

REQUEST FOR PROPOSALS

New York State Department of Labor (NYSDOL) Transgender and Non-binary Wellness and Equity Fund (TWEF)

Issued on
November 12, 2024

New York State Department of Labor
Division of Employment and Workforce Solutions
Harriman Office Campus
Building 12, Room 440
Albany NY, 12226

Submission Deadline:
January 17, 2025, by 4:00 PM New York State Time

The New York State Department of Labor is an Equal Opportunity Employer. Auxiliary aids and services are available upon request to individuals with disabilities.

Table of Contents

I. Funding Opportunity Description	3
A. Purpose	3
B. Background	3
II. Award Information	4
A. Funding.....	4
B. Use of Funds.....	4
C. Contracts.....	7
D. Award Minimum and Maximum	8
E. Contracting Process	8
F. NYSDOL’s Responsibilities	8
G. Bidder Requirements	8
H. Participation Requirements	9
III. Eligibility Information	14
A. Bidder Eligibility	14
B. Participant Eligibility.....	15
C. Program Services.....	15
D. Reporting Requirements	16
IV. Process for Proposal Submission	16
A. Questions Concerning this RFP	16
B. Proposal Due Date	17
C. SFS Registration and Prequalification Status	17
D. Proposal Submission Instructions and Format.....	17
E. RFP Timetable	18
V. Proposal Review and Selection	18
A. Evaluation of Proposals.....	19
B. Evaluation Criteria.....	19
C. Method of Selection.....	26
VI. Award Administration and Information	27
A. Award Notices	27
B. Payment	27
C. General Requirements	28
D. NYS Executive Orders	28
E. Reservation Clauses	28
VII. Definitions	29
VIII. Attachments and Appendices	31

I. Funding Opportunity Description

A. Purpose

The New York State Department of Labor (NYSDOL) is making \$1M available in furtherance of the Lorena Borjas Transgender and Non-Binary Wellness and Equity Fund (TWEF) through this Request for Proposals (RFP). Funding will support organizations that demonstrate the capacity to increase access to employment for transgender, gender non-conforming, and non-binary individuals (TGNCNB); promote employment equity for TGNCNB individuals through full and equal access to training services; and eliminate bias and discrimination based on gender identity and expression in the workplace.

In accordance with NYS Public Health Law, Section 244, TWEF funds shall be used to provide funding for educational and vocational training programs developed by, or in consultation with, TGNCNB individuals to increase the employment status and educational attainment level of TGNCNB residents of NYS.

Funds can be used for organizations to develop and enhance comprehensive workforce development services and expenses for TGNCNB individuals within NYS, including occupational skills training, career development services, and supportive services. Additionally, the funding aims to support the implementation of proven strategies or innovative interventions to address issues related to the key employment barriers impacting TGNCNB communities including, but not limited to, economic stability, education, and social and community factors. These funds seek to help TGNCNB individuals enter the workforce, qualify for employment, achieve full employment, or increase wages through skill development. In line with the goal of this RFP to develop the TGNCNB workforce, and in recognition that the TGNCNB community is best situated to do this work with cultural competence, funding priority will be given to TGNCNB-led and staffed organizations.

B. Background

New York State (NYS) has set an example for the rest of the country by passing laws protecting TGNCNB New Yorkers' rights. In a time when anti-trans sentiment and laws are on the rise nationwide, NYS remains committed to protecting the rights of, and advancing equity for, TGNCNB New Yorkers.

In May of 2022, Governor Hochul signed legislation establishing the Lorena Borjas TWEF to support organizations providing critical services in the community, and additionally signed legislation tasking NYSDOL to gather employment metrics on transgender New Yorkers. NYSDOL's full report can be found [here](#).

Despite state and local legislative efforts, NYSDOL's report identified that TGNCNB New Yorkers experience less employment and lower incomes throughout NYS than non-TGNCNB New Yorkers. Existing experimental population surveys through the US Census Bureau and Centers for Disease Control and Prevention (CDC), as well as other targeted surveys of the TGNCNB community, point toward significant disparities in employment outcomes for TGNCNB individuals. The report found that these disparities are the result of varied but pervasive discrimination faced by TGNCNB New Yorkers in all regions of NYS. This discrimination impacts the community's ability to feel safe and affirmed in educational settings and the workplace. It also limits individuals' advancement beyond entry-level positions or into diverse industries.

The Fiscal Year (FY) 2025 Enacted Budget included a \$1M annual expansion of TWEF to support TGNCNB-targeted workforce development programming in response to NYSDOL's report on TGNCNB Employment Experiences. This expansion further reinforces the intent of the fund to uplift the TGNCNB community through intersectional services supporting improved access to a wide range of programs and opportunities. NYS's investments in TWEF underscore the state's place as a national leader in supporting the wellness and equity of TGNCNB individuals through community investments.

II. Award Information

A. Funding

This RFP seeks to provide up to \$1M in TWEF funding annually, subject to availability of funds, to fund workforce development organizations and programs serving TGNCNB individuals, prioritizing TGNCNB-led and staffed organizations. Bidders must complete the TGNCNB Attestation Form (Attachment TGNC) confirming their organization's TGNCNB status. Continued funding for the RFP period and each contract term is contingent upon availability of funding and NYS budget appropriations, and the Grantee's continued satisfactory performance of its obligations under the contract.

NYS DOL reserves the right to revise the award amount as necessary due to changes in the availability of funding. If the awarded Contractor fails to sign the contract by six (6) months following the date of award, NYSDOL reserves the right to rescind the grant award and reallocate the grant funds. Any potential amendments to this RFP, including additional funding being made available, will be posted on NYSDOL's website and in the NYS Contract Reporter.

Initial TWEF awards may not exceed \$250,000 per Bidder for each year of the contract, with the option to renew the contract for up to three (3) years. Proposals that request more than \$250,000 will be reviewed and scored by NYSDOL. If the proposal is awardable, NYSDOL will proportionately reduce the project funding at the time of award to fit within the maximum funding amount of \$250,000. Proposals unable to remain viable with the reduced funding will not proceed to contract execution. Therefore, it is highly recommended that Bidders keep the cost and scope of proposals within the maximum award amount.

If the Bidder significantly reduces the number of individuals to be trained at any time prior to or after an award is issued, the requested level of funding may be proportionately reduced by NYSDOL.

This funding cannot be used to supplant existing resources. The TWEF is intended to be a "last dollar" program and should be offered only after all other federal, state, local, and other available resources are exhausted. Every effort should be made to assist an individual to find and obtain other funding and where not available, TWEF funds can be used.

All awards are subject to funding availability.

B. Use of Funds

TWEF funding is intended to fund one (1) or more of the following activities: occupational skills training, job preparation/career development skills, soft skills/work readiness, peer mentorship, and/or mid-career upskilling.

Funds may be used to deliver the Bidder's own program or to enlist the services of a training provider to deliver the training. Tuition and other fees may not be charged to the program participants served under this TWEF funding opportunity. Participants cannot contribute to the cost of the training(s).

Bidders may subcontract components of the scope of work. For those Bidders that propose subcontracting, it is preferable to identify subcontracting agencies during the proposal process. Bidders that plan to subcontract are expected to state in the proposal the specific components of the scope of work to be performed through subcontracts. It is recommended that during this process, Bidders attempt to identify MWBE/SDVOB subcontractors where available. Bidders should note that the lead organization (Contractor) will have overall responsibility for all contract activities, including those performed by subcontractors, and will be the primary contact for NYSDOL. All subcontractors must be approved by NYSDOL.

Participant trainings may take place outside of NYS; however, any participant travel costs must be paid by the Bidder using non-TWEF funds. The Bidder must also provide adequate justification for any training that takes place outside of NYS. Training can also be a distance learning course, but the participants must be NYS residents.

Note: One-on-one case management, counseling, and peer mentorship is permissible but one-on-one occupational skills training is not permitted.

Bidders that do not have their own training programs may enter into contracts with institutions of higher education, such as community colleges, or other eligible training providers to facilitate the training of multiple individuals in high-demand occupations. Although NYSDOL encourages Bidders to utilize training providers on the Eligible Training Provider List (ETPL), available at <https://applications.labor.ny.gov/ETPL/>, this is not a requirement. In addition, NYSDOL will assist any Bidder seeking to register a proposed training program on the ETPL. For assistance, please email ETP@labor.ny.gov.

All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the proposed training program as described in the Program Design Section ([V.B.2.](#)) of this RFP. NYSDOL reserves the right to ask for justification of proposed expenditures and cost per participant, both prior to award and during contract development.

