

East Central Georgia



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REQUEST FOR PROPOSALS
For the period July 1, 2021 -- June 30, 2022

WORKFORCE INNOVATION AND OPPORTUNITY ACT
(WIOA)

YOUTH SERVICES

Due Date:
April 27, 2021 – 5pm (EST)
Any proposals received after that time will not be accepted.

**WorkSource East Central Georgia is an equal opportunity employer and provider of
employment and training programs**
Auxiliary aids and services are available upon request to persons with disabilities.

Solicitation Point-Of-Contact:

Mary Stein - 706-595-8941, 1-800-251-3882

Fax: 706-597-9713

Email: mstein@ecgwdc.org

Work Source East Central Georgia
aka
East Central Georgia Consortium, Inc.
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INTRODUCTION AND PURPOSE

East Central Georgia Consortium, Inc. (ECGC) is a federally funded job training entity, which provides an array of employment, educational, training and support services to individuals with employment barriers.

East Central Georgia Consortium, Inc. is requesting proposals from organizations that are interested in providing services to eligible in-school and out-of-school youth in accordance with the Workforce Innovation and Opportunity Act (WIOA) of 2014.

ECGC, designated as Service Delivery Region #7, Sub Area #13, includes the following counties:

Columbia	Glascok	Hancock
Lincoln	McDuffie	Taliaferro
Warren	Washington	Wilkes

WORKFORCE INNOVATION AND OPPORTUNITY ACT OVERVIEW

“WIOA was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. In general, the Act became effective on July 1, 2015, the first full program year after enactment, unless otherwise noted.” TEGL WIOA 23-14 (March 26, 2015).

WIOA outlines a broader youth vision that supports an integrated service delivery system.

“Title I of WIOA includes funding streams for adults, dislocated workers, and *youth*. WIOA youth funding is intended to provide comprehensive interventions that “support the attainment of a secondary school diploma or its recognized equivalent, entry into postsecondary education, and career readiness for participants.” (WIOA, Sec.129(c)(2)).”

WIOA expenditure rate is 75% for OSY and 25% for ISY for the youth formula-funded program.

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GENERAL INFORMATION

1. **The Consortium will administer the *procedures* for screening, assessing, and referring eligible WIOA customers to all approved intensive, employment, and training activities.**
2. The RFP Forms Package was prepared on Microsoft Word 9.0 computer software and can be downloaded from the website. If you are unable to download or experience problems please email Mary Stein, Planner/Contract Rep at: mstein@ecgwdc.org.
3. Proposal offerors must obtain and submit, prior to finalizing the contract: insurance coverage, including liability insurance, workers' comp for participants in work experience, fidelity bonding (which shows East Central Georgia Consortium as the Lien Holder), insurance for personal injury of staff, and insurance for theft, fire, and other damages.
4. All proposals should include 12 months follow-up **services** and comprehensive guidance and counseling.
5. Without regard to any designation made by the person or entity making a submission, the Consortium considers all information submitted in response to this invitation or request to be a public record that will be disclosed upon request pursuant to the Georgia Open Records Act. O.C.G.A. Sec. 50-18-70 et seq., without consulting or contacting the person or entity making the submission, unless a court order is presented with the submission. You may wish to consult an attorney or obtain legal advice prior to making a submission.
6. Subcontracts will **not** be allowed.
7. Review Criteria and Rating Sheets to be used later to evaluate proposals/offers, have been included in the RFP for your convenience. This material can be used to determine information is most relevant. Please refer to the Proposal Evaluation Criteria Form posted on our website (www.ecgwdc.org).
8. **Approved sub-recipients must conduct a background check on all staff hired to work with Youth prior to start-up of contract. A copy of the background check shall be provided to the Consortium.**

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A. Responsiveness of Proposal

Proposals not meeting items 1 and 2 below will be rejected on the basis of being non-responsive:

1. Proposals must be **TYPED** in 10 or 12 font size with Times New Roman font and submitted in a **SEALED** package of one (1) copy, **of which must contain original signatures throughout and stamped “original”**. **Submit proposals to:**

**ECGC (East Central GA Consortium)
PO Box 179
(if mailing please use PO Box)
674 Washington Rd.
Thomson, GA 30824**

2. Proposals must be submitted to the Consortium's Administrative Assistant by 4:00 p.m. local time on **April 27, 2021**. Late proposals will be returned to offeror unopened at the offeror's request and expense.
3. Faxed proposals **will not** be accepted.
4. Proposals must include all required forms (filled in) as applicable, see Submission Requirements for this proposal specifications, to include a complete Program Narrative. If a particular section or question is considered not applicable To the program offered, so indicate by typing N/A (not applicable) in the appropriate location.
5. Award determinations shall take into consideration the following:
 - Adequate financial resources or the ability to obtain them;
 - Ability to meet the program design specifications at a reasonable cost, as well as the ability to meet performance goals;
 - A satisfactory record of past performance;
 - A satisfactory record of integrity, business ethics, and fiscal accountability;
 - Necessary organization, experience, accounting and operational controls; and
 - Technical skills to perform the work.

