



MONTEREY COUNTY ECONOMIC DEVELOPMENT

ERIK CUSHMAN, WIB CHAIR

Monterey County Workforce Investment Board (WIB)
 Marina Library, 190 Seaside Avenue, Marina, CA
Wednesday, June 5, 2013
7:30-9:30 am

Erik Cushman,
WIB & Executive
Chair

Anthony Aniello
WIB 1st Vice Chair

Mary Ann Leffel
WIB 2nd Vice Chair

WIB Members:

Wendy Brickman
 Diana Carrillo
 Wendy Crawford
 Al Davis
 Rick Deraiche
 Jay Donato
 David Dwyer
 Scott Grover
 Hunter Harvath
 Neal Heckman
 Cesar Lara
 Dr. Willard Lewallen
 Steve MacArthur
 Salvador Muñoz
 Dave Potter
 Judith Profeta
 Elliott Robinson
 Ralph Rubio
 Ken Scherpinski
 Kimberly Schnader
 Larry Silva
 Teresa Sullivan
 Dr. Walter Tribley
 Brian Turlington
 Mark Verbonich
 Andrea Zeller-Nield

Monterey County
Workforce Investment
Board (WIB)

Joyce Aldrich,
WIB Executive Director

730 La Guardia Street
 Salinas, CA 93905
 (831) 759-6644
www.montereycountywib.org

AGENDA

CALL TO ORDER/INTRODUCTIONS:	Erik Cushman, <i>Chair</i>
CHANGES TO AGENDA:	
PUBLIC COMMENT: Testimonials	
SUBCOMMITTEE CHAIR REPORTS:	
<ul style="list-style-type: none"> ▪ OVERSIGHT COMMITTEE: Mary Ann Leffel ▪ BUSINESS SERVICES COMMITTEE: Tony Aniello ▪ YOUTH COUNCIL: Diana Carrillo 	
CONSENT CALENDAR:	Erik Cushman
1. Approve the February 6, 2013 minutes.	
2. Concur with the May 15, 2013 Executive Committee action to approve the LWIA budget for PY 2013-14.	
DISCUSSION/REVIEW OF BUSINESS CALENDAR <u>ACTION</u> ITEMS:	
1. Consider and recommend approval of the Procurement Policy.	Joyce Aldrich
2. Consider and recommend the Youth subcontracts effective October 1, 2013 through June 30, 2014 to be forwarded to the Board of Supervisors for final approval.	Joyce Aldrich
3. Consider and recommend the Adult subcontracts effective October 1, 2013 through June 30, 2014 to be forwarded to the Board of Supervisors for final approval.	Joyce Aldrich
4. Accept the resignation of Judith Profeta from the Workforce Investment Board and Oversight Committee, representing Business, to be forwarded to the Board of Supervisors for approval.	Erik Cushman
5. Update on WIB Membership and Composition and Welcome Dr. Walter Tribley and Mr. Jay Donato.	Erik Cushman
6. Recommend and approve the Chief Local Elected Official Agreement with the Economic Development Department and Workforce Investment Board and submit to the Board of Supervisors (CLEO) for final approval.	Joyce Aldrich
7. Workshop for the Strategic Local Plan for Monterey County for PY 2013-17.	Joyce Aldrich
ANNOUNCEMENTS OF EVENTS:	Erik Cushman
SUBCOMMITTEE MEETINGS:	WIB MEETINGS:
Oversight: 06/13/13 – Shoreline, Marina	August 7, 2013 – Marina Library
Business Services: 06/18/13 – Marina Library	
Executive: 06/19/13 – Shoreline, Marina	
Youth: 07/09/13 – Shoreline, Marina	
ADJOURNMENT:	Erik Cushman
To request information, please contact the Monterey County Workforce Investment Board staff at (831) 796-6434 or visit our website at www.montereycountywib.org .	

ADOPTED
Monterey County Workforce Investment Board
Meeting Minutes
Marina Library, 190 Seaside Avenue, Marina, CA
Wednesday, February 6, 2013

Members Present: Anthony Aniello, Wendy Brickman, Diana Carrillo, Erik Cushman (Chair), Rick Deraiche, David Dwyer, Neal Heckman, Cesar Lara, Mary Ann Leffel, Willard Clark Lewallen, Steve MacArthur, Dave Potter, Judith Profeta, Ken Scherpinski, Kimberly Schnader, Teresa Sullivan and Andrea Zeller-Nield

Members Absent: Wendy Crawford, Al Davis, Scott Grover, Hunter Harvath, Salvador Munoz, Elliott Robinson, Ralph Rubio, Larry Silva, Brian Turlington and Mark Verbonich

Staff Present: Joyce Aldrich, Marleen Esquerra, Flor Galvan and Stephanie Shonley

Others Present: Loyanne Flinn, Timothy Jones and Kay Reimann

Call to Order/Introductions: Mr. Cushman called the meeting to order at 7:39am and asked for introductions. A quorum was established.

Changes to Agenda: None

Public Comment: None

Consent Calendar:

1. **Approve the December 5, 2012 minutes.**
2. **Concur with the January 8, 2013 Youth Council action to accept the resignation of Robert Chamberlain, representing Business, from the Workforce Investment Board, effective upon approval.**
3. **Concur with the January 8, 2013 Youth Council action to accept the resignation of Patricia Carter, representing Eligible Youth Parent, from the Workforce Investment Board Youth Council, effective upon approval.**
4. **Concur with the January 8, 2013 Youth Council action to extend current Workforce Investment Act Title I Youth program subcontracts for Program Year (PY) 2013-14, given funding availability.**
5. **Accept the resignation of Douglas Garrison from the Workforce Investment Board, representing Education, effective upon approval.**

Motion: Ms. Leffel motioned to accept the Consent Calendar as presented.

Second: Mr. Lara

Motion Passed Unanimously

Discussion or Review of Business Calendar ACTION Items:

1. **Receive and file the final State of California Employment Development Department's audit report of the Monterey County Department of Social and employment Services (DSES) management of the California Gang Reduction, Intervention, and Prevention Programs.** Ms. Aldrich reported on the final monitoring report from the State EDD, which indicates their initial findings were found valid regarding DSES not meeting the State and Federal eligibility requirements for a number of applicants. Additionally, she reported that the WIB did not comply with WIA and local conflict of interest provisions; therefore County Counsel Kay Reimann gave a presentation to the WIB members on their responsibility to recuse themselves if a discussion is taking place that can potentially be perceived as a conflict of interest. Ms. Reimann also presented information on

the Brown Act requirements. The State also requested that the WIB minutes be more thorough to reflect the meeting discussions.

Motion: Mr. Potter motioned to receive and file the final State's audit report as stated.

Second: Ms. Leffel

Motion Passed Unanimously

2. **Receive and file the final State of California Employment Development Department's Workforce Investment Act 85-Percent Program Review Monitoring Report for PY 2011-12.** Ms. Aldrich reported that during the monitoring of the program, the auditor mentioned several observations that were resolved by WIB staff prior to the completion of the final report. Ms. Aldrich reported that one finding was regarding unsigned copies in the participant files on a number of Grievance and Complaint procedure forms. Ms. Aldrich stated that a WIB policy is already in place regarding the procedure and the finding will remain open until the next monitoring by EDD.

Motion: Ms. Zeller-Nield motioned to receive and file final State's monitoring report as stated.

Second: Ms. Leffel

Motion Passed Unanimously
3. **Review the State's final local area performance outcomes for Monterey County for participants served in PY 2011-12.** Ms. Aldrich stated that the Department of Labor sets standard performance measures each year and that all LWIAs are mandated to achieve a success rate of 80% or higher on at least eight of the nine performance measures. She stated that for PY 2011-12, the WIB surpassed the 80% success rate on all nine performance measures and exceeded 100% on four of the performance measures. She stated that for the 1st and 2nd quarter of the current program year the WIB is meeting and/or exceeding in all performance measures for the Adult, Dislocated Worker and Youth Programs. Ms. Leffel stated she would like to challenge the Business Services Committee to challenge staff to locate new business that pay a higher wage and require a higher level of skill than what we typically continue to process. Ms. Leffel stated the WIB needs to look at the construction trades and middle management jobs. She also stated that the WIB needs to work with our education partners to get training if there are gaps. Ms. Sullivan stated that if the WIB is really going to be a viable part of the Economic Development Department and appeal to employers, the location of the One-Stop needs to be reconsidered. The location does not allow for visibility to employers and participants alike. Mr. Cushman replied that the location is being discussed and he would like it added to the agenda for the Strategic Planning Retreat.
4. **Update on Rapid Response activities.** Ms. Aldrich reported that the WIB recently received information that Fresh Express has an additional 13 employees being laid off. She also reported that staff continues to work with laid off Capital One associates and that Capital One recently provided an additional 150 associates with layoff notices effective April 5th. She also stated that Capital One is planning to release 50 associates in March; 150 associates in April and their last round of layoff notices will occur in July. Ms. Aldrich stated that due to the expansion of the layoffs, she has requested the State extend the grant period beyond June 30th. She also stated that General Vineyards Services laid off 86 employees in June; Hostess Brands laid off 16 employees in November; and La Hacienda Farms has laid off 70 employees in November. She stated the Rapid Response team consists of staff from the WIB, OET, EDD, SBDC and Shoreline. Ms. Leffel asked staff to provide the Board with how many individuals are working with the different Rapid Response team organizations. Ms. Zeller-Nield asked that staff provide the Board with the total amount of Capital One associates attending training and the type of training. Ms. Carrillo reported that the Center for Employment Training contacted all the General Vineyard and La Hacienda Farm employees. She stated that the majority of the employees were absorbed by other employers; however four employees were recruited into training. Mr. Cushman advised the Board that Language Line has been recruiting employees. Mr. Heckman reported that the Central Coast Alliance for Health in Santa Cruz will be hiring 275 employees.

