

ST. LAWRENCE COUNTY
WORKFORCE DEVELOPMENT BOARD

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**WORKFORCE INNOVATION AND
OPPORTUNITY ACT**

YOUTH PROGRAM RFP GUIDE

Adopted by the St. Lawrence County Workforce Development Board: September 9, 2015

September 9, 2015
ST. LAWRENCE COUNTY WORKFORCE DEVELOPMENT BOARD
Resolution No. 15-I09-15

AUTHORIZING THE ACCEPTANCE AND ADOPTION OF BYLAWS, POLICIES AND PROCEDURES, CONTRACTS AND LEASES/SUBLEASES, ADOPTED BUDGETS AND OTHER FINANCIAL RESPONSIBILITIES, TOGETHER WITH ALL OTHER CONTINUING RESPONSIBILITIES AND POWERS, FROM THE ST. LAWRENCE COUNTY WORKFORCE INVESTMENT BOARD

WHEREAS, coming into compliance with the Workforce Innovation and Opportunity Act of 2014 (WIOA) requires that Workforce Investment Boards become Workforce Development Boards; and

WHEREAS, WIOA has mandated several other changes in the organization of Workforce Investment Boards; and

WHEREAS, the St. Lawrence County Workforce Investment Board took actions at its June 10, 2015 meeting to initiate all these changes and to transfer its WIOA-compliant operations to the St. Lawrence County Workforce Development Board (WDB) ; and

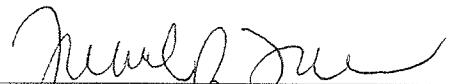
WHEREAS, at its August 3, 2015 meeting the St. Lawrence County Board of Legislators (BOL) took official action to replace the temporary WDB it had appointed at its July 7, 2015 meeting with membership that was fully compliant with WIOA requirements; and

WHEREAS, both the County BOL and the WDB recognize that the WDB is and should be the successor in due course to the WIB;

WHEREAS, now that a WIOA-compliant WDB is in place, it is appropriate and prudent for the WDB to officially accept and adopt the bylaws and all the policies and procedures, contracts and leases/subleases, and adopted budgets and other financial responsibilities, together with all other continuing responsibilities and powers, from the WIB ; and

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Workforce Development Board does hereby officially accept and adopt the bylaws and all the policies and procedures, contracts and leases/subleases, and adopted budgets and other financial responsibilities, together with all other continuing responsibilities and powers, from the St. Lawrence County Workforce Investment Board effective on July 1, 2015 and authorizes, empowers, and directs its staff to continue to operate the workforce development system in St. Lawrence County according to the precedents established prior to July 1, 2015 when and as appropriate and consistent with WIOA.

I, Jennifer R. Free, Assistant to the Executive Director of the St. Lawrence County Workforce Development Board, DO HEREBY CERTIFY, that I have compared this copy of this Resolution, adopted September 9, 2015; with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.



Jennifer R. Free, Assistant to the Executive Director
St. Lawrence County Workforce Development Board
September 9, 2015

March 19, 2014
ST. LAWRENCE COUNTY WORKFORCE INVESTMENT BOARD
Resolution No. 14-03-02

AUTHORIZING RELEASE OF YOUTH RFP

WHEREAS, the Workforce Investment Act of 1998 (Public Law 105-220), Section 123 (Identification of Eligible Providers of Youth Activities) states: "...the local board for such area shall identify eligible providers of youth activities by awarding grants or contracts on a competitive basis, based on the recommendations of the youth council and on the criteria contained in the State plan, to the providers to carry out the activities...." and

WHEREAS, the St. Lawrence County Workforce Investment Board and its Youth Council seeks to increase the available services for youth and desire to identify additional providers of youth activities,

NOW, THEREFORE, BE IT RESOLVED that the St. Lawrence County Workforce Investment Board (the Board) authorizes the release of a Request for Proposal to solicit bids for youth services consideration and award for 2014-16,

BE IT FURTHER RESOLVED that said RFP be modeled on the RFP authorized by the Board in 2012 (attached), with non-substantive changes approved by the Board's Executive Director.

Executive Committee Review: 3/4/14

[WIB Action: Approved 03/19/2014; Caswell/Cooper; 15 ayes/0 nays/0 abstentions]

I, Lori A. Barr, Secretary I of the St. Lawrence County Workforce investment Board, DO HEREBY CERTIFY, that I have compared this copy of this Resolution, adopted March 19, 2014; with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

Lori A. Barr, Secretary I
St. Lawrence County Workforce Investment Board
March 19, 2014

*The WIA
Youth
Program
RFP
Guide*

Acknowledgements

This guide was prepared by Callahan Consultants, Inc. under a purchase order from the U.S. Department of Labor/Employment and Training Administration/Office of Youth Opportunities. The authors of this guide are Jim Callahan and Keith Massey. The authors built upon many ideas and approaches that were found in a number of requests for youth services proposals that have been issued under the Workforce Investment Act. Principally, work from the following organizations should be acknowledged:

- The Office of Employment Development, Baltimore City, Maryland
- The Workforce Development Council, Baltimore County Office of Employment and Training, Baltimore County, Maryland
- The Community Development Department, Workforce Development Division, City of Los Angeles
- The South Florida Employment Consortium, Jobs and Education Partnership, Dade and Monroe Counties, Florida
- The Department of Employment Services, the District of Columbia
- The Foothills Workforce Investment Board, Foothills Employment and Training Connection, Pasadena, California
- The Golden Crescent Workforce Development Board, Victoria, Texas
- The Greater Peninsula Workforce Investment Board, Hampton, Virginia
- The Northwest Workforce Development Council, Bellingham, Washington
- The Palm Beach County Workforce Development Board, Riviera Beach, Florida
- The Seattle-King County Workforce Development Council, Seattle, Washington
- The South Central Workforce Investment Board, Harrisburg, Pennsylvania
- The Stanislaus County Workforce Investment Board, Modesto, California
- The Utah Department of Workforce Services

For their ideas -- and the work that these organizations have completed to develop successful youth programs -- we thank you.

Finally, thanks to Irene Lynn and the Office of Youth Opportunities staff -- especially Susan Rosenblum and Laura Heald -- for their advice, guidance and recognition for the need to develop and distribute information that may enable Workforce Investment Boards and Youth Councils to build successful youth service systems under the Workforce Investment Act.

