



Request for Proposals

Fiscal and Program Compliance Monitoring Services

ISSUE DATE: March 7, 2023, 1:00 P.M., CST

RESPONSE DEADLINE: Thursday, April 6, 2023, (Noon) 12:00 P.M., CDT

Workforce Solutions Greater Dallas is an equal opportunity employer/program and proud partner of the American Job Center Network. Auxiliary aids are available upon request, for persons with disabilities. TTY:214-745-1054. Funding received by the TWC and through the Departments of Labor, Health, Education and Agriculture. 100% of paid costs would be from Federal Funds. It is not anticipated that non-governmental funds will be involved. *This RFP solicitation is conducted to comply with federal procurement procedures. It contains the necessary background, requirements, instructions, and information for responding to this RFP.*

INTRODUCTION

About Us

Workforce Solutions Greater Dallas (WFSDallas) is a non-profit organization that administers and acts as fiscal agent for programs consolidated at the local level and is responsible and accountable for the management of all workforce development funds made available to the local workforce development area. WFSDallas administers contracts and activities with a budget of approximately \$180M annually. WFSDallas is a tax-exempt organization. Please see our WFSDallas website (www.wfsdallas.com) to learn more about workforce programs, our governance and Board of Directors, and other pertinent information.

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PART 1. GENERAL INFORMATION

1.1 PURPOSE OF REQUEST FOR PROPOSALS (RFP)

The Dallas County Local Workforce Development Board, Inc. d.b.a Workforce Solutions Greater Dallas (WFSDallas) is soliciting proposals from interested parties for fiscal and program compliance monitoring of the WFSDallas subrecipients/contractors/vendors. These organizations are providing the following services, **but not limited to**:

- Child Care Services (CCS) – *Child Care Fund, Child Care Service Industry Recovery, Child Care Local Initiative, Child Care DFPS, Child Care Quality and Texas Rising Star Contracted Slots Pilot Program*
- Workforce Innovation and Opportunity Act (WIOA) – *Youth, Adult and Dislocated Worker*
- Supplemental Nutritional Assistance Program – Employment and Training (SNAP)
- Temporary Assistance for Needy Families (Choices) to include Noncustodial Parent Choices Program
- Employment Services (ES)
- Rapid Response
- Trade Adjustment Assistance (TAA)
- Adult Education and Literacy (AEL)
- Reemployment Services and Eligibility Assessment (RESEA)
- Vocational Rehabilitation (Summer Earn and Learn, & Student Hireability Navigator)
- Special Reviews

This Request for Proposal (RFP) provides a uniform method for the procurement of the services to support program compliance of programs administered in Dallas County, Texas. It contains the necessary background, requirements, information, instructions, and forms for responding to this RFP.

Obligations under this RFP are conditional upon the availability of funds. Performance and obligations under this RFP are contingent upon an annual appropriation by the United States Congress that is permitted with the United States Department of Labor and the Texas Workforce Commission to contract for services. WFSDallas reserves the right to terminate or adjust this RFP to conform to available funds.

1.2 SERVICES SOLICITED

This RFP solicits services for Fiscal and Program Compliance monitoring for WFSDallas subrecipients/contractors/vendors. The monitoring will be conducted for the fiscal/program years in compliance with the most recent Federal and State guidance (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: <http://www.ecfr.gov/cgi-bin/retrieveECFR?gp=1&ty=HTML&h=L&n=pt2.1.200&r=PART>). WFSDallas will engage individual(s)/firm(s)/organization(s) to carry out the monitoring services. **Proposers may bid on program or/and fiscal monitoring services. If proposer will be bidding on both Fiscal and Program Compliance monitoring services, proposer must provide separate proposals for consideration.**

- In accordance with [40 TAC §802.62](#), monitoring activities should ensure that programs achieve intended results, resources are efficiently and effectively used for authorized purposes, and resources are protected from waste, fraud, and abuse. Program and fiscal monitoring must be performed to ensure compliance with applicable federal and state rule/policy. The following objectives must be achieved:
- Determine that expenditures have been charged to the cost categories and within the cost limitations specified in the applicable laws and regulations
- Determine whether there is compliance with provisions of applicable laws and regulations, contract provisions, uniform administrative requirements for grants and agreements as promulgated in the circulars or rules of the Office of Management and Budget, and official directives including
 - U.S. Department of Labor Training and Employment Guidance Letters (TEGLs)
 - U.S. Department of Labor Training and Employment Informational Notices (TEINs)
 - U.S. Department of Health and Human Services Guidance Letters
- Texas Workforce Commission Workforce Development Letters
- Provide technical assistance as necessary and appropriate

Monitoring must include the development and implementation of a risk assessment tool ([Section 19.2](#) of the FMGC), monitoring plan ([Section 19.3](#) of the FMGC), monitoring program (*virtual and onsite*) ([Section 19.4](#) of the FMGC), and reporting & resolution process ([Section 19.5](#) of the FMGC). In accordance with Texas Government Code Section 2308.303, WFSDallas ensures a monitoring system that evaluates effectiveness to help ensure performance is consistent with state and local goals and objectives. Timely billing and report production are critical to successful monitoring activities. In your description of proposed services, please incorporate how you will ensure timeliness.

