

REQUEST FOR PROPOSALS

CAREER PATHWAYS II PROGRAM

Issued on December 30, 2013 by:

New York State Office of Temporary and Disability Assistance
Center for Employment and Economic Supports
40 North Pearl Street 11D
Albany, NY 12243



Submission Deadline: February 18, 2014

All applicants are required to be prequalified through New York State's Grant Reform initiative, inclusive of the establishment of a data vault. For more information on Grants Reform please visit <http://grantsreform.ny.gov/>

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I. Timelines and Proposal Submission

A. Questions Concerning this Request For Proposals (RFP)

Bidders may submit typed questions via electronic mail, fax, or by mail to the address provided below. Questions regarding the RFP will be accepted until 5:00 p.m. January 13, 2014. No telephone inquiries will be accepted. Answers to all questions received by this date will be posted on the New York State Office of Temporary and Disability Assistance's website at www.otda.ny.gov no later than January 21, 2014. Prospective bidders may obtain a hard copy of the questions and answers upon request.

New York State Office of Temporary and Disability Assistance
Center for Employment and Economic Supports
Attn: Patricia Stefanik
40 North Pearl Street, Section 11D
Albany, NY 12243
Phone: (518) 473-3011
Fax: (518) 473-6207
Email: PatriciaM.Stefanik@otda.ny.gov

B. Notice of Intent to Bid

Organizations intending to submit a proposal in response to this RFP are asked to use the "Notice of Intent to Bid" form to help OTDA prepare for the number of proposals received. This form, completion and forwarding instructions are included in Attachment B1. The bid form is not a requirement.

C. Proposal Due Date

Proposals must be received no later than February 18, 2014 at 3:00 pm. Proposals must be sent by regular mail, courier service or hand delivered. Electronic submissions will not be accepted. Late bids may be accepted at the discretion of OTDA. OTDA takes no responsibility for any third party error in the delivery of proposals (e.g. U.S. Post Office, Federal Express, UPS, courier, etc.).

D. Proposal Forwarding Instructions and Format

1. Completed proposals should be hand delivered or mailed to:

New York State Office of Temporary and Disability Assistance
Bureau of Contract Management
Attn: Jason Dzembo
40 North Pearl Street, 10-A
Albany, New York 12243
*Phone: (518) 473-0849

* This number is for delivery purposes ONLY!

2. Five copies of the proposal, with original signatures on each copy, must be received by the established due date.

3. Proposal narratives must not exceed ten pages single spaced in 12-point font using standard one-inch margins. Supporting documents are not included in this limit. All narrative pages must be numbered.
4. Each proposal must be transmitted in a single sealed envelope with the title of the RFP, and the applicant's name and address clearly displayed on the exterior of the package.

E. RFP Timetable

- RFP Release Date – December 30, 2013
- Deadline Date for Questions – January 13, 2014
- Notice of Intent to Bid – January 13, 2014
- Deadline Date for Responses to Questions – January 21, 2014
- Proposal Due Date – February 18, 2014
- Date of Notification of Award – March 31, 2014
- Project Start Date – April 1, 2014

II. Summary of the RFP

A. Purpose

The Career Pathways Program links education and occupational training to subsequent employment through a continuum of educational and training instruction combined with integrated support services for eligible individuals age 16 and over. Career Pathways providers will strive to prepare and place all participants in high growth/high demand employment sectors. It will offer participants a clear and reliable course of action for building skills to progress in their careers. Career Pathways will be organized as a series of steps that lead participants toward job placement and increased earnings opportunities by providing industry recognized credentials, certificates and/or licensures. The industry sectors that are appropriate for pathway development will be identified locally, will include those that need skilled workers and that are vital to the economic health of the region.

Career Pathways services take on added importance for the 16 through 24 year age group. The Career Pathways Program will provide young people with the skills that will help them succeed as adults. Research has found that one of the most important approaches to reducing pregnancies and/or promoting good parenting is to improve education and career opportunities and instill a belief in a successful future. Young people who have skills, education, employment goals and opportunities may be less likely to engage in high risk behaviors than those who lack these skills and supports. Career Pathways will provide program participants, including 16 to 24 year olds, with education, job skills and employment opportunities to reduce teen and unplanned pregnancies, promote financial stability, positive parenting and strong communities.

Each applicant must work with and obtain the support of their Local Workforce Investment Board (LWIB) and the social service district.

B. Available Funds/Award Amounts

A total of \$2,000,000 in federal Temporary Assistance for Needy Families (TANF) funds and State General funds is available to support selected Career Pathways projects for a twelve month period beginning **April 1, 2014** and will request this same amount to be available in each of the following four years covered by the procurement. Funds for the initial and any subsequent period are subject to approval. Awards of up to \$300,000 will be made, and that at least 6 projects are expected to be selected. Of the total funds available, at least \$1,000,000 will be reserved for projects in New York City, resulting in at least three awards. The remaining \$1,000,000 is expected to be reserved for the other regions of the state as shown on Attachment B-11. OTDA anticipates that at least three awards will be made in regions outside of New York City, with no more than one award per county. OTDA reserves the right to award contracts to bidders that score fewer points than others to satisfy the goal of serving multiple regions. For proposals seeking to serve areas outside of New York City, OTDA is limiting the number of awardees to one per county. Given this stipulation, a proposal with a lower score may be selected over a higher scoring proposal when the higher score falls subject to the county limit rule. Applicants are encouraged to submit proposals using a regional based approach in an effort to serve participants in more than one county. OTDA reserves the right to make awards in excess of the amounts listed above.

Selected contractors will earn their award funds on a performance basis as participants achieve the milestones outlined in Section III.F. The award shall not duplicate any payment provided or funding made available by OTDA or any other federal, state or local government entity. In the event the amount requested by selected organizations exceeds the amount available, OTDA will reduce the award amounts to stay within the overall funding limit. OTDA may achieve the necessary award reductions by a proportionate decrease across selected proposals.

The Catalog of Federal Domestic Assistance (CFDA) title & number is 93.558. These funds are subject to requirements of Title IV-A of the Social Security Act as amended by Title IV-A of the Personal Responsibility and Work Reconciliation Act of 1996, PRWORA, P.L. 104-193. Award Name: Temporary Assistance for Needy Families (TANF) Program. Award Agency: Department of Health and Human Services, Administration for Children and Families.

C. Contract Period (Multi-Year)

This RFP governs contracts for the cycle starting April 1, 2014 and ending March 31, 2019. At the end of the contract term, contractors may only be reimbursed for the 60 day and 120 day employment milestones achieved by participants who began working on or before March 31, 2019. All retention milestones must be achieved by July 31, 2019 where applicable, and final claims are due no later than September 30, 2019. At the discretion of OTDA, this multi-year cycle may be shortened if determined that modifications to the program structure are necessary. Funding amounts for the initial and any subsequent periods are contingent on the availability of funding and the degree to which performance outcomes have been achieved. OTDA desires to engage the services of organizations that are successful in helping participants attain vocational credentials and enter gainful employment as outlined in this RFP, and may terminate or initiate contract modifications to reduce award amounts of those projects that are not making progress in this initiative.

In the event OTDA terminates a provider's contract, if termination is deemed in the best interest of the State, four additional months will be granted from the termination date to allow for the achievement of the aforementioned employment milestones. Providers will then have 60 days following to submit final claims.

D. Eligible Applicants

Only non-profit community-based organizations are eligible to apply for funding under this initiative.

All applicants are required to be prequalified through New York State's Grant Reform initiative, inclusive of the establishment of a data vault. For more information on Grants Reform please visit <http://grantsreform.ny.gov/>

All applicants must be on OTDA's official bidder's list. The application form and filing instructions can be found at: <http://otda.ny.gov/contracts/Ibidder/>

Not-for-Profit applicants must be registered and in good standing with the Charities Bureau of the Attorney General's Office.

E. Agency Responsibilities

The Office of Temporary and Disability Assistance, Center for Employment and Economic Supports will oversee the development of the contracts resulting from this RFP. Center staff will also maintain contact with the selected contractors, monitor performance and conduct on-site reviews to ensure program compliance.

III. Program and Contract Information

A. Background

Individuals with limited education or job skills often are able to obtain entry level jobs, but often find it difficult to attain higher wages or the necessary skills for advancement. Improved literacy, achievement of a high school diploma, post-secondary education and the acquisition of job specific skills and workplace credentials increases an individual's chances of advancing economically. Research clearly and consistently demonstrates a direct correlation between an individual's education and earnings potential. Further, programs that combine work, training, and targeted educational activities offer the best employment results for clients transitioning from public assistance to work.

Since 2009, OTDA has operated the Career Pathways program, an innovative workforce development approach that combines basic workplace preparation, education and occupational training to prepare individuals for careers. This successful program has led to over 2,700 job placements with an average wage of \$11.44. The need for this program persists as many New Yorkers are not successful following traditional paths to higher education and struggle to find gainful employment that provides positive career opportunities. While large numbers of New Yorkers remain out of work, particularly those who are 18 to 24 years of age, many seeking employment lack the skills necessary to effectively compete in today's economy. Individuals who have not successfully completed high school or who have been unable to secure post-

secondary education or occupational training are more likely to be unemployed and earn low wages throughout their lifetime. The Career Pathways program is intended to address this skills and earnings gap by providing a series of steps that lead participants towards employment with industry recognized credentials, certificates and/or licenses. The core components of Career Pathways include:

- Innovations in program content and delivery to address the needs of nontraditional and low-income individuals, such as flexible scheduling, contextualized literacy and English language instruction.
- Sequenced education and job skills training leading to transferable credentials that are recognized by employers.
- Locally identified employment sectors that have a demand for skilled workers and that offer advancement opportunities.
- Support services that include career planning, career counseling, case management, and child care.
- Employer participation in pathway development, worksite training and mentoring and other resources to support Career Pathways participants.
- Targeted job development, placement and retention services.

The Career Pathways program supports businesses in New York State by playing a critical role in the development of a skilled workforce.

Given the clear connection between educational attainment and earnings outcomes, OTDA seeks proposals that present a clear and well-defined strategy to develop skilled workers who can move from the classroom to the workplace, with credentials that have meaning within industry career ladders.

B. Participant Eligibility

To be eligible for the Career Pathways program, the individual must be eligible under federal Temporary Assistance for Needy Families (TANF) requirements and be at least 16 years of age,

- Public Assistance (PA) recipient, including Family Assistance (FA) and Safety Net Assistance (SNA) recipients who are former FA recipients who have reached their 60-month limit on TANF and have transitioned to Safety Net Assistance. Individuals in two-parent cases with children receiving Safety Net Assistance and Safety Net recipients who are also a noncustodial parent may also be eligible.
- Unemployed or underemployed young adults between the ages of 18 to 24 who meet the TANF 200% of federal poverty level certification requirements.
- 16 or 17 year old heads of household who meet the TANF 200% of federal poverty level certification requirements.

Public Assistance Recipients

PA recipients are defined as persons who are in receipt of PA including FA and SNA who are eligible for TANF services.

Federal rules are prescriptive regarding what services meet federal work participation requirements and how program participation is documented and reported. Bidders must coordinate services with the local social service district to ensure their Career Pathways program offerings are consistent with local district work requirements. Districts must meet federal and State work participation requirements for Public Assistance recipients, which typically require full-time engagement. Agencies are encouraged to provide work participation opportunities on-site in conjunction with instructional training to help meet work participation requirements.

Individuals 18 to 24 Years Old Who Meet 200% of Poverty Guidelines

Individuals who are at least 18 years of age and under 24 years of age are a primary program target population. These individuals must also meet TANF eligibility requirements including that the household gross monthly income is at or below 200% of the federal poverty level and meet TANF certification requirements may be served. OTDA has issued a Local Commissioners Memorandum (00 LCM-20) to provide guidance regarding the certification requirements and services for TANF-funded programs serving eligible individuals and families with incomes at or below 200% of the federal poverty level.

The TANF Services Application/Certification Form and TANF Services Application/Certification Review Form, which are part of 00 LCM-20, must be completed by all applicants for 200% services. This LCM is accessible online at the OTDA website at <http://otda.ny.gov/policy/directives/2000/> Applicant organizations intending to serve this group should familiarize themselves with the certification requirements and other elements discussed in this guidance.

In brief, to be eligible under the 200% guidelines, an individual not receiving FA must:

- Be a resident of New York State
- Be a United States citizen or qualified TANF non-citizen
- Have gross family income that does not exceed 200% of the federal poverty level listed in the attached table.

200% of Poverty Guidelines Chart June 1, 2013 through May 31, 2014

<u>Family Size</u>	<u>Monthly Income</u>	<u>Annual Income</u>
1	\$1,915	\$22,980
2	\$2,585	\$31,020
3	\$3,255	\$39,060
4	\$3,925	\$47,100
5	\$4,595	\$55,140
6	\$5,265	\$63,180
7	\$5,935	\$71,220
8	\$6,605	\$79,260

For family units with more than eight members add \$670 monthly or \$8,040 annually, for each additional family member.

Additional Requirements for Noncustodial Parents

In order to qualify under the 200% of poverty eligibility standards, a noncustodial parent is required to complete a Noncustodial Parent Information Referral Form (Attachment D of 00 LCM-20), which provides additional information regarding his/her noncustodial children. The information will be forwarded to the local child support office for the purpose of obtaining or enforcing a child support order.

C. Coordination with the Social Services District (District)

Since public assistance recipients are a target population in the Career Pathways Program, proposals must be developed in consultation with the district. The district will serve as a source of referrals to your program, will be able to identify appropriate individuals from the target groups that could benefit from the services and activities you offer, and may provide individuals with the support services needed to facilitate participation. Applicant organizations should contact their district early in the planning process to learn what elements the program design must include to support participation by public assistance recipients. Additionally, applicant organizations need to be aware of and comply with the district's process for obtaining their support of your proposal, including the need to allow sufficient time for you to obtain the signed Social Services District Partnership Form (Attachment B3) by the submission deadline. For example, the NYC Human Resources Administration (HRA) requires that these requests be submitted to the Commissioner/Administrator and the Grants Officer in the Finance Office three weeks prior to the date the letter is required. At the time of the request, HRA also requires the submission of a complete or substantially complete proposal and a one-page summary of the proposal. Attachment B8 provides a list of Employment Coordinators by county. Applicant organizations awarded a contract will be required to cooperate fully with the district for submitting attendance information within specific timeframes, and maintaining records of excused absence. Further, once PA recipients become employed, awardees must submit proof of employment to the district.

D. Funding Provisions

The appropriation language for the Career Pathways program contains provisions to ensure that funds are used to address the needs of specific TANF eligibility groups. If appropriation language in any subsequent budget year modifies or removes any provision, OTDA reserves the right to modify program eligibility criteria for the Career Pathways program included in this RFP. Funds provided through the Career Pathways Program must serve the target population as follows:

1. At least 60% of the funds shall be used to serve 18 to 24 year olds who are unemployed or underemployed.
2. The remaining 40% may be used for recipients of Family Assistance and/or Safety Net Assistance, without age restrictions, and 16 to 17 years old self-supporting individuals who are heads of household, who meet the TANF 200% of federal poverty guidelines.

The expenditure of funds may be approximated based on the individuals served, as defined by OTDA.