1. Allowable Costs under TWEF

- Using multiple budget line items, the costs of providing occupational and/or career development/work readiness skills training course(s); and
- Using the “Other” budget line item:
 - Credentialing exam fees;
 - Textbooks or training materials directly associated with the training, including electronic devices required for training (i.e., tablets or laptops) with an acquisition cost of up to \$999 per electronic device, provided that:
 - These types of electronic devices have a useful life longer than one (1) year. Organizations and awarded Contractors must document the long-term need for the item to demonstrate their benefit to the program, including, but not limited to:
 - Training longer than six (6) months; and
 - The continued need for the device post-training for job search and work purposes, once hired.
 - The number of devices charged to the contract cannot exceed the number of enrolled participants confirmed with completed Trainee Information Forms (TIFs) and attendance records;
 - Electronic devices must be provided to participants at the start of training and services rather than at the end as a completion award;
 - Documentation of participant receipt of the devices must be submitted prior to reimbursement. As part of this documentation, participants must attest that they do not already own the requested electronic devices, or that they only possess old inadequate electronic devices and do not have sufficient personal funds to purchase these items;
 - The Organization/Contractor must follow their own purchase policy for the electronic devices in compliance with [Uniform Guidance](#). The Organization/Contractor must also perform a cost comparison analysis to ensure the cost is reasonable;
 - The cost of a single electronic device cannot exceed \$999, even if part of the cost is covered under a funding source outside of this RFP;
 - Temporary loaning of such items to participants is also recommended, when appropriate, so that multiple participants can benefit from one purchase;

- The Organization/Contractor can emulate and adapt other State agency and public-school loan policies as well as loan agreements that address things such as who periodically services the electronic device(s) and participant responsibilities for proper care. Examples include, but are not limited to:
 - [Guilderland Central School District Chromebook Handbook and User Guide](#);
 - https://ocfs.ny.gov/main/cb/equipment_loan.asp; and
 - <https://qhsls.org/wp-content/uploads/2020/03/QHSLs-Equipment-Loan-Agreement.pdf>.
- The Organization/Contractor must have a policy to address recovery of electronic device(s) upon a participant's early withdrawal from training or services. Reasonable efforts to recover such items must be documented.
- Software to deliver the program of training, even if over \$1,000;
- Program/Curriculum development, no more than 20% of available funding;
- Human resources training; basic safety training; sexual harassment training; diversity training; or orientation training, if part of a larger curriculum;
- Conferences, seminars, and/or payment of fees associated with attendance at conferences, seminars, or meetings of professional organizations related to workforce development skills;
- Distance learning fees (i.e., the fee for the training slot and software must deliver the training program); and
- Supportive Services payments:
 - Incentives: Encouragement for participants that meet training benchmarks while participating in the program. Documentation of participant receipt of the incentive must be submitted prior to reimbursement; and
 - Stipends or money paid for services that address the needs of prospective participants, including but not limited to, childcare, transportation, and housing.

2. Restrictions on Types of Trainings

TWEF funding will only pay for the eligible costs identified in the Use of Funds Section ([II.B.1.](#)) of this RFP. The following types of trainings do not constitute occupational skills training(s) for this RFP and are not allowed:

- Training that would not reasonably lead to employment;
- Trainings which begin or occur prior to the contract start date. For additional details regarding the start date of trainings, please see [Section VI.B.](#) (Payment);
- English as a Second Language (ESL) training, as a standalone course (it is allowable as part of a larger curriculum); and
- **Any other trainings deemed inappropriate by NYSDOL**, such as training that does not result in a transferable skill, activities determined to be business consulting rather than training (i.e., coaching, reinforcement, etc.) and any other training(s) that do not meet the intent of the RFP.

If a Bidder is unsure about restricted trainings, it should consider asking specific questions before the Questions Deadline identified in [Section IV.A.](#) of this RFP and listed in the RFP Timetable ([Section IV.F.](#)).

3. Restrictions on the Use of Funds

Unallowable uses of TWEF funding include:

- The acquisition, construction, or renovation of buildings or other real estate;
- The purchase of any equipment, defined as an item having a useful life of more than one (1) year and an acquisition cost of \$1,000 or more per unit;
- Advertising (except for recruitment efforts);
- Entertainment;
- Interest costs incurred by Bidder;
- Costs of organized fundraising; and/or
- Any other costs deemed inappropriate by NYSDOL and that do not meet the intent of the RFP.

C. Contracts

The contract start date for all contracts resulting from this solicitation may be no earlier than the date of the award letter issued by NYSDOL and no later than six (6) months after the date of the award letter. Any allowable activity that begins or is paid for prior to the contract start date will fall outside the contract period and will be ineligible for reimbursement. Additionally, any allowable activity provided after the contract end date will also fall outside the contract period and will be ineligible for reimbursement.

After NYSDOL issues an award letter, the award must go through a contract development and contract execution process and end with the final execution of the contract. Therefore, if a Bidder chooses a contract start date that begins prior to contract execution, the Bidder will be operating at risk for any activities performed prior to the date of final execution of the contract.

Initial contracts resulting from this solicitation will be awarded for a period of up one (1) year. At the discretion of NYSDOL, and provided there is sufficient allocation, contracts may be renewed for up to two (2) additional one-year periods. Contractors must submit an updated budget prior to the start of each renewal term. Contracts may not be extended beyond three (3) years and Bidders must include only the training opportunities that can be reasonably accomplished within a three-year period. All activities funded must end on or before the end date of the contract and any activities that occur after the contract end date are not eligible for reimbursement under the contract. At the end of the three-year period, NYSDOL may provide grantees a one-time, no-cost time extension for a period not to exceed six (6) months.

Once a contract is developed and formally executed, the successful Bidder will be considered a NYSDOL Contractor. Funds will be released to the Contractor on a cost reimbursable basis. This means that a Contractor must first pay the expenses and then submit a voucher to NYSDOL for reimbursement. Reimbursements will occur on a monthly basis. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved, certain records must be kept, and specific documents submitted at intervals specified by NYSDOL. However, if the Contractor is a not-for-profit (NFP) entity they may request up to 25% of the funds in advance. Additional details on reimbursements and payments are outlined in the Payment Section ([VI.B](#)) of this RFP.

Please note that NYSDOL must adhere to NYS Prompt Contracting Law timeframes for executing contracts awarded to NFP entities. This Law provides for interest payments when contract payments are late due to untimely processing of contracts. However, if there are delays in the contract process on the part of the Contractor, Suspension of Prompt Contracting timeframe letters may be issued to render the Contractor ineligible for interest for the number of days of delay.

In addition, NYSDOL may conduct an independent evaluation of the outcomes and benefits of TWEF funding. Any evaluation will take a holistic and culturally competent approach to reviewing programming. In writing the 2023 TGNCNB Employment Experiences Report, NYSDOL staff engaged the TGNCNB community through a diverse selection of focus groups, hundreds of surveys, and dozens of listening sessions with stakeholders. NYSDOL staff continue to build on

these relationships they have within the community. NYSDOL will work with and learn from TGNCNB community leaders to develop a culturally competent foundation for evaluation of outcomes for this RFP. By accepting an award under this RFP, the Bidder agrees to participate in any such evaluation.

D. Award Minimum and Maximum

The minimum award amount under this RFP is \$50,000 per Bidder per year, and the maximum award amount is limited to \$250,000 per Bidder per year. All awards are subject to funding availability.

E. Contracting Process

In January 2024, NYS transitioned all grantmaking activities from Grants Gateway to the Statewide Financial System (SFS). Bidders must register in this system in order to enter into a contract with NYS. To register an organization, Bidders must send a complete [Grants Management Registration Form for Statewide Financial System \(SFS\) Vendors](#) and accompanying documentation where required by email to grantsreform@its.ny.gov.

NFP organizations must take the additional step of prequalifying by completing a basic profile and storing organizational documents. **Both registration and prequalification must be completed by NFP organizations prior to submitting a proposal.** Failure to do so will mean that their proposals will not be reviewed. NFP organizations will be able to submit their responses online, and once reviewed and approved by a NYS agency prequalification specialist, the NFP organization will be able to submit a proposal. All information is stored in a virtual, secured vault. NFP organizations must keep their information current, including uploading annual documents (i.e., 990, etc.).

For additional information on registration and prequalification, please log into SFS and visit the SFS Coach location for prequalification information.

For additional technical assistance with the SFS Grants Management website, please note:

- Hours of Operation: Monday through Friday, 8:00 A.M. to 4:00 P.M. NYS Time;
- Phone Number: (518) 457-7717 or (855) 233-8363 (toll free);
- Email: helpdesk@sfs.ny.gov; and
- Grants Management Website: <https://grantsmanagement.ny.gov/>.

F. NYSDOL's Responsibilities

NYSDOL will oversee implementation of the contract(s) resulting from this RFP, including regular monitoring of implementation and performance of the contract(s).

G. Bidder Requirements

By submitting a proposal, Bidders agree with the Minimum Threshold Requirements section ([V.B.1](#)) of this RFP and all of the terms and conditions set forth in the attachments to this RFP.

Bidders must comply with the Combined Terms and Conditions ([CTC](#)), which will be incorporated into the Master Contract ([MC](#)) of successful Bidders. The CTC is included as an attachment to this RFP but does not have sections that need to be completed by the Bidder. The process of downloading and uploading the CTC document confirms for NYSDOL that the Bidder has received, reviewed, and accepts the content of the document.

The Bidder shall be responsible for any costs incurred by the Bidder in the proposal preparation, or in activities related to the review of this proposal.

H. Participation Requirements

Please refer to [Section VIII](#) (Attachments and Appendices) for further information on these participation requirements.

1. Business Participation Opportunities for MWBEs

Pursuant to NYS Executive Law Article 15-A and Parts 140-145 of Title 5 of the New York Codes, Rules, and Regulations (NYCRR), NYSDOL must promote opportunities for maximum feasible participation of NYS certified Minority and Women-owned Business Enterprises (“MWBEs”) and the employment of minority group members and women in the performance of the NYSDOL contracts.