A. FISCAL MONITORING SERVICES

In compliance with 40 TAC Section 802.83, fiscal monitoring services must include a risk assessment, development of monitoring plan, implementation of monitoring plan, outcomes report, report production, resolution process, and development of monitoring instrument that will be approved by WFSDallas. Details on these solicited services to respond to the RFP will be provided in Part 3.5 of this RFP.

B. PROGRAM COMPLIANCE MONITORING SERVICES

Program Compliance monitoring services must include a risk assessment, development of monitoring plan, implementation of monitoring plan, report production, resolutions process, and development of monitoring instrument that will be approved by the WFSDallas. Details on these solicited services to respond to the RFP will be provided in Part 3.5 of this RFP.

The monitoring respondent(s) selected will work with the WFSDallas and its subrecipients/contractors/vendors to monitor and review all activities against contractual requirements and relevant federal, state, and local regulations and policies.

MONITORING LOCATIONS, SCHEDULING AND SPECIAL REVIEWS

Most monitoring sites are located throughout Dallas County, and the selected monitoring respondent will travel to program sites to make site visits, conduct interviews with subrecipient/contractor/vendor staff and observe program operations; however virtual monitoring may be requested and/or required depending on circumstances and negotiated terms. Board Administration offices and monitoring sites (including workforce centers, customer training sites and worksites) are within a radius of approximately 880 square miles. All monitoring visits will be scheduled by and through the Board. The Board, at its discretion, may assign Board staff to accompany the selected monitoring respondent to observe the process.

In addition to the regularly scheduled monitoring visits during the contract period, the Board may request selected monitoring respondent to conduct special reviews. **The monitoring respondent shall inform the Board if special review work will be**

charged different pricing than that proposed for regular monitoring services. The monitoring respondent shall indicate the proposed costs for special reviews in the Budget Back-up Sheet.

MONITORING INSTRUMENT(S) AND INFORMATION REVIEWED/COLLECTED

The monitoring respondent(s) selected will develop monitoring instrument(s) to be approved by the Board. The Board may specify, at a minimum, specifics to be monitored and, in some cases, the manner in which a topic is to be reviewed. The instrument(s) should be constructed to incorporate information useful towards the Board’s quality assurance goals. The Board may specify certain items of compliance, program design, or program structure to be monitored across all contracts.

1.3 ACTIVITIES AND SERVICES NOT SOLICITED

The following functions, activities and services are not solicited in this Request for Proposal (RFP). These include, but are not limited to planning, general administration, grant management, coordination, childcare management and oversight of programs, workforce center management, Adult Education and Literacy management and contractor selection and technical assistance, these are retained by the Board.

1.4 RFP SCHEDULE OF EVENTS

The following schedule is subject to revision at the discretion of the Board. All requestors of this RFP will be notified of any changes.

<u>Dates</u>	<u>Activity</u>
Sunday, March 5, 2023 CST	RFP Public Notice
Tuesday, March 7, 2023, 1:00 p.m. CST	Issuance of RFP
Wednesday, March 24, 2023, COB, CDT.....	Questions/Answers posted on www.wfsdallas.com
Thursday, April 6, 2023, (Noon) 12:00 P.M. CDT	Proposal Deadline
Friday, April 7, 2023, CDT	Begin Evaluation of Proposals
Wednesday, April 19, 2023	Board Action for Consideration

PART 2.0 REQUEST FOR PROPOSAL COMPONENTS

2.1 ADMINISTRATION OF THIS REQUEST FOR PROPOSALS

A. Issuance

The RFP is issued at 1:00 p.m. CST, Tuesday, March 7, 2023 and available to download from the Board’s website: <http://www.wfsdallas.com/doing-business> If you are unable to download the RFP, please contact: procurement@wfsdallas.com or (214) 290-1000.

B. Request for Proposals Contents

The package contains all the necessary information and forms to respond to in this Request for Proposals (RFP). A response to this RFP must include all items listed in **Proposal Submission**.

C. Response Deadline/Non-responsive Proposals

Proposals for services must be officially received by WFSDallas staff to: procurement@wfsdallas.com no later than 12:00 P.M., CDT on Thursday, April 6, 2023. Proposals must be received in accordance with Section 3.0 of this RFP.

Any proposals or amendments received after April 6th 12:00 p.m. CDT deadline will not be considered but will be deemed late and non-responsive to the RFP procurement process. Late proposals or amendments will be returned without review. WFSDallas is not responsible for any technology issues. No faxed proposal will be accepted.

All responsive proposals received by the deadline will be presented for action (recommended or not recommended) at the WFSDallas Board of Directors' meeting on April 19, 2023.

2.2 BIDDERS' QUESTIONS AND ANSWERS – No Bidders' Conference

All questions must be submitted no later than **Monday, March 20, 2023, at 12:00 P.M. CDT** to the workforce procurement e-mail link at: procurement@wfsdallas.com. A formal question/answer, clarifications or amendments will be posted at <http://www.wfsdallas.com/doing-business-wfs-dallas> by **March 24th, close of business**.