- 5. Discussion on WIB Annual Strategic Planning Retreat 2013.** Ms. Aldrich reported that the State has released a new California Strategic Workforce Development Plan that all Local Workforce Investment Areas (LWIA) must adhere to and implement. She stated that regional representatives of LWIAs and representatives from EDD will meet with the State to clearly learn and understand the direction and alignment the State would like LWIAs to take. Ms. Aldrich also reported that the State would like the LWIA's local plan to align with the State strategic plan with a strong emphasis on business and regional collaboration. She stated the WIB's Strategic Planning Retreat is currently scheduled for March 6, 2013 and WIB staff is currently looking at possible venues including Rancho Cielo. Dr. Lewallen stated that if an issue arises with a venue, Hartnell College would be more than willing to host the retreat.

Director's Report: Ms. Aldrich reported that the Business Services Committee is scheduled to meet on February 12, 2013. She also reported that Mr. David Spaur was hired as the new Economic Development Director and will begin on February 12, 2013. She reported that the WIB was awarded a \$50,000 Employer Training Panel grant for incumbent worker training. She thanked Ms. Zeller-Nield (SBDC) and their collaboration on the grant application.

Subcommittee Report:

Oversight: Ms. Leffel stated that the December Oversight Committee meeting was highly spirited and that the meeting in February was enlightening. She stated that the Committee is attempting to repair the broken system. She also stated that the Committee continually receives overdue reports and the reporting appears questionable. She stated that as a Committee they will focus on procedures for the subcontractors and continue to monitor the budget. She applauded Ms. Aldrich for the changes that have been occurring and her effort on reconciling the budget. Ms. Sullivan reported that the subcontractors reporting have improved; however OET's reporting continues to be an issue.

Youth Council: Ms. Carrillo stated that she has the same opinion of Ms. Leffel concerning subcontractor reporting and the Youth Council's difficulty with making the proper decisions with information being out dated or incorrect. She also stated that a report will be brought before the Council in regards to the CWA conference that was held in January 2013 which she will share at the next WIB meeting.

Announcement of Events: Ms. Zeller-Nield stated that the SBDCs move to Salinas has been delayed; however they plan to move into their new facility in March 2013. She also stated that she and her business advisor have been certified by the Kaufmann Foundation to teach both growth and tech venture courses.

Ms. Leffel stated the Annual Higher Education and Research Breakfast is scheduled for February 22, 2013 at the Monterey Marriott in the Ferrante Room. The MCBC hosts a yearly Creative Tech Social which is scheduled for March 2, 2013 at Hartnell College from 1:00-4:00pm. She stated it will focus on IT and innovation. She also reported that MCBC will be hosting a GSA Contracting class on February 27, 2013 at Soper Field in Seaside. She also reported that the MCBC was awarded a Regional Critical Conversation contract with the California Strategies Network, California Forward and Collaborative Economics. She stated a Regional Conversation is currently scheduled for May 30, 2013.

Mr. Lara stated that the Labor Council hosted a round table where three different organizations attended. A follow-up is scheduled for February 13, 2013 at 5:30pm at his office.

Ms. Brickman stated that every second Wednesday of the month the Monterey Peninsula Chamber of Commerce hosts a brown bag seminar from 12:30-1:30 at the Monterey County Fairgrounds.

Dr. Lewallen stated the Monterey Chamber will host their annual awards dinner on March 9, 2013 at the Hyatt. He also stated that Hartnell College will be hosting a Piano & Organ Concert on February 20, 2013 at 7:00pm and CoAmerica Bank will be providing an economic outlook on the same day at Hartnell for a \$15.00.

Mr. Cushman stated Cal State Monterey Bay's Business Plan Competition is hosting workshops for business plan writing and idea development. They are accepting applications that are due by the end of February 2013.

Ms. Aldrich recognized WIB staff for their great support. She also stated that Management Analyst I, Stephanie Shonley, has accepted a job with the Health Department and will begin on February 11, 2013.

Adjournment: Mr. Cushman moved to adjourn the meeting at 9:02am.

Second: Ms. Carrillo

Motion Passed Unanimously

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: CONCUR WITH THE MAY 15, 2013 EXECUTIVE COMMITTEE ACTION TO APPROVE THE LWIA BUDGET FOR PY 2013-14

DATE: JUNE 5, 2013

RECOMMENDATION:

It is recommended that the Workforce Investment Board concur with the May 15, 2013 Executive Committee action to approve the Local Workforce Investment Act (LWIA) Budget for PY 2013-14.

BACKGROUND:

In light of the Department of Labor's mandatory reductions impacting all Workforce Investment Act (WIA) Title I funding levels effective Program Year 2013-14, the LWIA budget is based on the anticipated significant reductions as well as a 5% reserve due to the possibility of further Sequestration reductions after October 1, 2013.

On May 8, 2013, the State of California released an Information Notice (WSIN12-57) on the WIA formula allocations for Program Year 2013-14. This year, unlike other years, our first quarter (July 1 - Oct 2013) allocation for the Adult formula funding stream has been drastically reduced in order to cover the Sequestration reductions in the last quarter of the current federal fiscal year (Oct 1, 2012 - Sep 30, 2013). As indicated on the attached Information Notice, Monterey County will receive \$37,438 for the first quarter. This represents a 65% reduction over prior years' initial quarter allocations.

The Department of Labor and the State have asked that local areas be conservative in planning for the 2013-14 program year. It is unknown at this time whether an additional 5% sequestration reduction will be implemented after October 1, 2013. Therefore WIB staff request an additional 5% reserve for each formula allocation beginning program year 2013-14.

Overall, the Youth formula allocation is reduced by almost 12% from last year; the Adult formula allocation is reduced by more than 12% from last year (after the first quarter reductions); and the Dislocated Worker formula allocation received a slight increase from last year (3%).

The WIA Title I Budget for PY 2013-14 will be presented at the full WIB.

ATTACHMENT:

- EDD Information Notice: WIA FORMULA ALLOCATIONS—PY 2013-14 (WSIN 12-57)
- Reference 2013-14 LWIA Budget Report handout at the meeting.

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: WIA FORMULA ALLOCATIONS—PY 2013-14

The purpose of this Information Notice is to announce the release of Workforce Investment Act (WIA) formula fund allocations for each Local Workforce Investment Area (local areas) for the Adult, Youth, and Dislocated Worker (DW) funding streams for Program Year (PY) 2013-14. These allocations are based on the allotments issued by the U.S. Department of Labor (DOL) to the states (refer to DOL Training and Employment Guidance Letter [TEGL] 25-12 dated May 1, 2013). As described in the TEGL, both sequestration and 0.2 percent rescission reductions were applied to the PY 2013-14 Youth allotment, which began April 1, 2013, and to the “base” allotment for Adult and Dislocated Worker programs, which will begin July 1, 2013. All local areas should review their allocations with the first-quarter reductions in mind and take all possible steps to ensure they have sufficient operating funds available to start the new PY 2013-14.

Please note that this notice is being issued for planning and budgeting purposes only because the state has not yet received the federal notice of obligations (NOO’s) for any of the funding streams. Once the NOO’s have been received, Youth allocations will be released to local areas immediately. The Adult and Dislocated Worker allocations will be released as soon as we receive federal and state spending authority for these funds.

As in previous years, the allocations for the Adult and Youth funding streams were calculated using the “hold-harmless” factor. Additionally, as approved by the California Workforce Investment Board on November 30, 2006, the DW funding now contains a “hold-harmless” factor. This hold-harmless provision for DW helps mitigate the year-to-year volatility by ensuring each local area receives no less than 90 percent of their average percentage share from the prior two years. The local areas that receive more than 100 percent of their average percentage share from the prior two years were proportionately reduced by an amount to total funding necessary for those local areas that were below the 90 percent threshold.

Additionally, the DW allocation formula contains the following four factors and their weights:

- Long-Term Unemployment Insurance (UI) claims—weighted at 40 percent
- Mid-Term UI Claims—weighted at 30 percent
- Short-Term UI Claims—weighted at 10 percent
- Long-Term Civilian Unemployment—weighted at 20 percent

The allotments to California and the amounts available for formula allocation to the local areas are listed below. Attachment 1 reflects the total amount local areas will receive for each of the funding streams during the PY 2013-14. Additionally, Attachment 2 provides a breakdown of how each of the three funding streams is allocated between formula and Governor's Discretionary amounts.