For purposes of this solicitation, NYSDOL hereby establishes an overall goal of 30% for MWBE participation; 15% for NYS certified minority-owned business enterprises (“MBE”) participation and 15% for NYS certified women-owned business enterprises (“WBE”) participation (based on the current availability of MBEs and WBEs). A Contractor resulting from this RFP must document its good faith efforts to provide meaningful participation by MWBEs as subcontractors or suppliers in the performance of the contract. To that end, by submitting a response to this RFP, the Bidder agrees that NYSDOL may withhold payment pursuant to any contract awarded as a result of this RFP pending receipt of the required MWBE documentation. The directory of MWBEs can be viewed at: <https://ny.newnycontracts.com/>. For guidance on how NYSDOL will evaluate a Contractor’s “good faith efforts,” refer to 5 NYCRR § 142.8.

The Bidder understands that only sums paid to MWBEs for the performance of a commercially useful function, as that term is defined in 5 NYCRR § 140.1, may be applied towards the achievement of the applicable MWBE participation goal. The portion of a contract with an MWBE serving as a broker that shall be deemed to represent the commercially useful function performed by the MWBE shall be 25% of the total value of the contract.

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

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

By submitting a bid or proposal, a Bidder on the Contract (“Bidder”) agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the New York State Contract System (NYSCS), which can be viewed at <https://ny.newnycontracts.com/>, provided, however, that a Bidder may arrange to provide such evidence via a non-electronic method by contacting:

NYS Department of Labor
Purchase and Contracts, MWBE Administrator
State Campus
Building 12, Room 465
Albany, NY 12226
518-474-2678
Fax: 518-457-0620

MWBE Utilization Plan (MWBE 100)

A Bidder must submit MWBE 100 – MWBE Utilization Plan with their bid or proposal as evidence of compliance with the foregoing. Any modifications or changes to an accepted MWBE Utilization Plan after the contract award and

during the term of the contract must be reported on a revised MWBE Utilization Plan and submitted to NYSDOL for review and approval.

NYSDOL will review the submitted MWBE Utilization Plan and advise the Bidder of acceptance or issue a notice of deficiency within 30 days of receipt.

If a notice of deficiency is issued, the Bidder must respond to the notice of deficiency within seven (7) business days of receipt by submitting to NYSDOL, a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by NYSDOL to be inadequate, NYSDOL shall notify the Bidder and direct the Bidder to submit, within five (5) business days, a request for a partial or total waiver of MWBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

NYSDOL may disqualify a Bidder as being non-responsive under the following circumstances:

- If a Bidder fails to submit a MWBE Utilization Plan (MWBE 100, Attachment 8);
- If a Bidder fails to submit a written remedy to a notice of deficiency;
- If a Bidder fails to submit a MWBE 101, Request for Waiver (MWBE 101, Attachment 9); and/or
- If NYSDOL determines that the Bidder has failed to document good faith efforts.

The Contractor must make good faith attempts to utilize any MBE or WBE identified within its MWBE Utilization Plan, during the performance of the contract. Requests for a partial or total waiver of established goal requirements subsequent to contract award may be made at any time during the term of the contract to NYSDOL but must be made prior to the submission of a request for final payment on the contract.

The Contractor must submit a MWBE Quarterly Compliance Report to NYSDOL, by the 10th day following each end of quarter over the term of the contract documenting the progress made toward achievement of the MWBE goals of the contract.

2. Equal Employment Opportunity Requirements (EEO 100)

A Bidder must submit EEO 100 – Equal Employment Opportunity Staffing Plan with their bid or proposal as evidence of compliance with the foregoing.

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

The Bidder must submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement to NYSDOL with its bid or proposal.

If awarded a contract, Bidders shall submit a Workforce Utilization Report and shall require each of its subcontractors to submit a Workforce Utilization Report, in such format as shall be required by NYSDOL on a quarterly basis during the term of the contract.

Pursuant to Executive Order #6 issued on October 8, 2021, which continues former Governor Andrew M. Cuomo's Executive Order #162 issued on January 9, 2017, Contractors and subcontractors also must report the gross wages paid to each of their employees for the work performed by such employees on the contract utilizing the EEO 101 form on a quarterly basis.

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

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

3. Participation Opportunities for Service-Disabled Veteran-Owned Businesses (SDVOBs)

Veterans' Services Law Article 3 provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (SDVOBs), thereby further integrating such businesses into NYS' economy. NYSDOL recognizes the need to promote the employment of service-disabled veterans and to ensure that certified service-disabled veteran-owned businesses have opportunities for maximum feasible participation in the performance of NYSDOL contracts.

In recognition of the service and sacrifices made by service-disabled veterans and in recognition of their economic activity in doing business in NYS, Bidders are expected to consider SDVOBs in the fulfillment of the requirements of the contract. Such participation may be as subcontractors or suppliers, as protégés, or in other partnering or supporting roles.

a. Contract Goals

NYSDOL hereby establishes an overall goal of 6% for SDVOB participation, based on the current availability of qualified SDVOBs. For purposes of providing meaningful participation by SDVOBs, the Bidder/Contractor should reference the directory of NYS Certified SDVOBs found at: <https://online.ogs.ny.gov/SDVOB/search>. Questions regarding compliance with SDVOB participation goals should be directed to:

New York State Department of Labor
Purchase and Contracts, Service-Disabled Veteran-Owned Business Administrator
State Campus
Building 12
Room 465
Albany, NY 12226
Labor.sm.SDVOBAdmin@labor.ny.gov
518-474-2678

Additionally, following contract execution, Contractor is encouraged to contact the Office of General Services' Division of Service-Disabled Veterans' Business Development at 518-474-2015 or VeteransDevelopment@ogs.ny.gov to discuss additional methods of maximizing participation by SDVOBs on the contract.

Contractor must document "good faith efforts" to provide meaningful participation by SDVOBs as subcontractors or suppliers in the performance of the contract (see Section II.G.3.d. below).

b. SDVOB Utilization Plan (SDVOB 100)

In accordance with 9 NYCRR §252.2(i), Bidders must submit a completed SDVOB Utilization Plan (SDVOB 100) with their bid.

The Utilization Plan shall list the SDVOBs that the Bidder intends to use to perform the contract, a description of the work that the Bidder intends the SDVOB to perform to meet the goals on the contract, the estimated dollar amounts to be paid to an SDVOB, or, if not known, an estimate of the percentage of contract work the SDVOB will perform. By signing the Utilization Plan, the Bidder acknowledges that making false representations or providing information that shows a lack of good faith as part of, or in conjunction with, the submission of a Utilization Plan is prohibited by law and may result in penalties including, but not limited to, termination of a contract for cause, loss of eligibility to submit future bids, and/or withholding of payments. Any modifications or changes to the agreed participation by SDVOBs after the contract award and during the term of the contract must be reported on a revised SDVOB Utilization Plan and submitted to NYSDOL.

NYSDOL will review the submitted SDVOB Utilization Plan and advise the Bidder of NYSDOL's acceptance or issue a notice of deficiency within 20 days of receipt.

If a notice of deficiency is issued, the contractor agrees that it shall respond to the notice of deficiency, within seven (7) business days of receipt, by submitting to NYSDOL a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by NYSDOL to be inadequate, NYSDOL shall notify the contractor and direct the contractor to submit, within five (5) business days of notification by NYSDOL, a request for a partial or total waiver of SDVOB participation goals (SDVOB 200). Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or proposal.

NYSDOL may disqualify a Bidder's bid or proposal as being non-responsive under the following circumstances:

- If a Bidder fails to submit an SDVOB Utilization Plan (SDVOB 100, Attachment 11);
- If a Bidder fails to submit a written remedy to a notice of deficiency.
- If a Bidder fails to submit a request for waiver (SDVOB 200, Attachment 12); and/or
- If NYSDOL determines that the Bidder has failed to document good faith efforts.

If awarded a contract, contractor certifies that it will follow the submitted SDVOB Utilization Plan for the performance of SDVOBs on the contract pursuant to the prescribed SDVOB contract goals set forth above.

Contractor further agrees that a failure to use SDVOBs as agreed in the Utilization Plan shall constitute a material breach of the terms of the contract. Upon the occurrence of such a material breach, NYSDOL shall be entitled to any remedy provided herein, including but not limited to, a finding of Contractor non-responsibility.

c. Request for Waiver (SDVOB 200)

Prior to submission of a request for a partial or total waiver, Bidders may speak to the SDVOB Administrator at NYSDOL for guidance.

In accordance with 9 NYCRR § 252.2(m), a Bidder that is able to document good faith efforts to meet the goal requirements, as set forth in [Section II.H.3.d.](#) below, may submit a request for a partial or total waiver on Form SDVOB 200, accompanied by supporting documentation. A Bidder may submit the request for

waiver at the same time it submits its SDVOB Utilization Plan. If a request for waiver is submitted with the SDVOB Utilization Plan and is not accepted by NYSDOL at that time, the provisions of [Sections II.H.3.c-e](#) of this RFP will apply. If the documentation included with the Bidder's waiver request is complete, NYSDOL shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.

The contractor must make good faith attempts to utilize the SDVOBs identified within its SDVOB Utilization Plan, during the performance of the contract. Requests for a partial or total waiver of established goal requirements subsequent to contract award may be made at any time during the term of the contract to NYSDOL but must be made prior to the submission of a request for final payment on the contract.

If NYSDOL, upon review of the SDVOB Utilization Plan and Monthly SDVOB Compliance Report (SDVOB 101) determines that the contractor is failing or refusing to comply with the contract goals and no waiver has been issued in regard to such non-compliance, NYSDOL may issue a notice of deficiency to the contractor. The contractor must respond to the notice of deficiency within seven (7) business days of receipt. Such response may include a request for partial or total waiver of SDVOB contract goals.