2.3 FUNDING

All funding is conditional upon the availability of grant funds. Funds available through the U. S. Department of Labor, Health, Education and Agriculture, the Texas Workforce Commission.

2.4 CONTRACT TYPE/PERIOD

The executed contracts as a result of this RFP process will be cost reimbursement unless a different type of contract is determined by the Board to be more advantageous. All contracts shall be contingent upon receipt of sufficient funding from the Texas Workforce Commission (TWC). Negotiated contract amounts will be contingent upon funding received. Final contracts will also be subject to any changes in the legislation, regulations or policies promulgated by Federal or State funding sources.

For Program Compliance Monitoring Services, it is anticipated that the contract will begin on May 1, 2023, with an ending date of September 30, 2023. For subsequent Program Compliance Monitoring Services, it is anticipated that the contract will begin on October 1, 2023, with an ending date of September 30, 2024. For Fiscal Compliance Monitoring services, it is anticipated that the contract will begin on October 1, 2023, with an ending date of September 30, 2024.

The Board may extend the agreement for up to three (3) additional one-year terms. The total terms of a contract to provide services shall not exceed four (4) years. The contractor will be required to provide an annual closeout by program for each year ending September 30th. Offers to extend agreements are at the sole discretion of the Board, based on satisfactory performance, compliance with contractual obligations, and other factors as determined by the Board. The Board reserves the right to terminate the contract annually or earlier based on contractor performance and compliance with contractual terms and conditions.

2.5 METHOD OF PROCUREMENT

Services solicited under this RFP shall be procured under the competitive proposals method of procurement, via the process described in the Texas Workforce Commission (TWC) Financial Manual for Grants and Contracts (FMGC), and Board policy. **The Board's intention is to negotiate a contractor agreement with the successful bidder.**

2.6 ELIGIBLE/COMPETENCY BIDDERS

Eligible bidders may include private and public, for-profit, and not-for-profit agencies, individuals, Community Based Organizations (CBO's), or other entities. All are eligible to respond to this RFP and compete for funding. Partnerships or consortiums may respond, however collaborations submitting bids must identify a lead entity that will be responsible for management, coordination of services, operations, financial accountability, legal obligations, and all reporting requirements.

The prospective recipients of Federal assistance funds certify, by submission of this proposal, that neither they nor their principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.

Bidder Competency -- Bidders must have the technical competence, expertise in management and administration, professional staff, and administrative and fiscal management systems to accomplish the goals and objectives stated in this RFP and meet high standards of public service and fiduciary responsibility. Bidders are responsible for being knowledgeable of regulations of the specific funding sources involved and applying them in developing the RFP response.

Policies and legislation may be found through the Texas Workforce Commission at <https://twc.texas.gov/agency/laws-rules-policy>. Contractors selected will be required to assume full responsibility for all activities and services included in the contract. The Board will provide training on necessary documents and procedures to any contractors selected via this RFP.

2.7 GOVERNING PROVISIONS AND LIMITATIONS

- A. The main purpose of this RFP is to ensure uniform information in the competitive solicitation of proposals and **procurement of Fiscal and Program Compliance Monitoring Services**. This RFP is not to be construed as a purchase agreement or contract, or as a commitment of any kind; nor does it commit the Dallas County Local Workforce Development Board to pay for costs incurred in the preparation of a response, or any other costs incurred prior to the execution of a formal contract, unless such costs are specifically authorized in writing by the Board.
- B. The Board reserves the right to accept or reject any or all Proposals received, to cancel and/or reissue this RFP in part or its entirety.
- C. **Public Disclosure of Proposal Information** - this is a negotiated procurement utilizing the request for proposal method, and as such, the selection and award of a contract does not have to be made to the respondent(s) submitting the lowest priced offer, but rather to the respondent(s) submitting the most responsive proposal that satisfies the Board's requirements and is determined to be in the best interest of the Board.

Workforce Solutions Greater Dallas is a State of Texas appointed Local Workforce Development Board. Proposals submitted will not be returned and are subject to the Texas Public Information Act located in Chapter 552 of the Texas Government Code (the "PIA") and may be disclosed to the public upon request. Subject to the PIA, proposers may protect trade secret, proprietary and confidential information from public release. If a proposer does not desire proprietary or confidential information in its proposal to be disclosed, proposer is required to identify all proprietary or confidential information in its proposal. This identification must be done by individually marking each page with the words "Confidential Information" on which such proprietary or confidential information is found. If the proposer fails to identify confidential information, proposer agrees that, by submission of its proposal, those sections shall be deemed non-confidential and made available in response to any public request.

Proposers are advised that Workforce Solutions Greater Dallas, to the extent permitted by law, will protect the confidentiality of submitted proposals. However, proposers shall consider the implications of the PIA, particularly after the request for proposals process has ceased and the contract award has occurred. While provisions in the PIA may apply to protect confidential information, proposers are further advised that a determination on whether those standards have been met will not be made by Workforce Solutions Greater Dallas but must be decided by the Office of the Attorney General of the State of Texas. In the event a request for public information is made, Workforce Solutions Greater Dallas will notify the proposer and the proposer may then request an opinion from the Attorney General pursuant to Section 552.305 of the Texas Government Code. Workforce Solutions Greater Dallas will not make a request for an opinion from the Texas Attorney General. Copyrighted proposals are unacceptable and are subject to disqualification as non-responsive.