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Introduction

The purpose of this guide is to provide local Workforce Investment Boards (WIBs) and Youth Councils (YCs) with information and ideas on how to develop an effective request for proposal (RFP) for youth services. Developing an RFP for youth services under the Workforce Investment Act (WIA) is a great opportunity for WIBs/YCs. Using the core program design features outlined in WIA, WIB/YCs can use the competitive RFP process to build a foundation for a comprehensive system to deliver youth employment and training services. However, the opportunity presents challenges. In contrast to the Job Training Partnership Act (JTPA), WIA has new features that WIBs/YCs need to consider as they craft an RFP. Here are new additions that were not a part of JTPA:

- An out-of-school youth spending requirement;
- Required program design features;
- An extensive list of mandatory program service elements that includes an aggressive follow-up service for at least 12 months after program services end; and
- Separate performance measures for younger youth (14-18) and for older youth (19-21).

Many WIBs/YCs are in the midst of dealing with these changes to make the transition from JTPA to WIA. The youth program RFP process is one of the important program features that will play a role in the transition. We reviewed 15 WIA youth program RFPs to gather information for this work (See Attachment A for list of RFPs reviewed and contact information). These documents provided excellent ideas and examples for issuing a successful WIA youth program RFP. Many of the suggestions offered here come directly from the RFPs we reviewed or represent a combination of the best ideas we found. While we do not endorse a "canned" RFP approach (one size never fits all), we offer ideas and information taken from these RFPs that should assist a WIB/YC to successfully develop and execute a youth program RFP.

The guide is divided into three chapters:

1. ***WIA Policy Issues That Shape the RFP:*** This chapter outlines key issues and highlights the legal parameters.
2. ***Creating An Effective RFP Package:*** This chapter summarizes the basic characteristics of an effective RFP package and provides tools, ideas and examples that local areas may want to use as they develop their youth program RFPs.
3. ***Component Parts of an RFP Process:*** In this chapter, the steps and timelines for a WIA youth program RFP process are outlined.

I: WIA Policy Issues That Shape the RFP

Program and Policy Issues

The youth program RFP under WIA may be one of the more complex procurements a WIB/YC will undertake during the year. In this chapter, we describe the issues that complicate the WIA youth program RFP and offer ideas to make sure these issues are addressed and successfully factored into the RFP process.

The 12 Month Follow-Up

One of the new features in WIA is the requirement that all youth have at least a 12 month follow-up service that starts after the youth exits (leaves) the program. This new requirement needs to be factored in as a part of the WIB/YC's RFP. Typically, the time frame for an RFP is one program year. Adding a 12-month follow-up means that the time frame for actual provider operations may go 12 months beyond the date the last youth customer exits the program. If the RFP is designed for the typical 12 month period, follow-up could pose the following problems:

- Will contractors be expected to continue follow-up services for the youth they enrolled after the termination date of their contract?
- Should post-contract follow-up costs be built into the original cost bid of the proposal?
- If the contract is not renewed (or the vendor does not compete in the next round of competitive bidding), can the contractor be held accountable for providing the follow-up services?

The majority of RFPs that were reviewed did not fully address these issues. Most simply stated that the 12 month follow-up was a requirement but did not alter the contract time frame nor suggest how the potential contractor should plan or budget for the follow-up that post dated the specific contract period. One local area, Washington, DC, did recognize this as an issue. They required that bidders provide a separate bid for the cost of follow-up that would be needed to comply with the law in the year following the contract period. While they did not provide any suggestions as to what level of follow-up intensity was expected, at least they provided a means for continuity of services in the event the bidder was selected but did not continue the program in the second year.

In-School and Out-of-School Spending Requirements

Section 129 of the WIA, Item (c) (4) requires WIBs to spend at least 30 percent of the youth program funds on out-of-school youth. How does this affect the solicitation for youth services? It means the WIB/YC's RFP must convey this requirement to potential vendors.

How should a WIB/YC deal with this requirement in their RFP process? If the WIB/YC decides to have both in-school and out-of-school activities, they must specify the minimal level of funds to be spent on the out-of-school target group and then decide if one RFP or two is needed. Some WIBs/YCs -- Baltimore City, MD, Seattle-King County, WA, and others -- opted for one RFP but clearly separated in- and out-of-school youth by identifying a specific level of resources and outlining separate approaches for each group. Other WIBs/YCs simply stated that there was a 30 percent out-of-school spending requirement in their RFP and allowed the proposer to select the target youth group.

There is no right or wrong approach. However, an RFP that clearly identifies the out-of-school funding requirement and gives vendors the parameters for proposing a program for either target group along with the option of a combined program for both (as was done in the Baltimore RFP), appears to address the need to meet the expenditure requirement while providing options for the bidders.

"Younger" and "Older" Youth Categories

The issue surrounding the two different age groups of youth is connected to the service levels for in-school and out-of-school youth. In most states, services to the younger age group (14 to 18)

translate to services to in-school youth. While the services may start as a summer experience (even though there is no longer a separate summer program as was the case in JTPA), the WIA requirement for year-round, longer-term services and follow-up means that youth participants who are part of a summer experience from the younger age group shortly become in-school youth participants.

Again, the considerations as to how this issue affects the WIB/YC's RFP are similar to the ones noted in the in-school/out-of-school expenditure requirements discussed above. If the WIB/YC wants to ensure that specific levels of services are provided to each of these age groups, the WIB/YC's RFP needs to reflect that preference and be structured to achieve it.

Addressing the WIA Youth Program and Service Elements

More so than any Federal program since the early 1960's, the WIA requires that a WIB/YC's youth program include very specific program and service features. Vendors need to understand what these features are. While the mandated youth program features and ten program elements will not be repeated here (see: the WIA SEC. 129. USE OF FUNDS FOR YOUTH ACTIVITIES. (c) LOCAL ELEMENTS AND REQUIREMENTS for the program design features and the program elements), all WIA youth program RFPs should include this important information. Two of the RFPs -- the Stanislaus County, CA Workforce Investment Board (see Attachment B) and the Seattle-King County Workforce Development Council (Seattle, WA) -- both chose to include the appropriate sections of WIA in their RFPs. The Seattle RFP also provides other related information as to how vendors need to address these required WIA program and service elements.

Youth Performance Measures

Another consideration for the RFP is the required WIA youth program performance measures. There are four measures for older youth (19-21) and three measures for younger youth (14-18). The measures are:

Older Youth

- Entered Employment Rate
- Employment Retention Rate
- Earnings Change
- Credential Rate

Younger Youth

- Skill Attainment Rate
- Diploma or Equivalent Rate
- Retention Rate

The definitions of these measures are included in Attachment C. Local WIBs/YCs are required to negotiate expected performance levels for these measures with the State. In turn, States negotiate expanded performance levels with the U. S. Department of Labor.

Many of the RFPs that were reviewed for this work were issued prior to the State completing its negotiation with the WIB on the performance levels. But all of the WIBs/YCs referenced the

performance measures in their RFPs. One approach that appeared particularly useful was in the Seattle-King County RFP where the vendor was asked to complete performance charts for older and younger youth that indicated the planned quarterly performance level for each measure. Attachment D provides the performance forms that Seattle uses.