Waiver requests should be sent to:

New York State Department of Labor
Purchase and Contracts, Service-Disabled Veteran-Owned Business Administrator
State Campus
Building 12, Room 465
Albany, NY 12226

d. Required Good Faith Efforts

In accordance with 9 NYCRR § 252.2(n), contractors must document their good faith efforts toward utilizing SDVOBs on the contract. Evidence of required good faith efforts shall include, but not be limited to, the following:

- Copies of solicitations to SDVOBs and any responses thereto.
- Explanation of the specific reasons each SDVOB that responded to contractors' solicitation was not selected.
- Dates of any pre-bid, pre-award or other meetings attended by contractor, if any, scheduled by NYSDOL with certified SDVOBs whom NYSDOL determined were capable of fulfilling the SDVOB goals set in the contract.
- Information describing the specific steps undertaken to reasonably structure the contract scope of work for the purpose of subcontracting with, or obtaining supplies from, certified SDVOBs.
- Other information deemed relevant to the waiver request.

e. Monthly SDVOB Contractor Compliance Report (SDVOB 101)

In accordance with 9 NYCRR §252.2(q), the contractor must submit a Monthly SDVOB Contractor Compliance Report (SDVOB 101) to NYSDOL during the term of the contract for the preceding month's activity, documenting progress made towards achieving the contract SDVOB goals. This information must be submitted using form SDVOB 101 available on NYSDOL's website and should be completed by the contractor and submitted to NYSDOL, by the 10th day of each month during the term of the contract, for the preceding month's activity to:

New York State Department of Labor
Purchase and Contracts, Service-Disabled Veteran-Owned Business Administrator

State Campus
Building 12
Room 465
Albany, NY 12226
Labor.sm.SDVOBAdmin@labor.ny.gov
518-474-2678

f. Breach of Contract and Damages

In accordance with 9 NYCRR §252.2(s), any contractor found to have willfully and intentionally failed to comply with the SDVOB participation goals set forth in the contract, shall be found to have breached the contract and contractor shall pay damages as set forth therein.

III. Eligibility Information

A. Bidder Eligibility

Eligible Bidders for this RFP include NFP entities only.

In addition, eligible Bidders must:

- Attest to be one (1) of the following: TGNCNB-led; TGNCNB-staffed; or serving TGNCNB individuals, families, and communities in a culturally competent and affirming way that addresses the specific social and structural barriers experienced by transgender, gender non-conforming, and non-binary individuals. (Bidder must submit the TGNCNB Attestation Form (Attachment TGNC) with their proposal attesting to this Minimum Requirement);
- Have two (2) or more full-time employees or the equivalent of two (2) full-time employees. Four (4) part-time employees working hours equivalent to 50% of a full-time employee can meet this requirement. Principals of corporations and owners of businesses such as sole proprietors or partners, are not considered to be employees for this eligibility requirement. Cooperative owner employees who do not serve on the board of directors are considered to be employees for this eligibility requirement. A Bidder is not eligible to apply if it has no employees or if the workers are independent contractors, subcontractors, or contract employees. However, if a Bidder leases its employees for payroll and tax reporting purposes, and has authority over the hiring, firing, and scheduling of workers, they would be eligible for funding consideration;
- Be in good standing with regards to the laws, rules, and regulations for Unemployment Insurance (UI), Worker Adjustment and Retraining Notification Act (WARN), Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- Be headquartered in NYS or have at least one (1) site located in NYS at the time of proposal submission;
- Be able to serve a cross section of clients who are representative of the TGNCNB population in a culturally competent and affirming way, responding to, and addressing the range of sexual and gender diversity within the TGNCNB community;
- Provide services that are ethnically, culturally, linguistically, and age appropriate, and delivered at suitable developmental and literacy levels; and
- Address the specific social and structural barriers to employment experienced by TGNCNB individuals, especially those identified in the NYSDOL 2023 Transgender Employment Study.

Consultants, trade organizations, and other third-party entities are not eligible to apply for TWEF funds on behalf of other organizations.

The use of a grant writer is acceptable if the Bidder, and not the grant writer, commits to implementing the proposed program if the application is successful.

Eligible Bidders must attest to the minimum threshold requirements as outlined in the Evaluation Criteria section ([Section V.B.](#)) of this RFP.

Separate operations or locations of an eligible Bidder may apply separately if they have different Federal Employer Identification Numbers (FEINs). However, NYSDOL will also have to confirm that all such branches, locations, and companies are not part of a greater whole.

B. Participant Eligibility

Eligible participants for the TWEF RFP are TGNCNB individuals within NYS.

C. Program Services

Funding will support organizations that demonstrate the capacity to increase access to employment for TGNCNB individuals, improve the quality of life for TGNCNB individuals through the promotion of employment equity by striving to ensure full and equal access to training services, and eliminate bias and discrimination based on gender identity and expression in the workplace.

1. Occupational Skills Training and Career Development Services

The proposed training program should include interventions designed to increase access to employment opportunities, including related education, for any unemployed participants and/or increase the wages and hours of any underemployed participants. This can include vocational training, job readiness services, and employment workshops. Training may provide entry-level support or create career pathways in specific fields.

Bidders must describe their strategies to offer career development services, which teach job search and attainment skills; career awareness, exploration, and enhancement skills; and work readiness, employability, and job retention skills. The proposed training program must be able to provide services that are ethnically, culturally, linguistically and age appropriate, and delivered at suitable developmental and literacy levels. Occupational skills training and career development services are defined in greater detail in [Section VII](#).

2. Supportive Services

Proposed training programs should also include strategies for providing supportive services aimed at enhancing equitable employment outcomes for TGNCNB individuals. This can include, but is not limited to:

- Implementing individual or group TGNCNB mentoring strategies, which may include utilizing program graduates, business representatives, and community leaders in training delivery and support groups;
- Providing robust monetary and non-monetary incentives for retention, and strategies related to concrete benchmarks as participants move through the course(s) (if providing these incentives, include detail on the benchmarks and amount to be paid per benchmark);
- Providing services such as stipends or remuneration that address the needs of prospective participants for services such as childcare, transportation, food access, work-specific clothing, and housing (if providing these services, include detail on the services provided). Bidders may consider using the Employability Profile at JobZone (<https://dol.ny.gov/jobzone>);
- Establishing a strong and meaningful referral system with partner organizations or agencies to ensure supportive services are available to participants and follow up with agencies and participants takes place regularly;

- Providing case management of participants with regular contact (weekly) at the onset of training and employment (in person, phone, social media), and gradually reducing this contact as new hires are acclimated to the job;
- Maintaining regular contact with business(es) after hires are made to assist with any difficulties that may arise during the participant’s transition to the position;
- Referring participants to support groups and/or counseling concerning how to deal with hostile work environments, microaggressions, and gender-based harassment in the workplace;
- Completing Know Your Rights training on Gender Expression Non-Discrimination Act (GENDA) and other legal protections TGNCNB individual have in NYS; and
- Providing resources on how to navigate gender identity in the workplace. This can include access to gender affirming work attire, how to navigate names and pronouns in the workplace, and assistance with legal name changes.

D. Reporting Requirements

The Contractor must submit individual participant level data to NYSDOL. **Personally Identifiable Information (PII) collected will only be reviewed internally by NYSDOL and will not be shared publicly.**

Contractors must document participant information specifically on Trainee Information Forms (TIFs). The PII collected on the TIF is required for reporting purposes to NYSDOL and will be entered to report obtained employment. PII is securely stored on SFS and NYS servers, where only authorized individuals can access the necessary information and where data is protected by high-level security settings administered by the NYS Office of Information Technology Systems (ITS). See [Section VIII](#) of this RFP for the TIF Appendix.

Contractors must participate in a collaborative process with NYSDOL to assess program outcomes and provide quarterly reports describing the progress of the program with respect to such things as implementation, participant recruitment, progress in meeting deliverables, significant accomplishments and successes achieved, as well as corrective action plans to address barriers that arise.

Note: TWEF participants who are immigrants/asylum seekers and not yet authorized to work in the United States cannot be referred for employment or be offered any job search services until they are authorized to work. Even though these participants cannot be referred for employment until they are authorized to work, NYS funds can support training and other necessary, non-job search related services to prepare them for employment once they obtain the authorization to work in the United States.

IV. Process for Proposal Submission

A. Questions Concerning this RFP

Bidders may submit questions via electronic mail to WDTD.Onestop@labor.ny.gov. Questions regarding the RFP will be accepted through January 3, 2025. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: **“NYSDOL TWEF Program.”** Answers to all questions will be posted on an ongoing basis on the NYSDOL Funding Opportunities [webpage](#), with the final posting taking place no later than January 10, 2025.

Bidders in need of technical assistance regarding this RFP may reach out to the NYSDOL Grants and Solicitations Team at WDTD.Onestop@labor.ny.gov. Technical assistance requests related to the application will be accepted through the submission deadline date of January 17, 2025.

Bidders should send all requests to the Grants Administration shared mailbox, WDTD.Onestop@labor.ny.gov. This mailbox is monitored daily by the Grants Administration team and emails are addressed as they come in. If it is determined the team is unable to assist a Bidder through email, a phone call or meeting will be suggested and set up.