- D. The Board reserves the right to correct any error(s) and/or make changes to this solicitation as it deems necessary.
- E. The Board reserves the right to negotiate the final terms of any and all contracts or agreements with bidders selected and any such terms negotiated as a result of this RFP may be renegotiated and/or amended in order to successfully meet the

needs of the Board's local plan and impose additional requirements and refinements in the terms and conditions, scope of work, performance measures, and funding amounts during the course of any contract.

- F. **All Board Directors, officers, and staff, or any agents of the Board are precluded from entertaining questions concerning the proposal or this procurement process. Potential bidders, bidders and contractors are asked to respect these conditions by not making personal requests for assistance. No employee, member of a Board of Directors or other governing body, or representative of a bidder who submits a proposal under this RFP may have any contact outside of the formal review process with any employee of WFSDallas, or any member of the Board of Directors for purposes of discussing or lobbying on behalf of bidder's proposal. This contact includes written correspondence, telephone calls, personal meetings, email messages, or other kinds of personal contact. WFSDallas will reject proposals of those bidders who violate this condition.**
- G. The Board reserves the right to contact any individual, agency employer, or grantees listed in a proposal, to contact others who may have experience and/or knowledge of the bidder's relevant performance and/or qualifications; and to request additional information from all bidders.
- H. The Board or its designee will conduct a review of records, systems, procedures, etc. of any entity selected for funding. This may occur prior to, or after, the award of a contract or agreement. Misrepresentation of the bidder's ability to perform as stated in the proposal(s) may result in cancellation of any contract or agreement awarded.
- I. The Board reserves the right to withdraw or reduce the amount of an award or to cancel any contract or agreement resulting from this procurement if adequate funding is not received from the Texas Workforce Commission or other specific funding source.
- J. **Bidders shall not under penalty of law, offer or provide any gratuities, favors, or anything of monetary value to any officer, member, employee, or agent of the Board, for the purpose of having an influencing effect toward their own proposal or any other proposal submitted hereunder.**
- K. **No Board Director, officer, or employee, or any agent of the Board shall participate in the selection, award or administration of a contract supported by Board funds if a conflict of interest, real or apparent, would be involved.**
- L. **Bidders shall not engage in any activity, which will restrict or eliminate competition.** Violation of this provision may cause a bidder to be disqualified. This does not preclude joint ventures or subcontracts.
- M. All proposals submitted must be an original work product of the bidder. The copying, paraphrasing or otherwise using of substantial portions of the work product of others and submitted hereunder as original work of the bidder is not permitted. Failure to adhere to this instruction may cause the proposal(s) to be disqualified and rejected.
- N. The contents of a successful proposal may become a contractual obligation and be incorporated by reference if selected for award of a contract or agreement. Bidders must intend to fulfill all the representations made in this proposal. Failure of the bidder to accept this obligation may result in cancellation of the award. **No plea of error or mistake shall be available to successful bidder(s) as a basis for release of proposed services at stated price/cost.** Any damages accruing to the Board as a result of the bidder's failure to contract may be recovered from the bidder.
- O. A contract/agreement with the selected bidder may be withheld, at the Board's sole discretion. If issues of contract or regulatory compliance, or questioned/disallowed costs exist, a contract may be withheld until such issues are satisfactorily resolved. Award of contract may be withdrawn if resolution is not satisfactory to the Board.
- P. Subcontracting, while not encouraged, may be appropriate where an outside subcontractor provides specialized expertise or technical resources not otherwise available to the proposing organization. However, any subcontractors must be specified in the proposal narrative, selection must be consistent with Board standards for competitive procurement, and all

costs in compliance with applicable cost principles of the specific funding source. All contract provisions and federal, state, or Board standards that apply to Contractors must be followed by all subcontractors.

- Q. All contractors/vendors shall be in accordance with Texas Administrative Code, Title 40, Part 20, Chapter 802 by: maintaining fiscal integrity; maintaining appropriate insurance requirements; comply with all federal, state, and regulations regarding conflict of interest; refrain from using nonpublic information gained through a relationship with the Commission, TWC employee, Board or Board employee to seek or obtain financial gains that would result in a conflict of interest or appearance of a conflict of interest; promptly disclose in writing any conflict of interest; not employ/compensate a former board employee who was in a decision making position and was employed or compensated by the Board anytime during the last twelve (12) months.
- R. The Board reserves the right to deem a proposal non-responsive or disqualify any proposal that, in its sole determination, does not comply with or conform to the terms, conditions, and/or requirements of this RFP.

2.8 SELECTION PROCESS

Selection of a bidder shall be in accordance with the principles stated in the Board's plan and State plans, as well as other applicable laws, regulations and policy issuances from Federal, State, and Local entities.

