

Marcella Consulting Corporation  
Serving as Independent Procurement Entity  
For  
Illinois Local Workforce Development Area 20  
Land of Lincoln Workforce Board

**REQUEST FOR PROPOSAL  
FOR  
WORKFORCE INNOVATION & OPPORTUNITY ACT:  
American Job Center – One-Stop Operator**

**Release Date: February 28, 2024**

**Proposals Due: April 5, 2024**

**Projected Contract Period:** July 1, 2024 to June 30, 2025  
with extensions possible for additional one-year periods

**All proposals must be submitted electronically to  
[jeffmarcella@gmail.com](mailto:jeffmarcella@gmail.com)**

**Proposals must be received no later than April 5, 2024 – 4:00 pm CST**

## Table of Contents

<b>A.</b>	<b>Introduction.....</b>	<b>3</b>
1.	Marcella Consulting Corporation .....	3
2.	Illinois workNet Area 20 .....	3
<b>B.</b>	<b>RFP Background .....</b>	<b>4</b>
1.	Purpose of the Request for Proposal.....	4
2.	Eligible Entities to Serve as the One-Stop Operator.....	4
3.	Applicant Qualifications.....	6
<b>C.</b>	<b>Scope of Work .....</b>	<b>6</b>
<b>D.</b>	<b>Proposal Requirements.....</b>	<b>7</b>
1.	Questions & Answers.....	7
2.	Proposal Submission Deadline .....	7
3.	Timeline .....	7
4.	Proposal Format .....	7
5.	Proposal Assembly Checklist.....	8
6.	Proposal Narrative.....	8
1.	Applicant Organization Background and Experience .....	8
2.	Staffing Plan and Qualifications .....	9
3.	Project Plan .....	9
4.	Outcomes .....	9
5.	Financial Management Plan .....	9
7.	Budget & Budget Narrative.....	10
<b>E.</b>	<b>Proposal Evaluation .....</b>	<b>10</b>
<b>F.</b>	<b>Award &amp; Contract Provisions &amp; Requirements.....</b>	<b>11</b>
1.	Provisions.....	11
2.	Right to Appeal.....	12
3.	Contract Requirements.....	12
4.	Equal Employment Opportunity .....	13
5.	Affirmative Action .....	14
6.	Tools & Resources .....	14
	<b>Attachments.....</b>	<b>15</b>
	Cover Sheet – Attachment 1 (submit with proposal) .....	16
	Budget Form – Attachment 2 (submit with proposal) .....	17
	EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT.....	18
	Attachment 3 (submit with proposal).....	18
	Debarment Certification – Attachment 4 (for information purposes).....	20
	Certification Regarding Lobbying – Attachment 5 (for information purposes) .....	22
	General Conditions and Assurances – Attachment 6 (for information purposes).....	23
	Required Certifications – Attachment 7 (for information purposes).....	25
	LWIA 20 Policies on One Stop Operator and Procurement and Conflict of Interest.....	following pages

## A. Introduction

### 1. Marcella Consulting Corporation

Marcella Consulting Corporation (MCC) led by workforce consultant Jeff Marcella, has been contracted by the Land of Lincoln Workforce Board (“Workforce Board”) to lead the procurement process for selecting a One-Stop Operator. MCC is a full-service consulting firm based in Chicago, Illinois with over 25 years of experience in workforce development activities, including providing assistance to workforce boards in strategic planning, WIOA Regional and Local Planning, WIOA Memorandum of Understanding negotiation, procurement, and related workforce activities. For more information of MCC's experience and expertise, see Jeff Marcella's bio at [linkedin.com/in/jeffmarcella](https://www.linkedin.com/in/jeffmarcella).

As the contracted entity to lead this procurement process, MCC serves as a "separate and independent outside entity to conduct the competition" for the One-Stop Operator. MCC and its team will review all submitted proposals and evaluate them on a scale coordinated and agreed upon by the Workforce Board, with guidance from the Illinois Department of Commerce and Economic Opportunity (DCEO). Based on its evaluation, MCC will submit its selection, along with a description of the selection process and scoring justification, to the Board for approval.

### 2. Illinois workNet Area 20

The Land of Lincoln Workforce Board (“LLWB” or “Board”) oversees and is the policy maker, in partnership the Chief Elected Officials of the five counties that make up Illinois workNet Workforce Innovation Area 20, for workforce development programs in the Area. The Board makes decisions regarding the type and mix of workforce development services offered in the five counties and the use of federal and state funds available for workforce activities. More information about the Board can be found at: <https://worknet20.org/>.

Local Workforce Area 20 has five (5) center locations, each with its own hours of operation:

Illinois workNet Center – Sangamon County

1300 South 9th Street

Springfield, IL 62703

Monday-Thursday 8:30am – 4:30pm; Friday 8:30am – 12:00pm

Illinois workNet Center – Cass County

Lincoln Land Community College

109 White Pine Lane

Beardstown, IL 62618

Monday 9:00am – 12:00pm

Illinois workNet Center – Logan County

Heartland Community College

2201 Woodlawn Rd #200

Lincoln, IL 62656

Thursday 8:30am – 4:30pm

Illinois workNet Center – Christian County  
Lincoln Land Community College  
800 Spresser Street  
South Building, Room-1109  
Taylorville, IL 62568  
Tuesday 8:30am – 4:30pm

Illinois workNet Center – Menard County  
Menard County Housing Authority  
117 North 7th Street  
Petersburg, IL 62675  
Monday 1:00pm – 4:30pm

## B. RFP Background

### 1. Purpose of the Request for Proposal

The Workforce Innovation and Opportunity Act puts forth a framework for establishing One-Stop Career Centers (One Stops). The One-Stop Career Centers and local workforce system must have a One-Stop Operator and that Operator must comply with requirements established under WIOA and its implementing rule.

At a minimum, the role of the One-Stop Operator is to coordinate the service delivery of required one stop partners and service providers.

The Workforce Board is tasked with soliciting a One-Stop Operator for LWIA 20. MCC is conducting that solicitation process, serving as the “separate and independent outside entity” as required by Federal WIOA regulations.

Sangamon County, IL is the grant recipient of WIOA funds. Sangamon County will enter into a contract on a cost reimbursement basis with the selected One-Stop Operator under guidance from the Workforce Board.

**The Workforce Board will obligate up to \$36,251 annually for the reimbursement of the contract for the One Stop Operator.** The Board reserves the right to award less than this amount.

### 2. Eligible Entities to Serve as the One-Stop Operator

Under WIOA Section 121(d)(2)(B), the following are eligible respondents to this RFP:

- 1) A single entity (public, private, or non-profit) or a consortium of entities. If the consortium of entities is one of one-stop partners, it must include a minimum of three of the one-stop partners.
- 2) The One-Stop Operator may operate one or more one-stop centers. There may be more

than one one-stop operator in a local area.

- 3) The types of entities that may be a One-Stop Operator include:
  - a) An institution of higher education;
  - b) An Employment Service State agency established under the Wagner-Peyser Act;
  - c) A community-based organization, nonprofit organization, or workforce intermediary;
  - d) A private for-profit entity;
  - e) A government agency;
  - f) A Local Workforce Development Board, with approval of the chief elected official and the Governor; or
  - g) Another interested organization or entity, which is capable of carrying out the duties of the one-stop operator. Examples may include a local chamber of commerce or other business organization, or a labor organization.
- 4) Elementary schools and secondary schools are not eligible as one-stop operators, except that a nontraditional public secondary school such as a night school, adult school, or an area career center and technical education school may be selected.

