

**WESTCHESTER/PUTNAM LOCAL WORKFORCE INVESTMENT AREA
REQUEST FOR QUOTES**

FOR

ELIGIBLE TRAINING PROVIDERS

for

**ADULT, DISLOCATED WORKER and OLDER YOUTH
WORKFORCE INVESTMENT ACT of 1998 (WIA)**

PROGRAM YEAR 2008 and 2009

ISSUE DATE: Thursday, October 1, 2009

DUE DATE: Friday, October 23, 2009 no later than 4:00 pm

ISSUED BY

The Westchester County
Department Of Social Services
Office of Workforce Investment
120 Bloomingdale Road, 2nd Floor
White Plains, New York 10605

ON BEHALF OF:

ANDREW J. SPANO
WESTCHESTER COUNTY EXECUTIVE

The Westchester/Putnam Local Workforce Investment Board
143 Grand Street
White Plains, New York 10605

Kevin P. Mahon, Commissioner, County Department of Social Services
Michael J. Piazza Jr., Commissioner, Putnam County Department of Social Services
Carlos Moran, Deputy Commissioner, Department of Social Services and Director,
Westchester/Putnam Workforce Investment Board
Donnovan Beckford, Director, Westchester County DSS/Office of Workforce Investment

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I. ANNOUNCEMENT

Notice of Solicitation

The Westchester County Department of Social Services Office of Workforce Investment, the Putnam County Department of Social Services and the Putnam Workforce Partnership, on behalf of The Westchester/Putnam Local Workforce Investment Board (“LWIB”), and in accordance with the Workforce Investment Act (WIA) of 1998, is soliciting applications from organizations that desire to apply for initial (new) or subsequent eligibility to provide training services for eligible WIA customers to the LWIB (WIA Sec. 122).. Organizations approved as Training Providers will appear on a list of approved Training Providers that will be used to provide training services to adults, dislocated workers and older youth (19 to 21 years of age) under the provisions of the WIA (WIA Sec.122 and Sec.134 (d) (4) (c)). Preference will be given to the Balance of Westchester and Putnam Workforce area residents. The approved training provider may also be used to provide training for customers eligible under Welfare to Work funding.

The Westchester/Putnam WIB is the lead in the Hudson Valley Green Talent Pipeline, which is a regional initiative focused on green jobs. The Westchester/Putnam WIB is interested in eligible training providers that coordinates, develops and or offers training programs in six key green industries – Green Building, Energy Efficiency, Environmental Policies, Natural Resources, Pollution Prevention, Renewable Energy and Transportation. The Westchester/Putnam WIB is looking to add training providers throughout the Hudson Valley region.

Interested parties may pick up copies of this Request for Quotes at the Westchester County DSS/Office of Workforce Investment, 120 Bloomingdale Rd., White Plains, New York 10605. This RFQ may also be downloaded from the Westchester County Web Site, www.westchestergov.com/wplwis.

TIMETABLE

Date of Issuance: **Thursday, October 1, 2009**

Application Due: **Friday, October 23, 2009 by 4:00 pm**

Contract Start Date on or about: November 1, 2009 through October 31, 2011

Questions and inquiries may be directed in writing via fax and or e-mail to:

Cynthia Ogunniran
Workforce Investment Board
DSS Office of Workforce Investment
120 Bloomingdale Rd., 2nd Floor
White Plains, New York 10605
FAX #: (914) 995-3958
E-mail: cqo1@westchestergov.com

II. BACKGROUND

On August 7, 1998, President Clinton signed into law the Workforce Investment Act (“WIA”). WIA replaced the Job Training Partnership Act as of July 1, 2000. The goal of WIA is “to consolidate, coordinate and improve employment training, literacy and vocational rehabilitation programs in the United States.”

A most important aspect of WIA is its emphasis on customer choice and customer service. The Act requires that services to customers (both individuals and businesses) be provided through a “One-Stop Service Delivery System” in which multiple agencies providing employment services come together to serve the customer. The One-Stop system is the basic delivery system for services to adult, dislocated workers and older youth (19 to 21 years of age) under WIA and Wagner-Peyser. Through these systems, adults, dislocated workers and older youth (19 to 21 years of age) can access a continuum of services designed to identify and overcome barriers to employment. Services are organized into two (2) levels:

- Level I: Core, Core Staff Assisted Services; and Intensive Services; and
- Level II: Training Services, Youth Programs, Supportive and Retention Service.

Customers using the One Stop System may move through the two levels of service as required to meet their employment goals. Customers will first have access to Core and Core Staff Assisted Services including, One Stop System orientation, job search resources, job market information, job listings, workshops, an initial need assessment, and schools/training provider information. Many customers will need to go no further through the system, having met their needs and employment goals solely through access to and the use of Core and Core Staff-Assisted Services.