- A. A consideration in selecting a bidder to deliver services shall be the demonstrated performance of the bidder in delivering comparable or related services. Performance in this or similar activities shall be considered when awarding points for experience and qualifications. Other performance with this Board will be considered in evaluation for proposals received in response to this RFP.
- B. Funds provided under this RFP **shall not be used to duplicate facilities or services available** in the area (with or without reimbursement) from the Federal, State or local sources, unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the local workforce development area's performance goals.
- C. The proposal review process will include evaluation, rating, and ranking of proposals by professional staff or qualified outside evaluators using the general criteria specified in Part 2.8. The proposal review process will also include review, approval to negotiate and selection for award of agreement by the Board of Directors.
- D. The selection of a bidder shall be made on a competitive basis to the extent practicable, and shall include:
- Determination of the bidder's ability to provide services requested in this RFP.
 - Documentation of compliance with procurement standards established by the TWC presented in the chapter 14 of the Financial Manual for Grants and Contract (FMGC), including the reasons for selection.
- E. Award shall be made only to "Responsible Provider" who has demonstrated competence and qualifications, including: a satisfactory record of past performance, bidder integrity and business ethics; fiscal accountability; financial, technical resources, established management and monitoring systems and the ability to meet requirements of this RFP, the laws and regulations of the specific funding source(s), and the Board's Annual Plan.
- F. Bidders not complying with Section 504 of the Rehabilitation Act of 1973 and the Federal Drug-Free Workplace Act of 1988, and those not prepared to comply with the Americans with Disabilities Act shall not be awarded a contract.
- G. We will try to utilize small, minority and female-owned or operated businesses, as vendors, and to allow such organizations maximum feasible opportunity to compete for award.

- H. The successful bidder may use The Workforce Information System of Texas (TWIST) (onsite) and WorkInTexas.com (WIT), or any subsequently developed and required State systems, to review customer records required to be tracked and reported to the Texas Workforce Commission in the manner and timeframe required by the Commission. Bidders are required to post any job openings with Work In Texas.
- I. The successful bidder may be provided with inventory upon execution of contract or agreement and assume complete responsibility for updates and maintenance during the contract period.

2.9 PROPOSAL EVALUATION PROCESS

Responsive proposals submitted by the deadline are evaluated using the objective criteria below. The Board assigns professional staff or qualified outside evaluators to read and evaluate each proposal. Parts of the scoring are scored independently by each reader; the final scores for those parts will be the average of the independent scores of all readers. All references are validated, and scores included in the evaluation process. In selecting proposals for award of contract, the Board reserves the right to depart from the strict ranking by evaluation scores, whenever it deems such departure will better serve the best interests of the Board and its constituents.

2.10 EVALUATION CRITERIA

The responsive proposals submitted by the deadline will be evaluated using the criteria below:

Bidder’s Quality of Program Design/Responsiveness to Programmatic Objectives 40
 The bidder must demonstrate a thorough understanding of the range of services offered.
 The bidder must describe the method for providing the monitoring services solicited in the RFP.

Organizational Capability and Demonstrated Effectiveness 30
 The bidder must describe services provided in the past three years that demonstrate the organization’s capability to administer the proposed services as described in 1.2.A and B. of the RFP. Timely reviews and billing will be reviewed. The bidder must provide job descriptions for all staff positions responsible for carrying out the proposed services and activities. **Include resumes for all personnel who will be responsible for delivering the services and activities.** Provide description of organizational structure.

Cost Reasonableness/Cost Effectiveness 30
 The extent to which Budgets are properly constructed and presented as reasonable, necessary, allocable, and allowable. Other areas of review for this section include competitive costs and in-kind matching funds. All proposed costs are significant competitive variables in this procurement.

TOTAL POSSIBLE POINTS FOR PROPOSAL RESPONSE 100

2.11 BIDDER INQUIRY AND APPEAL PROCESS

The Dallas County Local Workforce Development Board is the responsible authority for handling complaints or protests regarding the procurement and proposal selection process, and has established the following process for handling appeals of any procurement decisions:

Step1. Request for Debriefing -- Bidders not selected by this procurement process may appeal the decision by submitting, within 10 days of the receipt of Board notification of the procurement decision, a written Request for Debriefing to obtain information on the procurement process and how their proposal or offer was received and ranked. The Board shall acknowledge receipt of the Request for Debriefing in writing within 10 days of receipt, along with the date and time of the scheduled briefing. The briefing shall be scheduled, as soon as possible, and no later than 10 days from the receipt of the

Request for Debriefing. (NOTE: The Board extends the courtesy of offering a briefing to any bidder who is not selected for funding; the 10-day time frame must be adhered to only if a bidder is considering an appeal.)

Step2. Debriefing -- The purpose of the debriefing is to promote the exchange of information, explain the proposal evaluation system, and help unsuccessful bidders understand why they were not selected. Debriefings serve an important educational function for new proposers, which hopefully, will help them to improve the quality of any future proposals. Materials provided in the debriefing include a blank copy of the proposal scoring sheet used by readers, spread sheet of rankings provided to the Board of Directors, and a summary of proposal scores. (Bidders who are selected for contract negotiations are offered similar feedback during contract negotiations.) Board staff will meet with the appealing party and review (a) the proposal evaluation process or the criteria for selection of sealed bids under RFPs or IFBs, and (b) how the appealing party's proposal or bid was scored or ranked. Bidders can gain a better understanding of the procurement process and how to improve their bids or proposals, while staff gets direct feedback to help improve future procurements.