For more information on eligibility, see US Department of Labor, Employment and Training Administration, Training Employment and Guidance Letter (TEGL) WIOA No. 15-16, Competitive Selection of One-Stop Operators, released January 17, 2017 found at

<https://www.dol.gov/agencies/eta/advisories/training-and-employment-guidance-letter-no-15-16>

or

[https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2017/TEGL\\_15-16.pdf](https://www.dol.gov/sites/dolgov/files/ETA/advisories/TEGL/2017/TEGL_15-16.pdf)

**Applicants should indicate in their proposal which of the above types of eligible respondents they represent. Consortium respondents should identify each of the organizations that form the consortium and the type of eligible respondent that each represents.**

Applicants must disclose any potential conflicts of interest arising from their relationships with training or other service providers in the local workforce system. In addition, all applicants must ensure that they do not and will not establish practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services.

Applicants must comply with Federal regulations and procurement policies relating to the calculation and use of profits.

Applicants must be able to demonstrate previous experience, the capacity, and the commitment to develop and implement the One-Stop Operator role for LWA 20. All applicant entities must have been a legal organization for a minimum of one year prior to the start of the contract.

### 3. Applicant Qualifications

In addition to being one of the Eligible entities to serve as the One-Stop Operator, applicants must meet the following Qualifications:

- Possess an understanding of the Workforce Innovation and Opportunity Act and an understanding of the local workforce system and its stakeholders.
- Strong, demonstrated experience (3-5 years) facilitating large, diverse stakeholder groups to a common goal or outcome. The ability to remain a neutral facilitator among partners will be critical. Experience in meeting agenda development, planning, and execution.
- Ability to work closely with the Workforce Development Board to monitor the workforce system's strategic objectives and make recommendations for system continuous improvements.
- Other roles and responsibilities as defined by the Board.

### C. Scope of Work

The selected Applicant will conduct the following activities in fulfilling their role as the One-Stop Operator:

1. Coordinate service delivery among the partners of the public workforce system in the local workforce area
2. Coordinate service delivery among physical and electronic sites
3. Coordinate services across the local area's workforce system
4. Provide basic services such as orientations, information on careers and labor markets, and resource rooms
5. Implementation of Board policies
6. Report to Board on operations, performance accountability and continuous improvements
7. Manage hours of operation at all sites
8. Manage technological resources such as websites, case management information, business networking software, on-line testing sites
9. Manage daily operations through coordination with WIOA fiscal agent for lease, utilities, and other invoice remittance
10. Manage partner responsibilities as defined in MOU
11. Manage services for individuals
12. Manage services for business
13. Submit annual staffing and operational budgets
14. Follow federal and state regulations pertaining to handling of EEO responsibilities, customer complaints, and physical and programmatic accessibility
15. Fulfill other roles as identified by the Board

Applicants should review the DOLETA TEGL 15-16 referenced above for further information on the role of the One-Stop Operator.

## D. Proposal Requirements

### 1. Questions & Answers

All questions regarding this RFP must be submitted in writing via e-mail to Jeff Marcella at [jeffmarcella@gmail.com](mailto:jeffmarcella@gmail.com) by March 14, 2024. No questions will be accepted after this date. Responses to all questions will be located at: <https://worknet20.org/one-stop-operator/>

### 2. Proposal Submission Deadline

Proposals will be due by April 5, 2024 via email to [jeffmarcella@gmail.com](mailto:jeffmarcella@gmail.com). A receipt will be emailed when a proposal is received. If an applicant does not receive an email receipt, it is their responsibility to contact MCC to verify receipt of the proposal. Applicants that require assistance with this process may ask for technical support from MCC. No proposal submitted after the deadline will be accepted for consideration.

### 3. Timeline

Action	Date
RFP Issued	02/28/2024
Deadline for RFP Inquiries or Questions	03/14/2024
Posting of Answers to Questions	03/18/2024
Proposals Due	04/05/2024
One-Stop Operator Recommendation from MCC to Workforce Board	05/03/2024
Land of Lincoln Workforce Board Selects Operator and Notifies Selected Bidder	05/21/2024
Selected Contractor Begins to Operate One-Stop Center(s)	07/01/2024

### 4. Proposal Format

All proposals must meet the technical and content requirements outlined in this section. All proposals must be formatted, organized and assembled as follows:

- Proposal Narrative responses are limited to 15 pages
- Single-spaced
- 8 ½ x 11 inch paper
- Minimum 1-inch margins – top, bottom, and sides
- Numbered pages
- File name should reference LLWB OSO Proposal and include name of the submitting entity

Responses that do not adhere to the prescribed format or utilize the forms provided will not be considered for selection.

## 5. Proposal Assembly Checklist

All proposals should be assembled in the following order:

- Cover Sheet (Attachment 1)
- Table of Contents
- Proposal Narrative (max. 15 pages)
  - Organization Background
  - Staffing Plan & Qualifications
  - Project Plan
  - Outcomes
  - Financial Management Plan
  - Organizational Chart
  - Three (3) references that can attest to the relevant qualifications of the Applicant
- Budget & Budget Narrative (Attachment 2)
- Signed Copy of the Equal Employment Opportunity Statement (Attachment 3)
- Proof of Insurance
- Applicant organization's most recent financial audit.

## 6. Proposal Narrative

Applicants are asked to address the questions and items in the following sections. Responses should be sufficiently detailed to providing a clear and compelling argument for why the organization should be selected as the One-Stop Operator. It is strongly recommended that Applicants follow this numbering and lettering system to organize their proposals. It is not necessary to include the question text in the response.

### 1. Applicant Organization Background and Experience

- a. Briefly describe the purpose, activities, and services of your organization.
- b. Describe how this proposal connects to your mission and organizational goals.
- c. Indicate the number of years your organization has been in business.
- d. List the groups/populations you serve. Identify your target audience or customer base.
- e. Describe your organization's experience or understanding of the Workforce Innovation and Opportunity Act (WIOA) and the publicly funded workforce system.
- f. Describe your organization's experience and performance in providing the type of coordination, leadership and administrative functions required of the One-Stop Operator and experience providing similar or related services to those being requested. Provide related performance outcome data supporting your experience.
- g. Describe your organization's work, experience, knowledge, relationships or other background regarding the five-county area that makes up Local Workforce Area 20.
- h. Describe other experience or activities previously conducted that demonstrate the organization's capability to successfully implement the proposed project.
- i. If a Consortium submission, within each of these sections, provide first a description of the lead applicant and then of the other Consortium member organizations, and conclude with a clear description of the structure of the Consortium, how it was formed,



and how the Consortium members are prepared to work together as a coherent collaboration.

## **2. Staffing Plan and Qualifications**

- a. List all proposed positions with brief narrative describing the roles of each. Attach job descriptions for all positions.
- b. If proposed staff are current employees of your organization, include resumes that reference the roles they will play in the One-Stop Operator activities.
- c. Provide an organizational chart (Attachment 3) of the staff to be included in this program (include resumes and job descriptions as part of your proposal as Attachment). Job descriptions may be substituted for positions not yet filled.

## **3. Project Plan**

- a. Include a detailed description of activities related to the requirements outlined in the Scope of Work – One-Stop Operator Requirements section above.
- b. Include a description of both initial implementation activities and on-going operational functions to be delivered.
- c. Describe in particular your vision and plan for coordinating service delivery activities across five One-Stop Centers within the area.
- d. Describe any additional services or activities you would recommend or deliver, beyond those outlined in the Scope of Work, that would benefit the Partners and the One-Stop system in LWA 20.
- e. Identify any new or innovative initiatives or methods you would put in place that are designed to improve the One-Stop system/center outcomes.

## **4. Outcomes**

- a. Provide a description of how progress toward operator requirements will be measured and reported.

## **5. Financial Management Plan**

- a. Provide a narrative of your financial management plan.
- b. Fund accounting is required for projects funded under this request for proposals. Describe how you will assure that this is done.
- c. Provide a statement of the capability of your organization to assume financial liability for disallowed costs resulting from an audit of this program.
- d. Provide a description of the accounting system and fiscal reports and controls that will be used to safeguard program funds.
- e. Indicate your inventory control process for this project for any equipment that will be purchased with WIOA funds.
- f. Describe previous experience operating federally funded programs
- g. If you plan to utilize other funds to supplement this project, indicate the source of the funds, the period funded, the dollar amount, the funding purpose, and any restrictions.
- h. If you are requesting funds to cover indirect costs, provide a copy of your approved indirect cost rate document or applicable cost allocation plan.