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B. Contract Term:

1. This Request For Proposal (RFP) does not commit the East Central Georgia Consortium, Inc. to pay for any costs incurred prior to the execution of a contract or prior to fund availability.
2. This RFP will cover a period of twelve months in Program Year 2021 (July 1, 2021 through June 30, 2022) with the option to renew for two Program Years. The renewal is conditional upon satisfactory performance and the availability of funds. The Workforce And Opportunity Act was signed into law on July 22, 2014. The East Central Georgia Workforce Development Board reserves the rights of all renewal decisions concerning sub-recipient contracts.
3. The East Central Georgia Consortium, Inc. retains the right to accept, reject, and/or to negotiate any and all proposals received. The Consortium reserves the right to vary the provisions set forth herein at any time prior to the execution of a contract, where the Workforce Development Board (WDB) deems such variance to be in the best interest of the WDB and to act otherwise as it deems in its own discretion.
4. Although cost is a consideration, the East Central Georgia Consortium, Inc. is not required to accept the lowest cost proposal.
5. If considered responsive, proposals will be reviewed solely on the material contained therein. No modifications, alterations, additions, or substitutions to any proposals will be accepted from bidders after 4:00 p.m. local time on the closing date of **April 27, 2021** or before contract negotiations begin.

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C. Technical Assistance

For any organization that intends to submit a proposal, a Bidders Conference to present the RFP requirements and address questions will be held virtually:

Date:	Tuesday, March 30, 2021
Time:	9:30 AM EST
Location:	VIRTUAL

Questions asked at the Bidders Conference, along with responses, will be posted to our website www.ecgwdc.org.

To ensure a fair and objective evaluation, questions related to the RFP that arise after the Bidders Conference must be submitted via e-mail. Written questions will be accepted via the email provided below through the following date:

Date:	THURSDAY, April 15, 2021
Time:	5 PM EST
Name:	Mary Stein
Email:	mstein@ecgwdc.org

Questions that are received after the deadline will not be answered. The respondent must include the RFP title in the email subject line (WIOA Youth Program Proposal). Written responses to questions received will be posted on the website. **It is the respondent's responsibility to check the website (www.ecgwdc.org) on a regular basis for updated information and written responses to all questions submitted.**

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D. SCOPE Youth Service Requirements

East Central Georgia Workforce Development Board (ECGWDB) is seeking service providers to coordinate and implement programs for Education Options and Employability Work Ethics/Soft Skills to In-School and Out-of-School youth. The primary goal of programs funded through this RFP process is to ensure that WIOA Service Area 13 youth attain a high school diploma or equivalency, prepared for post-secondary success, and can serve as a skilled and qualified pipeline to fill local area workforce demands. Proposers are expected to tailor their service strategies to serve the proposed targeted population and provide services to include the following youth activities that are most appropriate:

1. To develop and articulate a working relationship between the School System, Technical Colleges, Employers and Community Representatives that promotes and develops soft skills/work ethics, work experience opportunities/OJT, job shadowing opportunities, Education and Employer relationships as well as entrepreneurial opportunities which will lead to positive outcomes for the participants;
2. To impact the Graduation Rate, and increase Post –Secondary Enrollment through Career Coaching and Exploration Activities for eligible youth;
3. To provide and incorporate funding sources and program resources with partner and collaborative agencies;
4. To provide community awareness and alternatives for the skilled development of our regional workforce;
5. To provide more focus on demand driven opportunities for occupational training programs to eligible youth such as in the area of construction, health care, entrepreneurial fields, technology, advanced manufacturing, and high-demand careers in a competitive workforce;
6. To provide job development, placement assistance and follow-up services for OSY and ISY;
7. To provide a referral process to partnering agencies such as but not limited to DJJ, DOL, GVRA, TANF, SNAP;
8. To provide opportunities for eligible youth in activities related to leadership development, decision-making, citizenship, and community service;

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E. Target Youth Populations:

OUT-OF-SCHOOL YOUTH.

In this title, the term "out-of-school youth" means an individual who is:

1. not attending any school
2. not younger than age 16 or older than age 24
3. one or more of the following:
 - a school dropout.
 - a youth who is within the age of compulsory school attendance, but has not attended school for at least the most recent complete school year calendar quarter.
 - a recipient of a secondary school diploma or its recognized equivalent who is a low-income individual and is
 - basic skills deficient.
 - an English language learner.
 - an individual who is subject to the juvenile or adult justice system.
 - a homeless individual
 - runaway
 - in foster care or has aged out of the foster care system, a child eligible for assistance under section 477 of the Social Security Act, or in an out-of-home placement.
 - an individual who is pregnant or parenting.
 - youth who is an individual with a disability.
 - needs additional assistance to enter or complete an educational program or to secure or hold employment. Needs additional assistance should only be used in conjunction with another eligibility barrier, which is defined in our local policy.