Step3. Written Notice of Appeal -- If, after the debriefing, the appealing party wishes to continue with the appeals process they must submit to the Board a Notice of Appeal. This written notice must clearly state that it is an appeal and identify (a) the funding decision being appealed (i.e., specific date of RFP or IFB, or the Board action); (b) the name, address, phone and fax number (if available) of the appealing party(ies); and (c) the grounds of the appeal. The Board President must receive the Notice of Appeal within 15 days of the date of the appealing party's debriefing, in Step 2, above. The Notice of Appeal must be emailed to procurement@wfsdallas.com and addressed to:

Laurie Bouillion Larrea, President
Dallas County Local Workforce Development Board, Inc.
Ross Tower
500 N. Akard Street, Suite 3030
Dallas, Texas 75201

Written acknowledgment of receipt of the Notice of Appeal will be provided to the appealing party within five (5) working days of receipt of the Notice of Appeal. Such acknowledgment will include specific instructions for completing the appeals process and the date, time and place of the next step, **The Informal Hearing**.

Step4. Informal Hearing –Informal Hearing will be held virtually **within 10 days of receipt of the Notice of Appeal**. The Hearings Officer will meet with the appealing party to discuss their concerns and the specific grounds of the appeal. The Hearings Officer may recommend to the Board President any appropriate actions, allowable under applicable rules and regulations and consistent with agency procurement policies, to resolve issues raised at the Informal Hearing. If the appealing party agrees, the appeal may be ended at this point.

Step5. Request for Formal Hearing -- The appealing party, if not satisfied with the results of the Informal Hearing, must inform the Hearings Officer, in writing, no later than five (5) working days from the date of the Informal Hearing of the intent to proceed with the appeal. Within ten (10) days of receipt of this written request, the Hearings Officer will respond, in writing, to inform the appealing party of the time, date, and place of Step 6, the Formal Hearing.

Step6. Formal Hearing -- The Formal Hearing shall be conducted within fifteen (15) days of the date of the Request for Formal Hearing. An independent hearing officer will conduct the Formal Hearing of the appeal. This hearing officer will consider the facts presented as grounds for the appeal and remedies requested. The hearing officer and staff or the appealing party may request additional information. After full review, the hearing officer will, at the next Board meeting, make its recommendation to the Board for final determination.

Step7. The Board Decision -- The Board will render a decision no later than 60 days from the date of the Written Notice of Appeal. The Board decision shall be the final decision and end the appeals process at the local level.

In all instances, information regarding the protest/dispute will be disclosed to TWC. TWC Financial Manual for Grants and Contracts, Chapter 14, provides for limited appeals of any Board decisions:

"The Commission shall accept no protest or dispute appeal until all administrative remedies at the contractor level have been exhausted. Commission appeal review is limited to:

- ◆ Violations of federal law and regulations, and procurement standards established by federal regulations,
- ◆ Violations of State or local law shall be under the jurisdiction of State or local authorities, and
- ◆ Violations of Board's protest/dispute procedures or failure to review a protest or dispute shall be referred to such authority as may have proper jurisdiction."

PART 3.0 PROPOSAL PREPARATIONS AND SUBMISSION

3.1 INSTRUCTIONS FOR SUBMITTING A PROPOSAL

Emphasis must be placed on addressing all the requirements of this RFP in a clear and concise manner. The RFP with Attachments is located at: <http://www.wfsdallas.com/doing-business> All proposals must be complete at time of submission.

PROPOSAL SUBMISSION - Proposals must be submitted according to the instructions regarding the response deadline of this RFP. **Regulations do not permit evaluation or consideration of proposals which are submitted after the RFP deadline.** Any modifications or amendments to a proposal already submitted must also comply with the submittal instructions and response deadline. Any proposals or amendments delivered/received after the deadline will not be considered but will be deemed late and non-responsive to this RFP and procurement process. WFSDallas is not responsible for technology issues in the submittal of proposal.

3.2 PROPOSAL SUBMISSION

The proposal must be submitted in the following order as Attachments:

- A. Proposal Cover Sheet
- B. Executive Summary
- C. Proposed Statement of Work
- D. Proposed Cost Reimbursement Budget (if applicable D, and/or D1)
- E. Salary Allocation Plan (if applicable E, and/or E1)
- F. Budget Backup Sheet
- G. Administrative Management Survey
- H. Fiscal Management Systems Survey
- I. Authorization Signature
- J. Texas Corporate Franchise Tax Certification
- K. Certification to Perform Monitoring Services

3.3 Proposal Cover Sheet

Indicate the applicable box and complete all items on the cover sheet (**Attachment A**). Identify a liaison or primary contact, as well as the Signatory Authority – a person in the organization who has the legal authority to negotiate and sign a contract on behalf of the organization. (This is also the person who must sign the Authorized Signature (**Attachment I**.) Bidders who are certified as a Historically Under-utilized Business (HUB) should indicate the certifications number on the cover sheet, attach a copy of the notice of certification.

