

## LOCAL AREA PROFILE

### *South Central Workforce Development Council*

#### **County(ies) Served:**

Kittitas, Klickitat, Skamania, and Yakima

#### **ADMINISTRATIVE STRUCTURE**

The South Central Consortium is comprised of Kittitas, Klickitat, Skamania and Yakima, Counties in Workforce Development Area IX pursuant to the Governor's approval dated July 1, 2006 to provide workforce investment activities. The Consortium is organized under the Interlocal Cooperation Act of 1967, Chapter 39.34, RCW, which permits local governmental units to cooperate and to provide services and facilities in a manner which will accord best with the geographic, economic, demographic and other factors influencing the development of local communities.

In 2006, the Consortium approved a plan form the South Central Workforce Council to form a nonprofit and 501(c)3 for the purpose of administrating WIA programs and to allow the Council to receive tax exempt funds from sources other than the federal government. The entity is now operational and will assume all full administrative and fiscal function beginning July 1, 2007.

The local South Central Workforce Council is comprised of 27 Board of Directors with a business majority. Individuals appointed to the Board of Directors represent appropriate organizations and institutions specified in the WIA and as prescribed by the Washington State Workforce Investment Board under alternative entity status. An Executive Committee is comprised of the Chair, Vice-Chair, Treasurer, and six (6) members of the Board of Directors. The Executive Committee meets monthly between the quarterly Board of Director's meetings to conduct the regular business of the full council.

The South Central Workforce Council structure includes a Youth Council that is charged with overseeing matters related to youth activities and facilitates the sharing of information among workforce development programs serving youth in the local area. The Youth Council includes eleven members representing business, education, law enforcement, public housing, Job Corps, parents and youth.

The following subcommittees of the Workforce Council have been developed to ensure that all stakeholders and partners of the local workforce system are afforded the greatest opportunity for participation.

1. **WorkSource Oversight Committee** comprised of all participating partners of the WorkSource system advises the Council on matters relating to system and policy planning and development regarding the local WorkSource system.
2. **Planning Committee** is responsible for overseeing the procurement of service providers, policy development, marketing, special events and activities.
3. **Education, Business, and Industry Committee** is responsible to oversee business services, industry skill panels, and incumbent worker training.

### **Governance:**

An Interlocal Agreement between the Local Elected Officials in the four counties establishes the South Central Workforce Council as a Non-Profit Corporation and designates the Council the fiscal and administrative agent for the South Central Consortium.

The four counties acting through the South Central Consortium appoints the board of directors of the SCWDC pursuant to the nomination and appointment process established under WIA and in accordance with the nomination process prescribed by the South Central Workforce Development Council Bylaws: approve the Strategic and Operation plans for Workforce Area IX; and makes recommendations on and approve the selection of workforce service providers.

Responsibilities of the South Central Workforce Council include the following:

- The development of the Strategic and Operations Plans for the review and concurrence by the Consortium.
- The development of annual budgets for itself and for the programs as described in the strategic and operations plans and pursuant to the WIA with concurrence from the Consortium.
- Provide policy guidance and direction on all matters pertaining to the provision of services under the WIA.
- Select workforce service providers and training providers as appropriate to carry out the purposes of the WIA and according to the procedures set forth in the Strategic and Operations plans.
- Monitor and evaluate the training programs operated within the Workforce Development Area.
- Provide oversight to the activities of staff, and the Annual Budget, and will provide guidance and supervision to the Executive Director, who in turn shall employ and set working conditions for SCWDC staff.

- Solicit the input and participation of the local business community in the provision of program services to eligible residents of the Workforce Development Area.
- Solicit and accept grants and donations from sources other than Federal funds.

**Designation of the SCWDC as Fiscal Agent:**

In accordance with Section 117(d)(3)(B) of the WIA, and in accordance with the Interlocal Cooperation Act of 1967 (Chapter 39.34, Revised Code of Washington) the Consortium has designated SCWDC as the local grant sub recipient and local fiscal agent. The SCWDC shall perform all of the functions assigned by the WIA to the local grant sub recipient and local fiscal agent. Pursuant to the Governor’s approval effective July 1, 2006, this designation shall be in force unless terminated or revised.

The South Central Workforce Council is organized as a nonprofit corporation by the Boards of County Commissioners of Yakima, Kittitas, Klickitat and Skamania Counties, Washington, as provided for in Section 117 of Public Law 105-220--Aug. 7, 1998 Workforce Investment Act (“WIA”), to implement the WIA in the South Central Workforce Area. The South Central Workforce Council is organized exclusively for educational, charitable, religious, scientific, and/or literary purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time.

**ONE-STOP SYSTEM**

**Operator**

**One-Stop Operator(s)** If an operator is a partnership indicate the entities in the partnership

**Role of Operator (for each entity listed as an operator)**

- **System Administrator**
- **Center Administrator**
- **Direct service provider**
- **Other**

**The following organizations are One-Stop Operators for the SCWDC:**

Employment Security Department  
People For People  
Yakima Valley Farm Workers Clinic/Northwest Community Action Center

**WorkSource Sites and Managing Organization(s)**

Indicate the name of the site and identify the management position(s) at the site. Include positions such as One-stop Center Operator, Site Administrator (not a designated one-stop operator). Site Manager(s), Facility Manager(s) as locally defined.