<u>PY 2013-14</u>	<u>Total Allotment</u>	<u>Amount Available for Formula Allocation</u>
Adult Program (Title I)	\$113,293,307	\$ 107,628,642
Youth Program (Title I)	\$118,211,133	\$112,300,577
Dislocated Worker Program (Title I)	\$162,982,853	\$114,087,998

Youth allotments to the states will be issued in one sum with an April 1, 2013, effective date under grant code 301.

If you have any questions about this notice, please contact Viviana Neet at Viviana.Neet@edd.ca.gov or by phone (916) 653-9150.

/S/ MICHAEL EVASHENK, Chief
Workforce Services Division

Attachments

Consent Calendar Item #2a

Local Areas	Youth	Adult Rd. 1 (Base)	Adult Rd. 2 (Advance)	Adult - Total	Dislocated Worker Rd. 1 (Base)	Dislocated Worker Rd. 2 (Advance)	Dislocated Worker - Total	Grand Total
Alameda	\$ 2,131,532	\$ 50,902	\$ 1,960,764	\$ 2,011,666	\$ 297,772	\$ 2,646,717	\$ 2,944,489	\$ 7,087,687
Anaheim	\$ 982,546	\$ 24,033	\$ 925,765	\$ 949,798	\$ 88,770	\$ 789,025	\$ 877,795	\$ 2,810,139
Contra Costa	\$ 1,948,519	\$ 48,661	\$ 1,874,413	\$ 1,923,074	\$ 257,383	\$ 2,287,722	\$ 2,545,105	\$ 6,416,698
Foothill	\$ 613,513	\$ 16,182	\$ 623,322	\$ 639,504	\$ 66,342	\$ 589,671	\$ 656,013	\$ 1,909,030
Fresno	\$ 4,286,130	\$ 100,190	\$ 3,859,324	\$ 3,959,514	\$ 446,981	\$ 3,972,941	\$ 4,419,922	\$ 12,665,566
Golden Sierra	\$ 1,216,899	\$ 30,198	\$ 1,163,227	\$ 1,193,425	\$ 161,489	\$ 1,435,381	\$ 1,596,870	\$ 4,007,194
Humboldt	\$ 431,560	\$ 9,667	\$ 372,365	\$ 382,032	\$ 37,851	\$ 336,431	\$ 374,282	\$ 1,187,874
Imperial	\$ 1,472,389	\$ 35,660	\$ 1,373,618	\$ 1,409,278	\$ 169,735	\$ 1,508,670	\$ 1,678,405	\$ 4,560,072
Kern/Inyo/Mono	\$ 3,454,757	\$ 84,490	\$ 3,254,557	\$ 3,339,047	\$ 348,785	\$ 3,100,142	\$ 3,448,927	\$ 10,242,731
Kings	\$ 594,938	\$ 16,821	\$ 647,952	\$ 664,773	\$ 60,135	\$ 534,506	\$ 594,641	\$ 1,854,352
Los Angeles City	\$ 14,646,569	\$ 360,742	\$ 13,895,856	\$ 14,256,598	\$ 1,117,645	\$ 9,934,069	\$ 11,051,714	\$ 39,954,881
Los Angeles County	\$ 11,617,916	\$ 282,828	\$ 10,894,604	\$ 11,177,432	\$ 1,029,167	\$ 9,147,642	\$ 10,176,809	\$ 32,972,157
City of Long Beach	\$ 2,084,444	\$ 49,164	\$ 1,893,818	\$ 1,942,982	\$ 173,876	\$ 1,545,481	\$ 1,719,357	\$ 5,746,783
Madera	\$ 589,605	\$ 15,420	\$ 593,967	\$ 609,387	\$ 60,842	\$ 540,785	\$ 601,627	\$ 1,800,619
Marin	\$ 374,755	\$ 11,084	\$ 426,971	\$ 438,055	\$ 48,642	\$ 432,353	\$ 480,995	\$ 1,293,805
Mendocino	\$ 248,841	\$ 6,381	\$ 245,801	\$ 252,182	\$ 26,336	\$ 234,087	\$ 260,423	\$ 761,446
Merced	\$ 1,203,175	\$ 28,306	\$ 1,090,335	\$ 1,118,641	\$ 127,466	\$ 1,132,966	\$ 1,260,432	\$ 3,582,248
Mother Lode	\$ 452,345	\$ 13,126	\$ 505,624	\$ 518,750	\$ 57,136	\$ 507,846	\$ 564,982	\$ 1,536,077
Monterey	\$ 1,532,119	\$ 37,438	\$ 1,442,133	\$ 1,479,571	\$ 203,687	\$ 1,810,455	\$ 2,014,142	\$ 5,025,832
Napa - Lake	\$ 544,368	\$ 14,237	\$ 548,410	\$ 562,647	\$ 64,661	\$ 574,731	\$ 639,392	\$ 1,746,407
North Cities County	\$ 1,007,211	\$ 24,368	\$ 938,666	\$ 963,034	\$ 113,525	\$ 1,009,056	\$ 1,122,581	\$ 3,092,826
NorTEC	\$ 2,512,201	\$ 61,281	\$ 2,360,534	\$ 2,421,815	\$ 267,582	\$ 2,378,376	\$ 2,645,958	\$ 7,579,974
Nova	\$ 842,173	\$ 21,367	\$ 823,041	\$ 844,408	\$ 115,183	\$ 1,023,791	\$ 1,138,974	\$ 2,825,555
Oakland	\$ 1,643,262	\$ 41,024	\$ 1,580,246	\$ 1,621,270	\$ 135,559	\$ 1,204,905	\$ 1,340,464	\$ 4,604,996
Orange	\$ 4,245,797	\$ 100,249	\$ 3,861,601	\$ 3,961,850	\$ 539,299	\$ 4,793,505	\$ 5,332,804	\$ 13,540,451
Richmond	\$ 425,474	\$ 11,280	\$ 434,512	\$ 445,792	\$ 34,563	\$ 307,208	\$ 341,771	\$ 1,213,037
Riverside	\$ 6,650,355	\$ 162,905	\$ 6,275,136	\$ 6,438,041	\$ 708,896	\$ 6,300,950	\$ 7,009,846	\$ 20,098,242
Sacramento	\$ 4,161,437	\$ 101,023	\$ 3,891,413	\$ 3,992,436	\$ 456,307	\$ 4,055,837	\$ 4,512,144	\$ 12,666,017
Santa Ana	\$ 1,231,373	\$ 29,886	\$ 1,151,211	\$ 1,181,097	\$ 81,642	\$ 725,668	\$ 807,310	\$ 3,219,780
Santa Barbara	\$ 1,310,386	\$ 23,994	\$ 924,236	\$ 948,230	\$ 104,550	\$ 929,278	\$ 1,033,828	\$ 3,292,444
San Benito	\$ 203,205	\$ 4,867	\$ 187,480	\$ 192,347	\$ 27,283	\$ 242,500	\$ 269,783	\$ 665,335
San Bernadino City	\$ 979,671	\$ 23,247	\$ 895,481	\$ 918,728	\$ 67,746	\$ 602,157	\$ 669,903	\$ 2,568,302
San Bernadino Coty	\$ 5,331,530	\$ 129,046	\$ 4,970,867	\$ 5,099,913	\$ 549,000	\$ 4,879,728	\$ 5,428,728	\$ 15,860,171
Southbay	\$ 1,489,097	\$ 38,596	\$ 1,486,741	\$ 1,525,337	\$ 147,969	\$ 1,315,208	\$ 1,463,177	\$ 4,477,611
Santa Cruz	\$ 964,578	\$ 21,277	\$ 819,575	\$ 840,852	\$ 109,969	\$ 977,444	\$ 1,087,413	\$ 2,892,843
San Diego	\$ 8,262,254	\$ 193,081	\$ 7,437,484	\$ 7,630,565	\$ 870,145	\$ 7,734,192	\$ 8,604,337	\$ 24,497,156
Southeast Los Angeles	\$ 1,111,414	\$ 26,840	\$ 1,033,868	\$ 1,060,708	\$ 121,745	\$ 1,082,114	\$ 1,203,859	\$ 3,375,981
San Francisco	\$ 1,674,103	\$ 46,712	\$ 1,799,361	\$ 1,846,073	\$ 223,888	\$ 1,990,007	\$ 2,213,895	\$ 5,734,071
San Joaquin County	\$ 2,717,612	\$ 64,129	\$ 2,470,240	\$ 2,534,369	\$ 302,550	\$ 2,689,189	\$ 2,991,739	\$ 8,243,720
San Jose Silicon Valley	\$ 3,039,530	\$ 72,835	\$ 2,805,619	\$ 2,878,454	\$ 339,788	\$ 3,020,169	\$ 3,359,957	\$ 9,277,941
San Luis Obispo	\$ 803,371	\$ 15,860	\$ 610,918	\$ 626,778	\$ 64,717	\$ 575,226	\$ 639,943	\$ 2,070,092
San Mateo City	\$ 1,152,739	\$ 30,188	\$ 1,162,836	\$ 1,193,024	\$ 157,818	\$ 1,402,749	\$ 1,560,567	\$ 3,906,330
Solano	\$ 1,078,469	\$ 29,909	\$ 1,152,107	\$ 1,182,016	\$ 142,490	\$ 1,266,510	\$ 1,409,000	\$ 3,669,485
Sonoma	\$ 1,191,812	\$ 28,568	\$ 1,100,445	\$ 1,129,013	\$ 138,297	\$ 1,229,238	\$ 1,367,535	\$ 3,688,360
Stanislaus	\$ 2,086,916	\$ 50,957	\$ 1,962,876	\$ 2,013,833	\$ 241,125	\$ 2,143,219	\$ 2,384,344	\$ 6,485,093
Tulare	\$ 2,163,828	\$ 50,769	\$ 1,955,609	\$ 2,006,378	\$ 227,693	\$ 2,023,822	\$ 2,251,515	\$ 6,421,721
Verdugo	\$ 767,232	\$ 21,015	\$ 809,512	\$ 830,527	\$ 88,699	\$ 788,396	\$ 877,095	\$ 2,474,854
Ventura	\$ 2,054,472	\$ 47,880	\$ 1,844,328	\$ 1,892,208	\$ 248,249	\$ 2,206,534	\$ 2,454,783	\$ 6,401,463
Yolo	\$ 772,155	\$ 14,706	\$ 566,484	\$ 581,190	\$ 66,585	\$ 591,838	\$ 658,423	\$ 2,011,768
	\$ 112,300,577	\$ 2,723,389	\$ 104,905,253	\$ 107,628,642	\$ 11,537,563	\$ 102,550,435	\$ 114,087,998	\$ 334,017,217