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IN-SCHOOL YOUTH

In-school youth must be aged 14-21, attending school, low income, and meet one or more additional conditions, which could include:

- Basic skills deficient;
- English language learner;
- an offender;
- homeless, runaway,
- in foster care or aged out of the foster care system;
- pregnant or parenting;
- an individual with a disability;
- person who requires additional assistance to enter or complete an educational program or to secure and hold employment

Maximum Number or Minimum Number of Participants to be enrolled in Title I OSY or ISY during an enrollment period or at intervals:

The number of participants to be served must be determined prior to the commencement of an enrollment period or at intervals by the Consortium, at its exclusive discretion. Additionally, enrollment is to be based upon availability of participant training and support funds, previous sub-recipient recruitment performance, Technical College System of Georgia Workforce Division Equity -of-Service requirements, and inter-program transfer needs.

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Program Years 2020 – 2021 Six-Month Income Guidelines for WIOA: Low Income Level Figures Effective May 01, 2020			
Family Size	Metropolitan Areas	Atlanta MSA	Nonmetropolitan Areas
1	\$6,380	\$6,380	\$6,380
2	8,620	8,620	8,620
3	11,030	10,860	10,860
4	13,617	13,226	13,213
5	16,072	15,608	15,592
6	18,797	18,253	18,235
7	21,522	20,897	20,877
8	24,247	23,542	23,520
For each over 8 Add:	2,725	2,645	2,643

Per State policy, participants must have the skills and qualifications to participate successfully in training services; have selected training that is directly linked to employment opportunities; and are unable to obtain assistance from other sources to pay the cost of training. If a participant can obtain or retain economic self-sufficiency through career services only, training is not justifiable.

When considering the use of LLSIL figures for these separate determinations, the 70% standard is used to determine basic WIOA eligibility, per the federal definition; while the 100% standard stipulated is to determine eligibility for training services.

WIOA does not set a federal definition for self-sufficiency; but section 134(a)(3)(A)(xii) and 134(d)(1)(A)(x) address state and local determinations of economic self-sufficiency standards. WIOA gives States the discretion to adopt self-sufficiency standards at a higher level than the federal minimum.

The State defines minimum standards of “lacks self-sufficiency” as an individual who:

- A. Has a family income that is at or below 100% of the LLSIL;
- B. A Food stamp [SNAP] or TANF recipient (current or within the last 6 months);
- C. An SSI recipient; or,
- D. An individual (single family of one) who is employed, but in a job earning \$10.69 an hour or less (per Living Wage Calculator for the State of Georgia).

State policy further delegates that authority to LWDBs in 3.2.3(III), which states “local areas are permitted to define self-sufficiency at a higher income level than the state minimum, as long as supporting documentation is provided.”

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**NONMETROPOLITAN AREAS, AND ATLANTA MSA
Program Years 2019-2020**

Counties Within Metropolitan Statistical Areas. (Use Metropolitan Area Eligibility Guidelines)

Baker	Effingham	Madison
Bibb	Floyd	Marion
Brantley	Glynn	Monroe
Brooks	Hall	Murray
Bryan	Harris	Muscogee
Burke	Houston	Oconee
Catoosa	Jones	Oglethorpe
Chatham	Lanier	Peach
Chattahoochee	Lee	Pulaski
Clarke	Liberty	Richmond
Columbia	Lincoln	Terrell
Crawford	Long	Twiggs
Dade	Lowndes	Walker
Dougherty	McDuffie	Whitfield
Echols	McIntosh	Worth

Counties Within the Atlanta Metropolitan Statistical Area. (Use Atlanta MSA Eligibility Guidelines)

Barrow	Douglas	Meriwether
Bartow	Fayette	Morgan
Butts	Forsyth	Newton
Carroll	Fulton	Paulding
Cherokee	Gwinnett	Pickens
Clayton	Haralson	Pike
Cobb	Heard	Rockdale
Coweta	Henry	Spalding
Dawson	Jasper	Walton
DeKalb	Lamar	

Counties Outside MSAs with Populations of 50,000 or More. (Use Metropolitan Area Eligibility Guidelines)

Bulloch	Gordon	Laurens
Camden	Jackson	Troup

Nonmetropolitan and Rural Area Counties. (Use Nonmetropolitan Area Eligibility Guidelines)

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E. Program Elements and Performance for WIOA Youth:

The program design should describe elements that impact the Youth's ability to connect education to the workplace. This is accomplished by including positive experiences between the business community and participants.