E. Description of Services Sought

1. Selection Priority

Selection priority will be given to organizations that propose to meet the following criteria:

- Will focus on serving 18 through 24 year old unemployed or underemployed individuals who reside in a county or city that has an average unemployment rate which exceeds the average annual unemployment rate for its region for the most recently completed calendar year (January 1, 2012 – December 31, 2012). For the purpose of this solicitation, New York State is divided into 10 regions as shown on the map included as Attachment B11 to this RFP. The unemployment rates for each region are shown in Attachment B12. Information on the unemployment rates for individual counties and cities may be found by searching the New York State Department of Labor's homepage at www.labor.ny.gov and clicking on the tab for Government and Research and then the link for Monthly Press Release-Local Area Unemployment Rates in the category Labor Statistics.
- Are part of a community-based collaboration comprised of education and training providers and employers in the region. Preference will be given to programs that link educational instruction with occupational skills training that results in a credential, diploma or certificate recognized by area employers, particularly credentials that are recognized by employers that offer higher wages and/or wage advancement. Education and training providers include but are not limited to, general equivalency diploma programs, community colleges, junior colleges, business and trade schools, vocational institutions, and institutions with baccalaureate degree-granting programs; programs that provide for a career path or career paths, as supported by identified local employment needs; programs that provide employment services, including but not limited to, post-secondary training designed to meet the needs of employers in the local labor market, or catchment area; programs that include education and training components, such as remedial education, individual training plans, pre-employment training, workplace basic skills, and literacy skills training.
- Will partner with agencies and employers to leverage additional resources to support the program including federal tuition support, private funds, use of space and/or supplies, mentors, or job placement supports.
- Will provide participants with support services such as tutoring, mentoring, career planning, case management and child care. Programs that provide mentoring supports for individuals once employed are preferred. Applicant proposals should clearly identify how these priorities are addressed.

2. Program Features

Programs funded through this RFP will offer an array of career pathways aimed at providing participants with the skills that will meet both employer and worker skill needs and worker career advancement needs through the development of a framework consisting of the following elements:

a. Employer Engagement

Employers from the targeted sector need to be involved in the development and ongoing support of the program's training plan. Discussions with an employer-based advisory committee or industry consortium can provide details on jobs in local companies, the skills that are needed, working conditions, wages and benefits, and changes/trends in the industry to ensure appropriate jobs are available for program participants. Ideally, regional businesses should commit to hiring, retaining and seeking to advance successful Career Pathways participants.

b. Partnership Plan

Program providers must establish a plan that clearly identifies what organizations are providing services for program participants, including how participants are recruited/referred to the program, the educational and occupational skills training provided, the provision of case management/support services, job placement services and job retention services. Social services departments and local Workforce Investment Boards must be a program partner.

A cross section of agencies, including the local district, employers, workforce development agencies, educational institutions, and other community organizations, with expertise in serving the target population is formed to support low-income workers in career pathway learning, actively collaborate to provide training resources and wrap-around support services to the participant including efforts to support advancement after initial job placement. Each partner's role and responsibility is clearly defined.

c. Career Plan Development

For each Career Pathways participant, providers must develop a Career Plan that identifies the employment goals and education, training and job skills needed for the participant's future success.

At a minimum, the Career Plan should:

- Be designed in conjunction with the assessment and employability plan developed with the participant and the district, if applicable;
- Include an assessment of individual aptitudes, interests, educational background, work history and acquired job skills;
- Address the barriers that have prevented the participant from successfully participating in employment and training activities or obtaining/retaining a job;
- Identify the individual's employment goals and how the services provided will help the individual attain those goals;
- Identify work skills and skill gaps;
- Contain measurable and verifiable long and short-term goals, such as credential achievement, completion of a job readiness program, resolution of personal barriers to employment, vocational training, job placement/retention or job improvement;
- Specify a timeframe for completing program components and meeting goals;
- Describe an individualized and contextualized course of instruction for all pre and/or post-employment components;
- Describe the type, method and location of services and instruction; and
- Develop a resume the individual can use to support current and future job applications.

Once developed, the Career Plan should follow the individual as s/he moves through various training and employment experiences and settings. It is strongly recommended that providers offer post-employment components in addition to pre-employment components. The provider's in-depth knowledge of each client's strengths and weaknesses (acquired while providing clients with pre-employment components) may be used to develop a post-employment plan of action that will improve the opportunity for job advancement and promote job retention.

c. Job Skills Training including Vocational Education

The trainings offered are based on local and regional labor market demand, where a gap exists between the number of qualified workers and the number of job openings. There needs to be evidence that good employment opportunities are available for individuals who meet skill qualifications through the Career Pathways program. The Career Pathway curriculum is organized as a sequence of steps, each of which is associated with a specific credential or job advancement opportunity. The program must enable participants to make gains and increase job skills in manageable increments. Completion of each module in a pathway by a participant is associated with a credential recognized by employers within the industry and region, including basic literacy and math skills needed to be successful in the workplace. Career Pathways curricula must be linked to industry skill standards, certifications or licensing requirements. Traditional classroom instruction is combined with other activities, such contextualized learning as work experience and internships. The Career Pathway is visually summarized by a "road map", jointly produced by educators, workforce professionals and employers, that shows multiple entry and exit points and depicts vertical and lateral movement within an occupation or career cluster. Job skills training must include training courses that are listed on the New York State Workforce Eligible Training Provider List (ETPL). This list can be found at <https://applications.labor.ny.gov/ETPL>. Training providers should complete an on-line application provided at the same website to have their courses listed, if it is not already listed on the ETPL website. If the jobs skills training is not on the list but the agency gains approval of the LWIB that the training is in high demand, it may be included as part of an approved career pathway.

A signed approval from the Local Workforce Investment Board must be submitted (Attachment B10) listing each job skills training to be provided. Organizations must be able to demonstrate through consultation with their LWIB that the training being offered will provide workforce skills that are in demand within the local area, and with the proper preparation, participants will obtain and retain jobs within the local labor market. The Local Workforce Investment Board contacts can be found at <http://labor.ny.gov/workforcenypartners/lwia/localboards.shtm>. A listing of the Local Labor Market Analysts who can identify demand occupations is included in Attachment B9.

d. Connecting Participants with Available Jobs

Applicant organizations should develop a job placement strategy that matches the skills and abilities of participants with local labor market openings within the selected job sectors. Job placement must be the goal for all participants in the Career Pathways Program and selected providers will have clear strategies to help each program participant achieve this goal, including relationships with employers engaged in efforts to support job retention and advancement for program participants. While the goal for all participants is to find above minimum wage employment with benefits and advancement opportunities with priority placed on jobs with high wages and/or wage advancement opportunities. Job placement efforts must be focused on securing placements in jobs that are consistent with the occupational training.

e. Participant Supports/Case Management

Strong case management is provided to ensure that participants receive timely coordinated services and that resources are used to maintain an individual's ability to pursue career path goals. Barriers and limitations of the participant are identified and strategies to address these issues are implemented. The key function of the case manager is the coordination of the array of services as defined by both the program participant and the case manager and to support program participants so they can achieve career plan goals. The case manager is expected to also serve as the mentor/career counselor to help participants problem-solve, plan for future events and remained focused on program completion. Programs that provide mentors to individuals following job placement are preferred.

F. Career Pathways Milestone Structure

The Career Pathways milestones have been designed to promote the attainment of High School Equivalency Diplomas, job skills certificates for in-demand occupations and gainful employment for its participants with a pathway for job improvement and advanced earnings. Additionally, the milestone reflect OTDA's priority of helping recipients of public assistance obtain and retain employment by providing an enhanced payment when the individual achieving the milestone was in receipt of public assistance at time of program entry, or as otherwise defined by OTDA.

A table that describes the milestones is provided on the next page. OTDA reserves the right to modify milestone definitions, policy and/or documentation requirements for the program.

Career Pathways Milestones

Milestone	Milestone Value		Milestone Value for PA recipients	Definition	Policy
Career Plan Plus 60 Instructional Hours	\$1,000		\$1, 250	Completion of a Career Plan, which includes an assessment of the participant, and participation in TASC Preparation, Job Readiness Training, Vocational Training or Job Skills Training for at least 60 instructional hours	This milestone must be achieved before other milestones can be claimed.
Credential	Level				Up to two Credential milestones may be claimed for a participant. For example, two milestones may be claimed for the individual who achieves his or her TASC and completes a Job Skills course in an in-demand occupation. This milestone may also be claimed twice for the same individual if he or she completes a job skills training course at the entry level, and then attains a second certificate at a more advanced level, such as Certified Nurse's Assistant to Licensed Practical Nurse. Two milestones may also be claimed for the same participant if the job skills training certificates are in the same occupational field.
	1	\$500	\$750	Job Skills Training programs requiring less than 60 instructional hours.	
	2	\$1,000	\$1,250	Job Skills Training programs requiring 60 - 120 instructional hours.	
	3	\$1,500	\$1,750	Job Skills Training programs requiring 121 to 240 instructional hours	
	4	\$2,000	\$2,250	Job Skills Training programs requiring more than 240 instructional hours or Participant obtains a High School Diploma, Equivalency Diploma (TASC) or a Secondary School Diploma through an External Diploma Program, Associates or Bachelor's Degree	
Job Entry (Day 1)	\$1,000		\$1,250	Participant has completed a Career Plan Plus 60 Instructional Hours milestone and entered unsubsidized employment.	Only one Job Entry, one 60-Day Retention and one 120- Day Retention may be claimed per client. If a client is employed at the time of enrollment only the 60 & 120 Day Retentions can be claimed.
Job Retention (60 Days) & Job Retention (120 Days)	Gross Pay/Week			Participant has completed a Career Plan Plus 60 Instructional Hours milestone and entered unsubsidized employment and:	If a participant is employed at the time of enrollment, the Job Retention Milestones may only be claimed when the participant: <ul style="list-style-type: none"> • Completes at least Career Plan + 60 Instructional Hours • Achieves a credential milestone, and • Achieves a 20% increase in wages based on the average weekly earnings upon enrollment.
	\$160 to \$240	\$2,000	\$2,250	<ul style="list-style-type: none"> • Earning at least \$160 but no more than \$240 per week over the 60 or 120-day period, or • Earning at least \$241 but no more than \$359 per week over the 60 or 120-day period, or • Earning above \$360 per week over the 60 or 120-day period 	
	\$241 to \$359	\$2,500	\$2,750		
Above \$360	\$3,000	\$3,250			

Participants may be enrolled at any time during the program period from 4/1/14 - 3/31/19. Eligibility for services must be established at the time of enrollment.

a. Career Plan plus 60 Instructional Hours Milestone

The Career Plan plus 60 Instructional Hours milestone must be claimed before any other milestones may be claimed. Other milestones may be achieved before the 60 hours of instruction is completed, but these milestones may not be claimed until the Career Plan plus 60 Instructional Hours milestone is claimed.

The Career Plan plus 60 Instructional Hours milestone will be paid when:

- An initial Career Plan has been completed, and
- The individual participates in education related to employment, a High School Diploma (TASC) Preparation, Job Readiness Training, or Job Skills Training/Vocational Education program for at least 60 hours. Work Experience (WEP) and employment are also countable activities for up to 30 hours when combined with education, job skills and/or job readiness services.

The Career Plan plus 60 Instructional Hours will be reimbursed using the following ranges:

- \$1,000 for clients who do **not** receive Public Assistance (200% of poverty and individuals 18-24 years old not on PA)
- \$1,250 for clients who receive Public Assistance

b. Credentials

Credentials serve as the formal recognition that an individual has demonstrated a specific set of skills and competencies to be successful in a particular industry or occupation, and can show the individual's readiness for advanced training in that field. The Credential milestone is achieved when the participant obtains a High School Equivalency Diploma or Test Assessing Secondary Completion (TASC), a Secondary School Diploma through an External Diploma Program, an Associate or Baccalaureate Degree, a job skills certificate as part of an approved career pathway.

A Credential milestone may be claimed when the participant has completed a Career Plan, at least 60 instructional hours, and has achieved a credential.

Credentials will be reimbursed using the following ranges:

- Level 1 - \$500 for Non-PA (200%) and \$750 for PA
- Level 2 - \$1,000 for Non-PA (200%) and \$1,250 for PA
- Level 3 - \$1,500 for Non-PA (200%) and \$1,750 for PA
- Level 4 - \$2,000 for Non-PA (200%) and \$2,250 for PA

Job Skills Training must be part of an approved Career Pathway and includes instruction specific to the particular vocation or field, and provides training in the various skills necessary to successfully perform the functions of the job. The job skills/occupational training certificate must be awarded by the appropriate training entity for that discipline or field.

The date the milestone is achieved is the date the TASC or other credentialing program was taken and passed, the date the diploma was awarded for the Associate or Baccalaureate Degree, or the date the certificate was issued for the job skills certificate.

Up to two Credential milestones may be claimed, in any combination. For example, an individual may achieve multiple job skills training certificates in the same occupational field or part of an approved career pathway with the subsequent Credential milestone(s) being for higher level certifications, such as Certified Nurse's Assistant and Licensed Practical Nurse.

c. Job Entry Milestone (Day 1)

A Job Entry milestone may be claimed when the participant has completed a Career Plan, at least 60 instructional hours, and has obtained and started unsubsidized employment. The expectation is that the employment is a permanent placement.

Jobs will be reimbursed using the following ranges:

- \$1,000 for clients who do **not** receive Public Assistance
- \$1,250 for clients who receive Public Assistance

Consistent with the Career Pathways model, the goal of CP is to assist participants in finding employment in their approved career pathway.

If an individual is no longer participating in Career Pathway's activities at the time of job entry, this milestone may only be claimed within 90 days from the date the last service was provided to the participant, such as providing job search assistance or attendance in a training class. Service must be clearly documented by case notes or other means such as attendance records to prove that the client is still active with the organization during the 90 day period.

d. 60-Day Job Retention Milestone

The 60-Day Job Retention milestone may be claimed when the participant has maintained unsubsidized employment earning at least \$160 per week (average) and has retained the job for at least 60 calendar days.

Job retentions will be reimbursed using the following ranges:

- For jobs with gross average weekly earnings between \$160 and \$240, an agency will be reimbursed \$2,000 for Non-PA clients and \$2,250 for PA clients
- For jobs with gross average weekly earnings between \$241 and \$359, an agency will be reimbursed \$2,500 for Non-PA clients and \$2,750 for PA clients
- For jobs with gross average weekly earnings \$360 and above, an agency will be reimbursed \$3,000 for Non-PA clients and \$3,250 for PA clients.

Consistent with the Career Pathways model, participants are assisted in finding employment in their approved career pathway. If the participant is employed upon enrollment, the 60-day job retention milestone may only be claimed under the following circumstances:

- At least 60 instructional hours has been completed;
- A credential milestone has been achieved; and
- An increase of at least 20% in average weekly earnings (based on earnings upon enrollment) has been realized.

Regarding the 60-day job retention requirement, if a gap in employment occurs that is less than 45 days, the count includes all the days worked minus the gap period. If the gap in employment is longer than 45 days, the 60-day count must start over again when employment resumes.

e. 120-Day Job Retention Milestone

The 120-Day Job Retention milestone may be claimed when the participant has maintained unsubsidized employment earning at least \$160 per week (average) and has retained the job for at least 120 calendar days.