3.4 Executive Summary

Provide a summary (**Attachment B**) of proposed services and dollars requested. This information must be consistent with the proposed statement of work and proposed cost reimbursement budget.

3.5 Instructions for the Proposed Statement of Work

A proposal should provide a complete description of your proposed services in narrative form according to the instructions below. The proposed plan should use the most recent monitoring guides from the Texas Workforce Commission and from relevant federal agencies as a resource and should cover program activities of each subrecipient/contractor/vendor with the Board including, but not limited to, the functional areas as described for the Risk Assessments for services below. In addition, a proposal should include the technical data that demonstrates that the bidder's plan and capabilities will meet the RFP requirements.

Program Design/Programmatic Objectives

Please describe in detail the delivery of the following items in your narrative:

1. Risk Assessment (see sections 3.4 A & B)
2. Development of Monitoring Plan
3. Implementation of Monitoring Plan (include how you will ensure timeliness)
4. Reporting Procedures (monitoring reports, follow-up resolution, record maintenance)
5. Monitoring Instrument(s) and Information Reviewed/Collected
6. Monitoring Locations, Process, Scheduling & Special Reviews

Address the issues and requested services described under Part 1, 1.2 "Services Solicited" in this RFP.

A. FISCAL MONITORING SERVICES

A Risk Assessment must be performed annually to determine which high risk subrecipients/contractors/vendors and high-risk areas within subrecipient/contractor/vendor operations will be reviewed. The risk assessment should be quantified as much as possible and have adequate supporting documentation on the methodology used to make the assessment. The monitoring respondent may use risk factors with a number scale, or other indicators, i.e., H., M., L. (High, Medium, Low) with explanations. The Risk Assessment may be categorized into including, but not limited to, the following areas:

- Operating Characteristics and Environment
- Audits and Monitoring
- Accounting Functions/Systems
- Contract Management
- Cost Allocations
- Disbursements
- Fraud Risk Assessment

- Funds Management
- Human Resource Management
- Insurance
- Procurement
- Property Management
- Policies and Procedures

Monitoring respondent should also use other sources of information, i.e., TWC monitoring reports, Single Audits, prior monitoring reviews, internal reports, and any other relevant reports to assess risk.

B. PROGRAM COMPLIANCE MONITORING SERVICES

A risk assessment must be performed annually to determine which high risk subrecipients/contractors/vendors and high-risk areas within subrecipients/contractors/vendors operations will be reviewed. The risk assessment should be quantified as much as possible and have adequate supporting documentation on the methodology used to make the assessment. The monitoring respondent may use risk factors with a number scale, or other indicators, i.e., H., M., L. (High, Medium, Low) with explanations. The Risk Assessment may be categorized into including, but not limited to, the following areas:

Inherent Risk:

- The source of provider funding
- Personnel turnover
- External Reviews
- Past monitoring findings
- Policies and procedures
- Newness of the program
- Program monitoring reviews
- Timeliness and accuracy of reporting
- Expectation of a noncompliance
- Independent audit coverage
- Effective internal oversight (monitoring)

Controlled Risk:

- Written policies and procedures for complying with (federal, state regulations and the contract)
- Management's knowledge of laws and regulations
- Experience level of management
- Segregation of duties; measurability of objectives
- Extent of management reviews
- Training
- Contingency plan
- Management's ability to override policies
- Protection and integrity of automated systems
- Controls protecting the integrity of automated systems

Organization Capability/Demonstrative Effectiveness

Demonstrated Effectiveness

Describe services your organization has provided in the past three years that demonstrate your organization's capability to administer the services proposed. Include the nature of the services provided, scope of services, budget and the organization (including a contact, email, and phone number) for which the service was provided. Reviewers may follow-up with contacts provided. Reviewers will look closely at capacity to deliver proposed services, and current/past demonstrated performance (timeliness of monitoring reports, timely/accurate submittal of invoices/close-out contract).

Capability of Personnel

Describe the credentials and experience of the primary contact for the Dallas project. Provide job descriptions for all staff positions responsible for carrying out the proposed services and activities. Job descriptions should include duties, required education and experience. Job descriptions and qualifications should relate to the activities proposed, and titles should match the positions listed on the Salary Allocation Plan and Budget Backup Sheet related to Personnel Costs. **Include resumes for all personnel who will be responsible for delivering the services and activities proposed under this RFP.**

Organizational Structure

Briefly describe your organizational structure, including an organizational chart or narrative equivalent. Indicate how the proposed services and activities fit into the organizational structure.

Cost – Please follow 3.6 below in completing the budget.