- (1) Tutoring, study skills training, instruction and evidence-based dropout prevention and recovery strategies that lead to completion of the requirements for a secondary school diploma or its recognized equivalent (including a recognized certificate of attendance or similar document for individuals with disabilities) or for a recognized post-secondary credential;
- (2) Alternative secondary school services, or dropout recovery services, as appropriate;
- (3) Paid and unpaid work experiences that have academic and occupational education as a component of the work experience, which may include the following types of work experiences:
 - (i) summer employment opportunities and other employment opportunities available throughout the school year;
 - (ii) pre-apprenticeship programs;
 - (iii) internships and job shadowing; and
 - (iv) on-the-job training opportunities;
- (4) Occupational skill training, which includes priority consideration for training programs that lead to recognized post-secondary credentials that align with in-demand industry sectors or occupations in the local area involved, if the Local Board determines that the programs meet the quality criteria described in WIOA sec. 123;
- (5) Education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster;
- (6) Leadership development opportunities, including community service and peer-centered activities encouraging responsibility and other positive social and civic behaviors;
- (7) Supportive services;
- (8) Adult mentoring for a duration of at least 12 months that may occur both during and after program participation;
- (9) Follow-up services for not less than 12 months after the completion of participation;
- (10) Comprehensive guidance and counseling, which may include drug and alcohol abuse counseling, as well as referrals to counseling, as appropriate to the needs of the individual youth;
- (11) Financial literacy education;
- (12) Entrepreneurial skills training;

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- (13) Services that provide labor market and employment information about in-demand industry sectors or occupations available in the local area, such as career awareness, career counseling, and career exploration services; and
- (14) Activities that help youth prepare for and transition to post-secondary education and training.

Providers are required to address all 14 program elements in their proposal, which means the provider may not provide all of the services themselves but demonstrate access to these services by partners or other organizations/entities in the proposal.

Also, by including opportunities for developing an Education Plan that leads to a Career Pathway, the participants should be given career coaching that includes the development of this plan, the exploration and research of different careers and opportunities to visit and discover Post-Secondary education programs or advanced apprenticeship programs.

An additional impact that should be made when utilizing WIOA Youth funds is increasing the Career Preparedness of Youth in the workforce pipeline. This includes learning and developing work ethics, workshops, hands on training, and work-place simulations may be allowable activities for this. The participants should also develop plans to overcoming any barriers to achieving their career goals. They should develop a support plan for issues such as transportation, etc.

The utilization of recruitment and engagement activities will maintain the level of attendance in the program designated by the proposal. Sub-recipients will be responsible for outreach, recruitment, and referral of potential youth. Sub-recipients shall have a plan to start up their program operations and identify potential clients by 90 (ninety) days after the contract start date with at least 50% of planned enrollment at end of 90-day period. Eligibility determination, evaluation of participant needs, objective assessment and individualized service strategy and input in Geographic Solutions will be performed by sub-recipient or in coordination with Consortium Staff. Objective Assessment and Individual Service Strategy will be a coordinated effort between participant, sub-recipient, and Consortium staff.

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F. PERFORMANCE

The Subrecipient is expected to meet or exceed WIOA Youth State and Local Negotiated Performance Levels.

YOUTH	PY21
Q2 Entered Employment Rate	74%
Q4 Entered Employment Rate	80%
Median Earnings Rate	\$3000
Credential Attainment Rate	62%
Measurable Skill Gains Rate	41%

WIOA Youth Common Measures

1. Placement in Employment, Education, or Training
2. Retention in Employment, Education, or Training
3. Median Earnings
4. Credential Attainment
5. Measurable Skill Gains

G. PROGRAM SPECIFICATIONS

Client Progress/Length of Time of Programs

No youth shall be in the program more than **three (3) years** and must be making satisfactory progress on accomplishing the goals as outlined in the participant’s plan of action. Exceptions will be reviewed by the Workforce Investment Board on an individual basis, prior to extension.

Transportation

Transportation may be reimbursed at a rate of \$6.00 per day to a youth participant that attends a training program outside of a 3-mile radius from the participant’s home. Participant will submit attendance report/timesheet weekly with appropriate signature(s) verifying attendance. Participant must attend 50% of scheduled training in order to submit request for reimbursement.

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PERSONNEL

Staff Qualifications:

Bachelor or Associate degree in a related field and one year in instructing and/or counseling, or 4 years of successful experience in instructing and/or counseling with students. A copy of the credential will be required

Approved subrecipients must conduct a background check on all staff hired to work with youth prior to startup of contract. A copy of the background check is required to be provided to the Consortium.

Staff Wages and Compensation:

Staff providing WIOA youth services should not exceed 35% of the allotted budget for Sub-Recipients/Service Providers.

Sub-recipient Performance/Progress

All contracts will require a review after the first four (4) months of operation to determine if performance is at appropriate level. If not at appropriate level staff shall send a letter of notification to that sub-recipient requesting a plan of action to improve performance, indicate negotiated level of performance, and let the sub-recipient know their status. After six (6) months, if performance is still not appropriate, funding shall cease.

G. Fiscal Requirements

Eligible Providers are local Educational agencies, Technical Colleges, and Community/Faith-Based organizations that successfully demonstrate a financial capacity for a cost-reimbursement contract with funds for no less than 90 days of expenses.