Job retentions milestones will be reimbursed using the following ranges:

- For jobs with gross average weekly earnings between \$160 and \$240, an agency will be reimbursed \$2,000 for Non-PA clients and \$2,250 for PA clients
- For jobs with gross average weekly earnings between \$2421 and \$359, an agency will be reimbursed \$2,500 for Non-PA clients and \$2,750 for PA clients
- For jobs with gross average weekly earnings \$360 and above, an agency will be reimbursed \$3,000 for Non-PA clients and \$3,250 for PA clients

Consistent with the Career Pathways model, participants are assisted in finding employment in their approved career pathway. If the participant is employed upon enrollment, the 120-day job retention milestone may only be claimed under the following circumstances:

- At least 60 instructional hours has been completed;
- A credential milestone has been achieved; and
- An increase of at least 20% in average weekly earnings (based on earnings upon enrollment) has been realized.

Regarding the 120-day job retention requirement, if a gap in employment occurs that is less than 45 days; the count includes all the days worked minus the gap period. If the gap in employment is longer than 45 days, the 120-day count must start over again when employment resumes.

G. Documentation Requirements

The following table provides the documentation requirements for each Career Pathways Program milestone.

DOCUMENTATION REQUIREMENTS

Issue/Milestone	Documentation
Eligibility	<p>Public Assistance Recipients: Include the Welfare Management System printout or district referral form/letter in the case file.</p> <p>18 to 24 Year Olds or 16 and 17 Year Old Self-Supporting Heads of Household Who Meet 200% of Poverty Requirements: Retain the completed TANF Services Application/Certification Form and the TANF Services Application/Certification Review Form in the participant's file.</p>
Assessment and Career Plan + 60 Instructional Hours	<p>An Assessment and Career Plan must be completed and maintained in the participant's file. Both documents must be updated as each participant progresses through the program.</p> <p>Attendance records (class sign-in sheets, instructional rosters or computer-generated records) must be maintained in each participant file in order to document all instructional hours provided. At a minimum, 60 instructional hours must be provided in order to claim any milestone.</p>
Credential	<p>Maintain in the participant's file:</p> <ul style="list-style-type: none"> ▪ A copy of the High School Equivalency Diploma (*TASC), Secondary School Diploma or ▪ A copy of the TASC quarterly report or ▪ A copy of a TASC status report can be obtained at https://eservices.nysed.gov/tasc/ for the purposes of a case audit. ▪ A copy of the certificate of completion of a vocational or job skills training program awarded by the governing agency ▪ A copy of an Associate or Baccalaureate Degree or an official college transcript demonstrating completion of course work.
Job Entry	<p>A wage stub verifying the participant began employment, an Employment Verification Form, or an equivalent employer statement must be completed and maintained in the participant file. When using pay stubs OTDA must be clearly able to discern when a client started employment.</p>
60-Day Job Retention	<p>Wage stubs verifying at least 60 days of employment, an Employment Verification Form, or an equivalent employer statement must be completed and maintained in the participant file. When using pay stubs OTDA must be clearly able to discern when a client started employment and that the client has obtained the 60 days.</p>
120-Day Job Retention	<p>Wage stubs verifying at least 120 days of employment, an Employment Verification Form, or an equivalent employer statement must be completed and maintained in the participant file. When using pay stubs OTDA must be clearly able to discern when a client started employment and that the client has obtained the 120 days.</p>

*TASC is replacing the GED and the reports and verification of services are subject to change.

H. Participant Reporting Requirements

Selected organizations will be required to comply with participant reporting requirements outlined by OTDA and the district. Information may include, but is not limited to, client demographics, attendance records, employment and wage verification.

IV. Proposal Requirements – Format and Content

Proposals will consist of two parts – a technical section and a budget section. To ensure that all proposals are evaluated on the same basis, all of the following must be included. Proposals must also be organized in the sequence described below.

- A. **Technical Proposal** – using the Program Narrative (Attachment B-4), should not exceed ten pages (excluding enclosures) and should be prepared using 12-point font and standard one-inch margins.
 1. **Project Summary** – Outline the overall program goals and objectives, including specific outcomes, and provide an overview of the project design. Include a brief description of your organization and the types of programs it provides. If your organization will subcontract or partner with other agencies, these agencies and their roles and responsibilities in the program must be explained. Describe how Minority/Women Owned Business Enterprises will be used to deliver program services or for the purchase of supplies and/or equipment.
 2. **Program Description** – Clearly describe the proposed project design and strategy by responding to each of the following statements/questions:
 - a. **Industry Sectors**
 - What industrial occupation(s) or career pathway(s) in your region will be targeted?
 - Provide local and regional evidence to demonstrate that the sector(s) chosen are in high demand and address skills gap shortage(s) in the local and regional area.
 - What are the various levels of jobs within each occupational group?
 - What qualifications do employers seek in applicants for jobs at each level?
 - Do employers have difficulty hiring, retaining or advancing workers in their jobs? If so, why?
 - Explain how such jobs are important to your region's economy.
 - What wage levels can program participants expect during each segment of the career pathway? Projects that tend to provide participants with opportunities for higher wages are preferred.
 - What employers or employer organizations were involved in the development of the career pathway, and what will be their ongoing role and contribution to the program?

b. Local Partnerships

- Who are the local/regional partners? Describe each agency's part in the Career Pathways Project.
- Provide evidence to show how the experience and past performance of these agencies will contribute to the success of this project.
- Outline the process for the ongoing exchange of information.
- How will attendance and progress be monitored? For PA recipients, how will attendance and progress be reported to the district?

c. Recruitment, Assessment and Career Plan Development

- Identify the eligible populations that your program will serve and describe the methods to be used to identify, recruit and engage these individuals.
- What methods will be used to recruit participants, specifically those 18 to 24 years of age?
- What arrangements have been made with your local social services district to refer eligible public assistance recipients to your program?
- Describe the assessment. What process will you use to determine an individual's appropriateness for Career Pathways? What entrance criteria have you established for participation in Career Pathways? How will assessment data already collected from referral agencies be incorporated in the Career Plan assessment?
- Using the elements listed in Section III E.2.c., Detail how the Career Plan will be used to identify the education, training and job skills needed for the participant's future success needs.

d. Career Pathway Roadmaps

Attachment B13 is provided for each Career Pathway, showing the aligned sequence of education and training activities, the credentials to be earned, and the expected employment outcomes. Applicant organizations can use this form, or create their own to outline each roadmap. Include in the Proposal Narrative or as part of each Career Pathway Roadmap, the following items:

- Describe the Career Pathway within the chosen sector(s) including employment steps (entry and advancement) and corresponding skills that must generally be required to support advancement. How will the program significantly increase the likelihood that job entrants attain higher wages at placement or following initial entry within the sector?
- What remedial programs are needed for those who lack the basic qualifications for entry level training and employment in the proposed sector and how these remedial needs will be addressed?
- What will be done to facilitate the transition from one credential and/or level of education to the next?
- How will the program enable/support a working participant to maintain current employment while pursuing advanced credentials and/or levels of education?

e. Participant Supports

- Describe the case management approach to be used to guide participants into and through the programs, services and activities available to them.
- Describe the participant mentoring approach, particularly mentoring following job placement to help individuals acclimate to the workplace, handle finances, be successful in the job and prepare for and/or pursue workplace advancement.
- What support services, such as counseling, childcare, or transportation, are offered at each level?
- Describe the availability of participant mentors or other support networks to facilitate program completion and career advancement.

f. Job Placement and Retention

- What specific job preparation activities will be provided? How many hours per week? Expected duration?
- Who will be responsible for assisting participants in gaining employment?
- What specific strategies will be used to match participants with available jobs?
- Are there existing business commitments to hire Venture participants?
- Once employed, who will follow up with the employee and how? How frequently?

g. Organizational Experience & Past Accomplishments

- What experience has your agency/organization had in operating an adult education/training program?
- What experience has your agency/organization had in providing job placement and retention services?
- How have you performed?
- Who can we contact to verify the results?

B. Budget Proposal / Reimbursement Schedule (Attachment B5)

Selected contractors will earn reimbursement for program costs as participants reach designated milestones. Attachment B5 provides a reimbursement schedule for applicants to calculate the number of milestones they expect Career Pathways participants to reach during the initial year period (4/1/14 – 3/31/15) and the maximum number of reimbursement that will be earned as a result. In addition, contractors are asked to “project” how five years’ worth of funding (anticipated first year award amount multiplied by five) would be dispersed among the milestone categories (5 year projected budget). The five year projected budget will **not** be used in the budget scoring for the RFP.

C. Required Documents

1. **Proposal Cover Page** (Attachment B2) – This form must have an original signature signed by an official authorized to bind the bidder to its provisions.
2. **Local Social Services District Partnership Form** (Attachment B3) – This form must be signed by a representative from each district you plan on serving and acknowledges the district’s commitment to supporting the program, a willingness to work with your organization and make a sufficient number of referrals to justify the level of proposed funding.
3. **Program Narrative Form** (Attachment B4) – This includes all of the items listed in Section IV. A of the RFP.
4. **Reimbursement Schedule** (Attachment B5) – Providers indicate the number of individuals they anticipate serving by milestone, the costs and the total funds requested.
5. **Contractor/Subcontractor Background Questionnaire** (Attachment B6) – This form must be completed by the Bidder and any proposed subcontractor if the value of the contract is in excess of \$10,000. The Contractor/Subcontractor Background Questionnaire requires an original signature. Prospective contractors are encouraged to complete or update the questionnaire on the VendRep system which can be found at <http://portal.osc.state.ny.us/Enrollment/login>
6. **Minority and Women-Owned Business Enterprise (M/WBE) and Equal Employment Opportunity (EEO) Forms** (Attachments B7-a through B7-f) – As part of your proposal, the following M/WBE and EEO forms must be included:
 - a. M/WBE Subcontracting Utilization Plan
 - b. M/WBE Letter of Intent to Participate
 - c. EEO Staffing Plan
 - d. M/WBE /EEO Policy Statement
 - e. M/WBE Subcontractor Request for Waiver Form (if applicable)
 - f. M/WBE Goal Requirements Certification of Good Faith Efforts

These forms are required to ensure that your agency is in full accord with the aims and efforts of the State of New York to promote equal opportunity for all persons, and to promote equality of economic opportunity for minority group members and women who own business enterprises, and to ensure there are no barriers, through active programs, that unreasonably impair access by Minority and Women-Owned Business Enterprises (M/WBE) to state contracting opportunities. It is understood that the extent of your M/WBE subcontracting plans may not be known at the point of proposal submission. Organizations selected for an award may be required to resubmit the EEO Staffing Plan when subcontracting activities are finalized.

M/WBE Subcontractor Utilization Examples

It is important to note that in addition to direct sub-contracting on state contracts, contractors can also utilize a number of other vendors in support of their overall operations. Using NYS Certified M/WBEs as providers of these second tier services can be counted in satisfaction of the goals. The Directory of NYS Certified M/WBEs can be found at www.esd.ny.gov/MWBE.html. The following are examples of indirect services that you may want to consider for compliance with M/WBE subcontracting participation requirements: Accounting Services, Advertising, Building Maintenance, Car Rental, Cleaning Supplies, Copying, Electrical Services, Furniture, Heating and Cooling, Janitorial Services, Office Supplies, Pest Control, Printing Services, Publishing, Rubbish Removal, Security, Shredding Services, Tax Preparation, Technical Writing, Training, Travel Services, etc.

7. New York State Business Utilization Form

All bidders MUST also submit a completed NYS Business Utilization Form (Attachment B2)

V. Selection Process and Evaluation Criteria

A. Evaluation of Proposals

All proposals received shall be subject to an evaluation by OTDA. A Technical Review Committee and a Cost Review Committee will be established. Members of each committee will individually evaluate the technical and budget portions of the proposals. The two committees will not share information at any time during the review of the proposals.

B. Evaluation Process

The evaluation process will abide by the following rules:

1. All bidders that are determined not to be responsive or responsible will be disqualified after completing a review.
2. Proposals that fail to meet the requirements may be disqualified after completing a full review.
3. Technical and budget proposals will be scored separately and then combined to produce a final score based upon the weight given to each part.

C. Evaluation Criteria

- **Priority Features** (15 points): Points will be awarded to applicant organizations who:
 - Have a clear strategy for serving 18 through 24 year old unemployed or underemployed individuals who reside in a county or city that has an average annual unemployment rate that exceeds the average annual

unemployment rate for the region for the most recently completed calendar year and serve eligible recipients of public assistance;

- Represent a consortium of organizations including employers and will serve as the lead agency for the Career Pathways project. In that role the organization will assume responsibility for overall project management and will collaborate with at least one other eligible agency in addition to the social services district and the LWIB, who are required partners as described above;
 - Will partner with agencies and employers who leverage additional resources to support the program including mentors, federal tuition support, private funds, use of space and/or supplies, or job placement services.
- **Recruitment Strategies** (15 points): A well-developed plan is included to identify and recruit eligible individuals from each priority group and includes recruitment goals, outreach methods and strategies. The proposal outlines the process that has been developed with the local district for the referral of public assistance recipients.
 - **Project Strategy, Design and Instructional Methodology** (35 points): The proposal has addressed the questions listed in Section IV A.2 in a clear manner the meets program objectives.
 - **Organizational Experience and Past Accomplishments** (15 points): The applicant provides evidence to demonstrate their relevant experience and capability in developing and operating occupational education and training and job placement/retention programs for low-income individuals, and provides evidence in enabling participants to reach education, training and employment goals.
 - **Budget** (20 points): Proposals will be rated based on the total funds requested divided by the proposed number of milestones to be achieved in the following categories (Initial year only). The following formulas will be used to assign cost points.
 - Level 4 Credential (C) = 10 points
(Low C Bid ÷ C Bid Being Evaluated) x 10 points = Points Earned
 - 120-Day Job Retention (JR) = 10 points
(Low JR Bid ÷ JR Bid Being Evaluated) x 10 points = Points Earned

To illustrate how points would be earned, the following example is provided. Proposal # 1 requests \$250,000 and expects that 50 individuals will meet the C milestone (average cost = \$5,000). Proposal # 2 asks for \$240,000 and expects that 40 individuals will meet this milestone (average cost = \$6,000). Proposal # 3 asks for \$200,000 and expects that 25 individuals will meet the milestone (average cost = \$8,000).

The score would be determined as follows:

Sample Calculations			
Proposal	Average Cost Per Credential	Formula	Score out of 10 Points
#1	\$5,000	$\$5,000/\$5,000 \times 10$	10
#2	\$6,000	$\$5,000/\$6,000 \times 10$	8.33
#3	\$8,000	$\$5,000/\$8,000 \times 10$	6.25

The remaining points are earned based on the average cost per 120 day JR. Proposal # 1 requests \$250,000 and expects that 25 individuals will retain employment for 120 days (average cost = \$10,000). Proposal # 2 requests \$240,000 and projects that 20 individuals will retain employment for 120 days (average cost = \$12,000) and proposal # 3 requests \$200,000 and expects that 20 individuals will retain employment for 120 days (average cost = \$10,000).

JR points would be earned as follows:

Sample Calculations			
Proposal	Average Cost Per 120 Day Job Retention	Formula	Score out of 10 Points
#1	\$10,000	$\$10,000/\$10,000 \times 10$	10
#2	\$11,000	$\$10,000/\$12,000 \times 10$	8.33
#3	\$10,000	$\$10,000/\$10,000 \times 10$	10

The C and JR points would then be added to arrive at a total cost score, with proposal # 1 receiving the highest score.