A Bidder Workshop will be held virtually on December 10, 2024, from 10:00AM-12:00PM to answer prospective questions. To attend this meeting, please click the Zoom link on the NYSDOL Funding Opportunities [webpage](#) or within the Question and Answer document on the same webpage. Attendees are asked to submit questions to WDTD.Onestop@labor.ny.gov prior to the workshop, but no later than November 26, 2024. This will allow time for the NYSDOL Team to form responses to share at the workshop.

B. Proposal Due Date

The completed proposal with all required attachments must be within SFS **no later than 4:00 PM** NYS Time on **January 17, 2025**. Any proposals or unsolicited amendments to proposals received after the due date and time will not be considered in the review process. No mailed, faxed, or emailed documents will be accepted. NYSDOL takes no responsibility for any third-party error in the delivery of proposals (i.e., computer failure, power outages, etc.)

C. SFS Registration and Prequalification Status

As indicated in [Section II.E.](#) of this RFP, all interested Bidders must be registered in SFS prior to proposal submission and all non-governmental NFP Bidders must also be designated as prequalified prior to proposal submission. NFP Bidders cannot submit grant proposals unless their status is prequalified. NFP Bidders whose status is not prequalified prior to proposal submission will receive an error message if they try to submit grant proposals.

If awarded, a prequalified NFP Contractor must maintain prequalification status during the contract period. The organization will be given an opportunity to submit documents and information to Grants Management in order to maintain or regain prequalification status.

For more information about SFS and Prequalification, please visit the Grants Management website <http://grantsmanagement.ny.gov> or contact the Grants Management Team at grantsreform@its.ny.gov. The Grants Management help desk/hotline can be reached at (518) 457-7717 or (855) 233-8363 (toll free).

NYSDOL will consider any proposal not meeting the registration or non-governmental NFP Bidder prequalification requirements prior to proposal submission to be non-responsive.

D. Proposal Submission Instructions and Format

Interested parties must apply online via the SFS website at: https://esupplier.sfsSFS.ny.gov/psc/fscm/SUPPLIER/ERP/c/NUI_FRAMEWORK.PT_LANDINGPAGE.GBL?&.

Completed proposals must be submitted through SFS by the designated date and time. In order to submit a proposal, Bidders must be registered and logged in to SFS as detailed in [Section II. E.](#)

For a proposal to be considered, the Bidder must meet the eligibility criteria outlined in [Section III.A.](#), complete all required parts, and upload all the documents or information requested in the forthcoming sections in the SFS system prior to or by the submission due date. Required proposal attachments ([Section VIII](#)) are listed below:

1. TGNCNB Attestation Form (TGNC);
2. Vendor Responsibility – Bidder Questionnaire (VRBQ);
3. Executive Order (EO) 177 Certification (EO 177);
4. Executive Order (EO) 16 Certification (EO 16);

5. Key Contacts (KC);
6. MWBE-EEO Policy Statement (Fillable);
7. EEO-100 – Equal Employment Opportunity Staffing Plan;
8. MWBE 100 – MWBE Utilization Plan (MWBE-4);
9. MWBE 101 – Application for Waiver of MWBE Participation Goal (MWBE-5);
10. SDVOB 100 – SDVOB Utilization Plan (SDVOB-1); and
11. SDVOB 200 – Application for Waiver of SDVOB Participation Goal (SDVOB-3).

The required attachments can be found in SFS in the TWEF Program under Event Comments and Attachments and must be attached to the corresponding question in the event.

The following informational attachments can be found in the TWEF event in SFS under Events Comments and Attachments:

1. Appendix – Combined Terms and Conditions – A-1 and A-2 (CTC);
2. Appendix – General Information for Successful Bidders/Applicants (GISBA);
3. Appendix – Standard Clauses for all NYS Contracts (SCNYS);
4. Appendix – Master Contract, Terms & Conditions (MC);
5. Appendix – SFS Prequalification Requirement (SFSPR);
6. Appendix – Trainee Information Form (TIF);
7. Appendix – Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) Requirements and Procedures (MWBE);
8. Appendix – EEO 101 – Workforce Utilization Report (MWBE-3);
9. Appendix – MWBE 105 – MWBE Quarterly Compliance Report (MWBE-6);
10. Appendix – Service-Disabled Veteran-Owned Business (SDVOB) Requirements and Procedures (SDVOB); and
11. Appendix – SDVOB 101 – SDVOB Monthly Compliance Report (SDVOB-2).

Once the proposal is complete, a prospective Bidder is **strongly encouraged** to submit their proposal at least **48 hours prior to the proposal's** due date and time specified on the cover page of this RFP. This will allow sufficient opportunity for the Bidder to obtain assistance and take corrective action should there be a technical issue with the submission process. **Failure to leave adequate time to address issues identified during this process may jeopardize a Bidder's ability to submit their proposal.**

E. RFP Timetable

- RFP Release Date – November 12, 2024
- Deadline Date for Questions – Ongoing as received, but no later than January 3, 2025
- Deadline Date for Responses to Questions – Ongoing as received, but no later than January 10, 2025
- Proposal Due Date – January 17, 2025
- Projected Notification of Awards – Spring 2025

V. Proposal Review and Selection

A. Evaluation of Proposals

A complete proposal, including all required attachments, must be submitted via SFS so that NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the proposal will jeopardize the Bidder's potential for funding. NYSDOL will make an initial eligibility determination on each proposal received. Proposals that do not meet NYSDOL's minimum eligibility requirements will be disqualified. Proposals deemed eligible will be scored based on further review and evaluation. Proposal scores will consist of 70% for Program Design, 10% for Work Plan, and 20% for Program Cost. Scoring of technical merit will award points based on a "criteria met" or "criteria not met" scale. NYSDOL reserves the right to make no awards.

Proposals must first meet all minimum eligibility requirements. Upon receipt of all required proposal documents and confirmation of minimum eligibility requirement attainment, proposals will be evaluated by NYSDOL staff. Proposals will be scored based on the Program Design, Program Cost, and Work Plan described in the Evaluation Criteria section ([V.B.](#)) of this RFP.

B. Evaluation Criteria

The Evaluation Criteria has eight (8) categories as outlined below:

EVALUATION CATEGORY	POINTS
Minimum Requirements	0
Population	9
Diversity, Equity, and Inclusion	10
Description of Program	25
Outcomes	5
Description of Organization	21
Work Plan	10
Program Cost	20
TOTAL PROPOSAL POINTS	100

For a detailed description of the evaluation criteria and program cost components, see below. The scoring of sections will be based on:

- 1) Whether the component or question is answered (yes or no), which will account for half of the points awarded; and
- 2) The level of description the component contains, which will account for the other half of the points awarded.

1. Minimum Requirements (0 points)

Failure to attest to and document minimum requirements will result in an automatic rejection of the proposal and scoring will not proceed. No points will be awarded for minimum requirements. Bidders must attest to each of the following:

- 1) Bidder is an organization that attests to be one (1) of the following: Transgender, Gender Non-Conforming, and Non-Binary (TGNCNB)-led; TGNCNB-staffed; or serving TGNCNB individuals, families, and communities in a culturally competent and affirming way that addresses the specific social and structural barriers experienced by transgender, gender non-conforming, and non-binary individuals. Bidder must submit the TGNCNB Attestation Form (Attachment TGNC);
- 2) All programming for this funding will target TGNCNB participants;
- 3) Bidder is a NFP entity;

- 4) Bidder is headquartered in NYS or has at least one (1) site located in NYS at the time of proposal;
- 5) Bidder is in good standing with regard to the laws, rules, and regulations for Unemployment Insurance (UI), Worker Adjustment and Retraining Notification (WARN), Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- 6) Bidder employs two (2) or more employees or the equivalent of two (2) full-time employees at the time of proposal submission and throughout the duration of the contract (year-round, part-time employees are acceptable);
- 7) The proposal was developed by the Bidder and all language therein is presented at the request of the Bidder. The use of a grant writer is acceptable, only if the Bidder and not the grant writer, commits to implementing the program listed in the proposal, if the proposal is successful;
- 8) Bidder agrees to submit reports to NYSDOL on an as needed basis for the purposes of meeting Federal and state reporting requirements and understands such reporting may include identifiable information related to both the Bidder and the participant;
- 9) Bidder is responsible for recruiting eligible individuals as defined in the RFP;
- 10) Bidder will not charge or expect any participant served under this proposed training program to pay any tuition charges or other fees;
- 11) Bidder understands that all Bidders must register in the Statewide Financial System (SFS) (https://esupplier.sfs.ny.gov/psc/fscm/SUPPLIER/ERP/c/NUI_FRAMEWORK.PT_LANDINGPAGE.GBL) before proposal submission;
- 12) Bidder understands that all non-governmental NFP organizations must prequalify before proposal submission and must be in an acceptable pre-qualification status in the SFS system;
- 13) It is the intention of the Bidder that the individuals to be trained will either seek full-time or part-time employment or a higher level of employment in NYS upon completion of the training; and
- 14) Bidder will comply with NYS Labor law and Federal law for the protection of the trainees.