One objective of each proposal should be to seek out gaps in services and other funding available to assist in filling those gaps. This proposal should be the bidder's response to another agency's need for assistance in filling that gap and not the sole

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responsibility of any one organization to do so. Each bidder is allowed to submit **one proposal not to exceed \$34,000 per county served**. A minimum of 12 participants are required to be served at this specified amount. Programs must illustrate partnerships in funding through Budget Summary Page (Attachment F). Except as otherwise provided, the following conditions are applicable to all programs funded with WIOA funds:

1. Any income derived from the WIOA program dollars must be retained in the WIOA program
2. All proposals must stand alone. The proposed program cannot be conditional upon approval of another WIOA program(s).
- 3 All proposals are negotiable.
4. Funds provided under the Workforce Innovation and Opportunity Act shall not be used to duplicate facilities or services available in the area (with or without reimbursement) from Federal, State, or local sources, unless it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the local area's performance goals.
5. A minimum of one on-site visit will occur during the contract period. Monitoring visits may be scheduled in advance or may be unannounced. Sub-recipients must allow Consortium staff full access to all files and records relating to WIOA programs.
6. Sub-recipients shall maintain copies of all financial records, including cancelled checks, invoices, purchase orders, payroll register, books of account, and any other financial record, and records of each client's participation in a WIOA program, including counseling notes, referrals, and data entry forms including application, enrollment, change, and termination forms; and shall retain such records for a period of 6.6 years from the end of the contract and/or the end of the program year in which the participant was terminated.

The sub-recipient may give their records to the Consortium for storage at the end of the contract period. In the event of litigation or audit involving any records

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relative to the contract, the sub-recipient will retain the records until resolution of the audit or litigation.

Allowable WIOA Costs and Cost Objectives/Categories

Allowable costs shall only be charged against the following cost objectives/categories:

a. Programmatic

Costs are allowable to a particular cost objective/category only to the extent that benefits are received by that objective/category. Costs that are applicable to more than one objective/category must be pro-rated to the extent that benefits are received by each objective/category.

Bidders/Offerors must plan, control, and report expenditures against the appropriate allowable objective/categories.

Cost should be allocable, allowable, reasonable and necessary. For a cost to be allocable to a particular cost objective, it must be treated consistently with other costs incurred for the same purpose in like circumstances. To be allowable, a cost must be necessary and reasonable for the proper and efficient administration of the program. To reduce the risk of accumulating and being held accountable for disallowed costs, program operators should carefully review anticipated program expenditures, the terms and conditions of the award, and applicable regulations before any program costs are incurred. For a cost to be reasonable under an award, it cannot exceed that which would be incurred by a prudent person under the same circumstances. In determining the reasonableness of a given cost, consideration should be given to:

- Whether the cost is a type generally recognized as ordinary and necessary for the operation of the organization or the performance of the award;
- The restraints or requirements imposed by such factors as generally accepted sound business practices, arms-length bargaining, Federal and state laws and regulations, and terms and conditions of the award;
- Whether individuals concerned acted with prudence in the circumstances considering the responsibilities to the organization, its members, employees and clients, the public at large, and the government;

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- Significant deviations from the established practices of the organization that may have unjustifiably increased the award's costs.

In reviewing proposals for price reasonableness, a wage survey shall be conducted in the area to determine that wages are reasonable. No wage shall be more than 110% of the average wage in the area for the position and qualifications.

TYPE OF CONTRACT

Cost reimbursable contracts are required. In a cost reimbursable contract, the sub-recipient is reimbursed for the actual cost incurred in operating the program if those costs are consistent with the approved budget, which is incorporated into the contract.

Cost reimbursement contracts provide an estimate of total costs for the purpose of obligating funds and a ceiling that the sub-recipient may not exceed (except at sub-recipient risk) unless the awarding party agrees to amend the contract to provide additional funds. This kind of contract may also provide for fixed-fee profit payment units, which may not be increased unless the contract is amended to increase the scope of work.

The contract provides for payment of all allowable costs to the extent prescribed in the contract. Sub-recipients operating under a cost reimbursement contract must assure that only costs associated totally with the programs are billed, and that they are allowable according to applicable Federal cost principles. For example, the compensation of a sub-recipient's accounting personnel who account for program funds and funds dealing with other activities of the sub-recipient's organization, must either be prorated on the same basis to the program and to the other activities, or included in an approved Federal indirect cost rate. An example of an "unallowable charge" would be entertainment costs such as alcoholic beverages which cannot be billed to the program regardless of the benefit the program might derive from the cost. In sum, costs may only be billed to a program to the extent they benefit the program, as well as being allowable. **In addition, costs must not exceed the contract budget.**

Consortium invoicing procedures require that invoices be submitted on a monthly basis for costs incurred or payments earned. Monthly invoices should be submitted by the 15th day of each succeeding month. Supporting documentation is required for cost reimbursement invoices.