Level 1 Services under Functional Alignment can consist of the more one-on-one, in depth services needed by those who cannot reach their employment goal through Core Services. Services such as comprehensive assessment, diagnostic testing (i.e. basic skills, career interest, vocational aptitude, etc.), and interviewing techniques will be provided to customers. The development of the Individual Employment Plan with a customer may indicate the need for training. Individual Training Accounts (“ITAs”) will be opened for these customers and may be drawn upon to pay tuition or other training costs for the customer. The case manager will assist the customer in determining the appropriate program course(s) that will help them achieve their employment goal. Training is limited to short term training not to exceed 12 months. However, there might be exceptions to this with regard to certain career ladder programs. All training **must be pre-approved** by appropriate staff and authorized by the Director. Funding **will not be given to anyone who has started training prior to receiving written approval from authorized WIA staff.**

Level II Services commences once the customer begins training. The Case manager will provide supportive and retention services as outlined in the customer’s Employment Plan. Upon successful completion, all training paid for with WIA funding must lead to a certificate, license and or credential. In addition, the customer must be gainfully employed within nine (9) months after completion of training in order for the workforce area to meet their Credential and Employment performance outcome. Training providers must provide case manger with monthly progress reports and work with case manager to ensure customer successfully completes training within the allotted timeframe. Below are the definitions for what constitutes a certificate and credential:

DEFINITIONS OF KEY TERMS

Certificate – *A certificate is awarded in recognition of an individual’s attainment of measurable technical or occupational skills necessary to gain employment or advance within an occupation. These technical or occupational skills are based on standards developed or endorsed by employers. Certificates awarded by workforce investment boards are not included in this definition. Work readiness certificates are also not included in this definition. A certificate is awarded in recognition of an individual’s attainment of technical or occupational skills by:*

- *A state educational agency or a state agency responsible for administering vocational and technical education within a state.*
- *An institution of higher education described in Section 102 of the Higher Education Act (20 USC 1002) that is qualified to participate in the student financial assistance programs authorized by Title IV of that Act. This includes community colleges, proprietary schools, and all other institutions of higher education that are eligible to participate in federal student financial aid programs.*
- *A professional, industry, or employer organization (e.g., National Institute for Automotive Service Excellence certification, National Institute for Metalworking Skills, Inc., Machining Level I credential) or a product manufacturer or developer (e.g., Microsoft Certified Database Administrator, Certified Novell Engineer, Sun Certified Java Programmer) using a valid and reliable assessment of an individual’s knowledge, skills, and abilities.*
- *A registered apprenticeship program.*
- *A public regulatory agency, upon an individual’s fulfillment of educational, work experience, or skill requirements that are legally necessary for an individual to use an occupational or professional title or to practice an occupation or profession (e.g., FAA aviation mechanic certification, state certified asbestos inspector).*
- *A program that has been approved by the Department of Veterans Affairs to offer education benefits to veterans and other eligible persons.*
- *Job Corps centers that issue certificates.*
- *Institutions of higher education which is formally controlled, or has been formally sanctioned or chartered, by the governing body of an Indian tribe or tribes.*

Credential - *A nationally recognized degree or certificate or state/locally recognized credential. Credentials include, but are not limited to, a high school diploma, GED, or other recognized equivalents, post-secondary degrees/certificates, recognized skill standards, and licensure or industry-recognized certificates. States should include all state education agency recognized credentials. In addition, states should work with local workforce investment boards to encourage certificates to recognize successful completion of the training services listed above that are designed to equip individuals to enter or re-enter employment, retain employment, or advance into better employment. (Please note: this term applies to the current WIA statutory adult, dislocated worker, and older youth measures only; it does not apply to the common measures).*

Under WIA, each Local Workforce Investment Area (“LWIA”) must meet negotiated performance standards (see WIA Performance Standards below). In addition, all training related courses must be directly linked to the demand occupation list (see Demand Occupation List below) as identified by the Westchester/Putnam Workforce Investment Board and the customer’s Individual Employment Plan established by the case manager and customer.

WIA PERFORMANCE STANDARDS

▪ **Performance Standards**

All participants receiving services through the One-Stop System are tracked to determine LWIA compliance with performance standards. The following are the proposed performance measures for Adults and Dislocated Workers for the Westchester/Putnam Local Workforce Investment Area for PY-2008.

WIA PERFORMANCE MEASURES	ADULTS	DISLOCATED WORKER	OLDER YOUTH
Entered Employment	80%	85%	85%
Employment Retention	85%	90%	80%
Average Earnings Gain	\$11,300	\$15,000	N/A
Average Earnings Change	N/A	N/A	\$3,000
Employment & Credential	75%	70%	60%
Customer Satisfaction (participants)	85%	85%	85%
Customer Satisfaction (employers)	85%	85%	85%

**WESTCHESTER/PUTNAM WORKFORCE AREA
DEMAND OCCUPATION LIST**

Security

- Correctional Officers & Jailers
- Police & Sheriff's Patrol Officers
- Security Guards

Education

- Post Secondary Teachers, all other
- Elementary School Teachers, except Special Education
- Secondary School Teachers, except Spec/Voc.
- Librarians
- Library Technicians
- Library Assistants, Clerical
- Teacher Assistants

Home/Health Care/Medical/Dental

- Registered Nurses
- Licensed Practical & Licensed Voc. Nurse
- Home Health Aides
- Nursing Aides/orderlies & Attendants
- Dental Assistants
- Medical Assistants
- Child Care Workers
- Personal & Home Care Aides
- Respiratory Care Technicians
- OR Scrub Technician
- Physical Therapy Assistants
- Pharmacy Technicians
- Radiological Technicians
- Nuclear Medicine Technicians