Bidders must complete and upload each of the following required proposal [attachments](#) as listed below:

1. TGNCNB Attestation Form (TGNC) – Signed and in PDF format;
2. Vendor Responsibility Bidder Questionnaire (VRQ) – Signed and in PDF format;
3. NYS Executive Order 177 Certification (EO 177) – Signed and in PDF format;
4. NYS Executive Order 16 Certification (EO 16) – Signed and in PDF format;
5. Key Contacts (KC) – Excel format;
6. MWBE-EEO Policy Statement (MWBE-1) – Signed and in Word format;
7. Equal Employment Opportunity Staffing Plan (MWBE-2) – Signed and in Word format;
8. MWBE 100 – MWBE Utilization Plan (MWBE-4);
9. MWBE 101 – Application for Waiver of MWBE Participation Goal (MWBE-5);
10. SDVOB 100 – SDVOB Utilization Plan (SDVOB-1); and
11. SDVOB 200 – Application for Waiver of SDVOB Participation Goal (SDVOB-3).

These required attachments are listed as questions in the Eligibility Review section. To respond to each attachment question, Bidders will go to the Events Comments and Attachments section in the event to find the corresponding attachment needed to be completed. Once completed, the Bidder will upload the attachment in response to the actual question.

Bidders must fully answer each part of the elements provided in SFS and submit applicable attachments.

2. Program Design (70 points)

A total of 70 points is available in scoring for the Program Design part of the proposal. When submitting proposals for funding under this RFP, the narrative must address all components listed below, in order. Bidders must answer each question as a stand-alone question. Please be clear and concise in your response.

Population – 9 points

- 1)** Describe the New York State (NYS) geographic region/area the workforce development program will serve. (0 points)
- 2)** Describe, in narrative, the characteristics of the population(s) to be served by the workforce development program, including: (5 points)
 - a. Demographic information: race/ethnicity, gender identity, and age. This can be based on the existing data of your organization. It is understood that this is a projection, and the same demographics may not be present in the program when executed. (2 points)
 - b. A summary of their needs related to workforce development and other social service needs, including those who may have limited support network/resources and who may not otherwise be engaged in traditional employment. (3 points)
 - c. The anticipated number of participants to be served. (0 points)
- 3)** Describe outreach and recruitment strategies that will ensure participation of TGNCNB individuals, inclusive of those who are questioning their gender identity. This should include methods of recruitment and descriptions of in-person (tabling at events) and digital (virtual or phone) strategies. Any outreach and engagement materials described, including social media campaigns, videos, toolkit resources, manuals, etc. may be shared with NYSDOL. Include struggles you may anticipate in recruiting and strategies to overcome them. Include a projected number of total TGNCNB individuals expected to be served over the course of the three-year contract period. (4 points)

Diversity, Equity, and Inclusion – 10 Points

- 4)** Provide a mission statement for connecting TGNCNB individuals to workforce development and employment support services that includes information about the intent to serve individuals from marginalized/underserved populations in a culturally responsive way. (2 points)
- 5)** Describe, in narrative, how feedback from participants will be incorporated into future services to ensure continuous program improvement. Include a management-level person responsible for incorporating this feedback. For example, will there be surveys, focus groups, or other solicitation of feedback from participants? What will you do with the feedback? If someone has a complaint about the program, how is it dealt with? (2 points)
- 6)** Describe diversity, equity, and inclusion training and policy provided to Bidder's staff. (2 points)
- 7)** Describe the Bidder's efforts to recruit, hire, and retain staff from the TGNCNB community. (2 points)
- 8)** Describe efforts to meet the language access needs of clients served by the program. This may include information and data on the most prevalent language access needs, the availability of staff who speak the most prevalent languages, provisions on how to provide language access services (i.e., phone, video interpretation). Additionally, provide any information about the plan to provide documents and forms in the most prevalent languages. (2 points)

Description of Program – 25 points

- 9)** Provide an executive summary of your proposed workforce development program. This should be a paragraph describing your program broadly. (2 points)
- 10)** Describe plans for the outreach to, and engagement of, potential employers. (2 points)

- 11)** Describe how your workforce development program will offer occupational skills training. Include descriptions of training that is evidence-informed and/or provides innovative interventions that support employment and learning. Please include the following information in your description: (8 points)
- The name of any training course provided;
 - The educational strategy for each course (i.e., classroom training, distance learning, shadowing, one-on-one training, etc.);
 - Any materials to be used for each course (i.e., textbooks, presentations, guest speakers, etc.);
 - The duration for each course (i.e., the number of weeks and total number of hours for each course);
 - A detailed description of the occupational skills the trainees will acquire for each occupational skills training course; and
 - If the program is an industry-specific training course (i.e. cosmetology, social work), describe the industry-specific skills and required licensure needed and how the course would achieve training in these skills.
- 12)** Provide a description of the career development services (i.e., resume writing, interview preparation, etc.) to be provided and describe how these services will be integrated with the training. (5 points)
- 13)** Describe your approach to offering culturally appropriate and community specific programming meant to meet the workforce development needs of the TGNCNB population. (8 points)
- Provide services that are ethnically, culturally, linguistically, and age appropriate, and delivered at suitable developmental and literacy levels;
 - Respond to and address the range of sexual and gender diversity within the TGNCNB community;
 - Involve members of the TGNCNB population in the planning and design of the proposed program; and
 - Have a program design that is inclusive of services specific to the TGNCNB population.

Outcomes – 5 points

- 14)** Provide, in narrative form, how your program will address a minimum of three (3) long-term outcomes applicable to your Program Design. Listed below are nine (9) potential outcomes that Bidders can select from, or Bidders can identify their own. Bidders will be evaluated on how well the activities in the Program Description above align with proposed outcomes. (5 points)
- Increase employment and/or employment opportunities for TGNCNB individuals;
 - Reduce barriers to employment for TGNCNB individuals;
 - Increase job readiness of TGNCNB individuals;
 - Develop TGNCNB individuals as leaders;
 - Increase access to TGNCNB welcoming and affirming education and employment opportunities;
 - Develop mentorship and networking opportunities for TGNCNB individuals;
 - Advance skills in a person's chosen field of work to progress to the next level of their career;
 - Help TGNCNB individuals explore careers; and
 - Increase the economic stability of TGNCNB individuals.

Description of Organization – 21 points

- 15)** Provide a summary of the organization and its mission, the services provided, and the population(s) served. (0 points)

- 16)** Describe your experience with, and ability to, service the TGNCNB population. Expertise in engaging the TGNCNB population, particularly providing outreach and support to TGNCNB individuals should be described to demonstrate the applicant’s qualifications to operate a workforce development program for TGNCNB individuals. (2 points)
- 17)** State if the organization, or a subcontractor identified in the Work Plan, is led by individuals who self-disclose their gender identity as transgender, gender non-conforming, and/or non-binary and describe the leadership position(s) held. This can include executive directors, board members, and others directing the agency. Describe their positions and responsibilities. For Bidders responding affirmatively, state the number and overall percentage of leadership that have self-disclosed as TGNCNB. For subcontractors identified in the Work Plan, points will be awarded based on the percentage of work the subcontractor is stated to complete in the Work Plan, rounded to the nearest whole number. For example, if a subcontractor is led by an individual who self-discloses their gender identity as TGNCNB and is purported to complete 25% of the Work Plan, the proposal can earn up to 3 points (25% of the 10 points available is 2.5, which will be rounded to 3). (10 points)
- 18)** State if the organization, or a subcontractor identified in the Work Plan, including any existing workforce development programming, is staffed by individuals who self-disclose their gender identity as transgender, gender non-conforming, and/or non-binary and describe the staff position(s) held. Describe their positions and responsibilities. For Bidders responding affirmatively, state the number and overall percentage of staff that have self-disclosed as TGNCNB. For subcontractors identified in the Work Plan, points will be awarded based on the percentage of work the subcontractor is stated to complete in the Work Plan, rounded to the nearest whole number. For example, if a subcontractor is staffed by individuals who self-disclose their gender identity as TGNCNB and is purported to complete 50% of the Work Plan, the proposal can earn up to 3 points (50% of the 5 points available is 2.5, which will be rounded to 3). (5 points)
- 19)** Describe your experience in providing workforce development and/or career services training, including if the program referenced in the Program Description has been offered in the past. Include information regarding years of operation and demographics of individuals served, and how the TGNCNB community was engaged with or consulted in the development of the Program. (2 points)
- 20)** Describe your plan to engage with business(es) and ensure they are safe and affirming for TGNCNB individuals. (2 points)

2. Work Plan – 10 points

A total of 10 points are available in scoring the proposed Work Plan.

Utilizing the SFS System, Bidders will define the objectives, tasks, timeframes, and performance measures that will detail the proposed plan to support new participants in their TWEF program.

The Work Plan summary, objectives, tasks, and performance measures should provide detail to show how Bidders are going to demonstrate the work they are doing throughout the duration of the contract. To differentiate between the outcomes and Program Design elements above, the Work Plan pieces are more focused on the measurement and metrics of your program. What indicators show the program is succeeding? How do you know the rollout of the program is going well (or not)?

Objectives are the intended/desired benefits of program services and may relate to knowledge, skills, attitudes, behaviors, or conditions. Objectives are broad, often long-term, and are more general than tasks. Program objectives must be consistent with the desired RFP outcomes and address identified problems, conditions, needs, and behaviors of the service population. Tasks reflect the associated activities or action steps to be completed for each Objective. Each Task is associated to one (1) or more performance measures (how you will measure the success of each Objective’s Tasks).

Below are examples of a summary, objectives, tasks, and performance measures. Programs do not have to use this exact language but should show a similar level of detail in their Work Plan.

Example Summary:

1. Plan on how the organization will create an environment that promotes openness, comfort, social connections, and safety to meet the needs of the TGNCNB community; and
2. Plan on how the organization intends to implement the program.