Total Cost Score		
Proposal	Scores	Total Score
#1	10 + 10	20
#2	8.3 + 8.33	16.66
#3	6.25 + 10	16.25

These scores and examples are used for **illustrative purposes only**. The actual scores will be derived from the submitted proposal budgets and scored, relative to one another, per the formulas provided.

D. Method of Selection

The method of selection will be based on a point system. OTDA will select bidders that provide the best value taking into consideration the most beneficial combination of factors including qualifications, experience, and goals. Awards will be based on the highest total points earned. As previously stated, OTDA reserves the right to award contracts to bidders that score fewer points than others in order to satisfy the no more than one program per county outside of New York City requirement and to achieve the goal of serving multiple regions.

VI. Terms and Conditions Governing this RFP

- 1.** The award will be made to the applicants whose proposal is determined to best meet the criteria for proposal evaluation and selection set forth in this RFP.
- 2.** Any contract awarded pursuant to this RFP will be subject to the Office's processing procedures for contracts of this type, including approval as to form by the State's Attorney General, and as to award by the NYS Division of the Budget and by the NYS Office of the State Comptroller.
- 3.** This RFP does not commit OTDA to award any contracts, to pay the costs incurred in the preparation of a response to this RFP, or to procure or contract for services.
- 4.** OTDA reserves the right to amend, modify or withdraw this RFP and to reject any proposals submitted, and may exercise such right at any time and without notice and without liability to any applicant or other parties for their expenses incurred in the preparation of a proposal.
- 5.** This RFP and any contract resulting from this RFP is subject to all applicable laws, rules and regulations promulgated by any federal, State and municipal authority having jurisdiction over the subject matter thereof, including EO-127 requirements for all for-profit contractors.
- 6.** OTDA reserves the right to award contract(s) to as many or as few applicants as it may select, and reject any or all proposals which do not completely conform to the instructions given in the RFP.
- 7.** The proposal of the successful applicant(s) will serve as the basis for the contract, the terms of which will be modified within the context of this RFP.
- 8.** All plans and working documents prepared by the applicant under the contract to be awarded will become the property of the State of New York.
- 9.** Submission of a proposal will be deemed to be the consent of the applicant to any inquiry made by OTDA of third parties with regard to applicant's experience or other matters relevant to the proposal.
- 10.** OTDA reserves the right to request and consider additional information from any applicant beyond that presented in the initial proposal. The award of the contract, if any, may be made in reliance on additional information requested. Such information may include budget justification, program information, operation details, personnel information, or other funding source information.
- 11.** All products, deliverable items, and working papers resulting from this contract will be the sole property of OTDA and the applicant is prohibited from releasing these documents to any persons other than the Commissioner of the Office of Temporary and Disability Assistance or his designee unless authorized by the Office to do so.
- 12.** The proposal shall be signed by an official authorized to bind the applicant and shall contain a statement to the effect that the proposal is a firm offer for a 180-day

period. The proposal shall also provide the name, title, address, telephone number, and area code of individuals with authority to negotiate and contractually bind the corporation or municipality and who may be contacted during the period of proposal evaluation.

VII. General Information for Successful Bidders

If you are awarded a contract, you will be required to submit certain forms and comply with the following information:

1. Cost of Proposal Preparation

The Office of Temporary and Disability Assistance (OTDA) will not be liable for any costs of work performed in the preparation and production of a proposal, or for any work performed prior to the formal execution of a contract. By submitting a proposal, the bidder agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the specifications, or because of any misinformation or lack of information. The proposals shall become the property of the State of New York

2. Assurances

The bidder warrants that it has carefully reviewed the needs of the State as described in the RFP, its attachments and other communications related to the RFP and that it has familiarized itself with the specifications and requirements of the RFP and warrants that it can provide such services as represented in bidder's proposal. The bidder agrees that it will perform all of its obligations in the resultant contract in accordance with all applicable federal, State, and local laws, regulations and policies now or hereafter in effect.

The bidder affirms that the terms of the RFP and the attachments do not violate any contracts or agreements to which it is a party, and that its other contractual obligations will not adversely influence its capabilities to perform under the contract.

3. Electronic Files or Data

If electronic files are to be exchanged as a part of this proposal or as a product of the contract, they must conform to agency policy and guidelines.

4. Conflict of Interest

Bidders may be requested to provide evidence that the award of the contract from this RFP will not result in a conflict of interest with regard either to other work performed by the contractor, or to potential conflict of interest among specific contractor staff or subcontractors.

5. Ownership of Materials

All materials developed with funding provided by the State and all proposals, work plans and budget become the property of New York State. All materials produced, either in whole or in part, through funding provided by New York State shall belong exclusively to OTDA and to the State of New York. OTDA may use any of the materials developed with project funds for any OTDA or other State purpose.

6. Equal Employment Opportunity

By submission of its bid, the successful bidder warrants that it is an Equal Opportunity Employer and that it does not discriminate in its employment and business practices on any of the bases provided in the New York State Human Rights law or any applicable federal laws.

7. Prompt Payment Provisions

The payment of interest on certain payments due and owed by the State may be made in accordance with the criteria established in Article XI-A of the State Finance Law.

8. Contract Award

Upon receipt of necessary agency approvals an award letter will be issued by OTDA to the successful bidder advising them of a contract award. A contract defining all deliverables and the responsibilities of the contractor and OTDA will then be developed for signature by both parties and for approval and processing in accordance with State policy and practice.

NOTE: The contract does not become legally binding upon the State of New York until it is executed by the Office of the New York State Comptroller.

9. Publicity

Publicity includes, but is not limited to, news conferences, news releases, advertising, brochures, reports, discussions and/or presentations at conferences or meetings. The inclusion of our materials, our agency name, or other such reference to New York State and/or OTDA in any document or forum is considered publicity. News releases or any other public announcements regarding this project may not be released without prior approval from OTDA.

10. Freedom of Information Law and Bidder's Proposals

The purpose of New York State's Freedom of Information Law (FOIL), which is contained in Public Officers Law Sections 84-90, is to promote the public's right to know the process of governmental decision making and to grant maximum public access to governmental records. Thus, a member of the public may submit a FOIL request for contracts awarded by the State or for the proposals submitted

to the State in response to Requests for Proposals. After formal contract award, the proposal of the successful bidder and the proposals of non-successful bidders are subject to disclosure under FOIL. However, pursuant to Section 87(2)(d) of FOIL, a State agency may deny access to those portions of proposals or portions of a successful bidder's contract which "are trade secrets or submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Information relating to Contractor price submissions, including commercial, book or list pricing, applicable discounts or final bid price and like information, shall not be entitled to confidentiality protection whether or not submitted or designated as proprietary.

Please note that information which you may claim as proprietary, copyrighted or rights reserved is not necessarily protected from disclosure under FOIL.

If there is information in your proposal which you claim meets the definition set forth in Section 87(2) (d), you must so inform us in a letter accompanying your proposal.

11. Americans with Disabilities Act (ADA)

The successful bidder shall comply with all applicable requirements of the Americans with Disabilities Act (ADA), codified at Title 42 of the United States Code, section 12101 et seq. and associated regulations, including, but not limited to, those located in 28 C.F.R. Part 36. The successful bidder shall comply with all applicable requirements of the New York State Human Rights Law, codified in the Executive Law sections 290 - 301 and applicable regulations implemented pursuant to that law. The successful bidder shall warrant to OTDA that the successful bidder is in compliance with both the ADA and its regulations and the New York State Human Rights Law and its regulations.

Any products developed as a result of this RFP must be in a format that can be converted for use by individuals with disabilities to meet the reasonable accommodation standards established by the American with Disabilities Act.

12. Compliance with New York State Policy and Law

All work conducted under this contract must be in compliance with OTDA's policies and procedures set forth in Appendix A, Standard Clauses for NYS Contracts. In addition, the successful bidder must agree to the terms specified in the document entitled "Office of Temporary and Disability Assistance - Appendix A1".

13. Responsibility Determination

Article 11 of the New York State Finance Law requires that competitive bids be awarded to responsive and responsible bidders. In order to fulfill this requirement, you must complete the "Contractor/Subcontractor Background Questionnaire" (Attachment B6). By signing the bid proposal, you hereby

authorize OTDA to review any records in its possession concerning your organization including, but not limited to, wage records, unemployment insurance records, public works records, labor standards and safety and health records. Based on the responses you provide, OTDA will determine whether your organization is a responsible bidder. If you are disqualified based on a determination of non-responsibility, you will be notified in writing and may appeal the determination in writing within 10 days to the Commissioner. If you fail to identify a violation and OTDA discovers the failure to disclose such violation, your contract may be terminated immediately upon written notice.

14. Contract Modification

The contract budget can be modified, upon mutual agreement of the parties, during any term by written amendment.

15. Contract Cancellation

OTDA reserves the right to cancel the contract or any part thereof, at any time, upon thirty (30) days written notice. If, in the judgment of OTDA, that the Contractor fails to perform the work in accordance with the contract, OTDA may terminate the contract immediately by written notice for cause. OTDA may elect to suspend contract performance or provide a cure period prior to termination.

16. Iran Divestment Act

By submitting a bid in response to this solicitation or by assuming the responsibility of a Contract awarded hereunder, Bidder/Contractor (or any assignee) certifies that it is not on the “Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012” list (“Prohibited Entities List”) posted on the OGS website at: <http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf> and further certifies that it will not utilize for such Contract any subcontractor that is identified on the Prohibited Entities List. Additionally, Bidder/Contractor is advised that should it seek to renew or extend a Contract awarded in response to the solicitation, it must provide the same certification at the time the Contract is renewed or extended.

During the term of the Contract, should OTDA receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, OTDA will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the Act within 90 days after the determination of such violation, then OTDA shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the Contractor in default. OTDA reserves the right to reject any bid, request for assignment, renewal or extension for an entity that appears on the Prohibited Entities List prior to the award, assignment, renewal or extension of a contract,

and to pursue a responsibility review with respect to any entity that is awarded a contract and appears on the Prohibited Entities list after contract award.

17. Contractor Requirements and Procedures for Business Participation Opportunities for New York State Certified Minority- and Women-Owned Business Enterprises and Equal Employment Opportunities for Minority Group Members and Women

New York State Law

Pursuant to New York State Executive Law Article 15-A, the New York State Office of Temporary and Disability Assistance (OTDA) recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified minority- and women-owned business enterprises and the employment of minority group members and women in the performance of OTDA contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" ("Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of minority- and women-owned business enterprises in state procurement contracting versus the number of minority- and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that OTDA establish goals for maximum feasible participation of New York State Certified minority- and women – owned business enterprises ("MWBE") and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MWBEs

For purposes of this solicitation, OTDA hereby establishes an overall goal of [20%] for MWBE participation, [10%] for Minority-Owned Business Enterprises ("MBE") participation and [10%] for Women-Owned Business Enterprises ("WBE") participation (based on the current availability of qualified MBEs and WBEs). A contractor ("Contractor") on the subject contract ("Contract") must document good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that OTDA may withhold payment pending receipt of the required MWBE documentation. The directory of New York State Certified MWBEs can be viewed at: <http://www.esd.ny.gov/mwbe.html>.

For guidance on how OTDA will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MWBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and OTDA may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MWBEs had the Contractor achieved the contractual MWBE goals; and (2) all sums actually paid to MWBEs for work performed or materials supplied under the Contract.

By submitting a bid or proposal, a bidder on the Contract (“Bidder”) agrees to submit the following documents and information as evidence of compliance with the foregoing:

- a. Bidders are required to submit a Certification of Good Faith Efforts on form OTDA - 4976 to achieve the overall prescribed MWBE participation percentage (20%) goals set forth in the procurement.
- b. Bidders are required to submit a MWBE Subcontractor’s and/or Suppliers’ Letter of Intent to Participate on form OTDA - 4938 which should document the names and signatures of certified MBEs and/or WBEs which have agreed to participate as subcontractors on the Contract.
- c. Bidders are required to submit a MWBE Subcontractor Utilization Plan on form OTDA - 4937 with their bid or proposal. Any modifications or changes to the MWBE Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised MWBE Utilization Plan and submitted to OTDA.
- d. OTDA will review the submitted MWBE Subcontractor Utilization Plan and advise the Bidder of OTDA’s acceptance or issue a notice of deficiency within 30 days of receipt by the OTDA/MWBE Program Management Unit.
- e. If a notice of deficiency is issued, Bidder agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to NYS Office of Temporary and Disability Assistance M/WBE Program Management Unit at 317 Lenox Avenue, N.Y. N.Y 10027, telephone # 212-961-8214 and fax # 212-961-8275, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by OTDA to be inadequate, OTDA shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals on OTDA form OTDA – 4969 Minority/Women Business Enterprise (MWBE) Subcontractor Request for Waiver. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal. All requests for waivers are subject to approval by the Governor’s Office.

- f. OTDA may disqualify a Bidder as being non-responsive under the following circumstances:
1. If a Bidder fails to submit a MWBE Utilization Plan;
 2. If a Bidder fails to submit a written remedy to a notice of deficiency;
 3. If a Bidder fails to submit a request for waiver; or
 4. If OTDA determines that the Bidder has failed to document good faith efforts.

Contractors shall attempt to utilize, in good faith, any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to Contract Award may be made at any time during the term of the Contract to OTDA, but must be made no later than prior to the submission of a request for final payment on the Contract.

Contractors are required to submit a Contractor's Quarterly M/WBE Contractor Compliance & Payment Report on OTDA form OTDA – 4968, Minority/Women Business Enterprise (MWBE) Subcontractor Quarterly Compliance Report, to the NYS Office of Temporary and Disability Assistance M/WBE Program Management Unit at 317 Lenox Avenue, N.Y. N.Y 10027, telephone # 212-961-8214 and fax # 212-961-8275, by the 10th day following each end of quarter over the term of the Contract documenting the progress made toward achievement of the MWBE goals of the Contract.

Equal Employment Opportunity Requirements

By submission of a bid or proposal in response to this solicitation, the Bidder/Contractor agrees with all of the terms and conditions. The Contractor is required to ensure that it and any subcontractors awarded a subcontract over \$25,000 for the construction, demolition, replacement, major repair, renovation, planning or design of real property and improvements thereon (the "Work") except where the Work is for the beneficial use of the Contractor, shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract; or (ii) employment outside New York State.

Bidder further agrees, where applicable, to submit with the bid a staffing plan on OTDA form OTDA – 4934.1, Equal Employment Opportunity (EEO) Staffing Plan, identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the OTDA, a workforce utilization report identifying the workforce actually utilized on the Contract if known.

Further, pursuant to Article 15 of the Executive Law (the “Human Rights Law”), all other State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as allowed by the Contract.

VIII. RFP Attachments and Required Documents

The following table lists each attachment to this RFP and indicates which documents must be submitted with the proposal.