<u>WorkSource Center(s)</u>	<u>Site Operator(s)</u>
<b>Yakima County</b>	
Yakima	Employment Security Department
Sunnyside	Employment Security Department
<b>Kittitas County</b>	
Ellensburg	People For People
<b>Klickitat County</b>	
White Salmon	Employment Security Department
<u>Affiliates</u>	<u>Site Operator(s)</u>
<b>Yakima County</b>	
Toppenish	Yakima Valley Farm Workers Clinic/Northwest Community Action Center
<b>Klickitat County</b>	
Goldendale	Employment Security Department
<b>Skamania County</b>	
Stevenson	Employment Security Department

Other sites certified by the Board

N/A

**WIA SERVICE PROVIDERS**

**Youth**

- OIC of Washington – Kittitas and Upper Yakima County
- Yakima Valley Farm Workers Clinic/Northwest Community Action Center – Lower Yakima County
- Employment Security Department – Klickitat and Skamania Counties

**Adult**

- People For People – Yakima and Kittitas Counties
- Employment Security Department – Klickitat and Skamania Counties

**Dislocated Worker**

- People For People – Kittitas County
- Employment Security Department – Klickitat and Skamania Counties
- South Central WDC – Yakima County

## **PROCUREMENT PROCESS**

### **The competitive process used to award grants and contracts:**

With the exception of the Yakima County Dislocated Worker Program, selection of service providers will comply with the local competitive process as well as any Washington State Policy and other applicable regulations. The South Central Workforce Council will use an RFP (request for proposal) system applying the Competitive Negotiation Method.

The area will, through the posting of public notice, make an open invitation to the community, including the faith-based community; to participate in the bid process for WIA funded services.

The Youth Council will recommend the initial selection for Youth Services provider to the South Central Workforce Council, and the Council will then make the final selection, with concurrence from the South Central Consortium, of Youth, Adult and Dislocated Worker providers to be funded based on those proposals that are most responsive to the request and are most advantageous to the workforce areas, participants and program goals.

Example criteria for selection will include the following with an assigned point system weighted to the areas of importance: business and organizational experience, fiscal accountability, price and reasonableness of cost, outcomes and program design, experience and qualifications of staff of staff, technology program design; agency qualification, including program management financial viability; audit and performance reports; performance goals; cost analysis; additional relevant categories.













MEMORANDUM OF UNDERSTANDING  
UNDER THE  
WORKFORCE INVESTMENT ACT OF 1998  
BETWEEN  
THE SOUTH CENTRAL WORKFORCE DEVELOPMENT COUNCIL  
AND  
ONE-STOP PARTNERS  
IN AGREEMENT WITH  
THE SOUTH CENTRAL CONSORTIUM

WHEREAS, the Congress of the United States has enacted the Workforce Investment Act of 1998 (WIA), P.L. 105-220, 20 U.S.C. 9201, to provide workforce investment activities, through statewide and local workforce investment systems that increase the employment, retention, earnings, and occupational skill attainment of workers; and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation, and;

WHEREAS, the Act requires the delivery of workforce programs under a One-Stop system and the execution of a memorandum between the local board and each of the One-Stop Partners to describe the operation of the One-Stop delivery system in the local area;

NOW THEREFORE, be it resolved, that this Memorandum of Understanding, pursuant to the Act, be made and entered into, in agreement with the South Central Consortium, by and between the South Central Workforce Development Council, herein referred to as the WDC, and the One-Stop Partners identified in this Memorandum of Understanding.

I. PURPOSE OF THIS MEMORANDUM OF UNDERSTANDING

The undersigned hereby agree to the conditions and provisions set forth in this agreement for the purpose of describing the services to be provided through the One-Stop delivery system; how the costs of such services and the operating costs of the system will be funded; and the methods for referral of individuals between the One-Stop Operator and the One-Stop Partners for appropriate services and activities.

## II. WORKFORCE INVESTMENT AREA

The geographical area served by this agreement shall be the Washington State counties of Yakima, Kittitas, Klickitat, and Skamania.

## III. ONE-STOP PARTNERS INCLUDED

Partners of this Memorandum of Understanding shall include entities responsible for the delivery of programs specified in the Workforce Investment Act of 1998, Section 121(b), 29 U.S.C. 2841, that are represented in the local Workforce Investment Area, and others that have agreed to participate in the One-Stop delivery system, identified in Exhibit A. Programs may include:

- a. Programs authorized under the Workforce Investment Act (WIA) Title I-B, 20 U.S.C. 9201, to include youth, adult, dislocated worker, Job Corps and National Programs.
- b. Wagner-Peyser Act (29 U.S.C. 49).
- c. Adult education and literacy activities authorized under Title II of the Workforce Investment Act (20 U.S.C. 9201)
- d. Title I of the Rehabilitation Act of 1973 (29 U.S.C. 720).
- e. Section 403(a)(5) of the Social Security Act (42 U.S.C. 603(a)(5)) (as amended by section 5001 of the Balanced Budget Act of 1997), Welfare-to-Work.
- f. Title V of the Older Americans Act of 1965 (42 U.S.C. 3056).
- g. Postsecondary vocational education activities authorized under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301).
- h. Chapter 2 of Title II of the Trade Act of 1974 (19 U.S.C. 2271).
- i. Chapter 41 of Title 38, U.S.C. (Veterans services).
- j. Employment and training activities carried out under the Community Services Block Grant Act (42 U.S.C. 9901).
- k. Employment and training activities carried out by the Department of Housing and Urban Development (42 U.S.C. 3531)
- l. State unemployment compensation (Title 50 RCW).

These organizations shall be known as the One-Stop Partnership of Central Washington. The terms “partner” and “partnership” for the purposes of this Memorandum of Understanding are being used in the colloquial sense only. The parties to the Memorandum of Understanding are and shall be independent entities to one another. Nothing stated within this Memorandum of Understanding shall be deemed to create a legally enforceable partnership, except for federal

regulation or statutory requirements governing each entity or the specific Resource Sharing Agreement (RSA), which is part of this Memorandum of Understanding, but is entered into separately.

#### IV. CERTIFICATION OF AUTHORITY

Parties, by signature, certify that they possess full legal authority as provided by state and local statutes, charters, or ordinances to enter into this Memorandum of Understanding.

#### V. POWERS, FUNCTIONS, AND RESPONSIBILITIES

- a.) Consistent with the Workforce Investment Act, Section 121 (a)(2)(3) and the Washington State Unified Plan, and in agreement with the South Central Consortium, the South Central Workforce Development Council shall exercise such powers, functions, and responsibilities as are necessary for the designation or certification of One-Stop operators and oversight with respect to the One-Stop delivery system in the local area. This authority does not entitle Yakima, Kittitas, Klickitat, or Skamania Counties or the South Central Workforce Development Council to manage or oversee individual partner programs.
- b.) The One-Stop Partnership of Central Washington shall exercise such powers as are necessary to implement and carryout One-Stop services as described in the Workforce Development Area's Strategic and Operations Plans and all subsequent modifications, Washington State policy for One-Stop, herein referred to as WorkSource, and consistent with all applicable federal, state, and local regulations.