While it is a good idea to incorporate the WIA measures in the RFP process, there is some danger in this approach due to the long-term nature of the WIA outcome measures and delays associated with using the Unemployment Insurance wage records -- the data source for many of the measures. This means there will be very little information available on these measures following the first year of WIA. Therefore, local WIBs/YCs may opt to consider the following two strategies to counteract these timeliness issues. First, WIBs/YCs could use shorter term or interim outcome measures and process measures in conjunction with the WIA outcome measures to receive more timely feedback on the performance of their service providers. Second, WIBs/YCs may want to consider contracts longer than one year in order to allow more time for results against the WIA performance measures. A combination of these two approaches is also possible.

Performance-Based Contracts

An issue related to the new youth performance measures is the use of performance-based contracts. Many local areas adopted a single unit performance-based contracting approach under JTPA. Initially, this approach may have been seen as a means for controlling administrative costs. The Department of Labor did not encourage this type of contracting. The Department did issue regulations under JTPA that required that if this type of contracting was used a "substantial portion" of the payments must be made on meeting performance goals as opposed to program benchmarks like enrollments and/or activity completions.

The JTPA regulations no longer apply and WIA provides no guidelines on performance-based contracting. Two factors make using a performance-based contract that is tied solely to WIA performance measures difficult. They are:

- WIA encourages a longer term program plan of service for youth; and
- The majority of WIA youth performance measures are post-program measures.

If a one year contracting term is used, it is difficult to envision vendors responding to a "JTPA-like" performance contracting approach because the approach could translate to a "substantial portion" of the payments on the contract occurring well after the termination date of the contract. Many vendors could not afford to accept this type of contract which would at best require them to front significant levels of funds to pay for the WIA operations. This approach also presents a higher risk level for the vendor.

In terms of examples of performance base contracts among the RFPs we reviewed, both the Miami-Dade and Seattle-King County RFPs have performance-based components. However, both are hybrid contract approaches that combine a cost reimbursement and performance/incentive approach. Miami-Dade paid 90% of cost via a cost reimbursement contract with 10% of cost earned by meeting performance measures, and another 10% (incentive) earned if the vendor exceeded the performance levels.

The Seattle-King County RFP used a "Cost Reimbursement Plus Performance-Based Payment" system. Their RFP explained the system as follows:

"While 85 percent of the contract activities will be cost-reimbursed, the WDC (Note: the WDC is Seattle's Workforce Development Council, the WIB) is implementing a pilot program for PY '00 that will pay the other 15 percent on performance. Based on our policy priorities, the WDC has selected wage progression for adults and older youth, retention in a program leading to credential attainment for older youth and retention for younger youth as the areas for which payment will be dependent on performance. In other words, 15 percent of the contract will only be paid to the contractor when their adult client progresses in wages above the target level in six months, when an older youth client remains for six months in a program leading to a credential, or when a younger youth returns to school and remains for six months. The WDC will pay more if the client is in a priority group. In addition, it is a WDC priority to work with employers on the issue of employee retention. To this end, the WDC will pay more if the client stays with the same employer for at least six consecutive months. These additional payments are reflected in the WDC Target Outcomes Chart. The WDC staff will work with successful bidders on details of the methodology."

Both of the above approaches appear to have merit relative to incorporating a performance factor into the RFP without negative consequences. In the final analysis the WIB/YC needs to carefully consider the application of performance-based contracting as a part of their youth program RFPs. Using the same performance-based approaches that were used under the JTPA program could have negative unintended consequences.

The WIB/YC's Vision and Policies

Determining what you want to buy involves more than simply understanding the WIA program requirements and the performance measures. Equally important is the WIB/YC's vision for how a youth program should be carried out and the policies established for that vision. For example:

- Does the WIB/YC want to focus more on out-of-school youth?
- Have specific youth target groups, such as young people involved with the juvenile justice system or pregnant teens, been identified for priority services?
- Has it been determined that a central eligibility determination and intake process will be used for all youth?
- Has one customer assessment package been identified?

The WIB/YC should address these program and policy questions before writing the youth program RFP. The answers will help the WIB/YC determine the required program approaches with which they want vendors to comply. The youth program RFP should explicitly state these approaches.

Many WIBs/YCs did an excellent job of outlining their vision and policies for their youth program. Palm Beach, FL, and Baltimore City, MD, are two examples of WIBs/YCs that defined a vision in their RFP. For example, the Palm Beach WIB/YC decided that the program needed a uniform approach to intake and assessment. To create one integrated intake and assessment system for all youth and implement that vision of service, one "Direct Service Provider" would be selected to provide these services. All other potential providers were given the information they needed to construct their proposal using this program approach. While you

may use different approaches to achieve your vision, the point is to clearly translate your vision to the particulars in the RFP.

A Separate Youth program RFP or Consolidated RFP for All WIA?

A key issue WIBs/YCs need to consider is the focus for the RFP. Should it be a separate youth program RFP or part of a consolidated RFP that includes other WIA resources (and perhaps other funds as well)? As with many of the policy issues related to the WIA, there is no absolute right or wrong answer to this question. Several workforce investment service areas are having excellent results by issuing one consolidated RFP that includes all the customer services they need under WIA. One example of a combined WIA RFP can be seen in the Seattle-King County Workforce Development Council, which was issued in June 2000 and may still be available on their Internet site (<http://www.seakingwdc.org>).

A consolidated RFP may have advantages in your area, but it does cause the document to be more complex and the process more difficult to manage. While there should be an integration of all WIA services regardless of funding source and targeted customer, the requirements for adult programs and for youth services programs are very different under WIA. Trying to convey the different aspects of the one-stops, the at-risk youth and targeted adult service requirements and philosophies in one document can be tricky. Trying to use one set of narrative requirements and forms for all proposals is also difficult. For example, the Seattle-King County RFP was a consolidated RFP. In this case, vendors were asked to propose one or more programs for:

| | |
|--|-------------------------|
| ➤ Core and Intensive Services at WorkSource Centers: | \$503,550 |
| ➤ Core and Intensive Services at WorkSource Affiliates: | \$117,450 |
| ➤ Employer Services: | \$208,800 |
| ➤ In-School Youth Services: | \$477,766 |
| ➤ Out-of-School Youth Services: | \$553,525 |
| ➤ <u>Youth Career Development Learning Centers:</u> | <u>\$100,000</u> |
| ➤ Total funds available: | \$1,961,091 |

Clearly, several WIA funding sources are a part of these six areas. While the Seattle-King County RFP was one of the best documents we reviewed, it was 84 pages long. Lengthy RFPs generally turn potential bidders off and may result in the unintended consequence of less competition.