Funding Stream	Round 1 (Base)	Share	Round 2 (Advanced)	Share	Total
Youth Total	\$ 118,211,133		\$ -		\$ 118,211,133
Formula	\$ 112,300,577	95%	\$ -		\$ 112,300,577
Governor's Discretionary	\$ 5,910,556	5%	\$ -		\$ 5,910,556
Adult Total	\$ 2,866,725		\$ 110,426,582		\$ 113,293,307
Formula	\$ 2,723,389	95%	\$ 104,905,253	95%	\$ 107,628,642
Governor's Discretionary	\$ 143,336	5%	\$ 5,521,329	5%	\$ 5,664,665
Dislocated Worker Total	\$ 16,482,232		\$ 146,500,621		\$ 162,982,853
Formula	\$ 11,537,563	70%	\$ 102,550,435	70%	\$ 114,087,998
Rapid Response	\$ 4,120,558	25%	\$ 36,625,155	25%	\$ 40,745,713
Governor's Discretionary	\$ 824,111	5%	\$ 7,325,031	5%	\$ 8,149,142
Total WIA Funds	\$ 137,560,090		\$ 256,927,203		\$ 394,487,293
Formula	\$ 126,561,529		\$ 207,455,688		\$ 334,017,217
Rapid Response	\$ 4,120,558		\$ 36,625,155		\$ 40,745,713
Governor's Discretionary	\$ 6,878,003		\$ 12,846,360		\$ 19,724,363

*Program Year 2013-14 WIA allotments based on TEGL 25-12, dated May 1, 2013.

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD
FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD
SUBJECT: CONSIDER AND RECOMMEND APPROVAL OF THE PROCUREMENT POLICY
DATE: JUNE 5, 2013

RECOMMENDATION:

It is recommended that the Workforce Investment Board approve WIB Policy #2013-01 entitled "Procurement Standards".

INFORMATION:

The purpose of this policy is to provide guidance and procedures to be used by local recipients of WIA funds regarding the purchase and procurement of goods and services.

It is the policy of the Workforce Investment Board, to centralize the purchasing of goods and services under the administration of the Monterey County's Contracting and Purchasing Division and to establish minimum State and Federal requirements for procurements and contracting conducted under the WIA.

The purpose of the WIA procurement process is to provide for fair and equal treatment of all persons and organizations involved in a procurement, to maximize the purchasing power or value of WIA funds, and to provide safeguards to ensure the integrity of all WIA procurements through the maintenance of a quality procurement system.

ATTACHMENTS:

Business Action Item #1a: WIB Policy 2013-01 Procurement Standards

<< DRAFT >>

Monterey County Workforce Investment Board (WIB)
LOCAL POLICY BULLETIN #2013-01



Proposed Effective Date: June 5, 2013
Supersedes: OET Procurement Office Procedures and Guidelines
Full WIB Adopted: June 5, 2012 - Pending

TO: All County of Monterey Providers of Workforce Investment Act (WIA) Services

SUBJECT: Procurement Standards

PURPOSE: The purpose of this policy is to provide guidance and procedures to be used by local recipients of WIA funds regarding the purchase and procurement of goods and services.

REFERENCES: Title 20 Code of Federal Regulations (CFR), WIA Final Rule, Section 667.200

- Title 29 CFR Part 97, Sections 97.32, 97.33, 97.36 and 97.42
- Title 29 CFR Part 95, Sections 95.34, 95.35, 95.40 through 95.48 and 95.53
- Title 41 CFR Part 02-85, Section 102-85.35
- Office of Federal Procurement Policy, 41 USC Chapter 7, Section 403 (Definitions)
- Office of Management and Budget (OMB) Circular A-21, Cost Principles for Educational Institutions
- OMB Circular A-87, Cost Principles for State, Local and Indian Tribal Governments
- OMB Circular A-122, Cost Principles for Non-Profit Organizations
- Department of Labor (DOL) One-Stop Comprehensive Financial Mgmt Technical Assistance Guide
- DOL Training and Employment Guidance Letter (TEGL) 7-04, Issues Related to Real Property Used for Employment and Training Administration (ETA) Program Purposes
- DOL TEGL 31-04, Payment of Royalties on Intellectual Property Created with Federal Grant Funds
- WIA Directive WIAD03-10, Subject: Allowable Costs
- California's Strategic Two-Year Plan for Title I of the WIA of 1998, and the Wagner- Peysner Act
- California State Contracting Manual, Subject: Chapter 5: Competitive Bidding Methods
- WIA Directive WSD12-10, Subject: Procurement

POLICY: It is the policy of the Monterey County Workforce Investment Board, to centralize the purchasing of goods and services under the administration of the Monterey County's Contracting and Purchasing Division and to establish minimum State and Federal requirements for procurements and contracting conducted under the WIA.

The purpose of the WIA procurement process is to provide for fair and equal treatment of all persons and organizations involved in a procurement, to maximize the purchasing power or value of WIA funds, and to provide safeguards to ensure the integrity of all WIA procurements through the maintenance of a quality procurement system.

ATTACHMENTS:

1. Sole Source and Brand Justification
2. Request for Purchases (RTP) Form
3. General Assurances and Certifications
4. Other Terms and Conditions

INQUIRIES: For questions or assistance related to this policy, please contact the Monterey County Workforce Investment Board (MCWIB) staff at (831) 796-6434.

This policy will be posted to the MCWIB website located at: www.montereycountywib.org/policies/

I. GENERAL REQUIREMENTS

Procurement activities will be conducted on an ongoing basis, with the County having the discretion to initiate and conduct procurements at any time during the program year.

Contracts are generally written for one year and may be extended up to two (2) additional one-year periods subject to the availability of Workforce Investment Act (WIA) funds, the contractor(s) performance during the first year of operation, and all subsequent years of performance.

Funding levels for requested programs are contingent upon the final WIA Title I allocations received from the US Department of Labor and the State of California. The Monterey County Board of Supervisors shall approve any additional funding required for the extended term.

The Workforce Investment Act (WIA) program requires that the local workforce investment area have procurement procedures that ensure:

1. Procurements will be conducted in a manner providing full and open competition. This includes the requirement that any individual who develops specifications, Request for Proposals, evaluates or makes recommendations on such proposals, or participates in any manner in the procurement of goods and services with WIA funds, shall NOT be eligible to compete in the procurement. This applies to all types of contracts or grants.
2. The use of sole source procurements is minimized to the extent practicable, but in every case shall be justified;
3. Procurements will include an appropriate analysis of the reasonableness of cost and price;
4. Procurements will not provide excess program income (for nonprofit and governmental entities) or excess profit (for private for-profit entities), and that appropriate factors shall be used in determining whether such income or profit is excessive, such as:
 - a. The complexity of the work to be performed;
 - b. The risk borne by the contractor; and
 - c. Market conditions in the surrounding geographical area;
5. Procurements will clearly specify deliverables and the basis for payment; and
6. Procurement contracts and other transactions between the local WIB and units of State and local governments will be conducted on a cost reimbursement basis. No provision for profit will be allowed.
7. Avoidance of purchasing unnecessary or duplicative goods or services. Surplus and inventory items will be used prior to the purchase of new items.
8. Consideration of small business, minority-owned and women's business enterprises and labor surplus area firms when possible, in accordance with 29 CFR Part 97 (e) (iii).