#### VI. SERVICES COVERED BY THIS MEMORANDUM OF UNDERSTANDING

Services covered by this Memorandum of Understanding shall include all required services specified in the Workforce Investment Act of 1998, Section 134(d)(2), (Core Services) and those services described in the Workforce Development Area's Operations Plan and all subsequent modifications.

#### VII. COST OF OPERATION AND SERVICES

All partners located in a WorkSource Center and/or affiliate site shall participate in sharing the costs of operation and service provision through Resource Sharing Agreements initiated by the WorkSource Operator, developed to establish the terms and conditions under which co-located partners will share resources and responsibilities.

#### VIII. REFERRALS

Each party to this Memorandum of Understanding agrees to comply with the following referral procedure to achieve efficient, customer-focused service:

- a.) Customers seeking services shall be screened for interest and provided information on the full range of services available through the WorkSource system.

- b.) Customers referred to WorkSource Centers, affiliate sites or partners of the system shall be referred by telephone, written, or electronic communication.
- c.) Referrals to WorkSource Centers, affiliate sites or partners of the system shall include the name of the customer being referred, the organization and person making the referral, the date of the referral, and the reason for the referral.
- d.) Organizations shall maintain records of all referrals made, including the name of the customer referred, the names of the organization and contact person being referred to, the date of the referral, and the reason for the referral. Such records shall be in written or electronic form and will include entry in SKIES when appropriate and applicable.
- e.) Organizations shall maintain records of all referrals received, the date the referral made contact and the action taken. Such records shall be in written or electronic form and will include entry in SKIES when appropriate and applicable.

## IX. NONDISCRIMINATION AND EQUAL OPPORTUNITY

Parties to this agreement assure full compliance with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color, and national origin;
3. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities;
4. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
5. Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The parties to this agreement also assure compliance with 29 CFR part 37 and all other regulations implementing the laws listed above. This assurance applies to the operation of the WIA Title I - financially assisted program or activity, and to all agreements to carry out the WIA Title I - financially assisted program or activity. The parties to this agreement understand that the United States has the right to seek judicial enforcement of this assurance.

The Yakama Nation may continue to use Indian preference in accordance with Title VII, Section 703(i) of the Civil Rights Act.

## X. INDEMNIFICATION

Each party to this agreement shall be responsible for injury to persons or damage to property resulting from negligence on the part of itself, its employees, its agents, or its officers. No party assumes any responsibility to any other party for the consequences of any act or omission of any third party.

## XI. RESOLUTION PROCESS

- a.) Attempts to resolve all disputes that may result from this agreement shall first occur through negotiations between the partners to the mutual satisfaction of the parties of the dispute.
- b.) Should parties be unable to resolve disputes through negotiations, the Workforce Development Council shall appoint an ad hoc committee from their membership to meet and confer with the parties to resolve issues.
- c.) Should resolution fail to be achieved, parties may grieve their dispute as provided by the South Central Consortium's grievance procedure, and through procedures provided by Washington State for purposes of carrying out activities under the Workforce Investment Act.
- d.) The Yakama Nation does not waive, alter, or otherwise diminish its Sovereign Immunity, whether expressed or implied, by virtue of this agreement for any and all administrative or legal action which may arise directly or indirectly from the same, nor does the Yakama Nation waive, alter, or otherwise diminish its rights, privileges, remedies or services guaranteed by the Treaty of 1855.

## XII. DURATION AND RENEWAL OF THIS MEMORANDUM OF UNDERSTANDING

- a. This agreement shall take effect upon the date of its execution and shall remain in effect indefinitely or until amended or terminated.
- b. This agreement may be amended from time to time upon the agreement of all parties signing the agreement.
- c. Any party hereto shall have the right to withdraw from this Memorandum of Understanding at any time, provided that the remaining members of the Memorandum of Understanding shall have received written notification of the party's intention to withdraw at least 30 days prior to the proposed effective date of such withdrawal. In the event of lack of funding, an exception to the 30 day notice policy may be granted. In such a case, termination of this agreement may occur immediately.

## XIII. ASSURANCES

The parties of this Memorandum of Understanding agree that all activities pursuant to this Memorandum of Understanding will be in accordance with all applicable current or future federal, state, and local laws, rules and regulations. This agreement does not supersede federal law or the requirements of each partner's individual program. This agreement intends to create a seamless service delivery system for individuals seeking One-Stop services by linking partners. The resources of each partner may only be used to provide services that are authorized and provided under that partner's program to individuals who are eligible under such program.

## XIV. AUTHORIZED SIGNATURES

We, the undersigned, do hereby ratify this agreement and the terms and conditions herein, and do hereby undertake to conduct this Consortium for providing a comprehensive employment and training system in Kittitas, Yakima, Klickitat, and Skamania Counties according to law and regulations.