- i. Provide a copy of most recent audit.
- j. Provide a copy of most recent certificate(s) of insurance. The selected Contractor shall maintain for the duration of the contract and any extensions thereof, insurance issued by a company or companies qualified to do business in the State of Illinois in the following types:
  - i. Workers' Compensation and Comprehensive Professional Liability.
  - ii. Workers' Compensation Insurance covering all liability for the Applicant arising under the Workers' Compensation Act, and Workers' Occupational Disease Act.

## 7. Budget & Budget Narrative

As part of the Proposal submission, include a budget and budget narrative as follows. (These items are not included in the page limit).

Complete Budget Forms (Attachment 2)

Provide the name, title, and phone number of the person who will be responsible for your program's accounting functions.

Provide budget narrative information that fully describes the information on the budget form including a detailed description of each line item.

All costs reflected in the budget must be necessary and reasonable. Costs may include, but are not limited to, staff salaries and benefits, equipment expenses, travel expenses, supplies, sub-contracts, and other costs associated with the provision of required services as the One-Stop Operator, and facilities and supplies.

Please note, the facility costs for the One-Stop Illinois WorkNet Centers are not to be included in the proposal as these costs are already accounted for by the LLWB through WIOA funds and Partner contributions.

## E. Proposal Evaluation

All proposals will be evaluated individually and as a group by MCC's proposal review committee. The Committee will rate proposals and may require interviews with applicants prior to MCC presenting its selection to the Land of Lincoln Workforce Board. MCC's recommendation for the One-Stop Operator will then be forwarded to the Board for approval. Submitted proposals will be reviewed to determine whether or not the provider meets the following minimum procurement requirements:

1. The proposal was submitted on or before the closing date and time.
2. The proposing organization is not on a federal or state Debarment List.
3. The proposing organization has been a legal business entity for a minimum of one year prior to the start of the contract.
4. The proposing organization is fiscally solvent.
5. The person signing the proposal for the applicant has the legal authority to do so.
6. The proposing organization agrees to meet all federal, state, and local compliance requirements.
7. The proposing organization has developed a reporting process for participant and fiscal activity.

8. The proposing organization has a satisfactory performance record for previous WIOA-related contracts, if applicable.
9. The proposing organization has accounting and auditing procedures adequate to control property, funds, and assets.
10. The proposing organization has a satisfactory record of integrity, business ethics, and fiscal accountability.

All proposals received in accordance with the time and content requirements identified in this request for proposals will be evaluated and scored based on the criteria outlined below.

The maximum number of points for any proposal can receive is 100.

<b>PROPOSAL COMPONENT</b>	<b>POINTS</b>
Organization Background and Experience: Experience of Organization in providing the same or similar services, or ability to replicate a successful model provided elsewhere.	20
Staffing Plan and Qualifications: Experience and qualifications of staff identified to provide services and reasonableness of staffing plan.	10
Project Plan: Completeness of proposal and program activities. System development and implementation strategy design.	30
Outcomes: Likelihood of obtaining outcomes identified in the proposal. How the proposed activities can positively affect participants and employers.	20
Financial Management Plan and Budget: Cost of services and fiscal capacity. Overall cost, evidenced fiscal capacity, experience with grants, absence of previous monitoring or audit findings.	20
<b>TOTAL POINTS</b>	<b>100</b>

## **F. Award & Contract Provisions & Requirements**

### **1. Provisions**

1. Upon making its recommendation for the One Stop Operator, MCC will have completed its role in this process and the Land of Lincoln Workforce Board will engage in contract negotiations with the selected Applicant.
2. All proposals submitted will be subject to competitive review.
3. MCC has the right to reject any and all proposals that do not follow the format instructions set forth by this Request for Proposals.
4. MCC and the Workforce Board retain the right to accept or reject any or all proposals received or to cancel in part, or in entirety, this Request for Proposals if MCC so determines that it is in the best interest of the LLWB to do so.
5. MCC may modify any portion or terms of this Request for Proposals and may solicit additional proposals as necessary. MCC reserves the right to modify or change this RFP based on rules, regulations, requirements put forth by the U.S. Department of Labor, the Illinois Department of Commerce and Economic Opportunity, or other regulatory entities.

6. All proposals will be subject to negotiation of terms, conditions, and amount.
7. Records from this procurement including documentation of the preparation of the RFP, documentation of publishing and distribution of the RFP, questions and answers, submitted proposals, scoring and evaluation materials, will be maintained by MCC and turned over to the Workforce Board subsequent to the procurement process.
8. The release of this Request for Proposals does not commit the Land of Lincoln Workforce Board to award a contract.
9. Contract(s) will be awarded to successful applicant(s) for the period from July 1, 2024 to June 30, 2025. The LLWB reserves the right to renew contract(s) for additional periods.

## 2. Right to Appeal

Any respondent who has submitted a response to this RFP may appeal the decision of the contract award.

All protest, appeal or complaints must be submitted in writing via email to LLWB Board Chair, Victor Martinek, Board Chair, at [vic\\_martinek@hotmail.com](mailto:vic_martinek@hotmail.com) within five (5) working days of the award announcement. The appeal must include justification for the appeal in the request. The appeals process will allow for a hearing, if requested, and a decision will be made within ten (10) working days of the appeal submission. This decision will be final.

## 3. Contract Requirements

The applicant's proposal will become part of the contract/grant award. Portions of the proposal may be revised to reflect agreements reached as part of the negotiation process.

The contract/grant includes reporting requirements, to be determined by the Land of Lincoln Workforce Board. To some extent, reporting processes and requirements will be dictated by the Illinois Department of Commerce and Economic Opportunity.

Proprietary right to all data, materials, documentation and products originated by and prepared pursuant to the contract shall belong exclusively to the Land of Lincoln Workforce Board. The contractor(s) will acknowledge and agree that any Product and/or Deliverable created hereunder shall be considered a "work made for hire" and all rights to said Product and/or Deliverable shall belong exclusively to the Land of Lincoln Workforce Board. The contractor(s) further will agree to execute whatever documents are necessary to legally transfer ownership. For any software created under this Agreement as part of the Products and/or Deliverables, the contractor(s) agrees to provide the software source code in both human and machine-readable format upon the request of Administrative Entity. The contractor(s) also agrees to certify in writing that the Products and/or Deliverables have been fully tested in the production environment and verifies that they are fully operational. The contractor(s) will agree to remedy any deficiency found subsequent to delivery that is found to be the responsibility of the contractor(s).

The contractor(s) will be prohibited from disseminating products and information developed under the grant without the prior written consent of the Land of Lincoln Workforce Board.

All applicants must be in compliance, or agree to comply, with all federal and state laws and related regulations in order to be considered for an award. The selected Operator will be required to acknowledge acceptance of several of these during the contracting process. Some particular examples include:

- Workforce Innovation and Opportunity Act and all WIOA Regulations
- Equal Employment Opportunity requirements
- Debarment and Suspension requirements (E.O.s 12549 and 12689) (see Attachment 4)
- Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) (see Attachment 5)
- General Certifications and Assurances (Attachment 6)
- Required Certifications (Attachment 7)
- LWA 20's Conflict of Interest Policy and standards of conduct requirements
- Illinois Human Rights Act (775 ILCS 5/2-105 et seq., as amended) and any rules and regulations promulgated in accordance therewith.
- Illinois "Sunshine" provisions relevant to the WIOA system including Freedom of Information Act and Open Meetings Act.