An RFP For a Full Youth Program or Component Parts?

Before a youth program RFP can "hit the streets", the WIB/YC needs to decide how to organize and manage their youth program. Should it be a series of interconnected parts that are provided by a number of different vendors, or should it be one or more vendors providing the full range of all the WIA-required program elements and service features? The first approach -- a series of interconnected parts -- requires a more intensive and sophisticated management style, while the second approach would require that vendors take on more responsibility and expand their scope of services beyond their normal plan of service.

Many RFPs allow for separate proposals for major components under the one RFP. Baltimore County, MD, for example, allowed proposals for both year-round and summer components. Seattle allowed separate in-school and out-of-school components. However, other WIBs/YCs use different approaches. Miami-Dade County actually had a separate RFP for their youth

remediation and tutoring services. Again, there is no right or wrong approach. Examples exist of youth program RFPs that group the program functions and ask the proposers to first choose the function they want to bid on, while other RFPs require that each vendor make available the total range of services to all young people in their program. The latter approach appears to be more common.

These two approaches differ in the level of complexity. The RFP that asks vendors to provide the full program is less complicated for the WIB/YC but is more complicated for the vendor! Some of the potential advantages of this approach for a WIB/YC are:

- The WIB/YC can more easily pass along specific performance goals;
- There is potential for a greater continuity of services for youth;
- Tracking outcomes and holding the vendor(s) accountable is less complicated; and
- Overall management of the contractors is more straightforward.

Moreover, with a component part program approach, one non-performing vendor can negatively affect the other vendors' potential for success.

Legal Requirements

While WIA extensively defines the services to be provided to youth, beyond the need to competitively procure services, the law does not prescribe an exact process for how these services are to be procured. Section 117 (d)(2)(B) of WIA states that the “local board shall identify eligible providers of youth activities in the local area by awarding grants or contracts on a competitive basis.” This provides a great deal of flexibility for WIBs/YCs.

The regulations provide more specific information on the procurement process. Section 667.200 of the regulations defines the general fiscal and administrative rules that apply to the use of WIA Title I funds. For institutions of higher education, hospitals, and other nonprofit organizations, procurement requirements are codified in 29 CFR part 95.40 - 48. For procurement, State, local, and Indian tribal government organizations must follow the rules that are codified in 29 CFR part 97.36. These are the same requirements that applied to procurement under JTPA.

Code of Conduct

One of the critical elements of the procurement process is the code of conduct. Organizations that procure youth services must have a written standard governing the performance of its employees engaged in the award and administration of contracts. No employee, officer, or agent shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest is involved.

YC and WIB board members are subject to the code of conduct as well. Section 667.200(a)(4)(i) states that a local WIB "*member or Youth Council member must neither cast a vote on, nor participate in, any decision-making capacity on the provision of services by such member (or any organization which that member directly represents), nor on any matter which would provide any direct financial benefit to that member or a member of his immediate family.*" At first, it would appear that all WIB/YC members who are potential vendors need to stay out of the entire RFP process. However, this is not the case. Section 667.200(a)(4)(ii) of the regulations specifically states that being a member of the Board or Youth Council and a recipient of WIA

funds in itself does not violate the conflict of interest provisions. This is an important provision since a WIB/YC needs to include major youth service providers in an area and their automatic exclusion for a potential conflict of interest could adversely affect the WIB/YC's ability to do their mandated job under WIA. This means that there are two areas the code of conduct and the procedures must address for the WIB/YC: *the unfair competitive advantage provisions and the conflict of interest provisions.*

Unfair Competitive Advantage

The unfair competitive advantage provisions prohibit a contractor that develops specifications, requirements, statements of work, invitations for bid, and requests for proposals from competing for the award. To enable members who are vendors to provide needed input while not creating an unfair competitive advantage, the WIB/YC needs to ensure that vendors -- or potential vendors -- do not participate in certain processes. At a minimum, Council and Board members who are vendors should be excluded from the development of the RFP statement of work and the development of the evaluation and selection criteria.

Conflict of Interest

In order to avoid the conflict of interest, WIA requires that a Youth Council member must excuse himself or herself from the decision-making process on contract selection that could benefit the member's organization. Obviously this applies to any decision on whether to award a contract to the Youth Council member's organization. It also should apply to participating in the decision-making on competitors' proposals, since their rejection improves the chances of the member's proposal being selected. For example, if the Youth Council member's organization has submitted a proposal for providing alternative secondary education, they cannot be involved in the decision-making on any proposal with an alternative secondary education component. They could be involved in the decision-making in awarding a contract for a summer employment component, which did not have an alternative education component.

Competition

The regulations require that procurement shall be conducted in a manner to provide free and open competition. By using a request for proposal approach for obtaining youth services, a WIB/YC goes a long way in meeting the requirement for competitive procurement. There are a number of "do" and "don'ts" to ensure that an RFP is truly competitive.

| <i>Do</i> | <i>Don't</i> |
|---|---|
| Ensure that the code of conduct provisions that prevent unfair competitive advantages were followed in developing the RFP. | Place unreasonable requirements on vendors in order for them to qualify to do business. |
| Ensure that the RFP has wide circulation to the vendor community through a number of mechanisms including newspapers, websites, and mailing to the bidders' list. | Require unnecessary experience. |

| | |
|--|--|
| Ensure that the grantee has a method for conducting technical evaluations of proposals received and for selecting awardees that is articulated in the RFP. | |
|--|--|

In order to deal with potential challenges to the RFP process, it is recommended that the WIB/YC document the steps taken in the RFP development and contract award that comply with their code of conduct.

Selection of Providers

A key requirement to keep in mind during the selection process is to document the decisions. Remember that all contract awards can be appealed. The WIB/YC must have a method in place for conducting technical evaluations of proposals received and for using the evaluations as a part of the award process. This is why it is critical that a system similar to the one described in the "Evaluation Criteria and Rating System" section of Chapter III be in place as part of the RFP process to both evaluate proposals and provide documentation of the process.

In addition to the technical evaluation, the WIB/YC must include some form of cost and price analysis to determine the reasonableness of the cost of the proposal. Because of the complex nature of the youth program RFP, a simple price analysis may not be feasible. In most cases, the WIB/YC will need to do a more extensive cost analysis. Such a cost analysis will entail a review and evaluation of the budget line items in the RFP to determine the following:

- **Reasonableness of Costs:** Is the cost reasonable?
- **Need for the Cost:** Does the cost support the services that are being delivered?
- **Appropriateness of Cost:** Is the cost allowed under the RFP and WIA?