Example Objectives, Tasks, and Performance Measures:

- Example Objective 1: Outreach strategies are designed to reach and engage individuals from the TGNCNB community who require workforce development related programs and services.

Example Task 1: The contractor will develop and implement an outreach plan to promote workforce development services to the TGNCNB community.

Example Performance Measure 1: The outreach plan includes internal organizational recruitment strategies and community partnerships to identify and serve the workforce needs of the TGNCNB community. The plan is assessed for successes/failures and revised accordingly.

- Example Objective 2: The program successfully recruits and serves participants from the TGNCNB community.

Example Task 2: Each individual interested in workforce development services receives an initial assessment to determine workforce development and supportive services needs.

Example Performance Measure 2a: The program will recruit an estimated (enter number) of participants from the TGNCNB community.

Example Performance Measure 2b: 95% of interested participants receive an initial assessment as documented in participant files and monthly reporting.

- Example Objective 3: All participants receive individualized workforce development services.

Example Task 3: Each participant will have an individualized plan that details their workforce development and supportive services needs.

Example Performance Measure 3: 100% of enrolled participants will have an individualized plan on file that details the workforce development programs and services recommended and provided, as well as supportive services needs including, but not limited to, work authorization, housing, transportation, childcare, domestic violence, trauma, mental health, and substance use.

3. Program Cost – 20 Points

A total of 20 points are available in scoring the Program Cost of the proposal. Requested funding must be directly related to the proposed training program. All proposed expenditures must be allowable, reasonable, necessary, and clearly related to the purposes and activities of the services.

Cost Score

For Program Cost scoring purposes, proposals will be subdivided into two (2) groups according to what NYS region the Bidder is headquartered in: (1) for Bidders headquartered in New York City; and (2) for Bidders headquartered in the rest of NYS.

First, the cost per participant of each proposal will be calculated by dividing the total program cost requested in the Budget by the total number of anticipated participants to be served as indicated in question 2) c. of the Program Design section of the RFP. Bidders must fully complete the budget in SFS so an accurate cost per participant for the program can be calculated by NYSDOL. Bidders who fail to answer question 2) c. in the Program Design section of the proposal and/or fully complete the budget may be given a cost score of 0.

After the cost per participant for each proposal is calculated, program cost scores within each group will be calculated using the following formula: The lowest cost per participant of the proposals within the applicable group will be divided by the cost per participant of the proposal being scored. The result will be multiplied by the highest possible program cost score of 20 points to determine the proposal's program cost score.

During the cost review process, NYSDOL will not remove any disallowed costs included in the proposal. However, during the award process and contract negotiations, if it is determined unallowable costs were included in the proposal, those costs will not be included in the contract. NYSDOL reserves the right to request additional information from Bidders during the program cost scoring process if the budget information provided is not clear.

Budget

In the various expenditure budget forms located in SFS (Personal Services, which includes Salary and Fringe; and Non-Personal Services, which includes Contractual, Travel, Operating Expenses, and Other), Bidders will account for how the funding will be allocated. Please consult [Section II.A.1](#) in this RFP for eligible expenses.

Only categories in which the proposed program will be allocating funding need to be filled in. To avoid errors, do not enter any information in categories where grant funding will not be used. Use the following as a guide in completing the budget:

Personal Services

- Salaries: List the annual salaries of the staff that will be working on the project and the corresponding percentages of their time spent. Describe briefly, in the Budget Narrative, the roles of the staff titles listed. Provide an explanation of any anticipated changes or exceptions in staffing patterns and/or annual salary costs during the contract period; and
- Fringe: Briefly explain the calculation of fringe benefits, including a breakdown of the fringe benefit structure. Fringe benefits include social security, workers' compensation, UI, disability insurance and any insurance programs the Bidder organization provides. If budgeted fringe benefits represent an exception to standard policy, please explain the basis.

Non-Personal Services

- Contractual: This category includes institutions, individuals, or organizations external to the Contractor which have entered into an agreement with the Contractor to provide any services outlined in or associated with the contract, and whose services are to be funded under the contract. All such agreements are to be by bona fide written contract and a copy of each must be attached. If details are not known, include a brief narrative of each contracted service to be provided, indicating the organization/individual selected, anticipated outcomes, and projected budget.
- Travel: Staff travel costs should be budgeted in line with standard agency travel policy or Office of State Comptroller (OSC) guidelines. Travel costs are reimbursed at NYS rates. Only travel costs for personnel listed under Staff Salaries are acceptable. Consultant or sub-contractor's travel expenses should be included in Contracted Services. Use the Budget Narrative to indicate how staff travel costs were calculated (i.e., number of miles, mileage rate, etc.). Any exceptional staff travel costs must be justified in the Budget Narrative. No out-of-state travel costs are allowed unless specifically detailed and approved. All non-local destinations for travel must have prior NYSDOL approval.
- Space/Property & Utilities: This section is used to itemize costs associated with Property-related costs for space that is rented or owned. Use the respective Budget Narratives to indicate how the expense related to the training purposes funded by this grant and how the proportion of costs were determined.

- Operating Expenses: List operating expenses, such as supplies, postage, printing, photocopying, rent, and telephones. Use the Budget Narrative to indicate how operating expenses were calculated. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the budget narrative.
- Other: List other items not included under any other category. Any type of expense outside of the categories listed above and any exceptional dollar amounts must be explained in the Budget Narrative. Indirect Costs, if applicable, should be listed in this category and are described as:
 - Costs that are not directly accountable to a particular grant award, contract, program function, or activity, but are necessary for the general operation of the organization. Indirect costs may be either fixed or variable and may include administration, personnel, and security costs. Some indirect costs may be overhead. Indirect costs for this funding opportunity will be the approved federally recognized indirect cost rate negotiated between the applicant and the Federal government; if no such rate exists, then 10% of the modified total direct cost of the proposed budget.

C. Method of Selection

Proposals must first meet all minimum eligibility requirements outlined in the Minimum Requirements Section ([V.B.1.](#)) of this RFP.

Proposals that meet all minimum eligibility requirements will proceed to the review phase, where the proposal will be scored for Technical Merit (worth up to 80% of the total) by NYSDOL's Program Staff and Program Cost (worth up to 20% of the total) by NYSDOL's Finance Bureau. A complete response to each question is crucial to ensure full points are awarded. Scores for each portion of the evaluation will be combined and result in the proposal Final Score. Proposals will be awarded in rank order beginning with the proposal(s) with the highest total points until the funding allocated to the program is exhausted.

If a proposal achieves a score that would be awarded, but the costs are not reasonable to NYSDOL or the skills are not transferable, NYSDOL reserves the right to reject the proposal.

In the case of tied scores, preference will be given to proposals with organizations or subcontractors that are TGNCNB-led or staffed. If both proposals have organizations or subcontractors that are TGNCNB-led or staffed, preference will be given to the highest Program Design evaluation score. If the Program Design evaluation scores are also tied, the award will be decided by NYSDOL's Deputy Commissioner for Workforce Development.

NYSDOL may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet agency program requirements consistent with the RFP.

It is important to note that:

- Ineligible Bidders will be disqualified before completing a review;
- Incomplete applications will be disqualified;
- All Bidders that are determined not to be responsive or responsible will be disqualified after completing a review;
- Proposals that fail to meet minimum requirements will be disqualified; and
- NYSDOL reviews will result in a final score.

All Bidders will receive a letter informing them of the decision on their proposal and successful Bidders will be contacted by NYSDOL's contract development staff.

VI. Award Administration and Information

A. Award Notices

All Bidders selected for an award will receive a letter informing them of the decision on their proposal and successful Bidders will be contacted by NYSDOL's contract development staff. If awarded, the Bidder will also be notified of the maximum amount it has been awarded.

Bidders who receive an award must be prepared to enter into contract negotiations immediately and begin trainings no later than six (6) months from the date of the award letter. NYSDOL reserves the right to rescind the award of any Bidder that is unable or unwilling to promptly engage in the contracting process or to begin conducting its trainings in accordance with the terms of the contract.

Bidders not awarded are entitled to request a debriefing from NYSDOL, which may include the reason(s) for the non-award and general guidance on the part(s) of the evaluation criteria that were not met. Such debriefing shall be requested within 15 calendar days of the notice of non-award. NYSDOL will respond to the debriefing request within a reasonable amount of time.

B. Payment

Once a contract has been developed and formally executed, funds will be released on a cost reimbursement basis. A Contractor must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Vouchers must be submitted to NYSDOL on the prescribed forms before payment is made. For cost reimbursements to be approved, certain records must be kept, and specific documents submitted. Contractors can reach out to NYSDOL at any time with questions regarding these specific documents. Contractors must provide documentation that the service was provided. This will include attendance records for each training session to document attendance or certificates of completion showing the participant completed all required elements of the training. Attendance sheets must include the Course Name, Training Provider, Name of the -participant, Signature of the participant, Signature of the Trainer, and Date and Hours of Training. Attendance verification is still required for remote courses, and will also need to include Course Name, Training Provider, Name of participants, Date and Hours of Training, and attestation of accuracy by the trainer.

Please be advised that trainings may not begin until after an award is made. This includes the completion of application reviews, due diligence being confirmed, awardees determined, and award letters being issued. The start date for all contracts resulting from this solicitation may be no earlier than the date of the award letter issued by NYSDOL. Any training that begins or is paid for prior to the contract start date will fall outside the contract period and be ineligible for reimbursement. Further, all activities funded by the contract must end on or before the end date of the contract and any activities that occur after the end date of the contract will not be eligible for reimbursement.