Authorized Signature \_\_\_\_\_ Name \_\_\_\_\_ Date \_\_\_\_\_

**Greater Yakima Chamber of Commerce**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Mike Morrisette \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**HopeSource**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Susan Grindle \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**Job Corps (DESI)**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Trisha Williams \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**New Vision Yakima County Development Association**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Dave McFadden \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**OIC of Washington**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Henry Beauchamp \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**People for People/WorkSource Kittitas**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Madelyn Carlson \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**Perry Technical Institute**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ J. Tuman \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_

**WORKSOURCE PARTNER ORGANIZATIONS, CONT.**

**Pacific Northwest Regional Council of Carpenters**

\_\_\_\_\_  
Authorized Signature \_\_\_\_\_ Rockey Marshall \_\_\_\_\_  
Name \_\_\_\_\_ Date \_\_\_\_\_





## **One-Stop Partnership of Central Washington**

1. Casey Family Programs
2. Elmview
3. Fort Simcoe Job Corps Center
4. Greater Yakima Chamber of Commerce
5. HopeSource
6. Job Corps (DESI)
7. New Vision - Yakima County Development Association
8. OIC of Washington
9. People for People (Operator - WorkSource Kittitas)
10. Perry Technical Institute
11. Pacific Northwest Regional Council of Carpenters
12. Provident Horizon Group
13. South Central Workforce Council
14. Vocations Unlimited/Goodwill Industries
15. Washington Gorge Action Programs
16. Washington State Department of Services for the Blind
17. Washington State DSHS Community Services Region 2
18. Washington State DSHS Community Services Region 6
19. Washington State DSHS Division of Vocational Rehabilitation
20. Washington State ESD – South Central Workforce Area/WorkSource Yakima/WorkSource Sunnyside
21. Washington State Migrant Council
22. WorkSource Columbia Gorge/WorkSource Goldendale & Skamania Affiliates
23. Yakama Nation
24. Yakima Valley Community College
25. Yakima Valley Farm Workers Clinic/NCAC/WorkSource Toppenish Affiliate



## ADMINISTRATIVE POLICY 05

**TO:** ALL INTERESTED PARTIES

**SUBJECT:** PROCUREMENT – Revision #1 (April 10, 2007)

**EFFECTIVE DATE:** February 1, 2007

### Reference:

Workforce Investment Act, PL 105-220, Sections 117(f)(1), 121(c)(1) and (2), 121(d)(2)(A), 123, 128(B)(1), 181(e), and 184(a)(2)(A), 20 CFR 661, 20 CFR 662, 20 CFR 663, 20 CFR 667, 29 CFR 93, 29 CFR 95, 29 CFR 97, 29 CFR 98, OMB Circular A-21, OMB Circular A-87, OMB Circular A-110 (Administrative Requirements), OMB Circular A-102 (Administrative Requirements), OMB Circular A-122, OMB Circular A-133, Washington State WIA Policy Number 3405 and South Central Workforce Council (SCWDC) policy.

### Small Purchases:

Small purchases are services supplies or property that does not exceed \$25,000.

Purchasing of **ordinary supplies** such as paper, pencils, tablets, desktop items must be secured through purchasing or through approved vendors listing and will be the responsibility of the Administrative Secretary.

Supply purchases will be conducted on a regular and routine basis. Supplies will be ordered bi-monthly or as needed. Staff needing special supplies shall make a request to the Administrative Secretary who will include the item on the next order.

Requests that appear costly or are outside of the ordinary supplies purchased may require approval by the appropriate Program Manager, CFO, or Director. This includes items such as small tools and equipment, special items or brand names that are priced higher than what the department normally purchases.

Small purchases that cannot be obtained through these means or are urgent in nature can be obtained through the following processes:

*“Up to \$400 - Purchase may be made based upon buyer experience and knowledge of the market obtained through informal shopping or the use of telephone quotations in obtaining maximum quality at minimum cost”*

*“\$401 to \$2,499 - documented telephone quotes or written /faxed quotations shall be secured from at least three sources to assure establishment of a competitive price \$2500 - \$25,000 - Informal written*

*solicitation document shall be used to secure responses from at least three sources. At a minimum the document should include a description of the type of service, supply or property requested, the proposed time schedule, request for qualifications (if appropriate), a request for the cost of fees, and the due date and location for written/faxed responses to be submitted. The document may be issued as a letter, a memorandum, or other format which clearly sets forth the required information.”*

All purchases other than ordinary supplies or small purchases under \$400 must be approved by the Director.

**Prior Approval Requirement:**

Certain items related to equipment and capital expenditures are allowable only if approval is granted prior to the purchase from the awarding agency. Expenditures for equipment and capital improvements of \$5,000.00 or more must have prior approval from Washington State according to WIA Policy Number 3260, Allowable Cost and Prior Approval Requirements. For equipment purchases this approval is required for single items and is not an aggregate of multiple items.

**Dislocated Worker Program Purchases:**

All purchasing for the Department Dislocated Worker Unit shall comply with the conditions specified above.

Purchasing of **ordinary supplies** such as paper, pencils, tablets, and desktop items must be secured through purchasing or through approved vendors listing and will be the responsibility of the DWP Office Technician.

Supply purchases will be conducted on a regular and routine basis. Supplies will be ordered bi-weekly, every other Wednesday. Staff needing special supplies shall make a written request to the DWP Coordinator for approval. The DWP Coordinator will initial the request, if approved, and submit it to the DWP Office Technician for inclusion on the next regularly scheduled supply order.

Written requests that appear costly or are outside of ordinary supplies purchased may require approval by the Program Manager. This includes items such as small tools and equipment, special items or brand names that are priced higher than what the department normally purchases (e.g. calendars, hanging file folders, etc.).

**Purchases over \$25,000:**

Procurement of goods or services over \$25,000 shall be consistent with Washington State Policy #3405. Final approval for the selection of a contractor/vendor shall require approval by the SCWDC.

**Sole Source/Noncompetitive:**

Obtaining goods and services by a sole source method may occur when the conditions of CFR Title 29, are met. Sole source procurement must be approved by the Director and/or the SCWDC.

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate.

Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and one of the following circumstances applies:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The awarding agency authorizes noncompetitive proposals; or
- After solicitation of a number of sources, competition is determined inadequate.

**All Other Purchases Dislocated Worker:**

All purchases other than the ordinary small purchases detailed above made by the Department Dislocated Worker Unit must be approved by the Director.

**Selecting Service Providers:**

The selection of service providers to carryout employment and training programs under the WIA or Welfare to Work shall conform to the process described in the local WDC policy, the WIA, and applicable federal and state regulations.