For each proposal, the WIB/YC should document the cost analysis for each major line item. Awards should only be made to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. Consideration should be given to the contractor's integrity, compliance with public policy, record of past performance, and financial and technical resources. The RFP must require that all bidders be prepared to submit the documentation necessary to make such a determination.

One last word on legal issues pertaining to the selection of providers: ***under no circumstances should an award be made to a contractor that has been debarred or suspended.*** At some point during the RFP or the contract award process all proposers should complete a debarment and suspension affidavit.

II: Creating An Effective RFP Package

Think of an RFP for youth services under WIA as an information package with two key parts: The first part is a description of the WIB/YC's need along with background information to help a vendor understand how to respond to this need. The second part is information on how the potential vendor should structure the proposal. Both parts are equally important in the creation of a successful RFP package. This chapter will discuss each part.

What Vendors Need To Know

It is important that the potential vendor have (or know where to obtain) all the information needed to respond to the WIB/YC's RFP. Any number of topical areas can be used to organize this information. Most RFPs concentrate on these four:

- 1. Background and General Information;***
- 2. Scope of the RFP Services;***
- 3. Evaluation Criterion and Rating System; and***
- 4. Terms and Conditions.***

While there are no hard and fast rules as to what kinds of information go under each topical area, the common elements found in each section are outlined below.

Background and General Information

A. Introduction

Information To Convey: Use the introductory section to include the following information:

- The vision the WIB/YC has for youth services;
- What the purpose of the RFP is;
- RFP administrative details such as the RFP due dates, program period, funding levels, contact person, etc.; and
- Information about who is eligible to participate in the WIB/YC's RFP process.

To facilitate responses and not overwhelm potential bidders, try to keep the document short. Remember the RFP is neither a contract nor a reference guide. Most of the RFPs we reviewed ran 50 to 75 pages. It may be possible to produce an adequate but more succinct document. Examine the Stanislaus County WIA youth program RFP included as Attachment B. It's well-written, concise, and contains the necessary boilerplate and contractual assurances, yet required only 14 pages. Even though the document could have been expanded in several areas, it is a solid WIA RFP that will get the job done.

B. The WIA Youth Program

Information To Convey: After the introduction, make sure to explain the legal requirements under which the WIB/YC operates. Use the appropriate sections of the WIA law and/or regulations to outline the core legal program parameters. At a minimum, summarize the WIA law relative to:

- Youth eligibility (Title I, Section 101 Item (13) of the Act);
- Program design features (Title I, Section 129 (c)(1)); and
- Required program elements (Title I, Section 129 (c)(2)).

Optionally, various types of WIA and local area administrative information, such as reporting requirements, fiscal procedures, etc. could be included in this part of the RFP. These are items that could also be covered in the Scope of Services section dealing with administration or in the Terms and Conditions section.

C. Definitions

Information To Convey: Workforce professionals use a lot of terms and jargon specific to the field. Major terms should be defined to prevent misunderstanding on the part of potential vendors. The Golden Crescent Texas RFP provides an excellent example of clear, simple definitions. (See Attachment E)

D. Demographics of the Youth Population

Information To Convey: Highlight the demographics of the youth population in the WIB/YC's area. As with many of the sections in a RFP, this section can be written using information that already exists in other sources. For example, many areas have planning agencies that issue demographic reports. This work does not need to be redone, but can be presented as it already exists.

E. The Workforce Investment/Labor Market Area

Information To Convey: Vendors need to know some of the details about the WIB/YC's area. Facts like labor market growth areas that the WIB/YC wants the youth program to address and/or the geographic areas where services will be located must be conveyed to vendors. Again, as with the youth demographics, existing information -- such as that presented in the WIA 5-year plan -- could be used here.

Scope of the RFP Services

This is the heart of an RFP. This section needs to outline clearly what services will be purchased, how the proposed program fits in the WIB/YC's overall program of service, and the outcomes the WIB/YC expects. Generally, RFPs group information in this section under two or three topics. We have opted to use two.

A. Required Program Design Features

Information To Convey: This is the section of the RFP used to outline all of the program design features which reflect the WIB/YC's youth vision and policies. For example, if special target groups of youth are to be given priority, it should be noted in this section.

Many of the RFPs that we reviewed adopted a program structure that reflected the in-school and out-of-school divisions of the program. Many WIBs/YCs -- like Baltimore City, Palm Beach, Dade-Monroe Counties in Florida, and others -- used one RFP that defined separate in-school and out-of-school approaches. Baltimore even suggested approaches for how to serve the youth in each of the target groups. Other RFPs allowed the proposer to select the target group and the overall service strategy. Whichever approach you choose, make sure that all of the required program features are noted in this section so that the vendor clearly understands what program design features must be included in their proposal.

There will always be specific program requirements that the WIB/YC will want to incorporate as a part of the vendor's responsibilities. There were several common program requirements that appeared in the majority of the RFPs reviewed, and these included:

- List of mandatory services;
- The outcome and performance expectations;
- The qualifications for the staff serving the youth; and

- The program timelines.

Some of the other program requirements more specific to the particular WIB/YC that was issuing the RFP (which may apply in your area as well) were:

- A focus on specific occupational areas;
- Specifications for the facility where youth will be served;
- Identification of specific industries in the area to focus upon;
- Requirement to offer youth monetary incentives and/or provide stipends;
- Requirement for academic credit to be awarded for all educational services;
- Required collaboration with specified organizations; and
- Requirement to work out of the One-Stop office.

The important factor for this part is to make sure that the WIB/YC details any and all program requirements that vendors must comply with and/or build into their proposal. A potential vendor cannot be expected to respond to program and policy issues unless they are articulated in the WIB/YC's RFP.

B. Program Administration

Information To Convey: Again, the majority of RFPs reviewed for this work exhibited some common areas of information. The common topics covered were:

- Fiscal record keeping
- Subcontracting
- Customer reporting
- Audits
- Customer record keeping
- Fiscal Reporting
- Monitoring and evaluation

Some of the RFPs clearly spelled out which functions the grantor has sole responsibility for and which are shared with the offerer. For example, the Baltimore County RFP states that WIA eligibility determination and payments of participant needs-based allowances are the responsibility of the WIA agency, while participant outreach and recruitment, participant referral, assessment of reading and math skills and aptitude/interest, and program monitoring are shared responsibilities.

Evaluation Criteria and Rating System

We suggest establishing an evaluation criteria and a rating system before the RFP document is issued. This saves a great deal of time and effort in the review and award process. If the WIB/YC established evaluation criteria and a rating system, sharing them with the proposed vendors has several advantages. Vendors can get an indication of what aspects of the program have more relevance. To illustrate, if a WIB/YC is not concerned about overall cost, they could show this by developing a set of evaluation criteria that assigned cost a small value in the rating system. Furthermore, sharing the system with vendors will enable them to structure a proposal that fully addresses the issues that are important to the WIB/YC.