ATTACHMENTS			
Attachment	Document Title	Original Signature Required (√)	Required to be Submitted with Proposal (√)
A1	Appendix A1: OTDA Standard Contract Clauses		
A2	Appendix Z: Equal Employment Provisions		
B1	Notice of Intent to Bid		Submit by date requested in RFP
B2	New York State Business Utilization Form		√
B3	Proposal Cover Page	√	√
B4	Local Social Services Partnership Form	√	√
B5	Program Narrative Form		√
B6	Budget Proposal Package		√
B7	Contractor/Subcontractor Background Questionnaire	√	√
B8	Subcontracting Utilization/Staffing/MWBE Form		√
B9	LDSS Employment Coordinators		
B10	New York State DOL Labor Market Analysts		
B11	Local Workforce Investment Board Approval Form	√	√
B12	New York State Labor Market Regions		
B13	New York State Regional Unemployment Rates		
B14	Sample Career Pathway		√

Successful contractors will be required to be prequalified through New York State's Grant Reform initiative, inclusive of the establishment of a data vault. For more information on Grants Reform please visit www.grantsreform.ny.gov. Additional information and instruction will be sent to successful contractors.

The terms and conditions for all funded projects are specified in a detailed contract which must be signed by OTDA and approved by the New York State Office of the State Comptroller and the New York State Office of the Attorney General before any work is begun or payments are made. Successful applicants will be sent the complete standard NYS OTDA contract for execution. Anyone not familiar with this set of conditions, or those who would like to review the contract language before award notifications are made, can find the language on the OTDA website at <http://www.otda.ny.gov>. Applicants are encouraged to review a copy of the contract before submitting an application. The AGREEMENT section of the application pages provides a summary of the basic provisions of the contract.

It is the policy of OTDA to encourage the employment of qualified applicants/recipients of public assistance by both public organizations and private enterprises that are under contractual agreement to OTDA for the provision of goods and services. OTDA may require the Contractor to demonstrate how the Contractor has complied or will comply with the aforesaid policy.

The terms and conditions for all funded proposals are specified in a detailed contract which must be signed by OTDA and approved by the New York State Office of the Attorney General and the New York State Office of the State Comptroller before any work is begun or payments made. Successful applicants will be sent the complete standard contract for execution. Please note that no services may be reimbursed unless and until a fully executed contract is in place. To the extent allowed by federal law and regulation, OTDA may grant advances up to 25% with sufficient justification. Any unexpended advance balance at the end of the contract period will be refunded by the Contractor to OTDA. In the event either party terminates the contract prior to its expiration, the Contractor agrees to refund any outstanding advance balance to OTDA immediately.

Successful contractors will be required to submit all final contract documents, narratives and budgets electronically. The following will be incorporated as appendices into any contracts resulting from this Request for Proposals:

- Face Page
- Signature Page
- State of New York Master Contract for Grants
- Appendix A-1, OTDA Specific Terms and Conditions
- Appendix A-2, Federally Funded Grants
- Appendix B-2, Performance Based Budget
- Appendix C, Work Plan
- Appendix D, Payment and Reporting Schedule

The AGENCY AGREEMENT in section D of the Application provides a summary of the basic provisions of the contract. The draft contract package will be made available electronically at <http://otda.ny.gov/contracts/procurement-bid.asp>

Funds requested in support of administrative personnel are subject to Executive Order #38. Pursuant to this order, contract funds may not be used to support the salaries of administrative personnel that receive compensation in excess of \$199,000 without an approved waiver. OTDA may adjust the compensation cap annually based on appropriate factors and with the approval of the Director of the Division of Budget. OTDA's policy with regard to Executive compensation may be located at <http://otda.ny.gov/legal/>.

In addition, OTDA will conduct a review of all prospective contractors to provide reasonable assurances that the vendor is responsible. Vendor Responsibility will be determined regarding each bidder or offeror's authority to do business in New York, their business integrity, as well as financial and organizational capacity, and performance history.

Revised 6-11-12

**NYS OFFICE OF TEMPORARY & DISABILITY ASSISTANCE
APPENDIX A1**

1. PERSONNEL

- a. The Contractor agrees to be solely responsible for the recruitment, hiring, provision of employment benefits, payment of salaries and management of its project personnel, which shall be as shown in the APPENDICES. These functions shall be carried out in accordance with the provisions of this AGREEMENT, and all applicable Federal and State Laws and Regulations.
- b. It is the policy of Office of Temporary & Disability Assistance (OTDA) to encourage the employment of qualified applicants/recipients of public assistance by both public organizations and private enterprises that are under contractual agreement to OTDA for the provision of goods and services. Contractors will be expected to make best efforts in this area. OTDA may require the Contractor to demonstrate how the Contractor has complied or will comply with the aforesaid policy.
- c. The Contractor agrees to identify, in writing, the person(s) who will be responsible for directing the work to be done under this AGREEMENT. No change or substitution of such responsible person(s) will be made without prior approval in writing from OTDA, to the degree that such change is within the reasonable control of the Contractor.

2. OFFICE SERVICES

- a. The Contractor shall be responsible for the provision of necessary equipment and services for Contractor's staff, pursuant to and described in the narratives and budgets contained in the APPENDICES.
- b. Title to real property and non-expendable personal property whose requisition cost is borne in whole or in part by monies provided under this AGREEMENT shall be determined between the Contractor and OTDA, in Federally funded contracts, pursuant to Federal regulations 45 CFR Part 74, Subpart O, unless such authority is otherwise inappropriate. Title to all equipment, supplies and material purchased with funds under this AGREEMENT under contracts which are not federally funded shall be in the State of New York and the property shall not be transferred, conveyed, or disposed of without written approval of OTDA. Upon expiration or termination of this AGREEMENT, all property purchased with funds under this AGREEMENT shall be returned to OTDA, unless OTDA has given direction for or approval of an alternative means of disposition in writing.
- c. Upon written direction by OTDA the contractor shall maintain an inventory of those properties which are subject to the provisions of paragraph b.

3. GENERAL TERMS AND CONDITIONS

- a. The Contractor agrees to comply in all respects with the provisions of this AGREEMENT and the attachments hereto. The Contractor specifically agrees to perform services according to the objectives, tasks, work plan and staffing plan contained in the APPENDICES. Any modifications to the tasks or work plan contained in Appendix D must be mutually agreed to by both parties in writing before the additional or modified tasks or work plan shall commence.
- b. If any specific event or conjunction of circumstances threatens the successful completion of this project, in whole or in part, (including where relevant, timely completion of milestones) the Contractor agrees to submit to OTDA within three days of occurrence (or perception) of such problem, a written description thereof together with a recommended solution thereto.
- c. In providing these services, the Contractor hereby agrees to be responsible for designing and operating these services, and otherwise performing, so as to maximize Federal financial participation to OTDA under the Federal Social Security Act.
- d. OTDA will designate a Contract Manager who shall have authority relating to the technical services and operational functions of this AGREEMENT and activities completed or contemplated thereunder. The Contract Manager and those individuals designated by him/her in writing shall have the prerogative to make announced or unannounced on-site visits to the project. Project reports and issues of interpretation or direction relating to this AGREEMENT shall be directed to the Contract Manager.
- e. Except where OTDA otherwise authorizes or directs in writing, the Contractor agrees not to enter into any subcontracts for the performance of the obligations contained herein until it has received the prior written approval of OTDA, which shall have the right to review and approve each and every subcontract prior to giving written approval to the Contractor to enter into the subcontract. All agreements between the Contractor and subcontractors shall be by bona fide written contract. All such subcontracts shall contain provisions for specifying (1) that the work performed by the subcontractor must be in accordance with the terms of this AGREEMENT, (2) that nothing contained in the subcontract shall impair the rights of OTDA under this AGREEMENT, and (3) that nothing contained in the subcontract, nor under this AGREEMENT, shall be deemed to create any contractual relationship between the subcontractor and OTDA. The Contractor specifically agrees that the Contractor shall be fully responsible to OTDA for the acts and omissions of subcontractors and of persons either directly or indirectly employed by them, as it is for the acts and omissions of persons directly employed by the Contractor.
- f. If the Contractor intends to use materials, equipment or personnel paid for under this contract in a revenue generating activity, the Contractor shall report such intentions to OTDA forthwith and shall be subject to the direction of OTDA as to the disposition of such revenue.
- g. An initial advance, if determined to be payable to the contractor, shall be payable thirty days from the start date of services within the contract period or thirty days from the

submission of a properly executed State of New York Standard Voucher in a form acceptable to OTDA and to the Comptroller of the State of New York, whichever is later.

- h. Any interest accrued on funds paid to the Contractor by OTDA shall be deemed to be the property of OTDA and shall either be credited to OTDA at the closeout of this Agreement or expended on additional services provided for under this Agreement.
- i. Non-Discrimination, Equal Employment Opportunity (EEO) and Minority and Women-Owned Business Enterprise (M/WBE) All work conducted under this contract must be in compliance with the specifications set forth in the applicable Request for Proposal and OTDA's policies and procedures set forth in Appendix A, Standard Clauses for NYS Contracts, and as may be amended from time to time. By submission of its bid/proposal, the successful Contractor agrees that it will not discriminate against any employee or applicant for employment to the extent required by Article 15 of the Executive Law (also known as the Human Rights Law) and all other State and Federal statutory and constitutional non-discrimination provisions, and as more fully set forth in paragraph five of Appendix A. By submission of its bid/proposal, the successful Contractor further agrees that it will comply with applicable Federal, State and Local requirements concerning Equal Employment Opportunity and opportunities for Minority and Women Business Enterprises, including but not limited to the Statute and its implementing regulations as promulgated by the New York State Division of Minority and Women's Business Development (DMWBD) and set forth at 5 NYCRR Parts 140-144), and as more fully set forth in paragraph twelve of Appendix A. The successful Contractor further agrees that it will comply with OTDA's Appendix Z, attached and incorporated herein, for the specific EEO/MWBE requirements and associated forms required for this procurement.

4. REPORTS AND DELIVERABLES

- a. The Contractor shall prepare and submit all reports, documents and projects required, and especially those reports, documents and products contained in the APPENDICES, to OTDA's Contract Manager for review and approval. These reports shall be in such substance, form and frequency as required by OTDA in order to meet State and Federal requirements.
- b. Should the Contractor fail to submit, to the extent required by the Office, any reports or documents as required in the above paragraph (a), the Office reserves the right to suspend any payments due until such time as the reports or documents are submitted by the Contractor to the Office.
- c. If the Contractor expends \$500,000 or more in Federal funds during any one fiscal year, the Contractor will be subject to the Audit Requirements and provisions of OMB Circulars: A-110; A-122, A-133; and, all other audit requirements determined applicable by the OTDA. The audit shall be completed on an annual basis and the audit report submitted within the earlier of 30 days after receipt of the auditor's report(s), or nine months after the end of the audit period, unless a longer period is agreed to in advance by the OTDA. The audit shall be conducted in accordance with generally accepted government auditing standards by an independent auditor and submitted in a form determined by the OTDA. The OTDA will report it's finding and any recommendations

to the Contractor and may impose any sanctions as determined appropriate. The cost of audits made in accordance with these provisions are allowable charges to the Contract, charges may be considered a direct cost or an allocated indirect cost, as determined in accordance with the provisions of applicable OMB cost principles circulars.

5. CONFIDENTIALITY AND PROTECTION OF HUMAN SUBJECTS

- a. The Contractor agrees to safeguard the confidentiality of information relating to individuals who may receive services in the course of this project. The Contractor shall maintain the confidentiality of all such information with regard to services authorized by the Social Services Law in conformity with the provisions of applicable State and Federal laws and regulations (e.g. Sections 136 and 372 of the Social Services Law, 18NYCRR 357). Recipients of services other than those which are authorized by Social Services Law shall have their confidentiality protected as directed by OTDA. Any breach of confidentiality by the Contractor, its agents or representatives shall be cause for immediate termination of this AGREEMENT.
- b. The Contractor shall comply with the provisions of the New York State Information Security Breach and Notification Act (General Business Law Section 889-aa; State Technology Law Section 208). In the event of an information security breach, the Contractor must immediately notify the Office's Information Security Officer, and adhere to State and Office procedures regarding information security incident reporting and management. The Contractor shall be liable for the costs associated with such breach if caused by Contractor's negligent or willful acts or omissions, or the negligent or willful acts or omissions of Contractor's agents, officers, employees or subcontractors.

6. PUBLICATIONS AND COPYRIGHTS

- a. The results of any activity supported under this AGREEMENT may not be published without prior written approval of OTDA, which results (1) shall acknowledge the support of OTDA and the State of New York and (2) shall state that the opinions, results, findings and/or interpretations of data contained therein are the responsibility of the Contractor and do not necessarily represent the opinions, interpretation or policy of OTDA or the State of New York.
- b. OTDA and the State of New York expressly reserve the right to a royalty-free, non-exclusive and irrevocable license to reproduce, publish, distribute or otherwise use, in perpetuity, any and all copyrighted or copyrightable material resulting from this AGREEMENT or activity supported by this AGREEMENT. All publications by the Contractor covered by this AGREEMENT shall expressly acknowledge OTDA's right to such license.
- c. All of the license rights so reserved to OTDA and the State of New York under this paragraph are equally reserved to the United States Department of Health and Human Services and subject to the provisions on copyrights contained in 45 CFR Part 74, Subpart O.

7. PATENTS AND INVENTIONS

The Contractor agrees that any and all inventions, conceived or first actually reduced to practice in the course of, or under this AGREEMENT, or with monies supplied pursuant to this AGREEMENT, shall be promptly and fully reported to OTDA. Determination as to ownership and/or disposition of rights to such inventions, including whether a patent application shall be filed, and if so, the manner of obtaining, administering and disposing of rights under any patent application or patent which may be issued, shall be made pursuant to 45 CFR Part 74.36 and any amendments thereto.

8. TERMINATION

- a. This AGREEMENT may be terminated by OTDA, if OTDA deems that termination would be in the best interest of the State, provided that OTDA shall give written notice to the Contractor not less than thirty (30) days prior to the date upon which termination shall become effective. Such notice is to be made via registered or certified mail return receipt requested or hand delivered with receipt granted by the Contractor. The date of such notice shall be deemed to be the date the notice is received by the Contractor established by the receipt returned, if delivered by registered or certified mail, or by the receipt granted by the Contractor, if the notice is delivered by hand. OTDA agrees to pay the Contractor for reasonable and appropriate expenses incurred in good faith.
- b. If the Contractor fails to use any real property or equipment purchased pursuant to this AGREEMENT for the purposes set forth in this AGREEMENT, or if at any time during the term of this AGREEMENT the Contractor ceases to provide the services specified in the AGREEMENT for which the equipment was purchased, OTDA may terminate this AGREEMENT upon thirty (30) days written notice to the Contractor, where the Contractor has failed to cure as set forth hereafter. Said notice of breach shall be sent via registered or certified mail return receipt requested, or shall be delivered by hand, receiving Contractor's receipt therefor. Said notice shall specify the Contractor's breach and shall demand that such breach be cured. Upon failure of the Contractor to comply with such demand within thirty (30) days, or such longer period as may be specified therein, OTDA may, upon written notice similarly served, immediately terminate this AGREEMENT, termination to be effective upon the date of receipt of such notice established by the receipt returned to OTDA. Upon such termination, OTDA may require a) the repayment to OTDA of any monies previously paid to the Contractor, or b) return of any real property or equipment purchased under the terms of this AGREEMENT or an appropriate combination of a) and b), at OTDA's option.
- c. To the extent permitted by law, this AGREEMENT shall be deemed in the sole discretion of OTDA terminated immediately upon the filing of a petition in bankruptcy or insolvency, by or against the Contractor. Such termination shall be immediate and complete, without termination costs or further obligation by OTDA to the Contractor.
- d. Should OTDA determine that Federal or State funds are unavailable; OTDA shall deem this contract terminated immediately. OTDA agrees to give notice to the Contractor as soon as it becomes aware that funds are unavailable, in the event of termination under this paragraph. If the initial notice is oral notification, OTDA shall follow this up immediately with written notice. OTDA will be obligated to pay the Contractor only for

the expenditures made and obligations incurred by the Contractor until such time as notice of termination is received either orally or in writing by the Contractor from OTDA. If State or federal funds become unavailable prior to completion of a performance-based contract, the contractor is entitled to receive reimbursement in an amount equal to the amount the contractor would otherwise have received for the payment points that have been completed at the time that the funds become unavailable.