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H. General Grievance Policy

**Equal Opportunity Complaint & General Grievance
Policy and Procedure**

For Applicants, Participants, Other Interested or Affected Parties

SECTION I: Equal Opportunity Complaint Policy

SECTION II: General Grievance Policy

SECTION III: Complaints of Fraud, Abuse, or Other Alleged Criminal Activity

SECTION IV: Complaints against Public Schools

I. EQUAL OPPORTUNITY COMPLAINT POLICY

WorkSource East Central Georgia Workforce Development Board (WDB) adheres to the following United States law: “Equal Opportunity Is the Law”. It is against the law for this recipient of Federal financial assistance to discriminate on the following basis: race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, against any beneficiary of, applicant to, or participant in programs financially assisted under Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the individual's citizenship status or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas: (1) Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity; (2) providing opportunities in, or treating any person with regard to, such a program or activity; or (3) making employment decisions in the administration of, or in connection with, such a program or activity.

Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

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What To Do If You Believe You Have Experienced Discrimination

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

- The recipient's Equal Opportunity Officer (or the person whom the recipient has designated for this purpose); or
- The Director, Civil Rights Center (CRC), U.S. Department of Labor, 200 Constitution Avenue NW., Room N-4123, Washington, DC 20210 or electronically as directed on the CRC Web site at www.dol.gov/crc.
- If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with the Civil Rights Center.
- If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).
- If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your CRC complaint within 30 days of the date on which you received the Notice of Final Action.

A **complaint** is an allegation of discrimination on the grounds a person, or any specific class of individuals, has been or is being discriminated against on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, citizenship status, or participation in any WIOA Title I-financially assisted program or activity as prohibited by WIOA or part 29 CFR 38.69. An allegation of retaliation, intimidation or reprisal for taking action or participating in any action to secure rights protected under WIOA will be processed as a **complaint**.

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Note: A complaint cannot be processed as both a program complaint and as a discrimination complaint.

FILING COMPLAINTS OF DISCRIMINATION (under Equal Opportunity Complaint Policy)

Who May File: Any person requesting aid, benefits, services or training through the WorkSource East Central Georgia (ECG) workforce system; eligible applicants and/or registrants; participants; employees, applicants for employment; service providers, eligible training providers (as defined in the Workforce Innovation and Opportunity Act), and staff with the workforce system that believes he/she has been or is being subjected to discrimination prohibited under the Nondiscrimination and Equal Opportunity Provisions 29 CFR Part 38 and Section 188 of the Workforce Innovation and Opportunity Act (WIOA).

WorkSource ECG/ECG-WDB is prohibited from discriminating against a person, or any specific class of individuals, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, citizenship status, or participation in any WIOA Title I-financially assisted program or activity as prohibited by WIOA or part 29 CFR 38.69 in admission or access to, opportunity or treatment in, or employment in the administration of or in connection with, any WIOA funded program or activity. If you think that you have been subjected to discrimination under a WIOA funded program or activity, you may file a complaint within **180 days** from the date of the alleged violation with:

**PECOLA WILEY, EQUAL
OPPORTUNITY OFFICER
WORKSOURCE EAST
CENTRAL GEORGIA
674 WASHINGTON ROAD | P.O.
BOX 179
THOMSON, GEORGIA 30824
706-595-8941 | 800-
251-3882
TTY: 800-255-0056
pwiley@ecgwdc.org**

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Each complaint must be filed in writing, either electronically or in hard copy, and must contain the following information:

- (A) The complainant's name, mailing address, and, if available, email address (or another means of contacting the complainant).
- (B) The identification of the respondent (the individual or entity that the complainant alleges is responsible for the discrimination).
- (C) A clear description of the allegations in sufficient detail including the date(s) and timeline that the alleged violation occurred to allow the recipient, as applicable, to decide whether: (1) what agency has jurisdiction over the complaint; (2) the complaint was filed in time; and (3) the complaint has apparent merit; in other words, whether the complainant's allegations, if true, would indicate noncompliance with any of the nondiscrimination and equal opportunity provisions of WIOA or part 29 CFR Part 38.
- (D) The written or electronic signature of the complainant or the written or electronic signature of the complainant's representative.

Complaint Processing Procedure

An initial written notice to the complainant will be provided within fifteen (15) days of receipt of the complaint. The notice will include the following information pursuant to part 29 CFR 38.72:

- (1) Acknowledgement of complaint received including date received; notice that the complainant has the right to be represented in the complaint process; notice of rights contained in §38.35; and notice that the complainant has the right to request and receive, at no cost, auxiliary aids and services, language assistance services, and that this notice will be translated into the non-English languages as required in §§38.4(h) and (i), 38.34, and 38.36.
- (2) A written statement of issue(s) which includes a list of the issues raised in the complaint; for each issue, a statement of whether or not the issue is accepted for investigation or rejected and the reasons for each rejection after performing a period of fact-finding.
- (3) Notice that the complainant may resolve the issue Alternative Dispute Resolution (ADR) any time after the complaint has been filed, but before a Notice of Final Action has been issued.