Financial & Related Activities

- Financial Managers
- Accountants & Auditors
- Personal Financial Advisors
- Securities, Comm. & Financial Services Agents
- Bookkeeping, Accounting, and Auditing Clerks
- Tellers
- Brokerage Clerks

Transportation/Motor Vehicle Services

- Flight Attendants
- Reservation & Transportation Ticket Agents
- Aircraft Mechanics & Service Technicians
- Automotive Service Technicians & Mechanics
- Airline Pilots, Co-Pilots & Flight Engineers
- Bus Drivers, Transit and Intercity
- Bus Driver, School
- Truck Drivers, Heavy and Tractor Trailer
- Truck Drivers, Light or Delivery Services
- Chauffeurs

Retail/Customer Service/Hospitality/Culinary

- Waiters and Waitresses
- Food Preparers/Cooks
- Chefs
- Mgrs of Retail Sales Workers
- Cashiers
- Parts Salespersons
- Retail Salespersons
- Sales Rep., Wholesale & Mfg., except tech/sci.
- Real Estate Sales Agents
- Customer Service Representatives
- Hotel, Motel, and Resort Desk Clerks
- Janitors & Cleaners, except Maids/House Cleaners
- Landscaping and Grounds keeping Workers
- Couriers and Messengers

Office/Admin. Support

- Human Resources, Training & Labor Rel. Spec.
- Receptionist & Information Clerks
- Executive Secretaries & Administrative Asst.
- Secretaries, except Legal, Medical & Executive
- Office Clerks, General
- Construction Managers
- Supvrs/Mgrs of Office & Admin. Support Workers
- Mgrs. of Construction Trades & Extraction Workers
- Supervisors/Mgrs. of Product & Operating Workers

Trades/Laborers

- Carpenters
- Construction laborers
- Electrician
- Plumbers, Pipefitters and Steamfitters
- Hazardous Material Removal Workers
- Home Appliance Repairers
- Cabinetmakers and Bench Carpenters
Hand
- Refuse and Recyclable Material Collectors
- General Maintenance & Repair Workers
- Team Assemblers
- Woodworking Machine Setters, Operators &
Tenders, except Sawing
- Laborers & Freight & Material Movers,
Furniture Finishers

Counseling/Social Services

- Social Worker
- Alcohol/Substance Abuse Counselor
- Community Outreach Worker

Technology

- Systems Analyst
- Computer Programmers
- Database Administrators
- Computer Programmer Aides

The above list is subject to revision, as new data becomes available on the demand occupations in the Westchester/Putnam Workforce area.

This Request for Quotes is being used to solicit applications from interested, qualified training providers, who wish to be determined either initially eligible or subsequently by the Local Workforce Investment Board and by the New York State Department of Labor to provide training services and be reimbursed for such services through the Individual Training Accounts (ITAs). Each training provider must submit an application for each training course that it plans to offer. Approval of the programs will result in the provider being placed on a State list of approved vendors and training programs that will be used on an as needed basis to meet the training needs of One Stop System Customers.

Initial eligibility will be good for eighteen (18) months. The contract can be extended up to one (1) additional year based on available funding, training provider's performance outcomes and report card.

Westchester County, Putnam County, The Department of Social Services Office of Workforce Investment, the Putnam County Department of Social Services, and the LWIB are committed to a policy, which extends services to all individuals without discrimination on the basis of race, color, creed, handicap, national origin, sex, age, religion, political affiliation or belief, or citizenship. Westchester County, Putnam County, the DSS/OWI and the LWIB takes Affirmative Action to ensure that service is extended equitably and adheres to all applicable Equal Employment Opportunity (EEO) Federal legislation.

Please note that training programs and worksites must be accessible to the disabled in accordance with the Americans with Disabilities Act.

III. APPLICATION PROCESS - Initial & Subsequent Eligibility

- A.** The process for initial and subsequent eligibility determination is contained in the Workforce Investment Act of 1998, Section 122 (b) and Section 122 (c), respectively.

NYSDOL has established a web-based application process that consists of a Provider Initial and Subsequent Eligibility Application Form and an Offering/Program Initial Eligibility Application Form. These application forms will be available on the Internet along with an Authorized Signature Form and instructions. Organizations applying for approval as training providers will be able to submit applications directly to the NYSDOL by completing both the Provider Subsequent Eligibility form and the Offerings/Program Initial Eligibility Application Form electronically. (See Attachment A)

- B.** If the LWIB determines that the provider meets the initial eligibility requirement, the provider and program name will be added to the local list of eligible training providers, which will then be submitted to The New York State Department of Labor ("NYSDOL"). The State will review and verify the information and, if acceptable, will add the provider name and program to the State list of approved training providers. The training provider will be required to submit annual program performance data, which will be reviewed by the LWIB and NYSDOL. Those that meet expected performance levels will be retained on the LWIA's and on the State list of approved vendors
- C.** NYSDOL has established a web-based application process that consists of a Provider Initial and Subsequent Eligibility Application Form and an Offering/Program Initial Eligibility Application Form. These application forms will be available on the Internet along with an Authorized Signature Form and instructions. Organizations applying for approval as training providers will be able to submit applications directly to the NYSDOL by completing both the Provider Subsequent Eligibility form and the Offerings/Program Initial Eligibility Application Form electronically.