**Debarment and Suspension:**

Prior to making an award to a subrecipient, staff shall search and print the results from the Excluded Parties Listing System (EPLS) to verify that the individuals and/or organizations are not debarred, suspended or excluded from or ineligible for participation in Federal Assistance Programs, Website is <http://www.arnet.gov.epls/>

**Appeal Process:**

If a proposer believes that a contract award was improper, the proposer may file a written appeal, within seven (7) calendar days after the date of award to:

South Central Workforce Development Council  
Attention: Patrick T. Baldoz  
120 South 3<sup>rd</sup> Street, Suite 200A  
Yakima, WA 98901

The appeal will be handled according to the SCWDC's Complaint Resolution Procedures. If appealed, the effective date of contract award may be delayed pending resolution of the appeal.

The Consortium reserves the right to renegotiate or reissue a Request for Proposal should an appeal for non-award be upheld.

Conflict of Interest (see the SCWDC Administrative Policy Conflict of Interest & Appearance of Fairness Policy)

**Computer Equipment, Software, and Hardware:**

For computer hardware, software and other electronic devices, must be submitted and approved by the SCWDC Communications and Technology Coordinator. The SCWDC Communications and Technology Coordinator will review all request to ensure that hardware, software and other electronic devices meet standards set by the state and Yakima County where appropriate. Once approval is made by the Communications and Technology Coordinator, the request will be sent to the Director for final approval.

**Small items \$300 or more:**

All items purchases of \$300 or more such as cameras, photographic equipment, data processing and video cameras, etc. shall be the responsibility of the Property Manager. Purchases of these items must be **made by written request to the Property Manager**, reviewed and approved by the appropriate Program Manager or CFP with final approval by the Director. These items should also be received and tagged by the Property Manager

Other purchases over \$300 that are of intrinsic value such as desk, chairs, furniture, etc. shall be the responsibility of the Administrative Secretary. Purchases of these items must be made by request to the Administrative Secretary, reviewed and approved by the appropriate Program Manager or CFO, with final approval by the Director.

**Receipt of Goods:**

All goods (equipment, supplies, and small tools) must be received by the appropriate staff person responsible for procuring and route the invoice to the Financial Technician before distribution.

For ordinary supplies and desktop items, the Administrative Secretary will inspect the goods against damage and to ensure the shipment is complete.

For equipment as defined by Washington State Policy, the Property Manager will receive the equipment, inspect it for defects, and inventory the item(s) according to Section 4 of this Process and Procedures Manual before distribution.

Invoices and other items such as packing slips for all goods will be routed to the Financial Technician.

For equipment, packing slips will be copied with the copy routed to the Property Manager and maintained for inventory and tracking purposes. Equipment invoices will be routed to the Financial Technician.

**Property Leases:**

All long-term property leases/rentals must be made through procurement procedures and approved by SCWDC Board of Directors through resolution. Short-term rental agreements are those brief in



duration (6 months or less) such as a facility rental for meetings or temporary space for staff. Short-term rental arrangements must follow the procurement rules and require approval by the Director.



ADMINISTRATIVE BULLETIN NO. PY06-02A

TO: WIA IB ADULT CONTRACTING AGENCIES  
SUBJECT: ELIGIBILITY AND SERVICE PRIORITY  
EFFECTIVE: JULY 1, 2006

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I. ELIGIBILITY CRITERIA:

In accordance with the WIA 132 (b)(1)(B)(v)(I); an eligible adult is defined as an individual who at the time of application:

1. Is not less than age 18 and not more than age 72; and
2. Is a United States citizen or eligible non-citizen; and
3. For males born after December 31, 1959, registered for Selective Service, and is
4. A resident of the South Central Workforce Council's Local Workforce Development Area or referred by the Workforce Development Council of residence.

II. ELIGIBILITY PROCESS:

The eligibility process will include:

1. The use of the SKIES Registration Form, Addendum or Application Form to generate all information necessary to determine eligibility and service priority and meet reporting requirements.

2. The maintenance of adequate documentation to ensure the credibility of the eligibility and priority determination, which shall at a minimum consist of:
  - a. A completed SKIES Registration Form, Addendum or Application Form for each applicant.
  - b. Copies of documents used to determine and verify eligibility.
  
3. Verification of the information provided on the SKIES Registration Form, Addendum or Application Form shall be maintained as part of applicant file. The following may be used to verify eligibility:
  - a. Age:
    1. Birth certificate or hospital record of birth;
    2. driver's license or DMV identification;
    3. school records;
    4. baptismal record;
    5. medical coupon or Public Assistance Records; or  
Passport
  - b. Citizenship or eligible non-citizen:
    - 1) social security card;
    - 2) birth certificate;
    - 3) INS Card; or
    - 4) any form of documentation as defined by I-9  
documentation requirements.
  - c. Low income:
    - 1) pay stubs;
    - 2) employer verification;

- 3) Public Assistance Records; or
  - 4) child support records
- d. Selective Service:
- 1) receipt of registration;
  - 2) on-line confirmation; or phone verification.

Signatures and dates of signatures for the applicant, the Contracting Agency's Representative and the Administrative Reviewer on the application attesting to eligibility and prioritization.

## II. BACKGROUND: PRIORITY OF SERVICE

In the event that funds, available under WIA Title I-B Adult Grant, are limited, **first** priority shall be given to recipients of public assistance, other low-income individuals, and **second** priority of service shall be given to veterans and/or spouses of certain veterans for intensive services and training services (see Attachment 1 for WDA Policy on Veterans Priority of Service). The U. S. Department of Labor has determined that WIA funding is limited, therefore, policies directing priority of service to low income and welfare recipients and veterans and spouses of certain veterans, in the area must be developed.

FIRST PRIORITY: Recipients of public assistance and other low income individuals are defined as an individual who:

1. Receives, or is a member of a family that receives, cash payments under a Federal, State, or local income-based public assistance program.
2. Received an income, or is a member of a family that received a total family income for the 6-month period prior to application for the program involved

(exclusive of unemployment compensation, child support payments, payments described in subparagraph A, and old-age and survivors insurance benefits received under section 202 of the Social Security Act (42 U.S.C. 402)) that in relationship to family size, does not exceed the income guidelines outlined in Administrative Bulletin PY06-03-A.