NFPs funded under the TWEF are eligible for a cash advance of their award, up to 25% of total contract value, at the sole discretion of NYSDOL and subject to the availability of funds appropriated and available for contracts entered into pursuant to this solicitation. Any award must be expended on program activities in NYS.

Electronic Payments – Payment for invoices submitted by the Contractor shall only be rendered electronically unless payment by paper check is expressly authorized by the Commissioner, in the Commissioner's sole discretion, due to extenuating circumstances. Such electronic payment shall be made in accordance with ordinary State procedures and practices. The Contractor shall comply with the NYS Comptroller's procedures to authorize electronic payments. Authorization forms are available at the NYS Comptrollers website at www.osc.state.ny.us/epay/index.htm, by email at helpdesk@sfs.ny.gov, or by telephone at 855-233-8363. The Contractor acknowledges that it will not receive payment on any invoices submitted under this Contract if it does not comply with the NYS Comptroller's electronic payment procedures, except where the Commissioner has expressly authorized payment by paper check as set forth above.

C. General Requirements

All proposal and accompanying documentation will become the property of NYS and will not be returned. The content of each Bidder's proposal will be held in strict confidence during the evaluation process, and no details of the proposal will be discussed outside of the evaluation process. The successful Bidder's proposal and portions of the RFP deemed applicable by NYSDOL will be made part of the contract. Therefore, an official authorized to commit the company to a contract must sign the proposal.

D. NYS Executive Orders

Please note that the statewide funds supporting this initiative are subject to the following NYS Executive Orders:

- NYS Executive Order 177 (issued on February 3, 2018) – See [Section VIII](#) for further information.
- NYS Executive Order 16 (issued on March 17, 2022) – See [Section VIII](#) for further information.

E. Reservation Clauses

NYSDOL, in order to serve the best interests of NYS, reserves the right to:

- 1) Make no award;
- 2) Postpone or cancel this RFP upon notification to all Bidders;
- 3) Amend the specifications after their release with appropriate notice to all Bidders;
- 4) Remove proposals with unreasonable costs from award consideration;
- 5) Request Bidders to present supplemental information clarifying their proposal, either in writing or in formal presentation. Bidders failing to respond to these requests during the time allotted may be eliminated from funding consideration;
- 6) Waive or modify minor irregularities in proposals received after prior notification to the Bidder. This will in no way modify the RFP documents or excuse the Bidder from full compliance with the RFP terms and conditions;
- 7) Correct any arithmetic errors in any proposal;
- 8) Reject any and all proposals received in response to this RFP;
- 9) Contact a Bidders' references as a check on qualifications;
- 10) Award contracts to more than one (1) Bidder;
- 11) Negotiate with selected Bidder(s) prior to contract award;
- 12) Rescind the award of any Bidder unable or unwilling to begin conducting its training activities immediately following contract execution. No Bidder will have any rights against NYSDOL arising from such negotiations;
- 13) Make any payment contingent upon the submission of specific deliverables; and
- 14) Require that all offers are held open for a period of 120 days unless otherwise expressly provided in writing.

VII. Definitions

- 1) **Career Development Services:** Include services provided to trainees in conjunction with occupational skills training to develop their:
 - Job search and attainment skills – Increase job placement potential by honing resume, cover letter, references development, mock interviews, networking, job search skills etc.;
 - Career awareness, exploration, and enhancement skills – Career awareness begins the process of developing knowledge of careers and occupations available, their skill requirements, working conditions and training prerequisites, and job opportunities across a wide range of industry sectors. Career exploration increases trainees’ ability to explore career pathways and understand how their personal attributes (interests, skills, values, motivations, aptitudes, and abilities) affect their potential success and satisfaction with different career options and work environments. Career counseling or guidance provides advice and support in making decisions about what career path to take; and
 - Work readiness, employability, and job retention skills – Increase job retention with a variety of services provided to an individual to have the necessary competencies, capabilities, and readiness to acquire or maintain an appropriate job. Such services could include teaching workplace professionalism (i.e., basic computer skills, time management, workplace behavior, team building, mindfulness, and communication).

These services can be provided in a variety of ways such as individual, peer, or group mentoring; presentations; career assessments and exploration using JobZone (<https://dol.ny.gov/jobzone>); hands-on-activities; field trips; demonstrations; group exercises; and career informational fairs.
- 2) **Incentives:** Encouragement for participants to meet certain benchmarks during the occupational skills training program.
- 3) **Lorena Borjas Transgender Wellness and Equity Fund:** Established by NYS Governor Hochul in 2022 to support organizations that provide critical services for the transgender, gender non-conforming, non-binary, and intersex community.
- 4) **One-on-One Training:** A training provided in-house that consists of only one (1) trainee and one (1) trainer.
- 5) **Occupational Skills Training:** Instruction conducted in an institutional or worksite setting designed to provide individuals with the skills required to perform a specific job or group of jobs needed by a business.
- 6) **Stipend:** Monetary assistance for continued participation in the occupational skills training program.
- 7) **Supportive Services (also see Incentives and Stipends):** Assistance in removing barriers, faced by unemployed/underemployed workers, to participate in the program and enter employment or upgrade to a higher level of employment. Such services are monetary or non-monetary and could include transportation, childcare, dependent care, housing, linkages to partner agencies, and peer/group/individual mentoring strategies. Under the program, these services may also include miscellaneous trainee expenses or robust incentives for meeting certain benchmarks during the course of the occupational skills training or stipends to assist with remaining in the program. These services must be necessary to enable an individual to participate in the occupational skills training and career development services.
- 8) **TBGNCNB:** Acronym/umbrella term used to reference the Transgender, Gender Non-Conforming, and Non-Binary population.
 - Transgender/Trans – An umbrella term for people whose gender identity and/or expression is different from cultural expectations based on their sex classification. Transgender is often abbreviated to trans. Being transgender does not imply any specific sexual orientation. Transgender people may identify as straight, gay, lesbian, bisexual, etc.
 - Gender Non-Conforming (GNC) – A broad term referring to people who do not behave in a way that conforms to traditional or societal expectations of their gender. It also includes people whose gender

expression does not fit neatly into any one (1) category. Expectations of gender vary across cultures and have changed over time.

- Non-Binary (NB or Enby) – An adjective describing a person who does not identify solely as a man or a woman, but may identify as both, as a combination, and/or as another gender. Many non-binary individuals also identify as transgender, but some do not. Non-binary can also be an umbrella term encompassing identities such as agender, bigender, genderqueer or gender-fluid.

9) Training Provider: An entity that provides a training program with one (1) or more courses or classes, or a structured regimen that leads to a recognized post-secondary credential, secondary school diploma or its equivalent, employment, or measurable skill gains toward such a credential or employment.

VIII. Attachments and Appendices

Acronym	Document Title	Required for submission?
TGNC	Attachment – TGNCNB Attestation Form	Yes, with original signatures
VRBQ	Attachment – Vendor Responsibility Bidder Questionnaire	Yes, with original signatures
EO 177	Attachment – Executive Order (EO) 177 Certification	Yes, with original signatures
EO 16	Attachment – Executive Order (EO) 16 Certification	Yes, with original signatures
KC	Attachment – Key Contacts	Yes
MWBE-1	Attachment – MWBE-EEO Policy Statement (Fillable)	Yes, with original signatures
MWBE-2	Attachment – EEO 100 – Equal Employment Opportunity Staffing Plan	Yes, with original signatures
MWBE-4	Attachment – MWBE 100 – MWBE Utilization Plan	Yes, for Applicants requesting \$25,000 or more In grant funds, with original signatures
MWBE-5	Attachment – MWBE 101- Application for Waiver of MWBE Participation Goal	Yes, for Applicants requesting \$25,000 or more In grant funds and if MWBE participation is anticipated to be less than 30%, with original signatures
SDVOB-1	Attachment – SDVOB-1 – SDVOB Utilization Plan	Yes, for Applicants requesting \$25,000 or more In grant funds, with original signatures
SDVOB-3	Attachment – SDVOB 200 – Application for Waiver of SDVOB Participation Goal	Yes, for Applicants requesting \$25,000 or more In grant funds and if SDVOB participation is anticipated to be less than 6%, with original signatures
CTC	Appendix – Combined Terms and Conditions – A-1 and A-2	No
GISBA	Appendix – General Information for Successful Bidders/Applicants	No
SFSPR	Appendix – SFS Prequalification Requirement	No
SCNYS	Appendix – Standard Clauses for NYS Contracts	No
MC	Appendix – Master Contract, Terms & Conditions	No
TIF	Appendix – Trainee Information Form	No
MWBE	Appendix – Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) Requirements and Procedures	No
MWBE-3	Appendix – EEO 101 – Workforce Utilization Report	No, required quarterly AFTER Contract award

MWBE-6	Appendix – MWBE 105 – MWBE Quarterly Compliance Report	No, required quarterly AFTER Contract Award
SDVOB	Appendix – Service-Disabled Veteran-Owned Business (SDVOB) Requirements and Procedures (SDVOB)	No
SDVOB-2	Appendix – SDVOB 101 – SDVOB Monthly Compliance Report	No, required monthly AFTER Contract Award

Note: This product does not necessarily reflect the official position of NYSDOL. NYSDOL makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership.