An Affiliated One-Stop Career Center is a site that does not meet the definition of a comprehensive site, but makes available to job seeker and employer customers three or more WIOA core programs and WIOA required partners co-located in one building. Like a comprehensive center, an affiliate One-Stop center will provide access to every required One-Stop partner program. Wagner-Peyser Act employment services cannot be a stand-alone affiliate site.

The One-Stop comprehensive and affiliate center must provide the following:

- a. Career Services as described in WIOA section 134(c)(2);
- b. Access to training services as identified in WIOA section 134(c)(3)(D);
- c. Access to employment and training activities carried out under WIOA section 134(d);
- d. Access to programs and activities carried out by One-Stop Partners including the Employment Service program authorized under the Wagner-Peyser Act. WIOA requires the colocation of title I services with Wagner-Peyser Employment Services in the One-Stop Center; and
- e. Workforce and labor market information;

Access to each partner program and its services means:

- a. Having a program staff member physically present at the One-Stop center;
- b. Having a staff member from a different partner program physically present at the One-Stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner program; or
- c. Making available a direct linkage through technology to program staff who can provide meaningful information or services.
 - A “direct linkage” means providing direct connection at the One-Stop center, within a reasonable time, by phone or through a real-time Web-based communication to a program staff member who can provide program information or services to the customer.
 - A “direct linkage” cannot exclusively be providing a phone number, website, or information, pamphlets, or materials.

Both Comprehensive and affiliate One-Stop centers must be physically and programmatically accessible to individuals with disabilities, as described in 29 CFR part 38, the implementing regulations of WIOA sec. 188.

5.0 ONE-STOP OPERATOR SERVICES SOLICITED

The WDC is seeking proposals from eligible entities to provide the following statewide One-Stop Operator services with guidance from the WDC:

- 5.1** Coordinate the service delivery of required One-Stop partners and service providers as identified in 4.0 above, includes virtual services.
- 5.2** Coordinate reception and initial registration services for all customers.
- 5.3** Implement cooperative agreements or Memoranda of Understanding (MOU) with One-Stop partners.
- 5.4** Coordinate One-Stop partners and service providers across the One-Stop delivery system, which requires a statewide presence;
- 5.5** Provide for effective allocation of staff among all One-Stop Centers.
- 5.6** Develop processes to ensure that all customers receive appropriate, timely, and effective Career Services.
- 5.7** Develop and implement a formal referral process for services within and outside of the One-Stop System; define minimum standards for referral, referral follow-up requirements, and documentation of referral outcomes.

- 5.8** Provide reports and updates to the WDC as requested.
- 5.9** Actively participate with required One-Stop partners to integrate services in the One-Stop Career Centers.
- 5.10** Perform continuous improvement activities to achieve high-level service quality and exceptional customer service.
- 5.11** Develop and implement a coordinated staff development training plan (customer service, cross training on partner and other services, community resources, etc.) for One-Stop Center and Partner program staff.
- 5.12** Ensure compliance with all federal and State laws, regulations, policies, and procedures relative to the One-Stop System and One-Stop Centers.
- 5.13** Collect performance information from providers of On-the-Job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities and transitional employment as the Governor may require, and use the information to determine whether the providers meet such performance criteria as the Governor may require. WIOA§122(h).
- 5.14** Disseminate information identifying such providers that meet the criteria as eligible providers, and the performance information, through the One-Stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services. WIOA§122(h)(2).

6.0 ONE-STOP OPERATOR ELIGIBILITY

- 6.1** The WDC, with the agreement of the Governor, is authorized to select the One-Stop Operator through a competitive process, and to terminate for cause the eligibility of that Operator.
- 6.2** In order to be eligible to receive funds to operate a One-Stop Center, a bidder must be either a single entity (public, private, or nonprofit) or a consortium of entities. If the consortium of entities is one of One-Stop partners (described in WIOA § 121(b)(1)(B); 20 C.F.R. § 678.400), it must include a minimum of three of the One-Stop partners of demonstrated effectiveness, which may include:
 - I. Educational institution;
 - II. an employment service State agency established under the Wagner-Peyser Act;
 - III. a community-based organization, nonprofit organization, or intermediary.
 - IV. a private for-profit entity;
 - V. a government agency;
 - VI. Indian tribes or tribal organizations; and
 - VII. Other interested organizations that can carry out the duties of the One-Stop Operator;
- 6.3** EXCEPTION: Elementary schools and secondary schools are not eligible to be One-Stop operators, except that institutions of higher education, nontraditional public secondary schools, and area career and technical education schools may be eligible.
- 6.4** FOR-PROFIT ENTITIES: For-profit entities that are recipients and subrecipients of a Federal award, including as a One-Stop operator, must adhere to the Uniform Guidance at 2 CFR part 200, including any requirements identified by the Department under 2 CFR part 2900. In 20 CFR 683.295(a)(2), consistent with WIOA sec. 121(d)(4)(C), the Department requires private for-profit entities that are One-Stop operators to adhere to the requirements of 2 CFR 200.323 concerning earning and negotiating a fair and reasonable profit.
- 6.5** OTHER ENTITIES: Consistent with WIOA sec. 121(d)(4)(C), all non-Federal entities, including Indian Tribes, nonprofit organizations, educational institutions that are not the State, community-based organizations, and other entities, must adhere to the Uniform Guidance at 2 CFR part 200, including any requirements identified by the Department under 2 CFR part 2900, when acting as a One-Stop operator.
- 6.6** No proposal shall be accepted from, or no contract or purchase order shall be awarded to any person, firm or corporation that is in arrears upon any obligations to the State of South Dakota, or that otherwise may be deemed irresponsible or unreliable by the State of South Dakota.