9. ADDITIONAL ASSURANCES

- a. The Contractor agrees to observe all applicable Federal Regulations, including those contained in 45 CFR Part 84 and 28 CFR Part 41.
- b. OTDA and Contractor agree that Contractor is an independent Contractor, and not an employee of OTDA. Contractor agrees to indemnify the State of New York for any loss the State of New York may suffer when such losses result from claims of any person or organization (excepting only OTDA) injured by the negligent acts or omission of Contractor, its officers and/or employees or subcontractors. Furthermore, Contractor agrees to indemnify, defend, and save harmless the State of New York, and its officers, agents, and employees from any and all claims and losses occurring or resulting to any and all contractors, subcontractors, and any other person, firm, or corporation furnishing or supplying work, services, materials, or supplies in connection with the performance of the contract, and from all claims and losses occurring or resulting to any person, firm, corporation who may be injured or damaged by Contractor in the performance of the contract, and against any liability, including costs and expenses, for violation of proprietary rights, copyrights, or rights of privacy, arising out of the publication, translation, reproduction, delivery, performance, or use, or disposition of any data furnished under the contract or based on any libelous or other unlawful matter contained in such data or written materials in any form produced pursuant to this contract.
- c. The Contractor agrees to comply with all applicable Federal, State and local Civil Rights and Human Rights Laws with reference to equal employment opportunities and the provision of services.
- d. The Contractor agrees that Modifications and/or Budget Revisions which do not effect any change in the amount of consideration to be paid, or change the term, will be in accordance with Appendix C.
- e. Upon request by a local social services district or its designated purchasing agent, the contractor shall enter into an agreement with such district or agent for the purchase of the goods and services which are the subject of this agreement. Such new agreement shall provide that the cost of such goods and services to the district / agent entering into such agreement shall be the same as charged to OTDA under this agreement except that the contractor shall be permitted to negotiate an increase in price to the extent it can show an increase in the cost of providing goods and services which can be attributed to the act that the municipality constituting the social services district requires contractor to be obligated to standard contractual provisions in lieu of Appendix A of this agreement, which standard contractual provisions are more onerous than those contained in Appendix A.

- f. The contractor understands that it must comply with federal Executive Order 11246, the Copeland "Anti-Kickback Act" (18 USC 874), Section 306 of the federal Clean Air Act, Section 306 of the federal Clean Water Act, and that it must certify that neither it nor its principals are debarred or suspended from federal financial assistance programs and activities and to complete and return in pursuit of such certification any appropriate form required by OTDA (see federal Executive Order 12549 and 7 CFR Part 3017).

Office of Temporary and Disability Assistance

EOD CONTRACT LANGUAGE

The Contractor agrees to comply with all applicable federal and state nondiscrimination statutes including:

The Civil Rights Act of 1964, as amended; Executive Order No. 11246 entitled "Equal Employment Opportunity,"(EEO) as amended by Executive Order No. 11375, and as supplemented in Department of Labor Regulation 41 CFR Part 60; Executive Law of the State of New York, Sections 290-299 thereof, and any rules or regulations promulgated in accordance therewith; Section 504 of the Rehabilitation Act of 1973 and the Regulations issued pursuant thereto contained in 45 CFR Part 84 entitled "Nondiscrimination on the Basis of Handicap in Programs and Activities Reviewing or Benefiting from Federal Financial Assistance"; and the Americans with Disabilities Act (ADA) of 1990 and regulations issued by the Equal Employment Opportunity Commission which implement the employment provisions of the ADA, set forth at 42 CFR Section 12116.

The Contractor is required to demonstrate effective affirmative action and EEO efforts, and to ensure employment of protected class members. The contractor must possess and may upon request be required to submit to the Agency a copy of an Affirmative Action Plan, which is in full compliance with applicable requirement of Federal and State statutes.

1. Contractors and subcontractors shall undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, gender, age, disability or marital status. For these purposes, affirmative action shall apply in the areas of recruitment, employment, job assignment, promotion, upgrades, demotion, transfer, layoff, or termination and rates of pay or other forms of compensation.
2. Prior to the award of a State contract, the Contractor shall submit an Equal Employment Opportunity (EEO) Policy Statement to the contracting agency within the time frame established by that agency.
3. The Contractor's EEO Policy Statement shall contain, but not necessarily be limited to, and the Contractor, as a precondition to entering into a valid and binding State contract, shall, during the performance of State contract, agree to the following:
 - (a) Except as authorized by Section 296 (11) of the NYS Executive Law, the contractor will not discriminate against any employee or applicant for employment because of race, creed, color, national origin, gender, age, disability, sexual orientation, military status, predisposing genetic characteristics, or marital status, will undertake or continue existing programs of affirmative action to ensure that minority group members and women are afforded equal employment opportunities without discrimination, and shall make and document its conscientious and active efforts to employ and utilize minority group members and women in its work force on State contracts. The Contractor shall state in all solicitations or advertisements for employees that, in the performance of the State contract, all qualified applicants will be afforded equal employment opportunities

without discrimination because of race, creed, color, national origin, gender, age, disability, sexual orientation, military status, predisposing genetic characteristics or marital status.

- (b) At the request of the contracting agency, the Contractor shall request each employment, labor union, or authorized representative of worker with which it has a collective bargaining or other agreement or understanding, to furnish a written statement that such employment agency, labor union, or representative will not discriminate on the basis of race, creed, color, national origin, gender, age, disability or marital status and that such union or representative will affirmatively cooperate in the implementation of the Contractor's obligations herein.
4. Except for construction contracts, prior to an award of a State contract, the Contractor shall submit to the contracting agency a staffing plan of the anticipated work force to be utilized on the State contract or, where required, information on the Contractor's total work force, including apprentices, broken down by specified ethnic background, gender, and Federal Occupational Categories or other appropriate categories specified by the contracting agency. The form of the staffing plan shall be supplied by the contracting agency.
5. After an award of a state contract, the Contractor shall submit to the contracting agency a work force utilization report, in a form and manner required by the agency, of the work force actually utilized on the State contract, broken down by specified ethnic background, gender, and Federal Occupational Categories or other appropriate categories specified by the contracting agency.

In the event that the Contractor is found through an administrative or legal action, whether brought in conjunction with this contract or any other activity engaged in by the Contractor, to have violated any of the laws recited herein in relation to the Contractor's duty to ensure equal employment /Affirmative Action efforts to protected class members, the Agency may, in its discretion, determine that the Contractor has breached this agreement.

Additionally, the Contractor and any of its subcontractors shall be bound by the applicable provisions of Article 15-A of the Executive Law, including Section 316 thereof, and any rules or regulations adopted pursuant thereto. The Contractor also agrees that any goal percentages contained in this contract are subject to the requirements of Article 15-A of the Executive Law and regulations adopted pursuant thereto. For purposes of this procurement, the combined contract goals for subcontracting/purchasing with Minority and Women-Owned business enterprises are 5% to 5.5%. The employment goal for the hiring of protected class persons is 7-10%.

The Contractor shall be required to submit reports as required by the Agency concerning the Contractor's compliance with the above provisions, relating to the procurement of services, equipment and or commodities, subcontracting, staffing plans and for achievement of employment goals. The Bureau of Equal Opportunity Development (EOD) shall determine the format of such reports of the Agency. The Contractor agrees to make available to EOD, upon request, the information and data used in compiling such reports.

It is the policy of the Agency to encourage the employment of qualified applicants/recipients of public assistance by both public organizations and private enterprises that are under contractual agreement to the Agency for the provision of goods and services. The Agency may require the Contractor to demonstrate how the Contractor has complied or will comply with the aforesaid policy.

Attachments B1-B13:

1. Notice of Intent to Bid (B-1)
2. New York State Business Utilization Form (B-2)
3. Career Pathways Program Proposal Cover Page (B-3)
4. Local Social Services Partnership Form (B-4)
5. Program Narrative Form (B-5)
6. Career Pathways Reimbursement Schedule (B-6)
7. Contractor/Subcontractor Background Questionnaire (B-7)
8. Subcontracting Utilization/Staffing/MWBE Form (B-8)
9. LDSS Employment Coordinators (B-9)
10. NYS DOL Labor Market Analysts (B-10)
11. Local Workforce Investment Board Approval Form (B-11)
12. Labor Market Regions (B-12)
13. Regional Unemployment Rates (B-13)
14. Sample Career Pathway (B-14)

NOTICE OF INTENT TO BID

This form confirms our intent to respond to the Career Pathways Program Request for Proposals issued by the New York State Office of Temporary and Disability Assistance, Center for Employment and Economic Security.

Signed: _____
(Name/Title/Organization/Bidder Name)

(Address/Phone)

Please respond by January 13, 2014 by faxing or mailing this form to:

New York State Office of Temporary and Disability Assistance
Center for Employment and Economic Supports
Attn: Patricia Stefanik
40 North Pearl Street-11D
Albany, New York 12243

Fax: (518) 473-6207

**ENCOURAGING USE OF NEW YORK STATE BUSINESSES
IN CONTRACT PERFORMANCE**

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, bidders/proposers for this contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Bidders/proposers need to be aware that all authorized users of this contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, bidders/proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public Procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their use of the contract. The Potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Bidders/proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State businesses be used in the performance of this contract?

Yes

No

If yes, identify New York State businesses that will be used and provide the following identifying information. Add additional sheets if necessary.

Name:	Click here to enter text.	
Taxpayer ID/EIN#:	Click here to enter text.	Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>
Address:		
Contract Type:	Click here to enter text.	
Award Amount:	Click here to enter text.	

Name:	Click here to enter text.	
Taxpayer ID/EIN#:	Click here to enter text.	Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>

Address:	
Contract Type:	Click here to enter text.
Award Amount:	Click here to enter text.
Name:	Click here to enter text.
Taxpayer ID/EIN#:	Click here to enter text. Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>
Address:	
Contract Type:	Click here to enter text.
Award Amount:	Click here to enter text.

Name:	Click here to enter text.
Taxpayer ID/EIN#:	Click here to enter text. Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>
Address:	
Contract Type:	Click here to enter text.
Award Amount:	Click here to enter text.

Name:	Click here to enter text.
Taxpayer ID/EIN#:	Click here to enter text. Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>
Address:	
Contract Type:	Click here to enter text.
Award Amount:	Click here to enter text.

Name:	Click here to enter text.
Taxpayer ID/EIN#:	Click here to enter text. Business Type: Small <input type="checkbox"/> / MBE <input type="checkbox"/> / WBE <input type="checkbox"/> / Unknown <input type="checkbox"/>
Address:	
Contract Type:	Click here to enter text.
Award Amount:	Click here to enter text.

Name (Typed): _____

Date: _____

Signature: _____

Title: _____

Company (Typed): _____

Solicitation Name: _____

Career Pathways Proposal Cover Page	
Amount Requested: \$	Project Title:
Lead Organization Name & Address:	County(ies) to be Served: ▪ ▪ ▪
Website Address:	
Contact Person:	Federal Payee ID #:
Telephone Number:	Municipality # (if applicable):
Fax Number:	
E-Mail Address:	

PROPOSAL CHECKLIST

Attachment	Document Title	Check (✓) to indicate that the item is included in the proposal
B2	Career Pathways Proposal Cover Page/Proposal Checklist	
B3	Local DSS Partnership Form(s)	
B4	Program Narrative Form	
B5	Budget Proposal Package	
B6	Contractor/Subcontractor Background Questionnaire	
B7	Subcontracting Utilization/Staffing/MWBE Form	
B10	Local Workforce Investment Board Approval Form	
B14	Sample Career Plan	

I (We), the undersigned, attest that I am (we are) authorized to bind the bidder to the provisions of the attached proposal and that such provisions will remain valid for at least one-hundred and eighty (180) days from the proposal due date.

Name and title of individual or firm's officer authorized to sign for applicant:

(Please print or type)

(Title)

Date: _____ Signature: _____

Local Social Services Partnership Form
(to be completed for each district served)

The _____ County Department of Social Services participated in the design of the proposal and agrees to identify and refer sufficient numbers of appropriate Family Assistance recipients and/or eligible Safety Net families during the program period.

Comments:

Local Social Services Department Representative

Name: (print) _____

Signature: _____

Title: _____

County: _____

Date: _____

**TECHNICAL PROPOSAL
PROGRAM NARRATIVE**
(12 page maximum in 12-pitch font)

**Career Pathways II
Reimbursement Schedule**

(1) Milestone Category	(2) Milestone Goal		(3) Milestone Value	(4) Total Funds By Category (2) x (3)
Career Plan Plus 60 Instructional Hours			\$1,250	\$
Credential			\$1,750	\$
Job Entry		(JE + JR)**	\$3,250	\$
Job Retention				
Total Milestone Reimbursement				\$

* Although the reimbursement values vary for the credential milestone achieved, for planning purposes, agencies should estimate the number of milestones to be achieved at the highest reimbursement value (\$1,750 for Job Skills Training over 121 instructional hours, high school diploma, TASC, secondary school diploma, associate's or bachelor's degree).

** Job Entry and Job Retention Milestones will be added together for planning purposes.

*** Although the reimbursement values vary for job entry and retention milestones based on average weekly earnings, for planning purposes, agencies should estimate the number of milestones to be achieved at the highest reimbursement value (\$3,250 for jobs with average earnings above \$360.)

**Career Pathways II
Projected 5 Year Reimbursement Schedule**

(1) Milestone Category	(2) Milestone Goal		(3) Milestone Value	(4) Total Funds By Category (2) x (3)
Career Plan Plus 60 Instructional Hours			\$1,250	\$
Credential			\$1,750	\$
Job Entry		(JE + JR)**	\$3,250	\$
Job Retention				
Total Milestone Reimbursement				\$

* Although the reimbursement values vary for the credential milestone achieved, for planning purposes, agencies should estimate the number of milestones to be achieved at the highest reimbursement value (\$1,750 for Job Skills Training over 121 instructional hours, high school diploma, TASC, secondary school diploma, associate's or bachelor's degree).

** Job Entry and Job Retention Milestones will be added together for planning purposes.

*** Although the reimbursement values vary for job entry and retention milestones based on average weekly earnings, for planning purposes, agencies should estimate the number of milestones to be achieved at the highest reimbursement value (\$3,250 for jobs with average earnings above \$360.)