Subsequent Eligibility Review Process

- D. Policy:** As required by Section 122 of WIA and its associated regulations, the State established a procedure for Local Board use in determining the subsequent eligibility of a training provider to remain on the State ETP list after the period of initial eligibility. During the subsequent eligibility process, providers must submit, via the web-based application, performance and program cost information for offerings that have been on the state list for at least 18 months. The Local Board may retain provider offerings on the ETP list that they determine have met minimum levels of performance as established by their local area.

Local Board's role: When recommending a training provider and its offerings remain on the ETP list the local Board must consider the following:

- Specific economic, geographic and demographic factors in the local area and the characteristics of the population to be served
- Program-specific performance information and attainment submitted by the provider
- Program-specific cost information per WIA Section 122
- Compliance with the license, certification, registration or approval required by the appropriate State and/or Federal oversight agency to provide the training
- LWIB experience and customer satisfaction with provider
- Training needs of the local area
- Evaluation criteria identified on Attachment C, Subsequent Eligibility Evaluation Checklist.
- Any other information that may be relevant in determining subsequent eligibility status.

State role: Within two weeks of the release date of this Technical Advisory, all training providers with offerings due for review will be notified via email from NYSDOL's Research and Statistics Division that their offering is due for subsequent eligibility review by the LWIB. Providers will be directed to the ETP website where they must provide required data for each offering. When the subsequent eligibility application has been completed by the provider, the LWIB will be notified to review the offering information.

An email notification will alert the LWIB that the provider offerings are subject to a subsequent eligibility review. Additional information may be requested from providers as deemed necessary by the LWIB.

When the LWIB makes the determination of subsequent eligibility regarding the offering, the training provider will be notified of the status via email. The ETP website will update the status of the offering to note that it has met the subsequent eligibility criteria established by the Local Board.

Subsequent Eligibility Application Process: Attached are instructions for implementing the subsequent eligibility review process. Attachment B, Subsequent Eligibility Review Process for the Eligible Training Provider List, offers a starting point for LWIB review. It should not be considered all-inclusive; LWIBs are encouraged to consider any and all information that may be available to them about a provider and its offerings when completing the subsequent eligibility review. Attachment B is also the vehicle through which the LWIB must record its decision regarding the suitability of the provider and its offerings to remain on the ETP list. Attachment C, ETP Subsequent Eligibility Evaluation Checklist, includes suggested elements for the LWIB to consider during the subsequent eligibility reviews.

- LWIB Initial and Subsequent Eligibility Status
- LWIBs may use four designations when reviewing an application:
- Approve – Offering has met all local requirements and may be added to, or retained on, the State list and is eligible for WIA ITA funds
- Deny – Offering has not met all local requirements and will not be added to, or will be deleted from, the State list
- Pending – LWIB has requested and is awaiting additional information on the provider or its offering

- N/A – Offering will be submitted to the State for inclusion on the State list but is determined to be not applicable to WIA funding

In accordance with NYS’s Two Years of the Strategic Five Year State Plan for Title 1 of the Workforce Investment Act and Wagner-Peyser Act, the recommendation to deny the eligibility of an offering may originate from either the LWIB or NYSDOL. Training providers must be notified in writing of a decision to deny eligibility status to an offering. Eligibility may be denied/terminated for the following reasons:

- The training provider does not have appropriate State and/or Federal approval to operate.
- The application is not complete or is not submitted in a timely manner.
- The offering does not meet the definition of WIA training services.
- Required performance data is not included with the application or the performance data does not meet established performance levels.
- The training provider is delinquent in delivery of reports, payment of debt, or otherwise out of compliance with the Act, regulations, or any agreement executed under WIA.
- The training provider is not current in the payment of unemployment insurance contributions or reimbursements, or is in violation of State Labor Law, or any other requirement for training program under the Act is not met.
- The training provider intentionally supplied inaccurate information.
- The training provider substantially violated any requirement under the Act.
- Failure to demonstrate the business capacity or integrity to successfully deliver training.

Action: LWIBs must assure that the local area has:

- initial and subsequent eligibility policies in place;
- made those policies accessible to One Stop staff and the general public through inclusion in their Comprehensive Three Year Local Plan and posting on the ETP and local area websites; and
- fully implemented the initial and subsequent eligibility review processes outlined in this Technical Advisory

E. Hard copies of the forms requiring signature are included with this RFQ. You must provide us with hard copy of all forms. Please submit three hard copies of the applications along with three copies (original and two copies) of the signature forms listed below, to the Office of Workforce Investment.

F. When submitting your application the following material and forms that are included in the RFQ MUST be fully completed and returned as part of the Application. Training providers must submit three (3) hard copies of these forms (one original and two copies), for the LWIB to review. Please submit three (3) packets (one original and two copies), of the forms and material listed below.

- Applicant Certification
- A copy of the authorized signature form
- Certification Regarding Debarment, Lobbying, Suspension, and Drug -Free Workplace
- Certification of Compliance with Specifications
- Certification of Assurance of Qualifications of Staff

- Minority Business Questionnaire
- Three (3) Current Catalogs depicting, course titles, descriptions, schedules, application requirements, tuition rates, refund and cancellation policy.

Each packet submitted (Original and two copies) must have an original with original signatures. The diskette or hard copy of the NYSDOL application forms, signature forms, catalogues and supporting material should be submitted to Cynthia Ogunniran at the Westchester County DSS/Office of Workforce Investment at 120 Bloomingdale Road, White Plains, New York 10605.