The procurement of proposals is being undertaken in compliance with the federal guidelines set forth in the "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards Final Rule" (also known as the Super-circular or Omni-circular). All contractor(s) selected under this RFP must follow the guidelines set forth in this circular. This final guidance supersedes requirements from OMB Circulars A-21, A-87, A-110, and A-122; Circulars A-89, A-102, and A-133, and the guidance in Circular 1-50 on Since Audit Act Follow-up. This final guidance is located in Title 2 of the Code of Federal Regulations. This link provides additional information on this guidance: <https://www.federalregister.gov/articles/2013/12/26/2013-30465/uniform-administrative-requirements-cost-principles-and-audit-requirements-for-federal-awards#h-33>.

#### **4. Equal Employment Opportunity**

As a condition to the award of funding under WIOA from the Department of Labor, the Contractor assures, with respect to operation of the WIOA-funded training or activity, that it will comply fully with the nondiscrimination and equal opportunity provisions in Sec. 188 of the Workforce Investment Act of 1998; USDOL Regulation 29 CFR Part 38, as amended; USDOL Regulations at 29 CFR Parts 31 and 32, including the Nontraditional Employment for Women Act of 1991; Title VI of the Civil Rights Act of 1964, as amended; Section 504 of the Rehabilitation Act of 1973 as amended; Title IX of the Education Amendments of 1972, as amended; the Age Discrimination Act of 1975 as amended; the Civil Rights Restoration Act of 1987; Executive Order 12250; Age Discrimination in Employment Act of 1967; Federal Equal Pay Act of 1963; Illinois Equal Pay Act of 2003; U.S. Department of Labor Regulations at 28 CFR Part 42, Subparts F & H; Title VII of the Civil Rights Act of 1964, as amended Victims Economic Security and Safety Act; the Veterans' Priority Provisions of the "Jobs for Veterans Act," Public Law 107-288.

## 5. Affirmative Action

The LLWB will take affirmative steps to assure that small and minority firms, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
2. Assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into small tasks or quantities to permit maximum participation by small, minority, and women's business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority business and women's business enterprises.
5. Using the services and assistance of the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

## 6. Tools & Resources

For the purpose of expanding economic opportunity, the Illinois workNet® Portal and System utilizes partnerships and technology to expand seamless and real-time access to workforce development resources aimed at individuals, businesses, and workforce professionals. For information on programs and services, visit

<https://www.illinoisworknet.com/>

For more information about WIOA employment and training services in Illinois, please see: <https://dceo.illinois.gov/workforcedevelopment.html>

## Attachments

**Cover Sheet – Attachment 1 (submit with proposal)**

<b>Name of Organization:</b>	<b>Federal Employer ID:</b>
<b>Address:</b>	<b>Phone:</b>
<b>Contact Person:</b>	<b>Title:</b>
<b>Email:</b>	<b>Fax:</b>
<b>Total Budget Request:</b>	
<b>Partner Entities to Consortium Application (if any):</b>	
<b>Brief Description of Proposal:</b>	
<b>Legal Status (circle one):</b> Public Agency   Nonprofit Corporation   Private for-profit   Public Corporation   Other _____	
<b>Statement of Certification</b>	
The applicant certifies that the information provided in this Request for Proposal including all attachments, is true, accurate and current; and the person signing below is authorized to do so on behalf of the above named organization. The applicant further certifies that the organization will comply with Workforce Innovation and Opportunity Act rules and regulations should the Land of Lincoln Workforce Board fund this program.	
<b>Authorized Signer (Name Typed)</b>	<b>Authorized Signature</b>
<b>Authorized Signer's Title</b>	<b>Date Signed</b>



**Budget Form – Attachment 2 (submit with proposal)**

<b>LINE ITEM</b>	<b>BUDGET AMOUNT REQUEST (for One Year contract period)</b>	<b>BUDGET AMOUNT In-Kind/Leveraged (for One Year contract period)</b>	<b>BUDGET TOTAL</b>
Personnel (Wages – Staff)			
Fringe Benefits			
Travel			
Equipment			
Supplies			
Communications (including Copying/Printing)			
Insurance			
Contractual			
Other			
<b>TOTAL BUDGET</b>			

**Please attach a short budget narrative justification including description of each line item, its purpose and other details as needed.**

## EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT

### Attachment 3 (submit with proposal)

\_\_\_\_\_ [Company Name] provides equal employment opportunities (EEO) to all employees and applicants for employment without regard to race, color, religion, sex, national origin, age, disability or genetics.

In addition to federal law requirements, \_\_\_\_\_ [Company Name] complies with applicable state and local laws governing nondiscrimination in employment in every location in which the company has facilities. This policy applies to all terms and conditions of employment, including recruiting, hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation and training.

\_\_\_\_\_ [Company Name] expressly prohibits any form of workplace harassment based on race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status. Improper interference with the ability of \_\_\_\_\_ [Company Name]'s employees to perform their job duties may result in discipline up to and including discharge.

\_\_\_\_\_ (name) will be the Equal Employment Opportunity representative for \_\_\_\_\_ [Company].

Organization

Printed Name and Title of Certifying Official

Signature of Certifying Official

Date

## **Additional Attachments (for Informational Purposes)**

Debarment and Suspension requirements (E.O.s 12549 and 12689) (see Attachment 4)  
Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) (see Attachment 5)  
General Certifications and Assurances (Attachment 6)  
Required Certifications (Attachment 7)  
The Land of Lincoln Workforce Board's written conflict of interest policy (separate document)  
The Land of Lincoln Workforce Board's written procurement policy (separate document)

#### **Debarment Certification – Attachment 4 (for information purposes)**

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, Participants= responsibilities. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160-19211).

(BEFORE SIGNING CERTIFICATION, READ ATTACHED INSTRUCTIONS WHICH ARE AN INTEGRAL PART OF THE CERTIFICATION)

(1) The prospective primary participant certifies to the best of its knowledge and belief, that it and its principals:

(a) are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) have not within a three-year period preceding this proposal been convicted of or had a civil judgement 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; 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 (1) (b) of this certification; and

(d) have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

(2) Where the prospective primary participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Authorized Representative \_\_\_\_\_

Title of Authorized Representative \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_

## Instructions for Attachment 4

1. By signing and submitting this Attachment, the prospective primary participant is providing the certification set out below.
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the Department of Labor's (DOL) determination whether to enter into this transaction. However, failure of the prospective primary participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the DOL determined to enter into this transaction. If it is later determined that the prospective primary participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the DOL may terminate this transaction for cause or default.
4. The prospective primary participant shall provide immediate written notice to the DOL if at any time the prospective primary participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms "covered transaction", "debarred", "suspended", "ineligible", "lower tier covered transaction", "participant", "person", "primary covered transaction", "principal", "proposal", and "voluntarily excluded", as used in this clause, have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact the DOL for assistance in obtaining a copy of those regulations.
6. The prospective primary participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the DOL.
7. The prospective primary participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion-Lower Tier Covered Transactions," provided by the DOL, without modification, in all lower tier-covered transactions and in all solicitations for lower tier covered transactions.
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties From Procurement or Non-procurement Programs.
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier-covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the DOL may terminate this transaction for cause or default.

## **Certification Regarding Lobbying – Attachment 5 (for information purposes)**

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

The undersigned certifies, to the best of their 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 an 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 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\* sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all\* sub-recipients 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 \$100,000.00 for each such failure.

---

Grantee/Contractor Organization

---

Name of Certifying Official

---

Signature

---

Date

## **General Conditions and Assurances – Attachment 6 (for information purposes)**

In submitting this proposal, the respondent must agree to follow and abide by the conditions/assurances stated below. Please read each item carefully and sign where indicated. Include this section in your submission.