As with nearly all aspects of the RFP discussed in this work, the evaluation criteria and rating system will reflect the values and objectives of the WIB/YC. Therefore, no one sample or

example could cover all potential approaches. That being said, there are some core evaluation areas to consider that will likely appear in most sets of evaluation criteria. They are:

- Qualifications and experience of the proposer;
- Responsiveness of the program design to the RFP;
- Availability of the required WIA services in the proposal;
- Performance expectations;
- Staff qualifications;
- Innovativeness;
- In-kind contributions and/or collaborative agreements; and
- Cost.

We found several interesting approaches to the evaluation process. The Stanislaus County RFP used separate evaluation forms for the management/administrative component and the operations (program) component (See Attachment B). This format ensures that appropriate staff will evaluate the relevant components. In the current environment, most grantor's administrative experts are different from their service experts. Los Angeles used a two-step evaluation process. The proposal was first rated on the defined criteria. Then those offerors who had submitted proposals that received high rankings were asked to present orally. The offeror received additional points based on the oral presentations. Such a rating system would be based on how important each criterion is to achieving the WIB/YC's youth program goals and performance expectations.

Given the importance of this aspect of the RFP process, we developed a sample set of evaluation criteria and a sample rating system. These are included in Chapter III of the guide in the Screening and Evaluation section.

Terms and Conditions

The use of Federal funds brings restrictions and conditions. If the administrative agent for the funds is also a government organization, additional rules and regulations may apply to both the RFP process and the expenditure of funds. Potential vendors should be made aware of the terms and conditions that apply to the use of the WIA funds. But a response to an RFP is not a contract. Some RFPs include all of the standard contractual clauses and forms used when Federal funds are passed through to a vendor. A WIA youth program RFP from the District of Columbia included over 80 pages of EEO, ADA, OMB, DOL and local contractual clauses and forms as required attachments. This made their RFP over 150 pages -- as opposed to the Stanislaus County RFP, which used a one-page "Assurances" for the same purpose.

Try to make terms and conditions concise. Of course, local requirements could have an impact on various facets of the program and may need to be spelled out. One local area had a policy that an annual audit had to be performed. Since this policy would affect the cost of the program, clearly it needed to be spelled out. Try to summarize the general terms and conditions as briefly as possible, and go into detail only if the condition is an unusual one or could have a direct impact on the program design or cost.

Instructions for Responding to the RFP

The second portion of an RFP information package instructs the proposer on how to write a response so that they will be considered for funding. As with all the elements of constructing a solid WIA youth program RFP, there is no magic involved in preparing RFP instructions. For the most part, the youth program RFPs we reviewed organized this section into three areas:

- 1. General submission and format instructions;*
- 2. Proposal narrative instructions; and*
- 3. Proposal budget and program planning instructions.*

Some RFPs instruct the proposer to submit the bid in two separate sections. These include a section that deals with the actual program -- often called a technical response to the RFP -- and a separate section that deals with the cost of the bid -- called the financial part. Should you use this two-part approach? Here are some considerations: If you decide that the cost of the program and the actual program itself should be evaluated independently, then a two-part response is appropriate. Why have an independent evaluation of the technical merits and the costs? Knowing the cost of a program can (and probably will) have an impact on how an evaluator judges the merits of the overall program design. Although it is difficult to predict whether the cost will have a positive or negative impact, it may be necessary to insulate the people who are evaluating the merits of the proposed program design from being swayed by cost information. This would support the use of the two-part response. On the other hand, if the cost is an integral part of judging the total program design, then an integrated approach is recommended.

General Submission and Format Instructions

Below is information that was required in this part of the RFPs we reviewed:

- **Due Date:** Include both a time and a date.
- **Number of Copies:** State the number of copies of the proposal to be sent and how many are needed with original signatures. Ask for an electronic copy in the word processing format used by the WIB/YC. Having an electronic copy can make it very simple to distribute copies to WIB/YC members for screening and evaluation.
- **Address:** Provide the address to which the proposal must be sent. Specify a room number, if appropriate. Also consider having the proposals addressed to a staff person in the organization responsible for WIB/YC local area administration.
- **How to Submit:** Are e-mail or faxed copies of the proposal acceptable? Or will hard copies (i.e., U.S. mail or other land delivery transmissions) be required?
- **Page Limits:** Specify a page limit for at least the program narrative section.
- **Document Format:** Require a typewritten format; other consideration could include type size, typeface, layout, single or double space, and margin width.
- **Contact Person:** List whom to call if there are questions. Be sure to include a phone number.
- **Bidders' Conference:** If a bidders' conference will be held, include where and when it will be held.

Many WIBs/YCs are using e-mail and the Internet to simplify the RFP process. Many local areas are using the Internet to publish their RFPs and to respond to questions from prospective bidders. Either as part of a bidders' conference or in place of one, responses to questions from potential bidders can be answered by e-mail and posted on an Internet site so that all proposers have access to the same information. The Seattle-King County RFP relied heavily on the use of their website. Furthermore, an e-mail listserv can be used so that all potential vendors can be sent updates and/or responses to questions as they are answered. Use of technology expedites delivery of additional information and clarifications. If electronic communication will be used, be sure to note it in the WIB/YC's RFP and prominently display relevant e-mail and website addresses.

Proposal Narrative Instructions

There is no one correct model for a proposal narrative. Below is a composite list of RFP narrative topics that will provide a clear picture of the program design, program activities/services, anticipated outcomes, and the proposer's capability of delivering the youth services. An additional helpful idea can be found in the Seattle-King County RFP. To help offerors focus on what is important in their response, the RFP listed the potential number of evaluation points next to each proposal component.

- **Executive Summary:** Request a brief Executive Summary highlighting such details as the number to be served, planned outcomes, and the basic program approach.
- **Main Purpose of Program:** This is similar to a mission statement and should be a brief statement of what the program intends to accomplish.
- **Goals / Objectives and Performance Levels:** At a minimum, make sure to ask for the number of youth (from specific target groups as appropriate) to be served, and projected performance levels for the performance requirements specified in the RFP.
- **Target Group(s):** If the WIB/YC's RFP differentiated the total eligible youth target group, ask the proposer to identify the target group(s) the program aims to serve.
- **Program Description:** Ask for a description of the overall plan of service that will be made available for young people. It may help to ask that this description be organized around how participants will flow through the program. In other words, request a program description in terms of:
 - *Outreach/Recruitment/Eligibility Determination*
 - *Intake/Assessment*
 - *Case Management*
 - *Program Services*
 - *Placement in Jobs or Continuing Education*
 - *Follow-Up*

Make sure the proposer covers how they will respond to all the required WIA youth program elements. Los Angeles used an innovative approach to get a better indication of how program services will be provided. Each bidder was asked to respond to three "youth case studies" in terms of how they would provide services to youth with specific issues and problems.