7.0 REQUIRED PRACTICES, POLICIES, AND PROCEDURES

7.0 A One-Stop Operator must:

- I. disclose any potential conflicts of interest arising from the Operator's relationships with particular training service providers or other service providers;
- II. not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services; and
- III. comply with federal regulations, and procurement policies, relating to the calculation and use of profits.

7.1 FIREWALLS AND CONFLICT OF INTEREST; MULTIPLE ROLES: An entity serving as the One-Stop Operator, that also serves a different role within the One-Stop System, may perform some or all of these functions when it is acting in its other role, if it has established sufficient firewalls and conflict of interest policies and procedures. The policies and procedures must conform to the specifications in 20 C.F.R. § 679.430 for demonstrating internal controls and preventing conflict of interest.

8.0 ONE-STOP OPERATOR PROHIBITED FUNCTIONS

The One-Stop Operator must not carry out the following functions:

- I. convene system stakeholders to assist in the development of the local plan; prepare and submit local plans (as required under section 107 of WIOA);
- II. be responsible for oversight of itself;
- III. manage or significantly participate in the competitive selection process for One-Stop Operators;
- IV. select or terminate One-Stop Operators, and career service providers;
- V. negotiate local performance accountability measures; or
- VI. develop and submit budgets for WDC activities

9.0 PRIORITY OF SERVICE

9.1 VETERANS: In providing the services sought under this RFP, the successful bidder must give priority of service to Veterans in accordance with the requirements of 38 U.S. Code § 4215. (See also WIOA § 3(63)(A); 38 U.S.C. § 101; 20 C.F.R. part 1010)

9.2 OTHER PRIORITY POPULATIONS: With respect to funds for Adult employment and training activities, WIOA § 134(c)(3)(E) directs One-Stop Operators and service providers to give priority for the receipt of career services to recipients of public assistance, other low income individuals, and individuals who are basic skills deficient.

10.0 REQUIRED ONE-STOP PARTNERS WIOA § 121(b)(1)(B)

Partners must include:

1. A. Title I programs (Adult, Dislocated Worker, Youth, Job Corps, YouthBuild, Native American, and Migrant Seasonal Farmworker)
2. Title II Adult Education and Family Literacy activities
3. Wagner-Peyser Act employment services programs
4. The Vocational Rehabilitation program under Title I of the Rehabilitation Act
5. The Senior Community Service Employment Program authorized under Title V of the Older Americans Act
6. Postsecondary career and technical education programs authorized under the Carl D. Perkins Career and Technical Education Act

7. Trade Adjustment Assistance authorized under the Trade Act
8. Jobs for Veterans State Grants programs authorized under chapter 41 of Title 38, U.S.C.
9. Employment and training activities under the Community Services Block Grant
10. Employment and training activities of the Department of Housing and Urban Development
11. State unemployment compensation program
12. Ex-offender programs authorized under section 212 of the Second Chance Act
13. Temporary Assistance to Needy Families (TANF) authorized under the Social Security Act, unless exempted by the Governor

11.0 PROPOSAL REQUIREMENTS AND COMPANY QUALIFICATIONS

- 11.1** The offeror is cautioned that it is the Applicant's sole responsibility to submit information related to the evaluation categories and that BOA is under no obligation to solicit such information if it is not included with the proposal. The Applicant's failure to submit such information may cause an adverse impact on the evaluation of the proposal.
- 11.2** The offeror may be required by the State's request to provide the following information related to at least three previous and current service/contracts, performed by the offeror's organization, which are similar to the requirements of this RFP. Provide this information for any service/contract that has been terminated, expired or not renewed in the past three years.
- a. Name, address and telephone number of client/contracting agency and a representative of that agency who may be contacted for verification of all information submitted;
 - b. Dates of the service/contract; and
 - c. A brief, written description of the specific prior services performed and requirements thereof.
- 11.3** The offeror may be required to submit detailed information related to the experience and qualifications, including education and training, of proposed personnel.
- 11.4** Successful applicants will enter into a Sub-Recipient relationship with DLR. Based upon the Office of Management and Budget's Uniform Grant Guidance (2 CFR 200.331), DLR is required to conduct a risk assessment. **The Applicant must submit the following information with its application: ***
- a. Any conflicts of interest existing between the Applicant and the State.
 - A conflict of interest usually arises when a state officer or employee works for or derives a benefit from the entity entering into contractual relationship. Having a conflict of interest does not exclude an entity from receiving a grant, but a waiver may need to be applied for if a grant is awarded.
 - b. The staff and their qualification who will be complying with the grant agreement, including the fiscal components.
 - This can include the program director, fiscal director, and executive director.
 - c. The Applicant's policies and procedures for complying with federal grants.
 - If the Applicant does not have formal policies and procedures established yet, the Applicant will be directed to create them if successful in receiving a grant. Policies required by the Federal regulations include:
 - Payments (vouchering) 200.302 (6), and 305
 - Procurement 200.318
 - Competition (procurements) 200.319
 - Method for evaluation and selection (procurements) 200.320
 - Allowable costs 200.302 (7) and Subpart E – Cost Principles
 - Compensation 200.430