II. GENERAL ASSURANCES AND CONTRACT CERTIFICATIONS

All vendors and or subrecipients awarded a contract will be required to comply with the requirements specified below and under the following attachments: General Assurances and Certifications and Other Terms and Conditions

Contract Amendments

All contracts contain the full and complete understanding between the parties subject to any applicable laws, rules, and regulations. The County of Monterey/WIB may issue administrative directives and/or unilateral Contract amendments concerning interpretations of federal rules and regulations, directives received from State and/or requests from the Board of Supervisors that may require changes in procedures by the contractor. The contractor shall be deemed responsible for complying with such administrative directives and/or amendments only after being formally notified in writing of the appropriate action necessary. The contractor may initiate requests for contract amendments, including budget line-item amendments, only once per fiscal quarter. All requests for Contract amendments must provide a detailed justification for such an amendment. There is no obligation by the County of Monterey/WIB to accept requested modifications.

Prohibition of Sub-awards to Debarred and Suspended Parties

The WIB nor its subcontractors and subrecipients shall make any awards to any party that is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs in accordance with the Department of Labor regulations at 29 CFR part 98. Each entity that is awarded funds in

excess of \$25,000 is required to self-certify that it and none of its principal staff is neither debarred nor suspended. The awarding agency is not required to do a verification of the certification.

Lobbying

The WIB will require all subcontractors and subrecipients receiving \$100,000 or more in WIA funds to certify that no federal funds will be used for lobbying activities in accordance with 29 CFR 93 of the Department of Labor regulations.

III. PURCHASE PROCEDURE

Procurement responsibilities of the WIB's Fiscal Office include:

1. Approval of all property purchases by service providers and subcontractors prior its purchase.
2. Purchasing training services from service providers, vendors and independent contractors.
3. Approving contracts for services and training.
4. Approving contract amendments.
5. Providing technical assistance to service providers and subcontractors.

IV. CONFLICT OF INTEREST AND CODE OF CONDUCT

An employee, officer, or agent shall not participate in the selection, award, or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. A conflict would arise when the employee, officer, agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the above has a financial or other interest in the firm or firms that may be selected for award.

An employee, officer, or agent will neither solicit nor accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Exceptions are only when the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value.

Any employee, officer or agent with a real or apparent conflict must declare a conflict, remove themselves from the decision making process and document their actions. No person involved in a competitive procurement will divulge any information regarding the procurement prior to the release of the procurement documents. To the extent permitted by the state, local law or regulations, any violations of these standards by employees, officers, agents, by contractors or their agents may result in penalties, sanctions, or other disciplinary actions.

V. PROCUREMENT METHODS

The following methods of procurement shall be used when purchasing goods and services with Workforce Investment Act (WIA) funds. Local procedures may be used if compatible; however, minimum standards must follow the procedures established in this policy.

All small purchases shall not be made without a proper written "Request to Purchase" (RTP) form completed, signed and approved. Reference Attached Request to Purchase (RTP)

1. Small Purchase

This type of procurement method is used when the "per transaction" value of a purchase is less than \$50,000, and the use of informal quotations may be used, in lieu of the more expensive and time consuming sealed bid or competitive proposal method.

The following guidelines for small purchases apply:

\$1 to \$9,999 – Requires two or more documented quotes, prior to purchase. Prices/quotations can be obtained from catalogs, current price lists, prior receipts, or contact (in person, telephone, fax or e-mail) with vendors. Hard copy catalogs and price lists should be updated at least annually, however real-time Internet research is preferred.

\$10,000 or more to \$49,999 – Requires a Request for Quote (RFQ). The RFQ specifies the quantity, time frames, and all the requirements of the product or services being sought. The RFQ must be provided in writing (including fax or e-mail). Three or more written quotes must be obtained with this method. A purchase order through the County Contracts and Purchasing Division may be used in lieu of the process described above.

Proper documentation for a small purchase includes:

- The reason for selecting the small purchase method.
- The estimate of the potential purchase price.
- A description of the goods or services being purchased, including the quantity and any additional criteria used to determine the procurement decision. A copy of the RFQ would suffice.
- All providers contacted/considered and the prices offered using current catalogs, price lists, prior sales receipts, or formal quotes depending on the amount of the purchase.
- Why the provider was selected, including how the provider met any additional criteria, and the price analysis.
- Copy of the purchase document (sales receipt, contract).

A proposed small purchase or contract for an amount above the simplified procurement threshold may not be divided into several purchases or contracts for lesser amounts in order to circumvent the threshold limits described above.

2. Sealed Bids

When the nature of the good or service to be purchased will be more than \$50,000, and can be precisely defined, the sealed bid procurement is generally used. The sealed bid process begins with issuance of an Invitation for Bid (IFB). The IFB will be publicly solicited or advertised through newspapers, local advertising and trade papers. The IFB defines the quantity, timeframes, and product requirements. Vendors are notified of the purchase requirements and submit a sealed bid to a specified location by a specified date and time. The bids are then opened at a specific date and time. A diligent effort should be made to secure at least three competitive bids. The responsible bidder (a bidder that can meet the technical requirements of the procurements), that submits the lowest bid is usually awarded the contract. Any bidder that falls outside of the parameters will normally have their bid rejected. Award of a firm fixed-price or fixed unit price contract by written notice is sent to the lowest responsible bidder. If only one bid is obtained and that bidder is deemed to be responsible, then the non-competitive or sole source process may be used.

Proper documentation for a sealed bid purchase includes:

- The reason for selecting the sealed bid method.
- The estimate of the potential purchase price.
- A copy of the IFB.
- Bids received.
- Determination of the responsibility of the bidder.
- Why the provider was selected.
- Copy of the award document.

3. Competitive Proposals

Competitive Request for Proposals (RFP) is specifically used when factors other than price are important in the selection decision; however, procurements must be in excess of \$50,000. In the Request for Proposal (RFP), it must indicate the scope of work, the method for scoring the proposals, the deadline for receipt of proposals and the dispute process. A public notification of the RFP is normally given through an announcement in a local newspaper that covers the entire service area. A copy of the RFP is sent to anyone who requests it and to any prior bidders. A bidders' conference is usually held to allow interested parties to have any questions answered. Bidders' conferences also allow attendees to receive the same information. Bidders are required to submit their proposals to a specified location by a specified date and time. Each RFP is reviewed and evaluated as to the merits of the proposal. This review includes a cost analysis. There should be a documented methodology for technical evaluation of each proposal. The review committee then makes a final recommendation as to which proposal(s) best meets the stated requirements. Careful documentation of the successful bidder selection should be maintained for reference. A public notice of intent to award is issued, and followed by the award, and

the execution of the contract. If only one proposal is obtained and that proposal is deemed to be responsible, then the non-competitive or sole source process may be used.

Proper documentation for a competitive proposal purchase includes:

- The reason for selecting the competitive proposal method.
- The estimate of the potential purchase price.
- A copy of the RFP.
- Bidders' conference questions and answers.
- Bids received.
- The scoring criteria and the evaluation/scoring sheets for each proposal, including determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- Notify all RFP participants in writing of the intent to award.
- Copy of the award document.

If less than two (2) responsive proposals are received, then the competitive process has not been fulfilled. Therefore, the County of Monterey/WIB reserves the option to either issue the procurement or enter into a non-competitive procurement. The sole-source procurement will follow the standards of non-competitive procurements as described in the following section.

4. Non-competitive Proposals (Sole Source)

Non-competitive proposals may be used under certain limited circumstances. Per the One-Stop Comprehensive Financial Management Technical Assistance Guide, the purchase must be infeasible under one of the other methods discussed above, and one of the following conditions apply:

- The item is available from only one source.
- Public emergency precludes delay (for example, a flood at the local day care center requires the immediate acquisition of additional services).
- The awarding agency authorizes the specific non-competitive procurement (upon a formal request for approval).
- Competition is determined inadequate. This usually occurs after a competitive process has been used and there are insufficient bidders (fewer than three).

A cost analysis is required for all non-competitive procurements. The reason for selecting this method along with the justification for the provider selection must be carefully documented and maintained.

Proper documentation for a sole source purchase includes:

- Completion of the "Sole Source / Sole Brand Justification" form with signatures of approval. Reference Attached Sole Source / Sole Brand Justification Form, including the reason for selecting the sole source method, including why the procurement was infeasible under one of the other procurement methods and which of the additional sole source conditions the procurement met.
- The estimate of the potential purchase price.
- A copy of the RFQ/IFB/RFP.
- A determination of the responsibility of the bidder and the cost analysis.
- Why the provider was selected.
- Signed approval from the Contracts and Purchasing Department Director
- Copy of the award document.

VI. CONTRACT COST AND PRICE ANALYSIS

A cost or price analysis must be conducted in connection with every procurement action. Cost analysis is the review and evaluation of each element of cost to determine if it is reasonable and allowable. As a starting point, an independent estimate must be completed before receiving bids or proposals. A cost analysis must be performed when the bidder is required to submit the elements of their estimated cost (e.g. under professional, consulting, and architectural engineering services contracts). A cost analysis will be necessary when adequate price competition is lacking, and for sole source procurements, including contract modifications or change orders. A cost analysis may not be necessary if one can establish price reasonableness on the basis of a catalog or market price of a

commercial product sold in substantial quantities to the general public or based on prices set by law or regulation. A price analysis will be used in all other circumstances to determine the reasonableness of the proposed contract price. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicia, together with discounts.

VII. BIDDING PROCESS

The bidding process often takes three to eight months from the time the advertisement is placed until the award is made. This time does not take into account internal approval steps or delays caused by appeals. Resolution of appeals may add a delay of one to three months.

The time needed to complete the bidding process will depend on the type of competitive bidding method used, the complexity of the services required, the number of bids or proposals received, whether a bidders' conference is held, whether appeals are received, and other factors.

VIII. BIDDER'S CONFERENCE

Bidder's Conference is an open exchange between purchasers and vendors (bidders) to help ensure a clear understanding of contract requirements. These conferences provide a forum for open dialog and clarification of a RFP, as well as bringing up any missing elements that should be considered in the evaluation process.

A minimum of three competitive bids or proposals are required unless one of the following applies:

1. Emergency. The work or service is the immediate preservation of the public health or welfare, or the safety or protection of State property.
2. The contract is exempt from being competitively bid, per the State Contracting Manual, Chapter 5.
3. Non-Competitively bid exemption. The Director of Department of General Services (DGS) has approved exemption from competitive bidding because the State's best interests are better served by exemption.
4. Governmental agency contract. The contract is with another state, local, or federal agency or with the University of California, the California State University, or a California community college or any of their auxiliary organizations.
5. Community-based Rehabilitation Program. The exemption applies to contracts with workshops conducted in accordance with the Welfare and Institutions Code, and which have been justified under General Code Section 19130(b).

IX. SUBGRANTEE AND VENDOR DISTINCTIONS

The applicability of the WIA, its regulations, and other program regulations, including the Office of Management and Budget (OMB) circulars, is limited to grantees and subgrantees funded by those programs. Thus, the distinction between subgrantees and vendors becomes critical to the program. Payments received by a vendor for goods or services are not considered to be federal awards. The definition of a subgrantee and vendor is provided below:

1. Subgrantees

A subgrantee is a legal entity to which a sub-award of federal funds is made and that is accountable to the grantee for the use of the funds provided. When the organization performs the following activities, a federal award to a subgrantee is indicated:

- Determines eligibility for the federally funded program.
- Has its performance measured against the objectives of the federal program.
- Has responsibility for programmatic decision-making.
- Has responsibility for adherence to applicable federal program compliance requirements (for example, the regulations).
- Uses the federal funds to carry out a program of the organization as opposed to providing goods or services for a program.

2. Vendors

A vendor is a dealer, distributor, merchant, or other seller providing goods or services that are required for the conduct of a federal program. The following activities are indicative of a vendor relationship with an organization:

- Provides the goods and services within normal business operations.
- Provides similar goods or services to many different purchasers.
- Operates in a competitive environment.
- Provides goods or services that are ancillary to the operation of the federal program.
- Is not subject to the federal compliance requirements of the program.

In making the determinations of subgrantees and vendors, direct grantees, local areas, and other subgrantees should take into account all of the characteristics related to the type of provider. When deciding whether a vendor or subgrantee relationship exists, it is the relationship that matters, not the label on the award document (e.g. grant, contract, subgrant, or subcontract). No one factor should be taken in isolation; all the applicable criteria for each decision should be reviewed. However, under no circumstances should a designation of vendor be made for providers that have a financial or performance requirement related to eligibility or selection of participants. As previously stated, the designations of subgrantee and vendor relate to type of product or service provided, and not to the type of agreement document used or whether that agreement is called a contract or a subgrant.

X. APPEALS PROCESS

If any bidder submits a proposal and it is not recommended for funding during the review process, and the bidder can show that the proposal did not receive due consideration or that other irregularities existed, the bidder may appeal the recommendation to the County of Monterey/WIB. The appeal must be in writing, on bidder letterhead, and must be received by the County of Monterey/WIB within five (5) business days of the award notification. Appeals after the established time frame will not be accepted. The review shall be limited to information provided in writing. The written appeal must contain:

- Date of appeal;
- The full name, address, and telephone number of the appealing party;
- A brief statement of the reasons for appeal, including citations to the bid name and date of bid closing and other pertinent documents;
- A statement of the relief sought.

Appeals regarding the Workforce Investment Board's decision for non-approval of a proposal must be submitted in writing to:

Attn: WIB Executive Director
 Monterey County Workforce Investment Board
 730 La Guardia Street
 Salinas, CA 93905

Any bidder formally appealing the decision of the County of Monterey/WIB with regard to their proposal will be scheduled to meet with the County of Monterey/WIB at their next regularly scheduled meeting for final consideration of the appeal. A decision by the County of Monterey/WIB will be communicated to the bidder within 60 days of the filing of the appeal. All decisions of the County of Monterey/WIB shall be final.

Reference the WIB Policy 2005-10 - Grievance and Complaint Procedures for further details of the local level grievance and hearing procedures when participants and other interested parties affected by the local workforce investment system file a complaint or grievance. (Policy Reference: <http://www.montereycountywib.org/policies/policies/>)

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: CONSIDER AND RECOMMEND THE STATUS OF THE WIA TITLE I YOUTH SUBCONTRACTS WITH SANTA CRUZ COUNTY OFFICE OF EDUCATION AND TURNING POINT FOR PY 2013-14

DATE: JUNE 5, 2013

RECOMMENDATION:

In light of the anticipated Department of Labor's mandatory reductions impacting all Workforce Investment Act (WIA) Title I funding levels effective Program Year 2013-14, it is recommended that the Workforce Investment Board approve the WIA Title I Youth subcontracts with Turning Point and Santa Cruz County Office of Education for the period of October 1, 2013 to June 30, 2014 and reduce their funding levels based on the LWIA budget for PY 2013-14 that is contingent upon the final WIA Title I Youth allocations received from the US Department Of Labor and the State of California.

INFORMATION AND DISCUSSION:

On January 8, 2013, the Youth Council received a recommendation to extend the WIA Title I Youth subcontracts for a third and final year. However, at that time it was anticipated that WIA Title I Youth Program formula allocation impacting Monterey County would only be reduced by 5%.

As of May 8, 2013, the State released an Information Notice (WSIN12-57) on the WIA formula allocations for Program Year 2013-14 which indicates that Monterey County will receive \$1,532,119 in WIA Youth formula funds. For the WIA Title I Youth allocation, this represents a reduction of 11.24% compared to the previous allocation in PY 2012-13, as shown below:

Funding Stream	Allocation PY 2012-13	Allocation PY 2013-14	Allocation Difference	Annual % Increase / Decrease
WIA Title I Youth	\$1,726,085	\$1,532,119	(\$193,966)	-11.24%

In addition, the Department of Labor and the State have asked that local areas be conservative in planning for the 2013-14 program year. It is unknown at this time whether an additional 5% sequestration reduction will be implemented after October 1, 2013.

BACKGROUND:

In PY 2012-13, the Monterey County Board of Supervisors approved the Monterey County Workforce Investment Board's recommendation to initiate WIA Title I Youth subcontracts with Turning Point and Santa Cruz County Office of Education to start on July 1, 2012 and end on June 30, 2013. The current subcontracts allows for an extension of up to two years beyond the initial one-year subcontract period pending the availability of WIA funds and acceptable subcontractor performance.

BUSINESS ACTION ITEM #2

The status of the current subcontractor's performance was presented at the Youth Council on January 8, 2013, which indicated that all subcontractors are meeting their performance goals. Program Year 2013-14 would be the last year the WIA Title I Youth subcontracts could be extended.

According to the original RFP, under section "1.1 Funds Available", it states in part:
"There are no set guidelines for the minimum amount of funding that can be requested. The County will determine funding amounts based on several factors including the total amount of dollars available, the quality of each collaborative proposal in meeting the criteria of the original RFP, anticipated success rates and return on investment, the CONTRACTOR(s) demonstrated ability to administer WIA funds, and on the availability of WIA funds. Funding amounts may increase or decrease during the contract period based on the funds available, and the CONTRACTOR(s) performance. Funding levels for requested programs are contingent upon the final WIA Title I allocations received from the US Department of Labor and the State of California."

The Workforce Investment Board is required to decide if it wishes to continue funding the existing WIA Youth subcontracts as follows:

- For a third and final year; or
- Develop a new Request for Proposals (RFP) with a different program design and contract deliverables; or
- Not to subcontract youth services at all.

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: CONCUR WITH THE MAY 9, 2013 OVERSIGHT COMMITTEE ACTION TO APPROVE THE WIA TITLE I ADULT SUBCONTRACTS WITH SHORELINE AND TURNING POINT FOR THE PERIOD OF OCTOBER 1, 2013 TO JUNE 30, 2014 AND REDUCE THEIR FUNDING LEVELS BASED ON THE LWIA BUDGET FOR PY 2013-14 THAT IS CONTINGENT UPON THE FINAL WIA TITLE I ADULT ALLOCATIONS RECEIVED FROM THE US DEPARTMENT OF LABOR AND THE STATE OF CALIFORNIA

DATE: JUNE 5, 2013

RECOMMENDATION:

It is recommended that the Workforce Investment Board concur with the May 9, 2013 Oversight Committee action to approve the WIA Title I Adult subcontracts with Shoreline and Turning Point for the period of October 1, 2013 to June 30, 2014 and reduce their funding levels based on the LWIA budget for PY 2013-14 that is contingent upon the final WIA Title I Adult allocations received from the US Department Of Labor and the State of California.

INFORMATION AND DISCUSSION:

As of May 8, 2013, the State released an Information Notice (WSIN12-57) on the WIA formula allocations for Program Year 2013-14 which indicates that Monterey County will receive \$1,479,571 in WIA Adult formula funds. Of this amount, only \$37,438 will be made available for the first quarter period (July – Oct 2013); while the remaining allotment will be made available after October 31, 2013.

For the entire WIA Title I Adult allocation, this represents a reduction of 12.19% compared to the previous allocation in PY 2012-13, as shown below:

Funding Stream	Allocation PY 2012-13	Allocation PY 2013-14	Allocation Difference	Annual % Increase / Decrease
WIA Title I Adult	\$1,684,911	\$1,479,571	(\$205,340)	-12.19%

In addition, the Department of Labor and the State have asked that local areas be conservative in planning for the 2013-14 program year. It is unknown at this time whether an additional 5% sequestration reduction will be implemented after October 2013.

BACKGROUND:

In PY 2012-13, the Monterey County Board of Supervisors approved the Monterey County Workforce Investment Board's recommendation to initiate WIA Title I Adult subcontracts with Shoreline and Turning Point to start on July 1, 2012 and end on June 30, 2013. The current subcontracts allows for an extension of up to two years beyond the initial one-year subcontract period pending the availability of WIA funds and acceptable subcontractor performance. The status of the current subcontractor's performance was presented at the Oversight Committee on May 9, 2013, which indicated that all subcontractors are meeting their performance goals. Program Year 2013-14 would be the last year the WIA Title I Adult subcontracts could be extended.

BUSINESS ACTION ITEM #3

According to the original RFP, under section “1.1 Funds Available”, it states in part:
“There are no set guidelines for the minimum amount of funding that can be requested. The County will determine funding amounts based on several factors including the total amount of dollars available, the quality of each collaborative proposal in meeting the criteria of the original RFP, anticipated success rates and return on investment, the CONTRACTOR(s) demonstrated ability to administer WIA funds, and on the availability of WIA funds. Funding amounts may increase or decrease during the contract period based on the funds available, and the CONTRACTOR(s) performance. Funding levels for requested programs are contingent upon the final WIA Title I allocations received from the US Department of Labor and the State of California.”

The Workforce Investment Board is required to act upon the recommendation from the Oversight Committee and decide if it wishes to continue funding the existing WIA Adult subcontracts as follows:

- For a third and final year; or
- develop a new Request for Proposals (RFP) with a different program design and contract Deliverables; or
- Not to subcontract adult services at all for FY 2013-14.

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: ACCEPT THE RESIGNATION OF JUDITH PROFETA, FROM THE WORKFORCE INVESTMENT BOARD AND OVERSIGHT COMMITTEE, REPRESENTING BUSINESS, TO BE FORWARDED TO THE BOARD OF SUPERVISORS FOR APPROVAL

DATE: JUNE 5, 2013

RECOMMENDATION:

It is recommended that the Workforce Investment Board accept the resignation of Judith Profeta, from the Workforce Investment Board and Oversight Committee, representing Business, to be forwarded to the Board of Supervisors for approval.

INFORMATION:

Workforce Investment Board (WIB) staff received a letter of resignation from Judith Profeta, owner of Alain Pinel Realtors on May 27, 2013. Ms. Profeta has been a member since June of 2007.

ATTACHMENTS:

4a: Letter of Resignation



Business Action Item #4a

Judith A. Profeta
Rhesus, Inc. - Owner/Broker

Junipero, Between 5th & 6th
P.O. Box 7249 • Carmel, California 93921
Office 408.622.1040 Fax 408.622.1050
Email jprofeta@apr.com

May 27, 2013

Work force Investment Board
County of Monterey
730 La Guardia Street
Salinas, Ca 93905

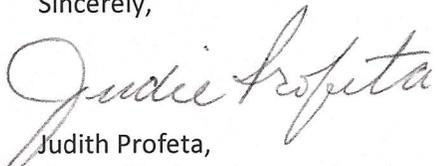
Dear Joyce, Mary Ann and Marlene,

After long and careful consideration I have made the decision to resign from the workforce Investment Board. Although I enjoy participating and engaging with all members, I have found that I have not been able to provide much benefit to the organization. I find it frustrating to spend so much time and not be able to make some difference. I guess I am just more of a "hands on" kind of participant.

Please accept this letter as my resignation. I will not be attending the next meeting.

I wish nothing but success for this local Board, and I will miss some of them very much.

Sincerely,


Judith Profeta,
Owner/Broker Alain Pinel realtors

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: DISCUSSION REGARDING WIB MEMBERSHIP AND COMPOSITION

DATE: JUNE 5, 2013

DISCUSSION:

WIB Member Representation	Current #'s	Require #'s	Vacancies
Business members 51% majority	13	17	4
Community Based Organization	2	2	
Economic Development	2	2	
Educational entities	2	2	
One-Stop partners	5	5	
Labor 15% = 5	5	5	.
Total # of WIB Members	29	33	4

Please welcome Dr. Walter Tribley representing education and Mr. Jay Donato representing organized labor on the WIB who were approved by the Board of Supervisors on May 14, 2013.

Based on the guidelines released in the State Strategic Workforce Development Plan, in order to be considered and certified as a High Performing Board, Monterey County must meet its minimum membership composition requirements.

The WIB is actively seeking membership to fill four (4) business vacancies on the full WIB.

All WIB members have been asked to bring potential candidates to the meeting for review and consideration. The Executive Director will connect with all potential candidates immediately to schedule a time to meet and discuss the WIB roles/responsibilities and to pick up the completed membership application for consideration by the WIB.

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: RECOMMEND AND APPROVE THE CHIEF LOCAL ELECTED OFFICIAL AGREEMENT WITH THE ECONOMIC DEVELOPMENT DEPARTMENT AND WORKFORCE INVESTMENT BOARD AND FORWARD TO THE BOARD OF SUPERVISORS (CLEO) FOR FINAL APPROVAL

DATE: JUNE 5, 2013

RECOMMENDATION:

It is recommended that the Workforce Investment Board recommend and approve the Chief Local Elected Official Agreement with the Economic Development Department and Workforce Investment Board and submit to the Board of Supervisors (CLEO) for final approval.

DISCUSSION:

The CLEO Agreement has been brought before the WIB on previous occasions; however it has not been completed due to changes in the administration of the local Workforce Investment Board. Now that the WIB and the One Stop system is part of the Economic Development Department, this agreement reflects the new administration and department structure and is before you for consideration.

On May 15, 2013, the WIB's Executive Committee reviewed and approved the agreement. Subsequent to the Executive Committee's approval, the agreement was forwarded to County Council for review. Any substantive changes made by County Council to the agreement will be reviewed at the WIB meeting on June 5, 2013.

BACKGROUND:

On April 12, 2013, the State of California Employment Development Department released a new Workforce Services Division Draft Directive on the PY 2013-17 Local Plans and Board Certification for local WIB's to use for guidance in the development and submission of the 2013-17 strategic Local Plan. Local Plans are due to the State on July 1, 2013.

This year, unlike previous years where we have submitted the WIB Annual Plan to the State, we have to develop a CLEO/WIB strategic Local Plan that describes the vision for bringing together key stakeholders in workforce development, including business and industry employers, organized labor, economic development specialists and education experts to continuously identify workforce challenges facing the local area or region and also to develop innovative strategies and solutions that effectively leverage resources to address regional workforce challenges.

Additionally, our strategic Local Plan must support system alignment, service integration and continuous improvement using data to support evidence-based policymaking. As a component of the system alignment, the CLEO, Economic Development Department and WIB Agreement identifying our local system's accountability is one Memorandum of Understanding that should be submitted along with the strategic Local Plan.

ATTACHMENT:

Business Action Item 6a: DRAFT Copy of CLEO, Economic Development Department and WIB Agreement

MEMORANDUM OF UNDERSTANDING
 BETWEEN THE
MONTEREY COUNTY BOARD OF SUPERVISORS,
THE ECONOMIC DEVELOPMENT DEPARTMENT,
 AND THE **MONTEREY COUNTY WORKFORCE INVESTMENT BOARD**

I. Purpose

The purpose of this MOU is to define the relationship of the Monterey County Board of Supervisors (chief local elected official), the Monterey County Workforce Investment Board (MCWIB), and the Monterey County Economic Development Department (EDD) as the designated WIA-funded grant recipient in the one-stop operator consortium. The MOU will identify the roles and responsibilities of the EDD and the MCWIB for the purpose of collaborative operation and management of the local One-Stop Career Center system.

It is understood that in entering into this agreement, the parties agree to continue to manage and integrate funding and resources for workforce development services under the Workforce Investment Act (WIA) of 1998 and the guiding principles of California's One-Stop Career Center delivery system.