3. Is a member of a household that receives or has been determined within the 6 month period prior to application for the program involved to be eligible to receive food stamps pursuant to the food Stamp Act of 1977 (7 U.S.C. 2011 Et seq.); or
4. Qualifies as a homeless individual, a defined in subsections (a) and (c) of section 103 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11302); or
5. In cases permitted by regulations promulgated by the Secretary of Labor, is an individual with a disability whose own income meets the requirement of a program described in section 1 or 2 above, but who is a member of a family whose income does not meet such requirements.

**SECOND PRIORITY:** The term “veterans priority of service” means that a covered person shall be given priority over non-veterans except for the priority of service established by law for the WIA Adult Program.

The Adult Program is the only WIA IB program to have a priority provision established by law giving priority to public assistance and other low-income persons for intensive and training services.

For example, if there were only sufficient funds to provide services to one individual and one individual is on public assistance and one is a veteran, the individual on public assistance must receive priority. Veterans or other covered persons who are recipients of public assistance and low-income veterans shall be given first priority among this first priority group.

A “covered person” under the Veteran’s Priority of Service is defined as one of the following:

1. A person who served in active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable (WIA definition).
2. A recently separated veteran is any veteran who applies for participation under this title within 48 months after discharge or release from active military, naval, or air service (WIA definition); or
3. The spouse of:
  - A veteran who died of a service-connected disability;
  - A member on active duty who (at time of spouse’s application) is listed as missing in action, captured in the line of duty, or forcibly detained; or
  - A veteran with a total disability from a service connected disability or one who died while being evaluated for it.

**SERVICE LEVEL FOR FIRST AND SECOND PRIORITIES:** At a minimum 50% of the WIA I-B Adults registrations in Yakima, Klickitat and Kittitas Counties will meet the criteria as defined in the first and second Priority of Service.

Priority within this group will be given to those individuals who possess one or more of the following barriers to employment:

1. Basic Skills Deficient
2. School Dropout
3. Offender
4. Individual with a Disability, including a formal record of drug and/or alcohol abuse
5. Homeless
6. Single Parent
7. Limited Work History
8. Under-Employed
9. Lacks Occupational Skills
10. Management Approval

(See Attachment 2 for definitions)

THIRD PRIORITY shall be given to those individuals who are under 175% of the income guidelines.

FOURTH PRIORITY shall be given to those individuals who meet one of the following conditions:

- Their family is not yet self-sufficient, or
- Unemployed or underemployed and are pursuing training in local high demand occupational clusters as approved by the Workforce Council.

SERVICE LEVEL FOR THIRD AND FOURTH PRIORITY: Up to 50% of the WIA I-B Adults in Yakima, Kittitas and Klickitat Counties may be registered if they meet the criteria as defined in the third and fourth priority.

## VI. BACKGROUND: SELF-SUFFICIENCY

There are two categories of adults who are eligible to receive intensive services funded by the WIA Title I-B Adult Program. They are:

1. Adults who are unemployed and unable to obtain employment through core services and who have been determined to be in need of more intensive services in order to obtain employment; or
2. Adults who are employed, meet the priority of service criteria established by the local policy, and are determined to be in need of services to obtain or retain employment that allows for self-sufficiency.

Local Boards must set the criteria for determining whether employment leads to self-sufficiency (663.250).

## VI. POLICY: SELF-SUFFICIENCY

For the South Central WDA, a family of a given composition, living in a given community shall be deemed “self-sufficient” when its earned income is adequate to meet its basic needs without public or private assistance or has earned income greater than the Lower Living Standard Income Level (see PY06-03A Attachment 1). The Self-Sufficiency Calculator will be a tool used in determining self-sufficiency. The Self-Sufficiency Calculator is located at [www.tricountywdc.com](http://www.tricountywdc.com). For purposes of the South Central WDA, determination of “self-sufficiency” may also include mastery of basic skills by the family wage earners.



Attachment 1 Definitions

Attachment 2 WDA Jobs for Veterans Act Priority of Service



**ADMINISTRATIVE POLICY 06**

**TO: ALL INTERESTED PARTIES**

**SUBJECT: VETERANS**

**EFFECTIVE DATE: February 1, 2006**

**Background:**

The Jobs for Veterans Act, enacted into Public Law 107-288 on November 7, 2002 made a number of amendments to encourage Veterans access to services within an integrated one-stop service delivery system. A new section of law established a priority of service requirement applicable to all Department of Labor programs offering employment and training related services. (P.L. 107-288 Section 4215 (b)).

New reporting requirements to account for representation of veterans in programs in proportion to incidence of their representation in the labor market were enacted. The Secretary of Labor was directed to evaluate whether covered persons are receiving priority of services and are being fully served. (P. L. 107-288 Section 4215 (c)).

**Policy:**

Veterans and other covered persons who are determined eligible for WIA services are entitled to priority of service under all WIA Title I funded programs e.g. adult, youth, dislocated workers, 10% funded projects, and National Emergency Grant (NEG). The term “veteran’s priority of service” means that a covered person shall be given priority over non-veterans except for the priority of service established by law for the WIA adult program. The adult program is the only program to have a priority provision established by law giving priority to public assistance and other low-income persons for intensive and training services.

For example, if there were only sufficient funds to provide services to one individual and one individual is on public assistance and one is a veteran, the individual on public assistance must receive priority. For other programs, if there were only sufficient funds to provide services to one individual and a veteran is in the pool, the veteran must receive priority.

Contractors shall provide information to “covered persons” on services available under Department of Labor job training programs. Contractors shall ensure that individuals are informed of their right to priority for employment and training services. This information could

be provided in any number of ways, verbally or in writing, during orientation, assessment, or registration.

Contractors shall collect and enter the required veteran data elements into SKIES when registering veterans into a WIA Title I program.

Representative from WIA funded programs shall meet as needed with the Veteran's programs to review the referral process and ensure coordination of services between the two programs.

**Definitions:**

A "covered person" is one of the following:

A veteran who is an individual who served in the active military, naval, or air service, and who was discharged or released from such service under conditions other than dishonorable (WIA definition);

A recently separated veteran is any veteran who applies for participation under this title within 48 months after the discharge or release from active military, naval, or air service (WIA definition); or

**The Spouse of:**

A veteran who died of a service connected disability,

A member on active duty who (at time of spouse's application) is listed as missing in action, captured in the line of duty, or forcibly detained or

A veteran with a total disability from a service connected disability or one who died while being evaluated for it.

The term "veteran" is defined in WIA Title I Section 101 (49)

The term "covered spouse" is defined in P.L. 107-288 Section 4215 (a)

The term "priority of service" is defined in P.L. 107-288 Section 4215 (3)

**References:**

WIA Adult Administrative Bulletin - Eligibility / Service Priority



ADMINISTRATIVE BULLETIN NO. PY06-10A

TO: ALL WIA ADULT CONTRACTING AGENCIES

SUBJECT: INDIVIDUAL TRAINING ACCOUNT (ITA) POLICY

REFERENCE: WIA TITLE I-B  
Section 122 and 134, 20 CFR: 663.400-663.440 et al.

EFFECTIVE: JULY 1, 2006

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I. BACKGROUND

Under the Workforce Investment Act (WIA), Title I-B training services for adults and dislocated workers will be provided through Individual Training Accounts (ITAs). [*Reference – PL 105-220 Section 134 (d) (4) (G)*]

The Workforce Investment Act (WIA) states that, “Training services...shall be provided in a manner that maximizes customer choice in the selection of an eligible provider of such services.” (Section 134(d)(4)(F) of WIA)

To enable the participant to make a responsible and informed choice about where best to receive training, WIA uses three mechanisms:

- Individual Training Accounts (ITAs)
- A statewide list of eligible training providers
- Consumer information regarding training providers

This policy concerns Individual Training Accounts (ITAs) established on behalf of participants for the provision of training services through training providers using funds from the Workforce Investment Act.

Rather than being dependent upon employment counselors/case managers to prescribe a training regimen, individuals are expected to take an active role in managing their employment future through the use of ITAs. Adult and dislocated workers receiving training under this approach will receive information they need (e.g., skills assessment, labor market conditions and trends, training vendor performance) to make an informed choice about their employment future and the training to support their decision. Contractors are encouraged to use Adult ITA Packet in the process of awarding an ITA. (ITA packet Attachment 2)

## II. GENERAL POLICY

The Workforce Investment Act mandates that all training services (except for limited exceptions identified later in this policy) be provided through the use of Individual Training Accounts (ITAs) and that eligible individuals shall receive ITAs through the one-stop delivery system. (Section 134(G) of WIA) ITAs are funded with adult funds authorized under Title I of WIA. ITAs are not allowed for youth participants (age 14-21). However, individuals age 18 and above, who are eligible for training services under the adult program, may receive ITAs through that program. ITAs pay for training services for skills in demand occupations as defined by the local WDC from training providers on the approved list of eligible training providers. Payments may be made in a variety of ways, including the electronic transfer of funds through financial institutions, vouchers, or other appropriate methods. Payments may also be

made incrementally, through payment of a portion of the costs at different points in the training course.

(20 CFR Part 663.410.)

### III. INDIVIDUAL TRAINING ACCOUNTS (ITA'S)

The ITA is established on behalf of a participant. WIA Title I-B adults purchase training services from eligible providers they select in consultation with an employment counselor/case manager.

Training Services are defined as one or more courses or classes that upon successful completion leads to:

- 1.) a certificate or associate degree; or
- 2.) a competency or skill recognized by employers and WDC; or
- 3.) a training regimen that provides individuals with additional skill or competencies generally recognized by employers and the WDC.

The Department of Labor has determined that adult literacy or basic computer literacy services are not part of the definition of training services under WIA Title I-B. The requirements for Individual Training Accounts do not apply for these services.

### IV. LOCAL POLICIES

Individual Training Accounts or contracts for training services must be necessary to the success of the participant's Individual Employment Plan. **Training services are not entitlements** and shall be provided to participants on the basis of an individualized assessment of the person's job readiness, employment and training needs, financial, social and supportive

needs, labor market demand and potential for successful completion. The participant's Individual Employment Plan shall provide the justification for all services to be given including the appropriate combination of training and other services for the participant to achieve their employment goals.

When awarding an ITA, the registering WDC assumes full (program) financial responsibility (as determined by the IEP) for the registrant, even when training is provided in another WDC jurisdiction and subject to the conditions in the IEP and the availability of WIA funding. The WDC awarding the ITA will be designated as the "area of registration" for anyone in training, thereby identifying the source of future ITA funding for the trainee, regardless of where the training is provided.

The financial responsibility of the registering WDC or "area of registration" extends to supportive services. When the area of registration is different from the area in which the training is provided, support services needs are the responsibility of the registering area. Emergency job or program counseling may be provided in either the area of registration or the area in which the training occurs.

A) Funding ITAs:

The funding level of Individual Training Accounts shall be determined on a **case-by-case** basis and shall be limited to the needs identified in each participant's **Individual Employment Plan** contingent on availability of training resources from WIA.

1. ITA as Supplemental:

When awarding an ITA, consideration must be given to why a trainee may need an ITA beyond what other resources that may be

available such as Pell Grants, scholarships, severance pay, or other resources. A process must be established for documenting how other sources of funding were sought prior to ITA. WIA funds are intended to supplement other sources of training grants.

WIA training funds shall be limited to participants who are unable to obtain grant assistance from other sources to pay for their training or require assistance beyond what is available under grant assistance from other sources. If no financial aid is available, ITAs may pay for all the costs of training.

2. Duration of Training Account:

The duration of Individual Training Accounts shall be determined on a case-by-case basis and shall be identified in each participant's IEP.

3. Satisfactory Progress:

An individual must be making satisfactory progress in training to access all payments of their ITA. Documentation of satisfactory progress will be provided by the educational institution. If the trainee is not making satisfactory progress each quarter, the WDC may either re-negotiate a new ITA or de-obligate ITA funds.