***For approved vendors:**

Approved vendors must provide for each training site a \$1,000,000 combined single limit General Liability Insurance Certificate naming “the County of Westchester, its officers, employees, and agents as additional insured”.

Approved vendors must provide Workers’ Compensation insurance coverage for all employees engaged in work as employees as defined by New York State law. In the event that coverage is not provided under the New York State worker’s compensation laws, the Contractor must provide adequate on-site medical and accident insurance for work-related activities (e.g. work experience, internship), if any, and for classroom training and other follow-up program training activities.

IV. GENERAL PROVISIONS

1. Each contracting agency must agree that all information shall be protected from unauthorized disclosures. In addition, the agency must agree to guard the confidentiality of recipient information. Access to recipient identifying information shall be limited by the agency to persons or agencies which require the information in order to perform their duties in accordance with any agreements, including New York State, Westchester County, Putnam County or the United States government.
2. The referral of customers to organizations approved eligible, as training providers as a result of a response to this RFQ will be contingent on the availability of WIA funds.
3. This RFQ is for Initial Eligibility or Subsequent Eligibility as an approved training provider in program year 2006. Organizations approved by the LWIB and NYSDOL as training providers will be required to enter into an agreement of Terms and Conditions with Westchester County. . Training providers servicing customers in Putnam County may be required to enter into an agreement of Terms and Conditions with Putnam County. Organizations determined initially eligible as training providers will be required to submit yearly subsequent eligibility application after the 12 month initial eligibility period ends, and to provide program performance statistics as required by the LWIB and NYSDOL (WIA Sec.122. (c))

V. LEGAL UNDERSTANDINGS

Please take notice, by submission of an application to this RFQ, the applicant agrees to and understands:

- Submission of an application, attachments, and additional information shall not entitle the applicant to enter into a service agreement with either the County of Westchester or the County of Putnam, their respective elected officials, officers, employees, agents, boards and/or departments (hereinafter collectively the “County”) for the required services;

- By submitting an application, the applicant agrees and understands that the County is not obligated to respond to the application, nor is it legally bound in any manner whatsoever by submission of same;
- That any and all counter proposals, negotiations or any communications whatsoever received by an applicant, its officers, employees or agents, from the County, shall not be binding against the County unless and until a formal written agreement for the services sought by this RFQ is duly executed by both parties and approved by the LWIB, the NYSDOL, the Westchester County Board of Acquisition & Contract and the Office of the Westchester County Attorney.
- This RFQ does not commit the County or the LWIB to award any contract, to pay any costs incurred in the presentation of a response to this request, or to procure any contract for training and/or services. The County and the LWIB have the right to accept, reject or modify any or all responses received as a result of this request.
- Any responses not containing ALL required forms, with correct signatures, may not be considered for approval.
- The County assumes no responsibility or liability for costs incurred in the preparation or submission of any application hereunder. The County is not responsible for any internal or external delivery delays, which may cause any applications to arrive beyond the stated deadline. To be considered, applications must arrive at the place specified herein and be time stamped prior to the deadline. Applications must include ALL of the forms attached to this RFQ. All forms must have original signatures. Unsigned applications will be rejected. Applicants may be required to give an oral presentation to the Office of Workforce Investment and/or the Local Workforce Investment Board to clarify or elaborate on the written application.
- Requests for clarification of this RFQ must be in writing and submitted to Cynthia Ogunniran at the address set forth on page “4” of this RFQ no later than 12 pm on **Friday, October 9, 2009**. Formal written responses will be distributed by the County on or before **Tuesday, October 13, 2009**. **NO COMMUNICATION OF ANY KIND WILL BE BINDING AGAINST THE COUNTY, EXCEPT FOR THE FORMAL WRITTEN RESPONSES TO ANY REQUEST FOR CLARIFICATION.**
- Applications must include all of the forms contained in this RFQ. All forms must have original signatures. Unsigned applications will be rejected. Applicants may be required to give an oral presentation to the Office of Workforce Investment and/or the Local Workforce Investment Board to clarify or elaborate on the written application.
- The County reserves the right to weigh its evaluation criteria for applications in any manner it deems appropriate. The County reserves the right to reject any or all of the applications submitted.
- No application will be accepted from, nor any agreement awarded to, any applicant that is in arrears upon any dept or in default of any obligation owed to the County. Additionally, no agreement will be awarded to any applicant that has failed to satisfactorily perform pursuant to any prior agreement with the County. All applications (materials) submitted in response to this RFQ shall remain the property of Westchester County.
- The County of Westchester reserves, and may in its sole discretion exercise, the following rights and options with respect to this Request for Quotes (RFQ):

- a. to reject any or all applications;
- b. to issue additional solicitations for applications and/or addenda to this RFQ;
- c. to waive any irregularities in applications received after notification to applicants affected
- d. to select any application as the basis for negotiations of a contract, and to negotiate with applicants for amendments or other modifications to their applications;
- e. to conduct desk, on-site, file reviews with respect to the qualifications of each WIA applicant;
- f. to exercise its discretion and apply its judgment with respect to any aspect of this RFQ, the evaluation of applications, and the negotiation and award of any contract;
- g. to enter into an agreement for only portions (or not to enter into an agreement for any) of the services contemplated by the applications;
- h. to select the applications that best satisfies the interests of the County and not necessarily on the basis of price or any other single factor.
- i. Program costs and content as they are published and offered to the general public will apply to WIA customers. Program costs and content changes will be made public and apply to non-WIA and WIA customers. Westchester/Putnam Local Workforce Investment Board must be notified immediately of changes in program costs and content.
- j. to terminate relationship due to non-performance.