- Fringe Benefits 200.431
- Employee relocation costs 200.464
- Travel costs 200.474
- Cost Allocation Plan (if applicable)
- d. Any audit reports conducted on the Applicant's operations over the past 3 years.
- e. Personal property owned by an employee which may be utilized and reimbursement sought.
- f. The authorized procurement card users, reviewers of card purchases, and person who approves the card purchases if the Applicant intends to use procurement cards for program purchases.
- g. A brief explanation of each of the following items:
 - The accounting system the Applicant utilizes, including whether it is manual, automated, or a combination.
 - How the Applicant prepares, reviews/approves, and reconciles Federal vouchers.
 - The process used for tracking the matching requirements for the grant.
 - The company's time keeping methodology or system.

11.5 Applicant's Contacts: Applicants and their agents (including subcontractors, employees, consultants, or anyone else acting on their behalf) must direct all of their questions or comments regarding the RFP, the evaluation, etc., to the awardee of record indicated on the first page of this RFP. Applicants and their agents may not contact any state employee other than the awardee of record regarding any of these matters during the solicitation and evaluation process. Inappropriate contacts are grounds for suspension and/or exclusion from specific procurements. Applicants and their agents who have questions regarding this matter should contact the buyer of record.

12.0 PROPOSAL RESPONSE FORMAT

- 12.1** If the proposal will be submitted by mail, the original and 4 identical copies of the proposal shall be submitted. If the proposal will be submitted via email, only the original copy may be submitted.
- 12.2** The proposal should include page numbers and have an index and/or a table of contents referencing the appropriate page number.
- 12.3** All printed proposals shall be organized and tabbed with labels for the following headings:
- 12.3.1 RFP Form.** The State's Request for Proposal form completed and signed.
- 12.3.2 Executive Summary.** The executive summary is to briefly describe the offeror's proposal. This summary should highlight the major features of the proposal, the offeror's eligibility to be a One-Stop operator as identified in section 6.0 of this proposal, any conflicts of interest pertaining to the offeror as a One-Stop Operator, and any requirements that cannot be met by the offeror. The reader should be able to determine the essence of the proposal by reading the executive summary. Proprietary information requests should be identified in this section.
- 12.3.3 Detailed Response.** This section should constitute the major portion of the proposal and shall contain at least the following information:
- A complete narrative of the offeror's assessment of the work to be performed, the offeror's ability and approach, and the resources necessary to fulfill the requirements. This should demonstrate the offeror's understanding of the desired overall performance expectations. The items in Section 5.0 of this proposal should be addressed.

12.3.4 **Non-discrimination statement.**

12.3.5 **Proprietary.** Proprietary information or documents

12.3.6 **Additional Documents.** The offeror may choose to include the items detailed in 12.1.

13.0 PROPOSAL EVALUATION AND AWARD PROCESS

- 13.1** After determining that a proposal satisfies the mandatory requirements stated in the Request for Proposal, the evaluator(s) shall use subjective judgment in conducting a comparative assessment of the proposals by considering the offeror's ability to complete the services solicited in this RFP based on the following criteria:
- 13.1.1 Specialized expertise, capabilities, and technical competence as demonstrated by the proposed approach and methodology to meet the project requirements;
 - 13.1.2 Resources available to perform the work, including any specialized services, within the specified time limits for the project;
 - 13.1.3 Record of past performance, including price and cost data from previous projects, quality of work, ability to meet schedules, cost control, and contract administration;
 - 13.1.4 Availability to and familiarity with the project locale
 - 13.1.5 Proposed project management techniques; and
 - 13.1.6 Qualifications of the personnel proposed by the offeror to perform the requirements of this RFP.
 - 13.1.7 Ability and proven history in handling special project complaints.
- 13.2** The State reserves the right to reject any or all proposals, waive technicalities, and make award(s) as deemed to be in the best interest of the State of South Dakota.
- 13.3** **Award:** The requesting agency and the highest ranked offeror shall mutually discuss and refine the scope of services for the project and shall negotiate terms, including compensation and performance schedule.
- 13.3.1 If the agency and the highest ranked offeror are unable for any reason to negotiate a contract at a compensation level that is reasonable and fair to the agency, the agency shall, either orally or in writing, terminate negotiations with the contractor. The agency may then negotiate with the next highest ranked contractor.
 - 13.3.2 The negotiation process may continue through successive offerors, according to agency ranking, until an agreement is reached or the agency terminates the contracting process.