

## **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.

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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 Principals 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).

### **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.

Action	Estimated completion
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