VI. CONTRACT

After selection of the successful applicants, a formal written contract will be prepared by the County of Westchester and will not be binding until signed by both parties and approved by the LWIB, the NYSDOL, and the Westchester County Board of Acquisition & Contract and the Office of the County Attorney. **NO RIGHTS SHALL ACCRUE TO ANY APPLICANT BY THE FACT THAT AN APPLICATION HAS BEEN SELECTED BY THE COUNTY FOR SUBMISSION TO THE LWIB OR THE BOARD OF ACQUISITION & CONTRACT FOR CONTRACT APPROVAL. SAID BOARDS HAVE THE RIGHT TO REJECT ANY RECOMMENDATION AND THE APPROVAL OF SAID BOARDS IS NECESSARY BEFORE A VALID AND BIDDING CONTRACT MAY BE EXECUTED BY THE COUNTY.**

CHECKLIST

AGENCY _____

Application Number _____

1. _____ Current Catalogs (3)
2. _____ Applicant Certification
3. _____ Authorization Signature
4. _____ Certification of Drug Free Workplace
5. _____ Certification of Lobbying
6. _____ Certification of Debarment and Suspension
7. _____ Certification of Compliance with Specifications
8. _____ Certification of Assurance of Qualifications of Staff
9. _____ Minority Business Questionnaire
10. _____ Disclosure of Relationships to Westchester County
11. _____ Proof that NYSDOL Web-based Application was submitted
12. _____ A copy of a Certificate of **General Liability Insurance and Worker's Compensation coverage**
13. _____ Workmen's Compensation coverage
Westchester County must be named as a Certificate Holder

Applications that do not contain all the required forms will not be reviewed or considered for eligibility. Please be sure to include all information requested. Use this checklist to make sure that you have all of the required pieces included in your proposal.

APPLICANT CERTIFICATION

The undersigned agrees and understands that this application and all attachments, additional information, etc. submitted herewith constitute merely an offer to have the Westchester County Department of Social Services Office of Workforce Investment, the Putnam County Department of Social Services and the Putnam Workforce Partnership, on behalf of the Westchester/Putnam Local Workforce Investment Board (the “County”) review the application, and is NOT A BID. Submission of this application, attachments, and additional information shall not obligate or entitle the applicant to enter into a contract for training services with the County. The undersigned agrees and understands that the County is not obligated to respond to this application nor is it legally bound in any manner whatsoever by the submission of same. Further, the undersigned agrees and understands that this application shall not be binding or valid against the County, its directors, officers, employees or agents unless and until an agreement is signed by a duly authorized officer of the County and approved by the LWIB, the NYSDOL, the Westchester County Board of A&C, and the Office of the Westchester County Attorney.

It is understood and agreed that the County reserves the right to reject consideration of any and all applications including, but not limited to, applications which are conditional or incomplete. It is further understood and agreed that the County reserves all rights specified in the RFQ.

It is represented and warranted by those submitting this application that except as disclosed in the application, no officer or employee of the County is directly or indirectly a party to or in any other manner interested in this application or any subsequent service agreement that may be entered into.

Applicant’s Name (Print)

By: _____

Name and Title

Date: _____

AUTHORIZED SIGNATURE SHEET

The applicant hereby certifies that the information in the application is correct to the best of her/his knowledge and belief, and that projected costs are reasonable and necessary for the operation of the proposed program. The applicant further certifies that projected costs are not a duplication of funds already available or which will be available from other sources.

Legal Name of Organization _____

Telephone Number _____

Address _____

The following individual(s) has/have the authority to negotiate and contractually bind the applicant, and may be contacted during the period of proposal evaluation.

Name _____ Title _____

Address _____

Telephone Number _____

Name _____ Title _____

Address _____

Telephone Number _____

Signature of Authorized Representative Date _____

Typed Name & Title of Authorized Representative

**CERTIFICATION REGARDING
DRUG-FREE WORKPLACE REQUIREMENTS
GRANTEES OTHER THAN INDIVIDUALS**

This certification is required by regulations implementing Section 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41U.S.C. 701 et seq.). 7 CFR Part 3017, Subpart F, Section 3017.600 and 45 CFR Part 76, Subpart F. The January 31, 1989 regulations were amended and published as Part II of the May 25, 1990 Federal Register (Page 21681-21691).

The grantee certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about:
 - (1) The dangers of drug abuse in the workplace;
 - (2) The grantee's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and,
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will:
 - (1) Abide by the terms of the statement; and,
 - (2) Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- (e) Notifying the agency within ten days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under subparagraph (d) (2), with respect to any employee who is so convicted:
 - (1) Taking appropriate personnel action against such an employee, up to and including termination; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraph (a), (b), (c), (d), (e) and (f).