1. The WIB reserves the right to reject any and all proposals which are not complete or not prepared in accordance with RFP guidelines.
2. The WIB retains the right to accept or reject any or all proposals received in whole or in part, to negotiate with any qualified sources, or to conceal in whole or in part proposals if it is in the best interest of the WIB to do so. The WIB will require selected respondents to participate in contract negotiations should they be necessary.
3. The submission of a proposal does not commit the WIB to award a contract or to pay any costs incurred in the preparation of a proposal, or to procure or contract for services or supplies prior to the issuance of a signed contract.
4. The contents of proposals submitted will become part of any contract award.
5. Proprietary rights to all products, data, materials, and documentation originated and prepared pursuant to a contract shall belong exclusively to the WIB
6. The proposal as submitted for funding consideration is consistent with, and if funded, operated according to, the federal WIOA legislation, all applicable federal regulations, State of Illinois policies and the WIB policies and procedures.
7. Contractors will be prohibited from disseminating products developed under contract with the WIB without prior written consent.
8. Contractors must participate in project reporting, evaluation, and monitoring required or conducted by the WIB including the regular examination of performance and cost against original expectation reporting.
9. Contractors will be required to adopt Grievance Procedures followed by the WIB.
10. The Contractor shall operate and comply with the project described in the proposal, which will be included as a part of the agreement. Any deviation from the project as defined in this proposal must be approved in writing by the WIB. Failure to gain such written approval shall constitute breach of contract. In the event of breach of contract, the WIB reserves the right to impose sanctions as deemed appropriate.
11. All funds received pursuant to this contract must be used exclusively for the proposed project. Any expenditures or performances that exceed those agreed to in the contract are the sole responsibility of the contractor and shall not entitle him/her to additional payments or benefits.
12. The Contractor shall inform the WIB in writing regarding the receipt of additional funding that may have an effect upon the provision, quality, or costs of providing services under this contract. The WIB retains the right to disapprove or renegotiate project costs based upon receipt of this information.
13. The Contractor agrees to permit the WIB or any of its authorized agents full access to and the right to examine any pertinent books, documents, papers, and records involving transactions related to the funding of this project as often as deemed necessary.
14. The Contractor must agree to hold the WIB and the Federal and State Governments harmless from liabilities arising from bodily injury, illness or damage of losses to person or property, or claims arising out of any activity under a WIOA contract.
15. The Contractor agrees to maintain record confidentiality as required. The Contractor also agrees to retain all records pertinent to this project for a period of five (5) years from the date of final contract payment or until pending matters of litigation, audit, or other related claims are resolved. This includes but is not limited to financial, statistical and participant records and supporting documentation.
16. The respondent will allow local, state, and federal representatives access to all WIOA records, program materials, staff and participants.
17. The Contractor must be able to maintain control over the accountability for all WIOA funds received. The Contractor's financial management system must be able to provide for accurate, current, and complete disclosure of all project costs/expenditures.
18. The Contractor will comply with Federal regulations, and procurement policies, relating to the calculation and use of profit.
19. The Contractor will obtain annually an organization-wide audit.
20. The Contractor certifies that it possesses the legal authority to apply for WIOA funds, enter into any contract

awarded and execute the proposed project.

21. The contracting organization agrees to comply with all Federal and State non-discrimination Provisions, including those found in WIOA Section 188 and its implementing regulation codified at 29 CFR Part 38. Specifically, upon receiving funding under the WIOA program, the contractor agrees that it will not discriminate on the basis of race, color, creed, religion, age, sex, physical or mental ability, marital status, arrest or conviction records (whenever appropriate), national origin, political affiliation, veteran status, or for persons with AIDS or HIV infection.

22. The Contractor agrees to meet all of the requirements of Section 504 of the Rehabilitation Act of 1973.

23. The Contractor agrees to meet all applicable labor laws, including Child Labor Law standards.

24. The Contractor affirms that it is not on any Federal, State of Illinois or local Debarment List.

25. The contractor shall comply with all applicable standards, orders, or requirements issued under Section 306 of the Clean Air Act (42 U.S.C. 1857 (h)), Section 508 of the Clean Water Act (33 U.S.C. 1386), Executive 11738, and Environmental Protection Agency regulation (40 CFR 15).

26. The Contractor will assure that priority of adult career and training services is given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient.

27. The Contractor will collect such performance information from providers of On-the-Job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, and transitional employment as the Governor may require, and use the information to determine whether the providers meet such performance criteria as the Governor may require.

28. This program is subject to the provisions of the "Jobs for Veterans Act", Public Law 107- 288, which provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job-training program directly funded, in whole, or in part by the Department of Labor. Please note that, to obtain priority service, a veteran must meet the program's eligibility requirements. ETA Training and Employment Guidance Letter (TEGL) No. 5- 03 (September 16, 2003) provides general guidance on the scope of veteran's priority statute and its effect on current employment and training programs.

29. Any non-expendable personal property (equipment and other personal property of a tangible nature having a useful life of more than one (1) year and having an acquisition cost of \$300.00 or more) to be purchased with funds from this grant must be approved by the WIB prior to purchase. The item(s) remains the property of the WIB and is subject to the WIB inventory controls. This includes items such as computers, printers, and furniture. Upon completion of the grant, this equipment will be retrieved by the WIB.

30. The contractor agrees that any press releases, newspaper articles, public service announcements, presentations, written reports or other such materials that provides information about this project in a public manner must recognize the WIB as the funding agency.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of Authorized Representative

\_\_\_\_\_  
Title

\_\_\_\_\_  
Organization Name



## Required Certifications – Attachment 7 (for information purposes)

The Grantee makes the following certifications as a condition of this Agreement. These certifications are required by State statute and are in addition to any certifications required by any federal funding source as set forth in this Agreement. Grantee's execution of this Agreement shall serve as its attestation that the certification made herein are true and correct.

Compliance with Applicable Law. The Grantee certifies that it shall comply with all applicable provisions of Federal, State and local law in the performance of its obligations pursuant to this Agreement.

Unemployment Insurance. Grantee certifies that:

It has an Illinois Unemployment Insurance Account Number and that said number is

\_\_\_\_\_

Or

It does not have an Illinois Unemployment Insurance Account Number for the following reason(s):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If the Grantee has an Illinois Unemployment Insurance Account Number, it certifies that it is not delinquent in the payment of Unemployment Insurance contributions, payments in lieu of contributions, penalties and/or interest, nor does it owe any sums to the Department of Employment Security because of overpaid unemployment insurance benefits. Grantee further certifies that Grantee's Federal Employer Identification Number (FEIN) set forth in the Notice of Grant Award is the same number that Grantee has supplied to IDES for unemployment insurance purposes. If, for any reason, the FEIN the Grantee has supplied for unemployment insurance purposes changes, the Grantee will immediately notify the Department of Employment Security of the new FEIN, in writing, by telefacsimile sent in care of the Office of Legal Counsel at (312) 793-2164, with such notice to include reference to the Grant number assigned to this Grant Agreement; upon receipt of such notice, all further payments under this grant shall be processed under the new FEIN. Grantee hereby acknowledges that to the extent allowable by applicable federal laws and regulation, the State shall have the right and the Grantee authorizes the State to withhold from any sum or sums due otherwise payable pursuant to this Grant Agreement the overpaid benefits under the Unemployment Insurance Act, and may apply the amount so withheld toward satisfaction of any such past due contributions, payments in lieu of contributions, penalties and/or interest or overpaid benefits.

Americans with Disabilities Act. The Americans with Disabilities Act (ADA) (42 U.S.C. 12101 et. Seq.) and the regulations thereunder (28 CFR 35.130) prohibit discrimination against persons with disabilities by the State, whether directly or through contractual arrangements, in the provision of any aid, benefit or service. As a condition of receiving this grant, the Grantee certifies that services, programs and activities provided under this Agreement are, and will continue to be, in compliance with the ADA.

Discrimination/Illinois Human Rights Act. The Grantee certifies (i) that it will not commit unlawful discrimination in employment in Illinois as that term is defined in Article 2 of said Act; (ii) that it will comply with the provisions of Article 5 of the Act regarding equal employment opportunities and affirmative action; and, (iii) that it will comply with policies and procedures established by the

Department of Human Rights under Article 7 of the Act regarding equal employment opportunities and affirmative action.