B) ITAs and ETPL:

An ITA can only be issued to training provided by an educational institution that is on the Washington State Eligible Training Provider List (ETPL) posted on the Internet.

<http://www.wa.gov/esd/lmea/etp/12areas.htm>



Participants will have access to the list of eligible providers through the One-Stop system. Participants must be able to select WIA training services by any eligible training provider from any of the local areas on the state list.

**1. Out-of-State/Out-of Area Providers:**

When counseling prospective ITA clients, the point must be forwarded that all training programs must be within a reasonable commute of the South Central WDC area that may include out-of-the-area and out-of-state training institutions. Out-of-the-area training programs that are not within commuting distance to the South Central WDC local area may be approved on a case-by-case basis pending participant demonstrating the ability to incur all extraordinary costs, e.g., living expenses. All approved training must be located within the contiguous United States.

**2. Demand Occupations:**

Consideration must be given to labor market demand in the local area or the area to which the trainee intends to relocate. Training will be limited to skills relevant to demand occupations. Training services may be approved for occupations that the local board has determined to be in sectors of the economy that have a high potential for sustained growth and/or where documentation indicates employment prospects in the local area in addition to those occupations on the demand list.

**a) Prerequisite Training:**

Prerequisite training to a vocational training program may be funded if it is required by the educational institution and ultimately leads to a credential in a demand occupation. Academic training may be approved if it meets specific requirements for certification, licensing, or

specific skills necessary for an occupation within the demand occupations listed. Training which is either a prerequisite or a pre-vocational training may be considered an intensive service.

**b) Disability Waivers:**

On an individual basis, the WDC may waive state or local policy requirements for ITAs for any individual with physical or sensory disabilities or other unusual circumstances and it has been determined that training is necessary for the individual to obtain employment.

**c) Registration Time Limit:**

Once an individual is awarded an ITA, local policy dictates that the participant must register for training on time according to training institution policy. ITAs will not be used for payment of late fees caused by customer error or delay. The customer will be responsible for these fees, as he/she is responsible for other fines or penalties.

**d) Contact with and Reports to Participants:**

Contact with the employment counselor/case manager must occur, at a minimum, at the end of each quarter during the lifetime of the training plan to ensure the individual is making satisfactory progress in training.

The workforce system case manager will provide regular counseling to individuals enrolled in approved training and awarded an ITA. Counseling will include information deemed relevant/pertinent to the participant by the case manager.

**e) Modified IEP/Subsequent ITA:**

An individual may only modify their Individual Employment Plan with approval from the workforce case manager. Second and subsequent ITAs can only be awarded to an individual if approved by the case manager and justification is provided which supports that further training is needed in order for this individual to obtain employment.

**f) Availability of Funds Disclaimer:**

Training resources for participants is contingent upon the availability of funds provided by WIA.

V. PROCEDURE

This system will cover all adult participants in need of training services funded by WIA Title I-B who:

- 1) have met either the WIA Title I-B eligibility requirements for intensive services and have been determined eligible per the State and local adult priority system, if applicable.;
- 2) have received at least one intensive service, including, but not limited to, development of an IEP training plan with an employment counselor/case manager which includes a determination of the need for training, employment goals, appropriate achievement objectives and combination of services, and identification of support services needs and available resources; and
- 3) been determined unable to obtain or retain employment through core and intensive services alone; and
- 4) have the skills and qualifications to successfully complete the selected training program.

To be awarded an ITA, a customer must develop an Individual Employment Plan that provides a rationale for their career-training choices as well as support services necessary to attain their goals. The Individual Employment Plan must include the following information:

- Whether suitable employment is available in the local labor market or the area to which the trainee intends to relocate;
- The financial resources the trainee intends to use to fund the complete training plan;
- Whether the trainee has the qualifications and aptitudes to successfully complete the training;
- Whether the training relates to a high demand occupation, meaning that the number of job openings in the labor market for the occupation or skill set exceeds the supply of the qualified workers;
- Whether the training is likely to enhance the trainee's marketable skills and earning power, based on an assessment of what the trainee's employment prospects would be if training were not funded.

In order to ensure the individual fully utilizes their ITA, they must attend an orientation session offered by the contractor (case manager) to understand how the local system operates, what their responsibility is, and what choices are available to them.

An individual must be registered in approved training within 90 days of designation of the ITA award. An individual would be considered registered in training if they are:

- (1) Pre-registered for classes or on waiting list of an approved training provider; and
- (2) Have a starting date of training; and
- (3) The starting date is not more than one quarter or term away.

## VI. EXCEPTIONS

The South Central Workforce Council reserves the right to implement authorized exceptions to the use of Individual Training Accounts in accordance with WIA Section 134 and WIA 20-CFR 663-430.

Contracts for training services may be used under the following conditions:

- 1.) When the training services provided are for on-the-job training or customized training.
- 2.) The Local Council recognizes that there are a limited number of training providers in the region and the local workforce system may, therefore, make use of other qualified training providers in order to maximize customers' choices of training options.
- 3.) The Local Board recognizes there are training service programs of demonstrated effectiveness offered in the area by community-based organizations (CBO) or other private organizations to serve special participant populations that face multiple barriers to employment, as described in paragraph (4) in this section. The Local Board's criteria for determining demonstrated effectiveness, particularly as it applies to the special participant population to be served, may include:

- a. Financial stability of the organization;
- b. Demonstrated performance in measures appropriate to the program including program completion rate; attainment of the skills, certificates or degrees the program is designed to provide; placement after training in unsubsidized employment; and retention in employment; and
- c. How the specific program relates to the workforce investment needs identified in the local plan.

4.) Under paragraph (3) of this section, special participant populations that face multiple barriers to employment are populations of low-income individuals that are included in one or more of the following categories:

- a. Individuals with substantial language or cultural barriers;
- b. Offenders;
- c. Homeless individuals; and
- d. Other hard-to-serve populations defined by the Governor.

#### Attachments

1. ITA State Policy
2. Adult ITA Packet