**NEW YORK STATE
OFFICE OF TEMPORARY AND DISABILITY ASSISTANCE**

CONTRACTOR/SUBCONTRACTOR BACKGROUND QUESTIONNAIRE

General Information

Federal Identification Number: _____

Name of Firm: _____

Mailing Address: _____

Actual Location: _____

City: _____ **State:** _____ **Zip code:** _____

Fax Number: () _____

Telephone Number: () _____

Background Questionnaire

The following section must be fully completed by Bidder or Bidder will be deemed non-responsive. Where appropriate, provide additional details using space provided or by inserting additional sheets following this part. This form must also be completed by any proposed subcontractor if the value of that subcontract will be in excess of \$10,000.

<p>1a. Are you a New York State resident business?</p>	<p>_____ NO _____ YES</p>
<p>1b. Are you registered with the New York State Department of State (DOS) to do business in New York State?</p>	<p>_____ NO _____ YES</p>
<p>If no, you will be required to comply with the New York State Department of State guidelines for doing business in New York State before you will be eligible for a Contract award. Do you agree to these conditions?</p>	<p>_____ NO _____ YES</p>
<p>2. How many years has your firm been in business?</p>	<p>_____ Years</p>
<p>3a. Are you a certified minority owned business enterprise, certified by the NYS Department of Economic Development? (Your company is eligible to be certified if it is at least 51% owned and controlled by minority group members (i.e. Black Hispanic, Asian, Pacific Islander American Indian, Alaskan Native)?)</p>	<p>_____ NO _____ YES</p>
<p>3b. Are you a woman owned business enterprise, certified by the NYS Department of Economic Development? (Your company is eligible to be certified if it is at least 51% owned and controlled by women)</p>	<p>_____ NO _____ YES</p>
<p>4. How many people are employed by your firm?</p>	<p>_____ Employees</p>
<p>1. Total number of people employed by your firm :</p> <ul style="list-style-type: none"> * Within New York State? * Outside of New York State? * Outside of United States? 	<p>_____</p> <p>_____</p> <p>_____</p>

<p>6. Is your company independently owned and operated?</p>	<p>_____ NO _____ YES (If no, provide details)</p>
<p>7. List and describe any liquidated damages assessed, and/or liens or claims over \$25,000 filed against the firm and remaining undischarged or unsatisfied for more than 90 days, on any contracts within the past five years.</p>	
<p>8. Within the past five years has the firm, any affiliate, any predecessor company or entity, owner of 5.0% or more of the firm's shares, director, officer, partner or proprietor been the subject of:</p> <p>a) a judgment of conviction for any business-related conduct constituting a crime under state or federal law?</p> <p>b) a currently pending indictment for any business-related conduct constituting a crime under state or federal law?</p> <p>c) a grant of immunity for any business-related conduct constituting a crime under a state or federal law?</p> <p>d) a federal suspension or debarment, New York rejection of any bid or disapproval of any proposed subcontract for lack of responsibility, denial or revocation of pre-qualification in any state, or a voluntary exclusion agreement?</p> <p>e) a civil or criminal investigation of the New York State Ethics Commission involving a violation(s) of Section 73 and Section 74 of the Public Office Law?</p> <p>f) Any bankruptcy proceeding?</p> <p>g) Any suspension or revocation of any business or professional license?</p> <p>h) Any citations, Notices, violation orders, pending administrative hearings or proceedings or determinations for violations of:</p> <ul style="list-style-type: none"> * federal, state or local health laws, rules or regulations * unemployment insurance or workers compensation coverage or claim requirements * ERISA (Employee Retirement Income Security ACT) * federal, state or local human rights laws * federal, state security laws? 	<p>Check any that apply. If "yes", describe using additional pages if necessary)</p> <p>_____ NO _____ YES</p>
<p>i) a grant of immunity for any business-related conduct constituting a crime under a state or federal law?</p> <p>j) a federal suspension or debarment, New York rejection of any bid or disapproval of any proposed subcontract for lack of responsibility, denial or revocation of pre-qualification in any state, or a voluntary exclusion agreement?</p> <p>k) any federal determination of a violation of any labor law or regulation, or any OSHA "serious violation"?</p> <p>Was violation willful?</p> <p>l) any state determination of a violation of any labor law or regulation?</p> <p>m) any state determination of a Public work violation?</p> <p>Was violation deemed willful?</p>	<p>(Check any that apply. If "yes", describe using additional pages if necessary)</p> <p>_____ NO _____ YES</p>

n) Has there been a revocation of MBE or WBE certification?	<input type="checkbox"/> NO <input type="checkbox"/> YES
o) Was there a rejection of a low bid on a state contract for failure to meet statutory affirmative action or MWBE requirements?	<input type="checkbox"/> NO <input type="checkbox"/> YES
p) Has there been a consent order with the NYS Department of Environmental Conservation, or a federal or state enforcement determination involving a construction-related violation of federal or state environmental laws?	<input type="checkbox"/> NO <input type="checkbox"/> YES
9. Does your company retain partnership or reciprocal agreements with hardware and/or software companies, or with associated manufacturers in this industry?	<input type="checkbox"/> NO <input type="checkbox"/> YES (If yes, provide details.)
10. List by agency or department all current contracts your firm holds with the State of New York, its departments or political subdivisions, valued in excess of \$100,000:	<input type="checkbox"/> NO <input type="checkbox"/> YES (please list on a separate page)
11. List by name all current contracts which your firm holds with governmental entities outside of New York State, valued in excess of \$100,000:	<input type="checkbox"/> NO <input type="checkbox"/> YES (please list on a separate page)
12. Your firm is responsible for providing worker's compensation insurance pursuant to state law. The State has the option to require proof of current worker's compensation insurance or proof of exemption if applicable. Do you understand this requirement?	<input type="checkbox"/> NO <input type="checkbox"/> YES
13. Your firm is responsible for providing disability insurance pursuant to state law. The State has the option to require proof of current worker's compensation insurance or proof of exemption if applicable. Do you understand this requirement?	<input type="checkbox"/> NO <input type="checkbox"/> YES
14. Does your firm employ any non-U.S. citizens or resident legal aliens?	<input type="checkbox"/> NO <input type="checkbox"/> YES
15. Has any New York State agency, authority, board or other State entity made a finding of non-responsibility regarding the Contractor in the last five years?	<input type="checkbox"/> NO <input type="checkbox"/> YES
16. If yes, was the basis for the finding of the Contractor's non-responsibility due to the intentional provision of false or incomplete information required by the Procurement Lobbying Act?	<input type="checkbox"/> NO <input type="checkbox"/> YES (If yes, provide details including NYS agency or authority name, year of finding and the basis of the non-responsibility finding.)

CERTIFICATION

The undersigned 1) recognizes that this questionnaire is submitted for the express purpose of inducing the New York State Office of Temporary of Disability Assistance to award a contract or approve a subcontract; 2) acknowledges that the Office may in its discretion, by means which it may choose, determine the truth and accuracy of all statements made herein; 3) acknowledges that intentional submission of false or misleading information may constitute a felony under Penal Law 210.40 or a misdemeanor under Penal Law 210.35 or 210.45, and may also be punishable by a fine of up to \$10,000 or imprisonment of up to five years under 18 U.S.C. 1001; 4) states that the information submitted in this questionnaire and any attached pages is true, accurate and complete and 5) acknowledges that submission of false or misleading information will constitute grounds for the Office to terminate its contract (or revoke its approval of a subcontract) with the undersigned or the organization of which s/he is an officer.

Authorized Signature: _____

Name: _____

Title: _____

Date: _____

Revised March 2008

**Office of Temporary & Disability Assistance
SUBCONTRACTING UTILIZATION FORM**

Agency Contract: _____ Telephone: _____
 Contract Number: _____ Dollar Value: _____
 Date Bid: _____ Date Let: _____ Completion Date: _____

Contract Awardee/Recipient: _____
 Name _____
 Address _____
 Telephone _____

Description of Contract/Project Location: _____

Subcontractors Purchase with Majority Vendors:

Participation Goals Anticipated: _____ % MBE _____ % WBE
 Participation Goals Achieved: _____ % MBE _____ % WBE

Subcontractors/Suppliers:

Firm Name and City	Description of Work	Dollar Value	Date of Subcontract	Identify if MBE or WBE or NYS Certified

Contractor's Agreement: My firm proposes to use the MBEs listed on this form			
Prepared By: (Signature of Contractor)	Print Contractor's Name:	Telephone #:	Date:
Grant Recipient Affirmative Action Officer Signature (If applicable):			

FOR OFFICE USE ONLY	
Reviewed: By:	Date:
M/WBE Firms Certified: _____	Not Certified: _____
CBO: _____	MCBO: _____

New York State Office of Temporary and Disability Assistance

Minority Women-Owned Business Enterprise Definition

For the purpose of this AGREEMENT, the following definitions shall apply:

1. **Minority Business Enterprise**: Any business enterprise which is at least fifty-one percent owned by, or in the case of a publicly owned business, at least fifty-one percent of the stock is owned by citizens or permanent resident aliens who are Black, Hispanic, Asian and Pacific Islander, or American Indian or Alaskan Native, and such ownership interest is real, substantial and continuing. The minority and women-owned ownership must have and exercise the authority to independently control the business decisions of the entity.
2. **Women-Owned Business Enterprise**: Any business enterprise which is at least fifty-one percent owned by, or in the case of publicly owned business, at least fifty-one percent of the stock of which is owned by citizens or permanent aliens who are women, and such ownership interest is real, substantial and continuing.

For the purpose of this contract, it is understood that the definition of protected class is:

Legally identified groups that are specifically protected by statute against employment discrimination. Protected class encompasses minorities, women, Vietnam Era Veterans, disabled persons and others by virtue of the law or court decisions interpreting the law.

Definitions of Specific Categories of Protected Class:

Ethnic Categories:

Black: (Not of Hispanic Origin) – a person having origins in any of the black racial groups of the original people of Africa.

Hispanic: a person of Mexican, Puerto Rican, Dominican, Cuban, Central or South America or either Indian or Hispanic origin, regardless of race.

Asian and/or Pacific Islander: a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands. This area includes for example, China, Japan, Korea, the Philippine Islands and Samoa.

Native American or Alaskan Native: a person having origins in any of the original peoples of North America, and who maintains cultural identification through affiliation or community recognition.

Disabled Person: any person who (a) has a physical or mental impairment that substantially limits one or more major life activities; (b) has a record of such impairment, or (c) is regarded as having such an impairment.

Vietnam Era Veterans: any person who was in active military service between January 1, 1963 and May 7, 1975.

STAFFING PLAN

Check applicable categories: Project Staff Consultants Subcontractors

Project/RFP Title _____

Contractor/Offeror _____

Address _____

	Total	Male	Female	Black	Hispanic	Asian/ Pacific Islander	Alaskan Alaskan American	White (not Of Hispanic Origin)	Disabled	Vietnam Era Veteran
STAFF										
Administrators										
Managers/Supervisors										
Professionals										
Technicians										
Clerical										
Craft/Maintenance										
Operatives										
Laborers										
Public Assistance Recipients										
TOTAL										

Prepared By _____
(Name and Title)

_____ Date

Office of Temporary & Disability Assistance
MWBE ONLY
MWBE SUBCONTRACTORS AND SUPPLIERS
LETTER OF INTENT TO PARTICIPATE

To: _____ Federal ID Number: _____
(Name of Contractor)

Proposal/ Contract Number: _____

Contract Scope of Work: _____

The undersigned intends to perform services or provide material, supplies or equipment

as: _____

Name of MWBE: _____

Address: _____

Federal ID Number: _____

Telephone Number: _____

Designation:

MBE - Subcontractor

WBE - Subcontractor

MBE - Supplier

WBE - Supplier

Joint venture with:

Name: _____

Address: _____

Fed ID Number: _____

MBE

WBE

Are you New York State Certified MWBE? _____ Yes _____ No

The undersigned is prepared to perform the following work or services or supply the following materials, supplies or equipment in connection with the above proposal/contract. (Specify in detail the particular items of work or services to be performed or the materials to be supplied): _____

at the following price: \$ _____

The contractor proposes, and the undersigned agrees to, the following beginning and completion dates for such work.

Date Proposal/ Contract to be started: _____

Date Proposal/ Contract to be completed: _____

Date Supplies ordered: _____ Delivery Date: _____

The above work will not further subcontracted without the express written permission of the contractor and notification of the Office. The undersigned will enter into a formal agreement for the above work with the contractor ONLY upon the Contractor's execution of a contract with the Office.

Date

Signature of M/WBE Contractor

Printed/Typed Name of M/WBE Contractor

(SEE ATTACHED SHEET FOR INSTRUCTIONS)

INSTRUCTIONS FOR M/WBE SUBCONTRACTORS AND SUPPLIERS LETTER

This form is to be submitted with bid attached to the Subcontractor's Information Form in a sealed envelope for each certified Minority or Women-Owned Business enterprise the Bidder/Awardee/Contractor proposes to utilize as subcontractors, service providers or suppliers.

If the MBE or WBE proposed for portion of this proposal/contract is part of a joint or other temporarily-formed business entity of independent business entities, the name and address of the joint venture or temporarily-formed business should be indicated.