The Grantee further certifies that, if applicable, it will comply with "An act to prohibit discrimination and intimidation on account of race, creed, color, sex, religion, physical or mental handicap unrelated to ability or national origin in employment under contracts for public buildings or public works." (775 ILCS 10/0.01 et. seq.).

**Sexual Harassment.** The Grantee certifies that it has written sexual harassment policies that shall include, at a minimum, the following information:

- the illegality of sexual harassment;
- the definition of sexual harassment under State law;
- a description of sexual harassment, utilizing examples;
- the Grantee's internal complaint process including penalties;
- the legal recourse, investigative and complaint process available through the Department of Human Rights and the Human Rights Commission;
- directions on how to contact the Department and Commission and,
- protection against retaliation as provided by Section 6-101 of the Illinois Human Rights Act (775 ILCS 5/2-105 (B)(5)).

A copy of the policies shall be provided to the Department upon request.

**State of Illinois Certifications.** Grantee, its officers, and directors shall be responsible for compliance with the enumerated certifications to the extent that the certifications apply to Grantee.

(a) Bribery. Grantee certifies that it has not been convicted of bribery or attempting to bribe an officer or employee of the state of Illinois, nor made an admission of guilt of such conduct which is a matter of record (30 ILCS 500/50-5).

(b) Bid Rigging. Grantee certifies that it has not been barred from contracting with a unit of state or local government as a result of a violation of Paragraph 33E-3 or 33E-4 of the Criminal Code of 1961 (720 ILCS 5/33E-3 or 720 ILCS 5/33E-4, respectively).

(c) Debt to State. Grantee certifies that neither it, nor its affiliate(s), is/are barred from receiving an Award because Grantee, or its affiliate(s), is/are delinquent in the payment of any debt to the State, unless Grantee, or its affiliate(s), has/have entered into a deferred payment plan to pay off the debt, and Grantee acknowledges Grantor may declare the Agreement void if the certification is false (30 ILCS 500/50-11).

(d) Educational Loan. Grantee certifies that it is not barred from receiving State agreements as a result of default on an educational loan (5 ILCS 385/1 et seq.).

(e) International Boycott. Grantee certifies that neither it nor any substantially owned affiliated company is participating or shall participate in an international boycott in violation of the provision of the U.S. Export Administration Act of 1979 (50 USC Appendix 2401 et seq.) or the regulations of the U.S. Department of Commerce promulgated under that Act (15 CFR Parts 730 through 774).

(f) Dues and Fees. Grantee certifies that it is not prohibited from receiving an Award because it pays dues or fees on behalf of its employees or agents, or subsidizes or otherwise reimburses them for payment of their dues or fees to any club which unlawfully discriminates (775 ILCS 25/1 et seq.).

(g) Pro-Children Act. Grantee certifies that it is in compliance with the Pro-Children Act of 2001 in that it prohibits smoking in any portion of its facility used for the provision of health, day care, early childhood development services, education or library services to children under the age of eighteen (18), which services are supported by federal or state government assistance (except such portions of the facilities which are used for inpatient substance abuse treatment) (20 USC 7181-7184).

(h) Drug-Free Work Place. If Grantee is not an individual, Grantee certifies it will provide a drug free

workplace pursuant to the Drug Free Workplace Act. 30 ILCS 580/3. If Grantee is an individual and this Agreement is valued at more than \$5,000, Grantee certifies it shall not engage in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance during the performance of the Agreement. 30 ILCS 580/4. Grantee further certifies that it is in compliance with the government-wide requirements for a drug-free workplace as set forth in 41 USC 8102.

(i) Motor Voter Law. Grantee certifies that it is in full compliance with the terms and provisions of the National Voter Registration Act of 1993 (52 USC 20501 et seq.).

(j) Clean Air Act and Clean Water Act. Grantee certifies that it is in compliance with all applicable standards, order or regulations issued pursuant to the Clean Air Act (42 USC 7401 et seq.) and the Federal Water Pollution Control Act, as amended (33 USC 1251 et seq.).

(k) Debarment. Grantee certifies that it is not debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this Agreement by any federal department or agency 2 CFR 200.205(a), or by the State (See 30 ILCS 708/25(6)(G)).

(l) Non-procurement Debarment and Suspension. Grantee certifies that it is in compliance with Subpart C of 2 CFR Part 180 as supplemented by 2 CFR Part 376, Subpart C.

(m) Grant for the Construction of Fixed Works. Grantee certifies that all Programs for the construction of fixed works which are financed in whole or in part with funds provided by this Agreement shall be subject to the Prevailing Wage Act (820 ILCS 130/0.01 et seq.) unless the provisions of that Act exempt its application. In the construction of the Program, Grantee shall comply with the requirements of the Prevailing Wage Act including, but not limited to, inserting into all contracts for such construction a stipulation to the effect that not less than the prevailing rate of wages as applicable to the Program shall be paid to all laborers, workers, and mechanics performing work under the Award and requiring all bonds of contractors to include a provision as will guarantee the faithful performance of such prevailing wage clause as provided by contract.

(n) Health Insurance Portability and Accountability Act. Grantee certifies that it is in compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law No. 104-191, 45 CFR Parts 160, 162 and 164, and the Social Security Act, 42 USC 1320d-2 through 1320d-7, in that it may not use or disclose protected health information other than as permitted or required by law and agrees to use appropriate safeguards to prevent use or disclosure of the protected health information. Grantee shall maintain, for a minimum of six (6) years, all protected health information.

(o) Criminal Convictions. Grantee certifies that neither it nor any officer, director, partner or other managerial agent of Grantee has been convicted of a felony under the Sarbanes-Oxley Act of 2002, nor a Class 3 or Class 2 felony under Illinois Securities Law of 1953, or that at least five (5) years have passed since the date of the conviction. Grantee further certifies that it is not barred from receiving an Award under 30 ILCS 500/50-10.5, and acknowledges that Grantor shall declare the Agreement void if this certification is false (30 ILCS 500/50-10.5).

(p) Forced Labor Act. Grantee certifies that it complies with the State Prohibition of Goods from Forced Labor Act, and certifies that no foreign-made equipment, materials, or supplies furnished to the State under this Agreement have been or will be produced in whole or in part by forced labor, convict labor, or indentured labor under penal sanction (30 ILCS 583).

(q) Illinois Use Tax. Grantee certifies in accordance with 30 ILCS 500/50-12 that it is not barred from receiving an Award under this Paragraph. Grantee acknowledges that this Agreement may be declared void if this certification is false.

(r) Environmental Protection Act Violations. Grantee certifies in accordance with 30 ILCS 500/50-14 that it is not barred from receiving an Award under this Paragraph. Grantee acknowledges that this Agreement may be declared void if this certification is false.

(s) Goods from Child Labor Act. Grantee certifies that no foreign-made equipment, materials, or supplies furnished to the State under this Agreement have been produced in whole or in part by the labor of any

child under the age of twelve (12) (30 ILCS 584).

(t) Federal Funding Accountability and Transparency Act of 2006. Grantee certifies that it is in compliance with the terms and requirements of 31 USC 6101.

(u) Illinois Works Review Panel. For Awards made for public works projects, as defined in the Illinois Works Jobs Program Act, Grantee certifies that it and any contractor(s) or sub-contractor(s) that performs work using funds from this Award, shall, upon reasonable notice, appear before and respond to requests for information from the Illinois Works Review Panel. 30 ILCS 559/20-25(d).

---

Signature

---

Date

---

Name of Authorized Representative

---

Title

---

Organization Name

## **Land of Lincoln Workforce Board**

### **PY'23 WIOA**

## **One Stop Operator Policy and Procurement**

The LLWB has established One Stop Operator Procurement policy based on WIOA TEGL 15-16 and its competitive selection requirements.

### **Role of the One-Stop Operator**

The basic role of a One-Stop Operator is to coordinate the service delivery of participating One-Stop Partners and service providers.