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If the complaint does not fall within the Workforce Innovation and Opportunity Act jurisdiction for processing complaints alleging discrimination under Section 188 or Equal Opportunity and Nondiscrimination provisions at 29 CFR Part 38.74, the complainant will be notified in writing within five (5) business days of making such determination. The notification shall include the basis of the determination as well as a statement of the complainant's right to file with the Civil Rights Center (CRC) within thirty (30) days of the determination.

Upon determination that the complaint has merit and is within the Workforce Innovation and Opportunity Act jurisdiction and period of fact-finding or investigation of the circumstances underlying the complaint.

Complaint Processing Time Frame

A complaint will be processed and Notice of Final Action issued within ninety (90) days of receipt of the complaint pursuant to 29 CFR 38.72. Complainant may elect to file his or her equal opportunity complaint with the Technical College of Georgia-Office of Workforce Development; address and contact information is as follows:

State EO Officer: TCSG OWD Compliance Director
Address: 1800 Century Place N.E., Suite 150, Atlanta, GA 30345-4304
Phone: 404-679-1371
Email: wioacompliance@tcsgeu.edu

If WorkSource ECG/ECG-WDB has not provided complainant with a written decision within ninety (90) days of the filing of the complaint, complainant need not wait for a decision to be issued. Complainant may file a complaint with State EO Officer or CRC within thirty (30) days of the expiration of the 90-day period. If complainant is dissatisfied with WorkSource ECG/ECG-WDB's resolution of his or her equal opportunity complaint, complainant may file a complaint with State EO officer. Such complaint must be filed within thirty (30) days of the date you received notice of WorkSource ECGC/WDB's proposed resolution.

OR

Complaints may be initially filed or appealed to the Director, Civil Rights Center (CRC) U.S. Department of Labor, 200 Constitution Avenue, N.W. Room N-4123, Washington, DC 20210 or electronically as directed on the CRC website at www.dol.gov/crc within thirty (30) days of complainant's receipt of either WorkSource ECG/ECG-WDB Notice

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of Final Action or TCSG- Notice of Final Action. In other words, within one hundred twenty (120) days Complainant may file his or her appeal.

Resolution Process

Alternative Dispute Resolution: Complainant must be given a choice as to the manner in which they have their complaint resolved. After an investigation is conducted by the Equal Opportunity Officer, ADR may be chosen by the complainant to resolve the issues, as long as a Notice of Final Action has not been issued. Mediation is recommended ADR and will be conducted by an impartial mediator. Complainant must notify the Equal Opportunity Officer within ten (10) days of receiving the Notice of Issue Statement letter of whether ADR is selected to resolve the dispute. WorkSource ECG/ECGC-WDB will provide an impartial mediator and will provide interested parties information regarding the arrangements (date, time, and location).

Time Frame: The period for attempting to resolve the complaint through mediation will be thirty (30) days from the date the complainant chooses mediation; but must be performed within ninety (90) days of the initial filing date.

Successful Mediation: Upon completion of successful mediation, the complainant and respondent will both sign a conciliation agreement attesting that the complaint has been resolved. A copy of the conciliation agreement will be provided to State EO Officer within ten (10) days of the date the conciliation agreement was signed.

Unsuccessful Mediation: In the event mediation was not successful, WorkSource ECGC/ECGC-WDB shall proceed with issuing a Notice of Final Action within the ninety (90) day limit.

Complainant Responsibility: The complainant may amend the complaint at any point prior to the beginning of mediation or the issuance of the Notice of Final Action. The complainant may withdraw the complaint at any time by written notification.

Breach of Agreement: Any party to any agreement reached under ADR may file a complaint in the event the agreement is breached with State EO Officer, TCSG OWD Compliance Director Compliance; 1800 Century Place N.E., Atlanta, GA 30345-4304 or Director, Civil Rights Center (CRC) U.S. Department of Labor, 200 Constitution Avenue, N.W. Room N-4123, Washington, DC 20210. The non-breaching party may file a complaint within thirty

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(30) days of the date that party learns of the alleged breach (29 CFR 38.72).

II. GENERAL GRIEVANCE POLICY

Any person applying for or receiving services through the Workforce Innovation and Opportunity Act Title I (WIOA) paid for by WorkSource ECGC/ECGC Workforce Development Board (WDB) will be treated fairly. WorkSource ECGC/ECGC-WDB will make every effort to resolve all general, non-discriminatory complaints informally between those involved before a grievance is filed. Grievances may be filed in accordance with the written procedures established by WorkSource ECG/ECG-WDB. **If you believe a violation of Title I of Workforce Innovation and Opportunity Act or regulations of the program has occurred, you have the right to file a grievance.**

A **grievance** is a complaint about customer service, working conditions, wages, work assignment, etc., arising in connection with WIOA Title I funded programs operated by WIOA recipients including service providers, eligible training providers, one-stop partners and other contractors.

FILING A GENERAL GRIEVANCE (violations of the act or regulations not alleging discrimination)

Who May File: Any person, including WIOA program participants, applicants, staff, employers, board members or any other interested parties who believes they have received unfair treatment in a WIOA Title I funded program.