- **Staffing Plan:** Ask for a description of the staff positions in the project and require a job description. What experience or training is the staff expected to have? How will staff be selected? Ask for resumes if existing staff will be used.
- **Facilities:** Make sure to obtain information as to where the program will operate and obtain some assurances that the site is capable of housing the program and that it is accessible, safe, and "youth-friendly."
- **Partnerships:** Ask for a description of any partnerships that will be used in the project. Who is involved? What are the roles and responsibilities of each partner? Get a description of the roles of the partners and how they will be paid.
- **Description of the Proposer:** Information to ask for here includes the legal organization name, the legal status, the main purpose of the organization and how it is currently funded. Also, make sure to ask for the names and titles of the people who are in charge of the organization, and request a financial statement and the last audit report.
- **Experience:** Ask the proposer to outline all youth programs that they have operated during the last two years. Ask for brief program descriptions, funding sources, performance information, and references. If the organization has not provided past programs for youth, have them outline programs that provided similar services in which they have been involved over the last two years.
- **Administrative Capacity:** Ask the proposer to describe the process they use to capture and report information on program participants. Ask what monitoring and evaluation of program operations and staff are routinely carried out.
- **Fiscal Capacity:** Ask the proposer to describe the process they use to capture and report fiscal information. Ask what systems they have in place to ensure fiscal accountability and appropriate expenditures of funds.
- **Subcontracts:** Ask whether the proposer plans any subcontracts with others for services or activities contained in the proposal. If so, ask them to describe the nature of those subcontracts, the subcontractor, the services and activities to be provided by the subcontractor, and the planned costs.

Proposal Budget and Program Planning Instructions

As with the proposal narrative, there is no one correct model for a proposal budget, but a number of RFPs followed these formats:

- **Include a Budget Form:** An example of a budget form and instructions is included in Attachment F.
- **Budget Narrative:** Equally important for understanding and rating the proposal is a budget narrative. Require an explanation of the information on the budget form that justifies the requested funds. Ask for a summary of the in-kind services in the program. Request information on how the in-kind services will be provided, by whom, and an estimate of the value.
- **Include a Program Planning Form:** The Seattle-King County document (Attachment D) has a program planning form and Attachment E includes an example of a program planning form and instructions.

Good Forms

The quality of the forms we reviewed ranged from good -- as exhibited by documents from Palm Beach and Seattle-King County -- to incomprehensible. Good forms should share two attributes:

1. They should be easy to complete; and
2. They should include clear instructions.

The following four types of forms were present in the majority of RFPs:

- ***An Application/Signature Sheet Form:*** Essential information to capture includes:
 - Identifying information, such as name and address of bidder, contact person(s), contact numbers, e-mail address, fax number, etc.;
 - Dollars requested and in-kind contributions if required;
 - Timeframe for program;
 - Number of youth to be served and target groups, if required; and
 - A signature of the authorized official from the proposer attesting to the fact that, if awarded the contract, their organization will indeed provide the services.
- ***A Budget Form:*** Make sure to solicit sufficient detail to be able to determine the appropriateness of cost and whether the budget reflects the overall scope of the planned program.
- ***A Program Planning Form:*** This form enables the WIB/YC to see a plan for enrollments and outcomes over time.
- ***A Proposal Checklist Form:*** This is a form that lists, in bullet fashion, all the important features of the WIB/YC's RFP that bidders need to respond to in their proposal.

Attachment F includes samples of each of these forms listed above. These samples are based on the best examples from the field.

Putting It All Together

A great deal of information has been covered in this chapter. Now it is time to put it all together. How should the pieces of the RFP be organized? A sample format is provided in Attachment G. WIBs/YCs can use this template to develop their WIA youth program RFP.

III. Component Parts of an RFP Process

An RFP is a process that starts with the creation of the RFP package, continues with the publication of the RFP, requires responses to vendors' issues/questions, includes reviewing and evaluating the proposals that are submitted, and ends with negotiating and awarding the contract(s). In this chapter, these steps will be discussed.

Developing the RFP Package

Sometimes the development process can be a learning tool for WIB/YC members. In many respects, it could be the first time that the people involved with the WIB/YC have thought about

how to integrate all the policies, goals and approaches they have been discussing and developing for the youth program. While time constraints are always an issue with RFPs, the ideal situation is to draft the RFP package using a WIB/YC workgroup. The next step is to circulate the draft to the full YC and WIB members for input.

Issuing an RFP and RFP Timelines

RFP Timelines

The easiest way to construct a timeline for an RFP process is to start from the projected date that the WIB/YC wants program services to begin and then work backwards. A worksheet to establish a timeline is presented below. In the program example used, operations started with the Federal program year. As noted in the example, six months or more is not an uncommon time frame for an RFP process.

Sample Youth Program RFP Timeline Worksheet

| <i>RFP Milestone</i> | <i>Completion Date</i> | <i>Notes</i> |
|--|---------------------------------|---|
| Start the RFP Development Process | January 2nd | <i>Several WIB/YC workgroup meetings will be needed to produce a RFP final draft.</i> |
| RFP is released | February 15th | |
| Bidder's Conference (Optional Step) | March 1st | <i>If used, place it in the middle of the time frame for responding.</i> |
| Due Date for Proposals | March 15th | <i>Always allow at least 4 weeks for vendors to respond.</i> |
| Selection of Vendors and Initiation of Negotiations | April 1st | <i>This could vary depending on the number of proposals, but two weeks for screening and selection appears to be the average.</i> |
| Submit Contract for Formal Approval | May 1st | |
| Formal Execution of Contract | June 1st | <i>One month appears to be the average although larger areas took more time.</i> |
| Projected Start Date of Programs | July 1st | <i>Time needs to be allowed for the contractor to prepare for and start the program.</i> |

Distributing the RFP

How should the RFP be sent out to potential vendors? The idea is to foster competition. Getting the RFP package out to as many potential vendors as possible will enhance the potential for greater competition. Drawing on the Palm Beach RFP as an example, the following steps were taken to distribute their RFP:

- Copies were sent to all WIB/YC members with a cover letter encouraging distribution of the package;

- Copies were sent to all existing program providers;
- Copies were sent to vendors that were on a longstanding bidders' list maintained by the WIB;
- An advertisement was placed in the local paper (for three consecutive days) announcing the RFP and providing information about how to obtain an RFP package; and
- A full copy of the RFP was posted on the WIB's Internet site.