1. At a minimum the LLWB must ensure that the One-Stop Operator does the following;
  - a. Discloses any potential conflicts of interest arising from the relationships of the One-Stop Operators with particular training service providers or other service providers including, but not limited to, career services providers;
  - b. In coordinating services and serving as the One-Stop Operator, refrain from establishing practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as employment, training, and education services; and
  - c. Comply with Federal, State, and procurement policies relating to the calculation and use of profits.
2. The LLWB may establish additional roles for the One-Stop Operator, including the following:
  - a. Being the primary provider of services within the Center;
  - b. Providing some of the services within the Center;
  - c. Coordinating service providers within the Center and across the One-Stop system; and
  - d. Coordinating service delivery within LWIA 20, which may include affiliate sites.
3. The role of the One-Stop Operator will be clearly articulated in all phases of the procurement process, as well as in the legally binding agreement between the LLWB and the One-Stop Operator.
4. The One-Stop Operator may not perform the following functions;
  - a. Convene system stakeholders to assist in the development of the local plan;
  - b. Prepare and submit local plans;
  - c. Be responsible for oversight of itself;
  - d. Manage or significantly participate in the competitive selection process for One-Stop Operators;
  - e. Select or terminate One-Stop Operators, career service providers and youth providers;
  - f. Negotiate local performance accountability measures; or
  - g. Develop and submit budgets for activities of the LLWB in LWIA 20.

### **Eligible Entities**

The One-Stop Operator must be an entity (public, private, or non-profit) or a Consortium of entities that, at minimum includes three or more of the required One-Stop Partners in the local area.

1. LLWB will avoid conflict of interests and avoid “less-than arms-length” relationships.

### **LLWB as the One-Stop Operator**

The LLWB may serve as the One-Stop Operator. However, it will still participate in the competition to be the One-Stop Operator if/as applicable, and meet the requirements in 20 CFR 678.605(c) and 678-615(a).

1. The LLWB will not deem itself as the One-Stop Operator due to lack of bids received.
2. As stated above, the eligibility of the One-Stop Operator is affected by the nature of the process, particularly as it relates to conflict of interest and avoiding “less-than arms-length” relationships.
3. The LLWB will contract with a separate and independent outside entity to conduct the competition.
  - a. LLWB will outsource the process.
  - b. If the outcome of a competitive process is the selection of the LLWB itself as the One-Stop Operator, the CEO’s must agree to the selection of the LLWB by submitting the Request for Approval for the LLWB to serve as the One Stop Operator to obtain DCEO’s approval.

### **Timing**

The One-Stop Operator competitive process will be conducted at least once every four years, and prior to;

- July 1, 2024
- July 1, 2028
- July 1, 2032
- July 1, 2036

### **Competitive Requirements**

The One Stop Operator competitive process will be based on local procurement policies, procedures, and the principles of competitive procurement in the Uniform Administrative Requirements, Cost, and Audit Principles for Federal awards.

### **Avoiding Conflicts of Interest**

Entities and persons involved in the competitive process to select a One-Stop Operator using federal funds will be free of apparent or real conflicts of interest according to policy and WIOA law and governing regulations (20 CFR 679-430).

PY 23

OSO Policy

WIB: 05/15/23

### **Required Contract Elements**

All One-Stop Operator Agreements will include essential elements of a legally binding written agreement, and contain, at minimum, a Statement of Work, Authorized Officials and Purpose, and additional contractual terms and conditions.

1. The One-Stop Operator Agreement will identify that the One-Stop Operator is the sub-recipient of federal funds and will comply with the Uniform Guidance at 2 CFR part 200, DOL's specific requirement at 2 CFR part 2900, and information required by the Uniform Guidance at 2 CFR 200.331.
2. The One-Stop Operator Agreement will include a provision that outlines how the Agreement may be modified or amended.
3. One-Stop Operator Agreements may be modified as needed if there are changes to local, state, or federal policies regarding the implementation of WIOA.

### **Oversight and Monitoring of the One-Stop Operator**

One-Stop Operator procurement will be conducted in accordance with the local procurement policies that are consistent with the procurement standards of the Uniform Guidance at 2 CFR 200.318 through 200.326.

1. The LLWB will complete, sign, and submit the One-Stop Operator Procurement Attestation along with the other documentation outlined in the Attestation within 30 days of the execution of the One-Stop Operator Agreement.
2. The LLWB will conduct monitoring of its One-Stop Operator.

### **Additional Procurements and Board Staffing**

1. The LLWB will select providers of career services through a competitive procurement process.
2. The LLWB will not provide training services without an approved written waiver.
3. LLWB board staffing will follow DCEO policies and procedures.

### **One-Stop Certification, Criteria, Certification Team, and Frequency**

1. The LLWB will evaluate and certify the One-Stop in LWIA 20 every four years.
2. If the LLWB is the One-Stop Operator the One-Stop site will be certified by the IWIB.
3. The IWIB or the LLWB will utilize the criteria in the Application for Certification of One-Stop Centers for the certification criteria.
4. The LLWB team will include the local board chair or designee and at least two other individuals representing LLWB members, board staff, and/or local partners with specific expertise serving populations with barriers. At least one team member will be an employer.
5. The LLWB certification team will assess all criteria as "attained" in order to certify the One-Stop Center. This assessment will be conducted between combination of desk review of documents and on-site observation.

### **LLWB Certification Process for a Comprehensive One-Stop Center if the Local Board is not the One-Stop Operator**

The One-Stop certification process for comprehensive One-Stop Centers consists of six main steps.

1. The LLWB will submit “Notice of Intent to Apply for Certification” to DCEO/IWIB Staff for all centers for which certification is being sought.
2. The One-Stop Operator will complete the Application for Certification of One-Stop Centers in Illinois and submit to the LLWB.
3. The LLWB Chair or designee will convene and lead a Local Certification Team to conduct an independent, objective evaluation of the One-Stop Center seeking certification.
4. The LLWB Certification Team will conduct the evaluation of the One-Stop Center. This process will include:
  - a. Reviewing the completed Application for Certification of One-Stop Centers in Illinois submitted by the One-Stop Operator.
  - b. Scheduling an On-Site Evaluation which will include;
    - i. A walk-through of various parts of the Center as a customer might experience the service delivery flow and referrals.
    - ii. Interviews with Center staff including system partners.
    - iii. Interviews with a sample of employer and job seeker customers.
    - iv. A review of the Center’s general materials such as outreach, orientation materials, media, activities, workshops, etc.
    - v. A review of the System’s facilities, layout, infrastructure, with a goal of customer accessibility and customer flow.
  - c. Following the site visit, interviews, and final responses to any follow-up questions, the LLWB Certification Team will add their comments to the Application for Certification of One-Stop Centers in Illinois, and provide their certification recommendation which will result in one of four outcomes;
    1. Recommends Certification- all criteria have been met
    2. Recommends provisional certification pending successful completion of an MOU
    3. Recommends provisional certification pending implementation of specific improvements by specified dates
    4. Does not recommend certification
5. The LLWB will determine whether to accept the recommendation of the Local Certification Team through formal approval according to its bylaws.
  - a. This may require a special convening of the Board or Executive Committee to meet the timelines suggested in the Timeline for Certification Section of this policy.



- b. If an existing comprehensive One-Stop Site is ultimately not certified as meeting all certification criteria or “for-cause”, the LWIB and One-Stop Operator must have a plan to ensure continuity of service until a site is certified.
6. The LLWB will notify the IWIB Staff of its decision to accept or reject the recommendation of the Local Certification Team, which will also be reported to the CEO’s and the One-Stop Operator with a copy of the completed Application for Certification of One-Stop Centers in Illinois.

#### **Local Certification Process for a Comprehensive One-Stop Center if the Local Board is the One-Stop Operator**

If the LLWB is ever serving as the One-Stop Operator with approval from the Governor and local CEOs, the IWIB must certify the One-Stop Center in LWIA 20.