Organization

Authorized Signature

Title

Date

CERTIFICATION REGARDING LOBBYING

**CERTIFICATION FOR CONTRACTS, GRANTS, LOANS,
AND COOPERATIVE AGREEMENTS**

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Organization

Authorized Signature

Title

Date

NOTE: If Disclosure Forms are required, please contact: Mr. Will Sexton, Deputy Director, Grants and Contracts Management Division, Room 341F, HHH Building, 200 Independence Avenue, SW, Washington, D.C. 20201-0001

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

- 1) As required by Federal Executive Order 12549, and prescribed by federal regulations, including 40 CRF Part 32, the contractor certifies that it, and its principals:
 - (a) Are not presently disbarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded by any Federal department or agency;
 - (b) Have not within a 3-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction, including any violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - (c) Are not presently indicted for or otherwise criminally or civilly charged by a Government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (b) above; and
 - (d) Have not within a 3-year period preceding this application/proposal had one or more public transactions (Federal, State or local) terminated for cause or default.

- 2) Where the Contractor is unable to certify to any of the statements in this paragraph, the Contractor shall attach an explanation to this certification.

Date: _____

Signature

TITLE

ORGANIZATION

CERTIFICATION OF COMPLIANCE WITH SPECIFICATIONS

This is to certify that, to the best of the undersigned's knowledge and belief, the data in this application is responsive to the specifications and is true and correct. The undersigned understands that non-responsive applications, as determined by the Westchester/Putnam Local Workforce Investment Board, Westchester County DSS/Office of Workforce Investment or The Putnam County Department of Social Services, may not be reviewed for consideration. Further, the submission of this application shall comply with the requirement of NYSDOL web-based application and the requirements for initial application as set forth in the Workforce Investment Act of 1998 (WIA Sec. 122 (c)).

Name and Title

Signature

Date

CERTIFICATION OF ASSURANCE OF QUALIFICATIONS OF STAFF

This is to certify that, to the best of the undersigned's knowledge and belief, all staff hired, meet the minimum requirements for their respective positions, and conform to the requirements as set forth by the State Education Department or similar regulatory agency (e.g. DMV regarding truck driver/commercial driver training, etc.,) having oversight of training agencies.

Name and Title

Signature

Date

For Informational Purposes Only

**QUESTIONNAIRE REGARDING BUSINESS ENTERPRISES
OWNED AND CONTROLLED BY PERSONS OF COLOR OR WOMEN**

As part of the County’s program to encourage the meaningful and significant participation of business enterprises owned and controlled by persons of color or women in County contracts, and in furtherance of Local Law No. 27-1997 we request that you answer the questions listed below.

The term persons of color means a United States citizen or permanent resident alien who is and can demonstrate membership of one of the following groups: (a) Black persons having origins in any of the Black African racial groups; (b) Hispanic persons of Mexican, Puerto Rican, Dominican, Cuban, Central or South American descent of either Indian or Hispanic origin regardless of race; (c) Native American or Alaskan native persons having origins in any of the original peoples of North American; or (d) Asian or Pacific Islander persons having origins in any of the Far East countries, South East Asia, the Indian sub-continent or the Pacific Islands.

An enterprise owned and controlled by persons of color or women means a business enterprise including a sole proprietorship, limited liability partnership, partnership, limited liability corporation or corporation that is (a.) at least 51% owned by one or more persons of color or women; (b.) an enterprise in which such ownership by persons of color or women is real, substantial and continuing; (c.) an enterprise in which such ownership interest by persons of color or women has and exercises the authority to control and operate, independently, the day-to-day business decisions of the enterprise; and (d.) an enterprise authorized to do business in this state which is independently owned and operated.

In addition, a business enterprise owned and controlled by persons of color or women shall be deemed to include any business enterprise certified as an MBE or WBE pursuant to Article 15-a of the New York State Executive Law and implementing regulations, 9 NYCRR subtitle N Part 540 et seq., or as a small disadvantaged business concern pursuant to the Small Business Act, 15 U.S.C. 631 et seq., and the relevant provisions of the Code of Federal Regulations as amended.

1. Are you a business enterprise which is owned and controlled by persons of color or women in accordance with the standards listed above?

- No
- Yes (as a business owned and controlled by persons of color)
- Yes (as a business owned and controlled by women)

2. If you are a business owned and controlled by persons of color, please specify, the minority classifications which apply: _____

3. Are you certified with the State of New York as a minority business enterprise (“MBE”) or a women business enterprise (“WBE”)?

- No
- Yes (as a MBE)
- Yes (as a WBE)

4. If you are certified with the State of New York as an MBE, please specify the minority classifications which apply: _____

5. Are you certified with the Federal Government as a small disadvantaged business concern?
_____ No
_____ Yes

Name of Firm/Business Enterprise: _____

Address: _____

Name/Title of Person completing MBE/WBE Questionnaire: _____

Signature: _____

REQUIRED DISCLOSURE OF RELATIONSHIPS TO COUNTY

(Prior to execution of a contract by the County, a potential County contractor must complete, sign and return this form to the County)

Contract Name and/or ID No.:

(To be filled in by County)

Name of Contractor:

(To be filled in by Contractor)

A.) Related Employees:

- 1. Are any of the employees that you will use to carry out this contract with Westchester County also an officer or employee of the County, or the spouse, or the child or dependent of such County officer or employee?

Yes _____ No _____

If yes, please provide details: _____

B.) Related Owners:

- 1. If you are the owner of the Contractor, are you or your spouse, an officer or employee of the County?