Any person may attempt to resolve all issues of unfair treatment by working with the appropriate manager and/or supervisor and staff member, service provider, or one-stop partner involved informally prior to a written grievance being filed.

All complaints as described in the previous definition may be filed within one hundred twenty (120) days after the act in question by first completing and submitting the General Grievance Form to:

**PECOLA WILEY, EQUAL
OPPORTUNITY OFFICER
WORKSOURCE EAST
CENTRAL GEORGIA**

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**674 WASHINGTON ROAD | P.O.
BOX 179
THOMSON, GEORGIA 30824
706-595-8941 | 800-
251-3882
TTY: 800-255-0056
pwiley@ecgwdc.org**

Grievance Processing Procedure

A complaint may be filed by completion and submission of the General Grievance Form located at www.ecgwdc.org. WorkSource ECG/ECG-WDB will issue a written resolution within sixty (60) days of the date the complaint was filed. Pursuant to Section 181 of the Workforce Innovation and Opportunity Act, WorkSource ECG/ECG-WDB shall provide the grievant with an opportunity for a hearing within sixty (60) days of the complaint's filing, if requested in writing by the grievant. In the event a hearing is not requested, WorkSource ECG/ECG-WDB shall issue a decision as to whether provisions of the Workforce Innovation and Opportunity Act were violated. In the event the grievant is dissatisfied with WorkSource ECG/ECG-WDB's decision, he or she may appeal the decision to the State Opportunity Officer, Compliance and Legal Affairs Director within sixty (60) days of the date of the decision. If such an appeal is made, the WFD shall issue a final determination within sixty (60) days of the receipt of the appeal.

In the event WorkSource ECG/ECG-WDB does issue a written resolution within the sixty (60) days of the complaint's filing as required, the grievant has the automatic right to file his or her complaint with the Technical College System of Georgia-Office of Workforce Development (TCSG-OWD)

Hearing Process

A hearing on any complaint filed shall be conducted as soon as reasonably possible, but within sixty (60) days of the complaint's filing. Within ten (10) business days of the receipt of the request for a hearing, WorkSource ECG/ECG-WDB shall: (1) respond in writing acknowledging the request to the grievant; and (2) notify the grievant and respondent of a hearing date. The notice shall include, but not limited to: (1) date of issuance; (2) name of grievant; (3) name of respondent against whom the complaint has been filed; (4) a statement reiterating that both parties may be represented by legal counsel at the hearing; (5) the date, time, place of the hearing, and the name of the hearing officer; (6) a statement of the alleged violation(s) of WIOA ; (7) copy of any

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policies and procedures for the hearing or identification of where such policies may be found; and (8) name, address, and telephone number of the contact person issuing the notice.

The hearing shall be conducted in compliance with federal regulations. The hearing shall have, at a minimum, the following components: (1) an impartial hearing officer selected by WorkSource ECG/ECG-WDB; (2) an opportunity for both the grievant and respondent to present an opening statement, witnesses, and evidence; (3) an opportunity for each party to cross-examine the other party's witnesses; and (4) a record of the hearing which WorkSource ECG/ECG-WDB shall create and maintain.

The hearing officer, considering the evidence presented by the grievant and respondent, shall issue a written decision which shall serve as WorkSource ECG/ECG-WDB's official resolution of the complaint. The decision shall include the following information: (1) the date, time, and place of hearing; (2) a recitation of the issues alleged in the complaint; (3) a summary of any evidence and witnesses presented by the grievant and respondent; (4) an analysis of the issues as related to the facts; and (5) a decision addressing each issue alleged in the complaint.

No applicant, participant, employee, service provider or training provider will be intimidated, threatened, coerced or discriminated against because they have made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing.

Appeal Process

An appeal may be requested by contacting the TCSG-OWD Attention: State EO Officer, TCSG OWD Compliance Director, 1800 Century Place N.E., Suite 150, Atlanta, GA 30345-4304, 404-679-1371, wioacompliance@tcsgeu within sixty (60) days of the date of the decision.

III. COMPLAINTS OF FRAUD, ABUSE, OR OTHER ALLEGED CRIMINAL ACTIVITY

In cases of suspected fraud, abuse or other alleged criminal activity, you should direct your concerns to the Office of Inspector General, U.S. Department of Labor, at 1-866-435-7644 or inspector.general@oig.ga.gov.

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IV. COMPLAINTS AGAINST PUBLIC SCHOOLS

If the complaint is not resolved informally and it involves public schools of the State of Georgia, the grievance procedure will comply with WIOA and OCGA 20-2-1160.

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Resources:

USDOL

<https://www.doleta.gov/wioa>

WIOA Final Regulations

<https://www.doleta.gov/wioa/Final> Rules Resources

WIOA Guidance

<https://wdr.doleta.gov/directives/All>

Georgia State Plan

Region 7 WorkSource East Central Georgia Regional Plan