II. Authority and Scope

Consistent with the State plan and WIA Section 121, the MCWIB for a local area, with the agreement of the chief elected official for the local area, shall:

- (a) Develop and enter into memorandums of understanding with one-stop partners;
- (b) Designate or certify one-stop operators; and
- (c) Conduct oversight with respect to the one-stop delivery system in the local area.

Each memorandum of understanding shall contain provisions specified in WIA Section 121 describing:

- (a) The services to be provided through the one-stop delivery system;
- (b) How the costs of such services and the operating costs of the system will be funded;
- (c) Methods for referral of individuals between the one-stop operator and the one-stop partners, for the appropriate services and activities; and
- (d) The duration of the memorandum and the procedures for amending the memorandum during the term of the memorandum

Determination of the local grant recipient is done according to the provisions of WIA Section 116:

- (a) The chief local elected official is the local grant recipient and is liable for the use of funds.
- (b) The chief local elected official may designate an entity to serve as local grant sub recipient or fiscal agent but the chief local elected official retains liability.
- (c) The local grant recipient or designated entity is to disburse funds at the discretion of the MCWIB.

The chief local elected official has established that a department/division/branch of county government will be the WIA-funded partner in the local one-stop operator consortium. Additionally, the chief local elected official has designated the Economic Development Department Workforce Investment Board as the local grant sub recipient and fiscal agent, respectively.

III. Services to be Provided Through the One-Stop Delivery System

In Monterey County, the one-stop delivery system consists of a full service center in Salinas and satellite centers located in Seaside and King City. The one-stop career centers focus on Tier 1 and Tier 2 services. Reference: WIB Policy 2008-1

Additionally the system includes a network of affiliated sites, which may be funded through subcontracts for specialized programs to address specific targeted populations or regions. This network is electronically or technologically linked through the Virtual One-Stop (VOS) system. All of these sites participate in mutual referral of individuals seeking workforce development services.

IV. Roles and Responsibilities of the Economic Development Department and Monterey County Workforce Investment Board (MCWIB)

In consultation and close cooperation with each other, the EDD and MCWIB shall

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- (a) Develop and submit 5-year local plan;
- (b) Establish the One-Stop system in the local area including supplementing the one-stop centers with electronic access points and networks at affiliated sites;
- (c) Certify the local one-stop operator with agreement from the chief local elected official; the chief local elected official has established that a department/division/branch of county government will be the WIA-funded partner in the local one-stop operator consortium;
- (d) Develop and approve plans and funding levels for additional resources available for workforce development in collaboration with the one-stop operator and other partners;
- (e) Approve an annual budget necessary for the One Stop Career Center portion of the operation of the one-stop centers in concurrence with the chief local elected official;
- (f) Approve funding levels for affiliated sites and develop requests for proposals and contracts for adult, youth for the one-stop delivery system in concurrence with the chief local elected official;
- (g) ~~EDD to act as the sub recipient and fiscal agent for Workforce Investment Act funds and other workforce funds as authorized by the chief local elected official;~~
- (h) ~~EDD to disburse funds at the discretion of the MCWIB in concurrence with the chief local elected official; and~~
- (i) Provide MIS and fiscal reports to the full MCWIB as related to both OET WIA-funded activities and services and the one-stop delivery system
- (j) Identify eligible providers of training services, youth activities and intensive services;
- (k) Negotiate local performance measures with chief local elected official & Governor
- (l) Establish reporting formats and timeframes for program and fiscal performance;
- (m) Conduct programmatic and fiscal monitoring and evaluation of WIA-funded programs and services to promote continuous improvement;
- (n) Ensure effective connecting, brokering and coaching activities to assist employers;
- (o) Coordinate activities with economic development entities and employers;
- (p) Oversee the One-Stop system in collaboration with the chief local elected official; and
- (q) Designate the director of the MCWIB as the liaison to the one-stop operator,
- (r) Economic Development Department ~~to~~ act as the sub recipient for the Workforce Investment Act funds.

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V. Roles and Responsibilities of the Department of Office for Employment Training – the Comprehensive One Stop delivery system:

- (a) Operate the one-stop career centers as a member of the One-Stop Operator Consortium consisting of California Employment Development Department and the Monterey County Department of Social and Employment Services - CalWORKs Employment Services branch;
- (b) On an annual basis, submit a plan and budget necessary to operate the one-stop career centers in concurrence with the chief local elected official for agreement of the MCWIB;
- (c) Participate fully in referral of individuals within the one-stop system;
- (d) Meet annual performance outcomes as designated by the State.

VI. Referral of Individuals Between the One-Stop Centers and the One-Stop System will be Accomplished through Activities such as:

- (a) Co-location and integration of staff at one-stop centers as well as other mutually agreed upon affiliate sites;
- (b) Electronic linkages, including Internet and VOS connections;
- (c) One-stop center and/or partner orientation prior to referral;
- (d) Universally agreed upon referral form, which includes agreeing to accept information (i.e. demographic, assessment and other information based on the requestor's right and need to know) previously collected on the customer through the One-Stop System and to provide information back to the referring agency on the status of referral; and
- (e) Establishment of a system of follow-up on referrals and case management.

VII. Effective Date and Duration of Agreement

This MOU commences on the day it is signed by all parties and is ongoing. It shall be automatically renewed thereafter on a year-to-year basis, unless any party gives notice of non-renewal to all parties at least one hundred eighty (180) days prior to an anniversary date. In such a case all terms of the MOU will continue in effect for the remaining parties until such time as a successor MOU is established.

VIII. Modification of the Agreement

Signatories reserve the right to modify the scope, direction, structure and content of this agreement based on the need of management, legislative changes, governing board directives, and funding availability by mutual consent of all parties. Request to amend or modify this MOU must be submitted in writing at least thirty (30) days prior to the effective date of change.

The signatories to this MOU evidence their acceptance of the terms and conditions of this agreement and represent that they are authorized to sign by their organization.

**Monterey County Board of Supervisors
(Chief Local Elected Official)**

Signature

Date

Fernando Armenta
Chair, Monterey County Board of Supervisors
168 West Alisal Street
Salinas, CA 93901
district1@co.monterey.ca.us

Monterey County Economic Development

Signature

Date
David Spaur, Director
168 W. Alisal Street
Salinas, CA 93901
spaurd@co.monterey.ca.us

Monterey County Workforce Investment Board

Signature

Date

Eric Cushman, MCWIB Chair
668 Williams Avenue
erik@mcweekly.com

MEMORANDUM

TO: WORKFORCE INVESTMENT BOARD

FROM: JOYCE ALDRICH, EXECUTIVE DIRECTOR, WORKFORCE INVESTMENT BOARD

SUBJECT: WORKSHOP FOR THE STRATEGIC LOCAL PLAN FOR MONTEREY COUNTY WIB FOR PY 2013-17

DATE: JUNE 5, 2013

BACKGROUND:

On May 22, 2013, the State EDD released a Directive that includes planning guidance for Local Workforce Investment Boards to develop their Local Strategic Workforce Plans (Local Plans) for Program Years (PY) 2013-17. Also included is evaluation criteria to be used for review of local plans and standards for certification of local boards (biennial and high performing).

An important part in creating this year's Local Plan involves gathering input from a wide array of groups and individuals within Monterey County and the surrounding region whose unique knowledge and experience can help inform the strategic planning process and improve the end product. These groups include business, government, education, labor, community-based organizations, and other key constituencies.

Based on State EDD guidance, the expectation is that the Local Plan is a strategic plan; not just a regulatory WIA program plan. It should also incorporate and reflect the Governor's vision, goals, and policy priorities of the State plan. Local Plans should also include a well-specified blueprint for attaining the goals with benchmarks, timelines, and action steps that specify who will take action to meet the goals.

Local and regional community stakeholders input

WIB staff has been developing a Strategic Local Plan that addresses the following goals and objectives:

- To meet the workforce needs of high demand sectors of the regional economy (Research and analysis performed by Applied Development Economics);
- To develop a Business Service Plan that integrates local business with overarching workforce initiatives, such as jobs creation within targeted industry sectors (WIB adopted amended bylaws to form a Business Services Committee charged with developing a Business Services Plan);
- Align workforce development strategies for adults that link education and career pathways to increased priority-sector employment opportunities;
- Align workforce development strategies for youth that ensure access to education and training opportunities, particularly those youth facing barriers to employment; and

- Develop a plan that supports system alignment, service integration and continuous improvement using data to support evidence-based policymaking.

In order to reach the most stakeholders – given the amount of time we have to complete and submit the Local Plan to the state by July 1, 2013, we felt holding a workshop and inviting primary stakeholders would address the requirements within the Local Plan, and also give you - our stakeholders a voice in the Local Plan.

On Wednesday, June 5, 2013 at 9:00 a.m. the Workforce Investment Board will be meeting at the Marina Library and will hold a Workshop for interested stakeholders to listen and comment on the Draft Local Plan for Monterey County.

A draft version of the Local Plan for Program Years 2013-17 will be released for input, comments and/or questions for a 30-day period, starting on Thursday, May 30, 2013 and ending on Friday, June 28, 2013.

The plan will be posted on the WIBs website at www.montereycountywib.org and there will be a form available to complete and submit all public comments regarding the Local Plan.