3.6 INSTRUCTIONS FOR COMPLETING BUDGET FORMS

Budget forms include:

- **Proposed Cost Reimbursement Budget (Attachment D, D1),**
- **Salary Allocation Plan (Attachment E, E1), and**
- **Budget Back-Up Sheet (Attachment F).**

Complete forms as requested. **All costs must be necessary, reasonable and allowable under a federal or state award and meet the general allowability criteria established by the Office of Management and Budget Circulars, and/or the Uniform Grant Management Standards, as applicable. Please refer to the TWC Financial Manual for Grants and Contracts for detailed information (<https://www.twc.texas.gov/agency/financial-manual-grants-contracts>).** All costs listed on the line-item Proposed Cost Reimbursement Budget MUST be explained in detail on the Budget Back-up Sheet. In addition, potential bidder shall explain in detail any cost about special review work in the Personnel Cost section on the Budget Back-up Sheet. If successful, the Proposed Cost Reimbursement Budget will serve as a basis for contract negotiation. The proposed budget should include only the cost of those monitoring services requested in this proposal. Once final contracts are awarded, the Board will be responsible for designating cost categories and the allocation of funding streams.

Proposed Cost Reimbursement Budget Form, Attachment D, D1, should be completed and submitted with each proposal. In accordance with section 2.4, CONTRACT TYPE/PERIOD, if proposing to provide Program Compliance Monitoring Services, proposer must provide a 5-month budget (May 1, 2023 – September 30, 2023) and a 12-month budget (October 1, 2023 – September 30, 2024) for services. If proposing to provide Fiscal Monitoring Services, proposer must provide a 12-month budget (October 1, 2023 – September 30, 2024) for services only. All costs should be separated to indicate the following expense types:

Section A - Personnel Costs include salaries, fringe benefits, and other costs of all regular staff positions as described in the proposal narrative. (Section A does not include professional personnel who provide independent services on a contractual basis, such as auditors; costs of such contractual services should be listed in Section B, below. Section A should include the costs of any temporary staff planned; however, please note temporary staff MUST be properly procured. See Part 2.5 (P) subcontracting requirements.

- **Salaries** – include wages/salaries for all project personnel, consistent with the proposal narrative. This line item should match the total costs shown in the Salary Allocation Plan (Attachment E, E1).
- **Fringe Benefits** – the cost of all fringe benefits (medical insurances, FICA, U.I., Worker's Comp, retirement, etc.) associated with all project personnel.
- **Staff Travel** – all travel costs such as mileage reimbursement, per diem, lodging, transportation, etc. Travel costs must comply with state travel reimbursement rates.
- **Staff Training & Development** – costs associated with conference registration fees, workshop or seminar fees, and reimbursable employee training and education costs (i.e., tuition/fees as allowed by personnel policies).

- **Other** – any other personnel costs not already included in any of the above line items such as temporary staff. Such costs must be individually listed and explained in the Budget Back-up Sheet.

Section B – Contractual Services - includes other contractual professional services. A single audit is required if contractor is awarded a Dallas County Local Workforce Development Board contract that receives more than \$750,000 in federal funds.

- **Contracted Services** – fees and expenses related to professional services, security, technology or training services rendered by persons who are not owners, officers or employees of the organization.
- **Other Contractual Services** – any other contractual service costs not already included in the above line items. Such costs must be individually listed and explained in the Budget Back-up Sheet (Attachment F).

Section C – Matching – In Kind Provided - Use to report any In-Kind provided. Cost of items used in the operation of the workforce system, but not charged to Board, should be noted as "In-kind". Similarly, staff time devoted to the proposed project, but paid by others should be listed as "In-kind". Such "In-kind" contributions and their costs should also be reported in the narrative. If any cost item in the proposed budget is to be provided by bidder from other sources, and not paid for by the Board, listing that item as "In Kind" will assure the Board that an important cost item has not been overlooked.

Salary Allocation Plan - (Attachment E, E1) provides sufficient back-up data for Line-Item A.1, "Salaries", in conjunction with the Narrative; however, the narrative must contain adequate job descriptions to enable the Board to determine that the staff expenses are reasonable and necessary. If staff is salaried, and not paid on an hourly basis, simply divide the annual salary by 2080 hours (or the annual work hours specified in bidders' personnel policies) to convert salaries into an hourly rate.

Budget Back-Up Sheet (Attachment F) is used to explain the purpose of each line item in the Proposed Cost Reimbursement Budget and provide a breakout showing how the exact amount of each cost item and how it was computed. Such "back-up" information is necessary for the Board to determine if budgeted costs meet its standards of "reasonable, necessary, allowable, and allocable". For each item, explain the purpose of the expense, as it relates to the proposed activities, and explain how the exact amount of that cost was calculated. For example, if costs of Staff Travel/Per Diem are included, an explanation should include the staff positions involved, purpose of travel, and method of computing expense.

PART 4.0 ASSURANCES AND CERTIFICATIONS

The assurances and certifications can be found at: <https://www.wfsdallas.com/doing-business>.

PART 5.0 DEFINITIONS OF KEY TERMS [The definitions of key terms can be found at: https://www.wfsdallas.com/doing-business.](https://www.wfsdallas.com/doing-business)

PART 6.0 RESOURCES

The resources that may familiarize proposer with the guidance and operations on the Dallas Workforce System can be found at: <https://www.wfsdallas.com/doing-business>.

EXHIBIT A

The Safeguards for TWC Information and Confidentiality of Records can be found at: <https://www.wfsdallas.com/doing-business>.

EXHIBIT B

The Assurances for Appropriation and Public Policy Requirements of WIOA can be found at: <https://www.wfsdallas.com/doing-business>.