1. The LLWB would need to complete the “Notice of Intent to Apply for Certification” attachment so the IWIB is able to anticipate the number of Local Certification Teams needed for on-site evaluations.
2. An individual designated by the IWIB would convene a State Certification Team to conduct an independent evaluation for the LLWB operated One-Stop Center described in the Certification Process for a Comprehensive One-Stop Centers.

#### **Review or Revocation of One-Stop Operator Certification**

1. The LLWB may review and/or revoke a One-Stop Operator’s certification “for cause” as determined appropriate by the LLWB.
2. Consideration may be given to the Center’s integrity, compliance with policy, record of past performance, and financial and technical resources.
3. If such a request is forthcoming;
  - a. The LLWB must send a formal written notice of its concerns to the One-Stop Operator.
  - b. The One-Stop Operator will have the option of providing the LLWB with additional information that could clarify and substantiate the Center’s certification status.
  - c. Both the notice from the LLWB to the One-Stop Operator and the Operator’s response to the LLWB must be sent by registered mail.
  - d. The LLWB must inform the IWIB in writing of any change in the certification status of the One-Stop Center with a copy sent to the Department of Commerce and Economic Opportunity, Office of Employment and Training, c/o Illinois Workforce Innovation Board (IWIB).
4. The IWIB may request that an LLWB review and/or consider revoking a One-Stop Center’s certification “for cause” using the same considerations as described above. If such a request is forthcoming the following steps must occur;
  - a. The IWIB must send a formal written notice of its concerns to the LLWB.

- b. The LLWB will have the option of providing the IWIB with additional information that would clarify and substantiate the Center(s) certification status.
- c. Both the notice from the IWIB to the LLWB and the LLWB's response to the IWIB must be sent by registered mail with a copy sent to the Department of Commerce and Economic Opportunity, Office of Employment and Training, c/o Illinois Workforce Innovation Board (IWIB).

#### **Appeals Process for One-Stop Certification**

1. If the LLWB denies or revokes One-Stop Center certification for which it sought approval it must notify the One-Stop Operator of the Center(s) in writing of its decision.
2. The written notice shall include the following information;
  - a. The One-Stop Center that is being denied or revoked eligibility;
  - b. The reason(s) for the denial or revocation; and
  - c. Opportunities for appeal of the decision;
  - d. The notice must be sent via registered mail with a copy sent to DCEO/OET.
3. The One-Stop Center may file an appeal with the LLWB.
  - a. The appeal must include the following information;
    - i. A statement that the One-Stop Operator is appealing the denial or revocation of its Center's certification.
    - ii. The reason(s) the certification should be upheld;
    - iii. Contact information for additional information; and
    - iv. The signature of the Director or Administrator of the One-Stop Center.
  - b. The appeal must be submitted in writing, and must be sent by registered mail no later than the 21<sup>st</sup> day from the date of receipt of the notice of the denial or revocation.
  - c. The LLWB, or a committee designated by the LLWB (separate from that which provided the initial certification decision), will review the request for appeal.
    - i. If an administrative error was made or if additional information submitted by the One-Stop Operator changes the basis upon which the original decision to deny or revoke certification was issued, the decision may be reversed and the Center(s) awarded the appropriate certification status.
    - ii. If the LLWB reverses its decision, it will notify the One-Stop Operator of its action in writing and will forward a copy to DCEO/OET.
  - d. If the LLWB does not reverse its decision to deny or revoke certification of the Center, it shall notify the One-Stop Operator in writing by registered mail.
    - i. The notice will include information about the opportunities for the One-Stop Operator to appeal its denial of eligibility with DCEO/OET on behalf of the IWIB.
    - ii. A copy of the letter will be forwarded to DCEO/OET.
  - e. If a One-Stop Operator appeals the denial or revocation of the certification to DCEO/OET on behalf of the IWIB, the following steps will take place;
    - i. The IWIB certification team will have thirty (30) days to complete its investigation into the matter, gather additional information from the LLWB and the One-Stop Operator, and issue a final determination of the certification.

- ii. During this period, the IWIB Certification Team will convene a meeting with the affected parties, if requested.
- iii. The final determination will be forwarded to the One-Stop Operator and the LLWB in writing.
- iv. If the IWIB overturns the decision of the LLWB, the Center will be provided certification or provisional certification within seven (7) days.
- v. The IWIB will not make a final decision to overturn the decision of the LLWB without convening a meeting with all affected parties.

#### **Timeline for One-Stop Certification**

1. The LLWB will complete the One-Stop Certification process every four (4) years.
2. PY' 2023 is a re-certification year, and the process will be completed by July 1, 2024.

<b>Action</b>	<b>Estimated completion</b>
LLWB releases RFQ for Procurement consultant	January 2024
LLWB selects Procurement Consultant	January 2024
Consultant releases OSO RFP	February – March 2024
LLWB designates an OSO Committee	February 2024
LLWB committee selects an OSO	March 2024
LLWB certifies the OSO	May - June 2024
LLWB notifies DCEO/OET c/o IWIB	June 2024

**Land of Lincoln Workforce Alliance and Board  
PY 23 WIOA**

**Conflict of Interest Policy**

**Statement of Purpose**

The purpose of this policy and procedure is to set forth the necessary guidelines and implementation steps for the avoidance of a conflict of interest or the appearance of a conflict of interest by the Land Of Lincoln Workforce Alliance staff in their official dealings with immediate family, close family members, agency employees' family, elected officials, WIB members and WIOA stakeholders.

This will ensure all individuals enrolled in the WIOA program have been determined eligible, assessed and served in an ethical manner that is free from any real or perceived conflict of interest.

Although WIOA is not an entitlement program, access to needed services by eligible and suitable individuals is essential in order to fulfill the goals and objectives of the legislation. Local elected officials, workforce boards, designated fiscal agents, and administrative entities meet objectives through effective policies, procedures and safeguards that ensure the integrity of these public funds.

LLWA personnel will avoid a conflict of interest or the appearance of a conflict of interest in conducting their official duties. In no instance shall any person determine eligibility, assess or directly serve a member of his or her immediate family or an individual with whom a close personal relationship exists. Likewise, stakeholders identified in this assurance shall not use his or her position to influence on a decision to enroll an individual in the WIOA program.

**Procedures**

- A. Prior to enrollment in WIOA, Career Planners will ask all potential WIOA enrollees by questionnaire, whether they have a close relationship with LLWA staff or management, agency employees, or other stakeholders (including WIB members, youth council committee members or local elected officials).
- B. Should a potential enrollee disclose a close personal relationship with any of these, this fact will be brought to the attention of the LLWA Executive Director by the WIOA Career Planner.
- C. All LLWA staff, management and stakeholders have a duty to inform the LLWA Executive Director when a person with whom they have a close personal relationship is applying for services. The staff member or stakeholder will remove themselves from any involvement in the case and the Executive Director will ensure that the case will be reassigned to another WIOA Career Planner.
- D. The Executive Director will remove the staff member from any assignment involving the customer and will ensure that the customer is assigned to a staff member having no potential conflict of interest. Decisions related to approval of training, supportive services or other service needs must be made by staff having no potential conflict of interest.

- E. If the LLWA Executive Director is absent or is the subject of the potential conflict of interest, then this responsibility will lie with remaining LLWA Supervisors.
- F. This policy will be distributed to all LLWA staff members, elected officials, WIB and Youth Council Committee members.

**Definitions**

<b>Close Family Member:</b>	Include parents, children, siblings, spouses and domestic partners, Civil Union partnerships.
<b>Immediate Family:</b>	Consists of the individual's parents (including step-parents), spouse, domestic or civil union partner, children (including step-children), foster children, siblings, grandchildren, grandparents, and any relatives by marriage (and in-law).
<b>Stakeholders:</b>	Individuals not related to WIOA agency staff or Management, that direct or indirect management or responsibility for managing the WIOA workforce system, including managers, supervisors, local, elected officials, contractors, WIOA and Youth Council Committee members, LLWA employees.