Additional steps taken by other WIBs/YCs include posting the RFP on a local bid board and issuing a notice in the government proceedings record.

Issuing procedures can become too elaborate. Some WIBs/YCs required all vendors who responded to register for the package. Some agencies even charged a registration fee -- generating a good source of program revenue! Ostensibly, the purpose of these procedures is to ensure that if RFP updates are issued they could be sent to all registered recipients. In other areas potential vendors were required to attend a bidders' conference to obtain a full RFP package. However, the more elaborate the procedures, the more likely it is to counteract the core goal of an RFP -- to foster competition.

The Bidders' Conference

Bidders' conferences are optional, but, with a complex program such as the WIA youth program, they are a good idea. Some WIBs/YCs made it mandatory for prospective vendors to attend a bidders' conference and required a certified receipt of attendance as part of the RFP submission. However, such measures may go beyond what is reasonable. The Palm Beach WIB may have come up with a better approach. They provided a 5-point bonus to vendors for attending a technical assistance meeting on how to prepare the proposal.

At a bidders' conference, there are some basic "do" and "don'ts."

| <i>Do List</i> | <i>Don't List</i> |
|---|---|
| Require organizations to submit questions in advance. This gives the WIB/YC an opportunity to consider each question and provide a reasoned response. Questions at an open meeting are often poorly stated or misunderstood and the answers only result in further confusion. | Don't socialize with any of the potential vendors. Be equally polite and businesslike to all vendors, whether you happen to know them or not. Socializing with those vendors with whom you're familiar can look like favoritism to other proposers. |
| Require everyone to sign in, with full name, organization, address, telephone number, e-mail address and fax number. | Don't show any favoritism in responding to written questions or follow-up questions. |
| Allow follow-up questions. Keep a record of any follow-up questions, so the answers can be considered after the meeting. If the answers missed the mark, additional information can be issued. | Don't hide potential conflicts of interest. Especially in smaller areas, potential bidders are often also WIB or YC members or long-time associates. Make public any direct connection that any WIB/YC staff person (or WIB and YC members) attending the meeting may have to a vendor. (Read more about this |

| | |
|--|---|
| | issue in Chapter I: Legal Requirement: Code of Conduct) |
| Issue a report from the meeting that summarizes the questions and the responses. | |
| Send the report to everyone at the meeting and post on the WIB/YC's Internet site (or advertise that it is available to anyone that did not attend the meeting). | |

Screening and Evaluation

Screening and proposal evaluation are handled in many different ways. To be considered for funding, a few areas required that all proposals meet format specifications contained in the RFP. Format specifications are the conditions outlined in the RFP, such as the number of pages to be submitted, the completion of the appropriate forms, the layout of the document, etc. If the WIB/YC decides to use format specifications, the first step is to screen each proposal to see that each proposer complied. A screening checklist is a good tool to accomplish and document this task. A sample of this type of form is provided in Attachment F.

If bidders are told that all proposals will be screened to ensure adherence to the technical specifications, a WIB/YC must follow through with this to avoid the risk of being sued by a disgruntled non-winner.

The second step is for each RFP to be read and rated by at least three people with each of the reviewers' ratings being combined and averaged as one score. Some structure is needed to ensure that all the readers/raters are looking for the same features and are rating the proposals using the same system. Before issuing the RFP, a set of evaluation criteria and a rating system will need to be developed. Below is a sample set of proposal evaluation criteria.

Youth Proposal Evaluation Criteria

The sample evaluation criteria listed below are presented as a combined technical and cost evaluation.

A. Design and Responsiveness of Program -- 100 Points

- Does the proposal target a significant population of at-risk youth? (10 points)
- Does the proposal offer activities/services that are consistent with WIA and the RFP? (20 points)
- Are the activities interesting and likely to attract and retain youth? (15 points)
- Does the proposed program involve quality, innovative approaches? (15 points)
- Do the outcomes meet or exceed those outlined in the RFP? (30 points)
- Are the facilities suitable for the proposed activities/services? (10 points)

B. Qualifications of Proposer -- 60 Points

- Are staff qualified to provide the activities/services? (20 points)
- Does the proposer have adequate administrative experience to operate the activities/services proposed? (20 points)

- Does the proposer have prior successful experience and a demonstrated record of meeting performance? (20 points)

C. Costs -- 70 Points

- Are the costs justified and reasonable for the activities/services proposed? (50 points)
- Are in-kind services and/or funds for the project provided? (20 points)

D. Bonus Points -- 40 Points

- Are private sector businesses involved in a collaborative manner? (15 points)
- Is the proposal coordinated with other entities to provide a cost-effective proposal? (10 points)
- Is the proposer awarding academic credits, scholarships or other incentives not paid for by WIA funds? (5 points)
- Is the proposer seeking to serve a special population of youth? (5 points)
- Did the proposer attend one of the Technical Assistance Meetings? (5 points)

A sample rating sheet that reflects these criteria and provides a form for reviewers to use is included in Attachment F. Keep in mind that overall evaluations can include more than a simple reading and a numeric rating of the proposal.

Negotiation and Award

Most RFP awards involve negotiation of a best and final offer. All the RFPs that were reviewed included this as a potential step. The RFP instructions should include the statement that the WIB/YC reserves the right to negotiate a best and final offer with all proposers selected for contract awards. At a minimum, the negotiations should address cost, service levels, and performance issues.

The cost negotiation with the proposer should focus on two issues. First, are there costs for services included in the proposed budget that could be funded through another source or provided by a partner agency? If so, why have the program funds been used to pay for the service? This means that the person negotiating the contract for the awarding agency should have a good overview of the youth services network in the community. He or she should be able to identify potential partners.

The second cost issue is whether the direct cost can be reduced. As part a cost and price analysis, the proposal is reviewed for the reasonableness of the cost. This review should include a determination that the proposed costs are consistent with other proposals. If there are costs that are not in line, a reduction should be negotiated.

There are also issues around service levels that can be negotiated in the best and final process. This involves either increasing the total number of youth served and/or the proportion of specific target groups served. The proposer can be asked to serve more total participants in the program. This request is often based on a cost analysis. If the program design looks good, but the cost per participant is too high, increasing the number of participants will resolve the problem. Because of the wide range of potential youth target groups, some groups may be over- or under-served by the proposal. If priority groups identified by the WIB/YC (e.g., youth offenders) are not being

served at a high enough proportion, increases in those groups and decreases in the proportion of another group can be negotiated.

The last area of negotiation involves performance expectations. Prior to negotiating, the WIB/YC needs to determine that if the contractors meet the performance levels in their proposals the WIB/YC will achieve its performance goals. If it will not, or if it is too close for comfort, then it will be necessary to negotiate the performance levels upward.