Yes _____ No _____

If yes, please provide details: _____

To answer the following question, the following definition of the word "interest" shall be used:

Interest means a direct or indirect pecuniary or material benefit accruing to a county officer or employee, his or her spouse, child or dependent, whether as the result of a contract with the county or otherwise. For the purpose of this chapter, a county officer or employee shall be deemed to have an "interest" in the contract of:

- i. His/her spouse, children and dependents, except a contract of employment with the county;
- ii. A firm, partnership or association of which such officer or employee is a member or employee;
- iii. A corporation of which such officer or employee is an officer, director or employee; and
- iv. A corporation of which more than five (5) percent of the outstanding capital stock is owned by any of the aforesaid parties.

2. Do any officers or employees of the County have an **interest** in the Contractor or in any subcontractor that will be used for this contract?

Yes _____ No _____

If yes, please provide details: _____

Authorized Company Official shall sign below and type or print information below the signature line:

Signature

Title:

Date: _____

STANDARD INSURANCE PROVISIONS
(CONTRACTOR)

1. Prior to commencing work, the Contractor shall obtain at its own cost and expense the required insurance from insurance companies licensed in the State of New York, carrying a Best's financial rating of A or better, and shall provide evidence of such insurance to the County of Westchester, as may be required and approved by the Director of Risk Management of the County. The policies or certificates thereof shall provide that thirty days prior to cancellation or material change in the policy, notices of same shall be given to the Director of Risk Management of the County of Westchester by registered mail, return receipt requested, for all of the following stated insurance policies. All notices shall name the Contractor and identify the Agreement.

If at any time any of the policies required herein shall be or become unsatisfactory to the County, as to form or substance, or if a company issuing any such policy shall be or become unsatisfactory to the County, the Contractor shall upon notice to that effect from the County, promptly obtain a new policy, submit the same to the Department of Risk Management of the County of Westchester for approval and submit a certificate thereof. Upon failure of the Contractor to furnish, deliver and maintain such insurance, the Agreement, at the election of the County, may be declared suspended, discontinued or terminated. Failure of the Contractor to take out, maintain, or the taking out or maintenance of any required insurance, shall not relieve the Contractor from any liability under the Agreement, nor shall the insurance requirements be construed to conflict with or otherwise limit the contractual obligations of the Contractor concerning indemnification. All property losses shall be made payable to and adjusted with the County.

In the event that claims, for which the County may be liable, in excess of the insured amounts provided herein are filed by reason of any operations under the Agreement, the amount of excess of such claims or any portion thereof, may be withheld from payment due or to become due the Contractor until such time as the Contractor shall furnish such additional security covering such claims in form satisfactory to the County of Westchester.

2. The Contractor shall provide proof of the following coverage (if additional coverage is required for a specific agreement, those requirements will be described in the "Special Conditions" of the contract specifications):

(a) Workers' Compensation. Certificate form C-105.2 or State Fund Insurance Company form U-26.3 is required for proof of compliance with the New York State Workers' Compensation Law.

State Workers' Compensation Board form DB-120.1 is required for proof of compliance with the New York State Disability Benefits Law. Location of operation shall be "All locations in Westchester County, New York."

(Where an applicant claims to not be required to carry either a Workers' Compensation Policy or Disability Benefits' Policy, or both, a temporary permit may be issued if the employer completes form C-105.2 in duplicate. A copy of form C-105.2 is sent to the Worker's Compensation Board, Information Unit for investigation and report.)

If the employer is self-insured for Worker's Compensation, he should present a certificate from the New York State Worker's Compensation Board evidencing that fact.

(b) Employer's Liability with minimum limit of \$100,000.

(c) General Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and \$100,000 for property damage or a combined single limit of \$1,000,000 (c.s.1), naming the County of Westchester as an additional insured. This insurance shall indicate on the certificate of insurance the following coverages:

- (i) Premises - Operations.
- (ii) Broad Form Contractual.
- (iii) Independent Contractor and Sub-Contractor.
- (iv) Products and Completed Operations.

All Contracts involving the use of explosives and demolition shall provide the above coverage with elimination of the XCU exclusion from the policy, or proof that XCU is covered.

(d) Automobile Liability Insurance with a minimum limit of liability per occurrence of \$1,000,000 for bodily injury and a minimum limit of \$100,000 per occurrence for property damage or a combined single limit of \$1,000,000 unless otherwise indicated in the contract specifications. This insurance shall include for bodily injury and property damage the following coverages:

- (i) Owned automobiles.
- (ii) Hired automobiles.
- (iii) Non-owned automobiles.

3. All policies and certificates of insurance of the Contractor shall contain the following clauses:

(a) Insurers shall have no right to recovery or subrogation against the County of Westchester (including its employees and other agents and agencies), it being the intention of the parties that the insurance policies so effected shall protect both parties and be primary coverage for any and all losses covered by the above-described insurance.

(b) The clause "other insurance provisions" in a policy in which the County of Westchester is named as an insured, shall not apply to the County of Westchester.

(c) The insurance companies issuing the policy or policies shall have no recourse against the County of Westchester (including its agents and agencies as aforesaid) for payment of any premiums or for assessments under any form of policy.

(d) Any and all deductibles in the above described insurance policies shall be assumed by and be for the account of, and at the sole risk of, the Contractor.