Local Social Services District Contact Information

<p>Albany County DSS 162 Washington Avenue Albany, New York 12210</p> <p>Eric Ehrmann, Commissioner (518) 447-7333 Alice Geel, Director of Employment Division (518) 447-7685</p>	<p>Allegany County DSS 7 Court Street Belmont, New York 14813</p> <p>Vicki Grant, Commissioner (585) 268-9622 Jeanette Kaiser, Employment Coordinator (585) 268-9305</p>
<p>Broome County DSS 36-42 Main Street Binghamton, New York 13905</p> <p>Arthur Johnson, Commissioner (607) 778-2600 Marge Hergel, Employment Coordinator (607) 778-2542</p>	<p>Cattaraugus County DSS One Leo Moss Drive, Suite 6010 Olean, New York 14760</p> <p>Dan Piccioli, Commissioner (716) 701-3553 Michele Hoffman, Employment Coordinator (716) 701-3585</p>
<p>Cayuga County DSS 160 Genesee Street Auburn, New York 13021</p> <p>Elane M. Daly, Commissioner (315) 253-1451 Janet Wilbur, Employment Coordinator (315) 253-1231 Phil Bauso (315) 253-1260</p>	<p>Chautauqua County DSS H.R. Clothier Building, 7 North Erie Street Mayville, New York 14757</p> <p>Christine Schuyler, Commissioner (716) 753-4590 Denise Smith, Employment Coordinator (716) 661-8304</p>
<p>Chemung County DSS Human Resource Center P.O. Box 588, 425 Pennsylvania Avenue Elmira, New York 14902</p> <p>Deretha Watterson, Commissioner (607) 737-5309 Veronica Hart, Employment Coordinator (607) 737-5404</p>	<p>Chenango County DSS P.O. Box 590, 5 Court Street Norwich, New York 13815</p> <p>Bette Osborne, Commissioner (607) 337-1552 Teresa Foster-Jones, Employment Coordinator (607) 337-1589</p>

<p>Clinton County DSS 13 Durkee Street Plattsburgh, New York 12901</p> <p>John Redden, Commissioner (518) 565-3221 Starr Burke, Employment Coordinator (518) 565-3299</p>	<p>Columbia County DSS P.O. Box 458, 25 Railroad Avenue Hudson, New York 12534</p> <p>Paul Mossman, Commissioner (518) 828-9411 Ext. 103 Gail Halstead, Employment Coordinator (518) 828-9411</p>
<p>Cortland County DSS 60 Central Avenue Cortland, New York 13045-5590</p> <p>Kristen Monroe, Commissioner (607) 753-5305 Mary Tryon, Employment Coordinator (607) 753-5302</p>	<p>Delaware County DSS 111 Main Street Delhi, New York 13753-0469</p> <p>William R. Moon, Commissioner (607) 746-2325 Suzanne Marsico, Employment Coordinator (607) 746-2325, Ext. 139</p>
<p>Dutchess County DSS 60 Market Street Poughkeepsie, New York 12601</p> <p>Robert B. Allers, Commissioner (845) 486-3001 Jacky Cooper, Employment Coordinator (845) 486-3184</p>	<p>Erie County DSS 95 Franklin Street Buffalo, New York 14202</p> <p>Carol Dankert-Maurer, Commissioner (716) 858-7511 Sandra Neubert, Employment Manager (716) 858-1382</p>
<p>Essex County DSS P.O. Box 217, 7551 Court Street Elizabethtown, New York 12932</p> <p>John P. O'Neill, Commissioner (518) 873-3302 Lisa Trapasso, Employment Coordinator (518) 873-3461</p>	<p>Franklin County DSS 355 West Main Street, Suite 331 Malone, New York 12953</p> <p>Lesley Lyon, Commissioner (518) 481-1873 Tina Taylor, Employment Coordinator (518) 481-1699</p>
<p>Fulton County DSS P.O. Box 549, Daisy Lane Johnstown, New York 12095</p> <p>Sheryda Cooper, Commissioner (518) 736-5640 Shari Simon, Employment Coordinator (518) 736-5633</p>	<p>Genesee County DSS 5130 East Main Street, Suite 3 Batavia, New York 14020</p> <p>Eileen Kirkpatrick, Commissioner (585) 344-2580, Ext. 6405 Cathie Mase, Employment Coordinator (585) 344-2580, Ext. 6424</p>
<p>Greene County DSS P.O. Box 528, 465 Main Street Catskill, New York 12414</p> <p>Kira Pospesel, Commissioner (518) 719-3646 Frances DelGaudio, Director of Eligibility (518) 719-3700</p>	<p>Hamilton County DSS P.O. Box 725, White Birch Lane Indian Lake, New York 12842-0725</p> <p>Roberta A. Bly, Commissioner (518) 648-6131 Patricia Monthony, Social Welfare Examiner (518) 648-6131</p>

<p>Herkimer County DSS 301 N. Washington Street, Suite 2110 Herkimer, New York 13350</p> <p>Timothy Seymour, Commissioner (315) 867-1222 Joseph Bellino, Employment Coordinator (315) 867-1223</p>	<p>Jefferson County DSS 250 Arsenal Street Watertown, New York 13601</p> <p>Teresa Gaffney, Commissioner (315) 785-3101 Kim Leonard, Employment Coordinator (315) 782-9030 Jim Schell, Director of TA (315) 785-3133</p>
<p>Lewis County DSS P.O. Box 193, 5274 Outer Stowe Street Lowville, New York 13367</p> <p>Stacy Alvord, Commissioner (315) 376-5402 Pennie Getman, Employment Coordinator (315) 376-5809</p>	<p>Livingston County DSS 3 Murray Hill Drive Mount Morris, New York 14510-1699</p> <p>Diane Deane, Commissioner (585) 243-7300 David Peck, Employment Coordinator (585) 243-7300</p>
<p>Madison County DSS Madison County Complex, Bldg. 1 P.O. Box 637, North Court Street Wampsville, New York 13163</p> <p>Michael Fitzgerald, Commissioner (315) 366-2248 Inez DeGroat, Director of Child Support/Financial Aid (315) 366-2622</p>	<p>Monroe County Dept. of Human Resources 111 Westfall Road Rochester, New York 14620</p> <p>Kelly A. Reed, Commissioner (585) 753-6298 Vince Ruggiero, Financial Assistance Coordinator (585) 753-1245</p>
<p>Montgomery County DSS County Office Building, P.O. Box 745 Fonda, New York 12068-0745</p> <p>Michael McMahon, Commissioner (518) 853-8291 Johanna DelCostello, Director of Eligibility (518) 853-8310</p>	<p>Nassau County DSS 60 Charles Lindbergh Blvd., Suite 160 Uniondale, NY 11553-3686</p> <p>John Imhof, Commissioner (516) 227-7403 Sunita Manjrekar, Director of Employment Programs (516) 227-7970</p>
<p>New York City Human Resources Administration 180 Water Street New York, New York 10038</p> <p>Robert Doar, Commissioner (212) 331-6000 Matt Brune, Executive Deputy Commissioner (212) 331-6180</p>	<p>Niagara County DSS P.O. Box 506, 20 East Avenue Lockport, New York 14095</p> <p>Anthony Restaino, Commissioner (716) 439-7604 Pamela Gatto, Director of Eligibility (716) 278-6801</p>

<p>Oneida County DSS 800 Park Avenue Utica, New York 13501</p> <p>Lucille Soldato, Commissioner (315) 798-5733 Vacant, Employment Coordinator Send Employment Correspondence to Phil Martini (315) 798-5839</p>	<p>Onondaga County DSS Civic Center, 421 Montgomery Street Syracuse, New York 13202</p> <p>David Sutkowy, Commissioner (315) 435-2985 Janice Mayne, Employment Coordinator (315) 442-3242</p>
<p>Ontario County DSS 3010 County Complex Drive Canandaigua, New York 14424-1296</p> <p>Eileen M. Tiberio, Commissioner (585) 396-4014 Brian Young, Director of Workforce Development (585) 396-4024</p>	<p>Orange County DSS Box Z, 11 Quarry Road Goshen, New York 10924</p> <p>David Jolly, Commissioner (845) 291-4311 Kristina Patsalos, Employment Coordinator (845) 568-5083</p>
<p>Orleans County DSS 14016 Route 31 West Albion, New York 14411</p> <p>Thomas Kuryla, Commissioner (585) 589-7000, Ext. 3228 Gloria Nauden, Employment Coordinator (585) 589-5335, Ext. 114</p>	<p>Oswego County DSS P.O. Box 1320, 100 Spring Street Mexico, New York 13114</p> <p>Gregg Heffner, Commissioner (315) 963-5399 Christine Weaver, Employment Coordinator (315) 591-9003</p>
<p>Otsego County DSS 197 Main Street Cooperstown, New York 13326</p> <p>Joyce Boyd, Commissioner (607) 547-7594 Deborah Currie, Employment Coordinator (607) 547-1748</p>	<p>Putnam County DSS 110 Old Route Six Center Carmel, New York 10512</p> <p>Michael J. Piazza, Jr., Commissioner (845) 225-7040, Ext. 1201 Marie Daly, Employment Coordinator (845) 225-7040 Ext. 1604</p>
<p>Rensselaer County DSS 133 Bloomingrove Drive Troy, New York 12180</p> <p>Randy Hall, Commissioner (518) 833-6005 Carol Croak, Employment Coordinator (518) 270-3975</p>	<p>Rockland County DSS Building L, Sanatorium Road Pomona, New York 10970</p> <p>Susan Sherwood, Commissioner (845) 364-3300 John Fella, Employment Coordinator (845) 364-3578</p>

<p>St. Lawrence County DSS 6 Judson Street Canton, New York 13617</p> <p>Christopher Rediehs, Commissioner (315) 379-2101 Jim Connor, Employment Coordinator (315) 229-3318</p>	<p>Saratoga County DSS 152 West High Street Ballston Spa, New York 12020</p> <p>Tina Potter, Commissioner (518) 884-4140 Pat Design, Employment Coordinator (518) 884-4140</p>
<p>Schenectady County DSS 797 Broadway Schenectady, New York 12308</p> <p>Dennis Packard, Commissioner (518) 388-4400 Jennifer Barge, Employment Coordinator (518) 344-2799</p>	<p>Schoharie County DSS P.O. Box 687 Schoharie, New York 12157</p> <p>Paul J. Brady, Commissioner (518) 295-8310 Barbara Schaffer, Employment Coordinator (518) 295-8334</p>
<p>Schuyler County DSS County Office Building 323 Oswego Street Montour Falls, NY 14865</p> <p>JoAnn Fratarcangelo, Commissioner (607) 535-8303 Susan Brill, Employment Coordinator (607) 535-8322</p>	<p>Seneca County DSS P.O. Box 690, 1 DiPronio Drive Waterloo, New York 13165-0690</p> <p>Charles L. Schillaci, Commissioner (315) 539-1832 John Vrabel, Employment Coordinator (315) 539-1904</p>
<p>Steuben County DSS 3 East Pulteney Square Bath, New York 14810</p> <p>Kathryn A. Muller, Commissioner (607) 664-2444 Jan Kenyon, Employment Coordinator (607) 776-7611, ext. 2070</p>	<p>Suffolk County DSS 3085 Veterans Memorial Highway Ronkonkoma, New York 11779</p> <p>John F. O'Neill, Acting Commissioner (631) 854-9930 Kim Staab (631) 854-9843 Jean Carlsson, Employment Coordinator (631) 854-5304 Tom Grecco, Division Administrator (631) 854-9908</p>
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<p>Tompkins County DSS 320 West State Street Ithaca, New York 14850</p> <p>Patricia Carey, Commissioner (607) 274-5252 Gerard Veninsky, Employment Coordinator (607) 274-5239</p>	<p>Ulster County DSS 1061 Development Court Kingston, New York 12401-1959</p> <p>Michael A. Iapoce, Commissioner (845) 334-5194 Marijane Knudsen, Director of Temporary Assistance (845) 334-5358</p>
<p>Warren County DSS Warren County Municipal Center Annex 1340 State Route 9 Lake George, New York 12845</p> <p>Suzanne Wheeler, Commissioner (518) 761-6309 Kelly Barker, Principal Welfare Examiner (518) 761-6311</p>	<p>Washington County DSS Washington Municipal Center 383 Broadway Fort Edward, New York 12828</p> <p>Tammy DeLorme, Commissioner (518) 746-2323 Judith Taylor, Employment Coordinator (518) 746-2361</p>
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Local Workforce Investment Board (LWIB) Approval

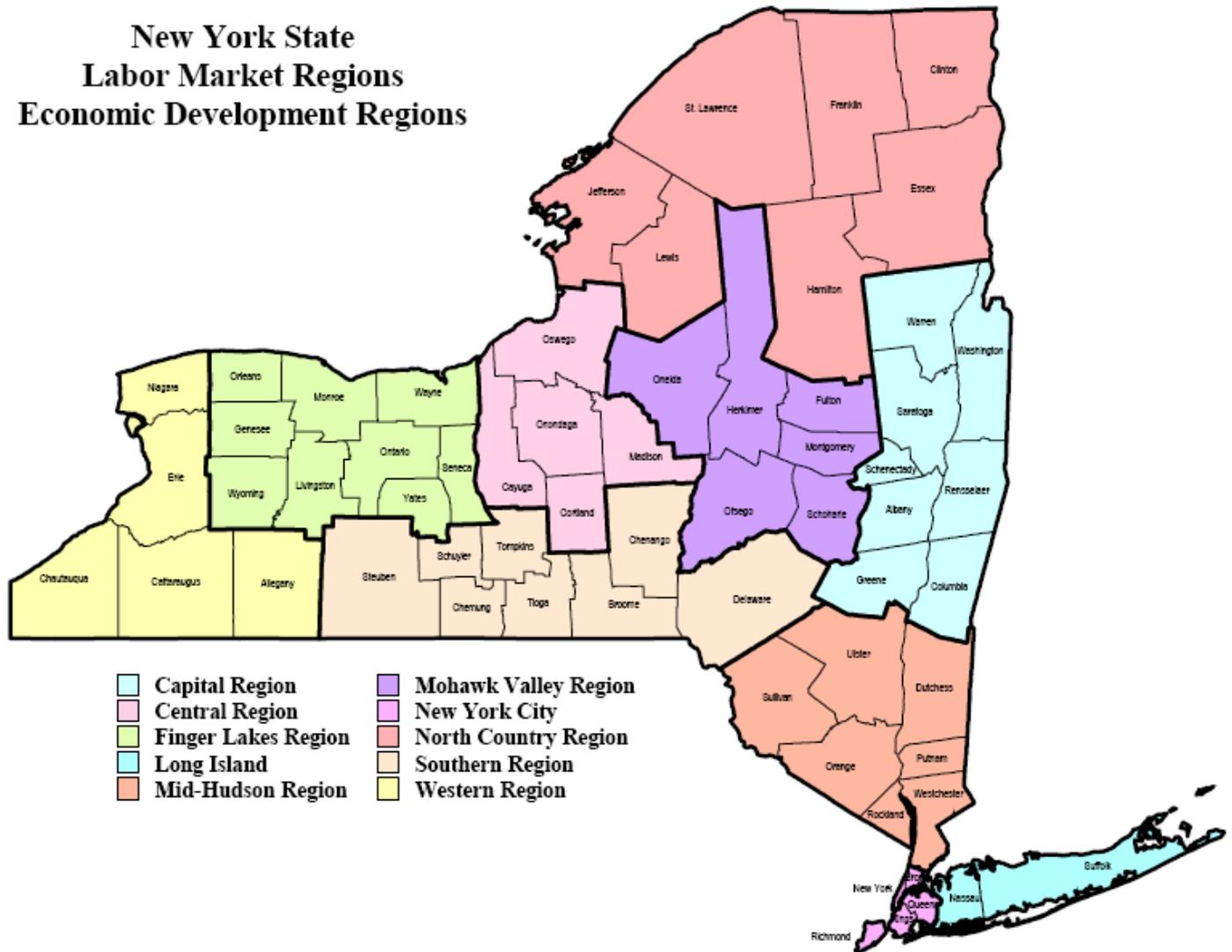
For applicants planning on providing Job Skills Training through Career Pathways, approval from the Local Workforce Investment Board must be obtained to demonstrate that the training being offered is related to employment in demand within the local workforce investment area. Use the table below to list the types of job skills training to be offered, the skills to be acquired by participants and the kinds of job openings that types of jobs. Submit the completed form to the appropriate LWIB for review and approval. In the event that the LWIB does not respond within 14 calendar days, submit a copy of the correspondence sent to the LWIB with the Career Pathways application.

Applicant Agency:		
Contact, Address & Phone #:		
Training Program	Job Skills & Types of Job Openings	LWIB Approval
		YES () NO ()
		YES () NO ()
		YES () NO ()
		YES () NO ()
		YES () NO ()

LWIB Approval

Name (print): _____
Signature: _____ Date: _____
Phone #: _____
Additional Comments:

New York State Labor Market Regions Economic Development Regions



Prepared by USLIRM, Division of Research & Statistics, Feb. 2008

Unemployment Rates by Region

(Average Rate for August 2013)

Source: New York State Department of Labor, Division of Research and Statistics

Capital Region	6.3%
Central Region	7.2%
Finger Lakes Region	6.8%
Long Island Region	6.2%
Mid-Hudson Region	6.6%
Mohawk Valley Region	7.4%
New York City	8.7%
North Country Region	8.3%
Southern Region	7.1%
Western Region	7.3%

