

REQUEST FOR APPLICATIONS
DIRECT ENTRY PRE-APPRENTICESHIP (DEPA) PROGRAMS

Bid Number DEPA-1

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New York State Department of Labor
Division of Employment and Workforce Solutions
Harriman State Office Campus
Building 12, Room 440
Albany NY, 12240

Submission Deadline:
Ongoing until 4:00 PM New York State Time on June 28, 2024

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I. Funding Opportunity Description

A. Purpose

The New York State Department of Labor (NYSDOL) is making up to \$2 million in State Apprenticeship Expansion Formula (SAEF) funding available under the Direct Entry Pre-Apprenticeship Programs (DEPA) Request for Applications (RFA). The purpose of the RFA is to:

1. Provide funding for DEPA programs to support approximately 300 participants; and
2. Support entry into NYS Registered Apprenticeship (RA) programs for underrepresented populations including women, minorities, individuals with disabilities, and veterans.

NYSDOL is particularly interested in supporting DEPA programs that provide participants with training and exposure to various trades and offer opportunities for entry into RA training programs. Targeted industries include, but are not limited to, Building and Construction, Manufacturing, and Information Technology (IT).

Additional points in scoring will be given to programs that train participants from priority populations, which include, but are not limited to, women, minorities, individuals with disabilities, and veterans.

B. Background

NYSDOL is making \$2 million available through this RFA as part of the Governor's comprehensive plan to strengthen New York State's (NYS) workforce and help grow the economy by focusing on regional needs, creating and expanding access to career services and the jobs of tomorrow, and identifying innovative ways to build the workforce of the future. RAs are an important tool for economic mobility and growth. NYSDOL continues to market and promote NYS RA as the gold standard of workforce development tools to train tomorrow's middle-skill workers in high-demand occupations; however, not all New Yorkers have been able to take advantage of such programs. To help expand RA opportunities for all New Yorkers, this RFA will provide funding for DEPA programs to support pre-apprenticeships.

About Pre-Apprenticeship Programs

Pre-apprenticeship programs provide participants with training and exposure to various trades and offer opportunities for entry into RA training programs.

About Direct Entry Programs

Direct Entry may be used by sponsors of RA programs as another way to bring apprentices into their programs. It is a tool to help sponsors reach underrepresented populations and to better meet their Equal Employment Opportunity (EEO) goals. Direct Entry provides individuals who successfully complete a pre-apprenticeship program, and who meet the minimum requirements for a NYS RA program, with the direct opportunity for an interview with the sponsor of a program.

Information related to Direct Entry and the list of approved Direct Entry providers for NYS RA programs may be found here: <https://dol.ny.gov/direct-entry>.

II. Award Information

A. Funding

NYSDOL is making up to \$2 million available until **June 28, 2024**, to serve approximately 300 participants in Direct Entry pre-apprentice programs that lead to NYS RA programs. A total of \$2 million, or 100% of this RFA, will be financed with federal United States Department of Labor Employment and Training Administration (USDOL ETA) funds. No additional funding is provided by state or non-governmental sources.

Any potential amendments to this RFA, including additional funding being made available, will be posted on NYSDOL's website and in the NYS Contract Reporter. Applications will be accepted and reviewed on an ongoing basis at any time while this funding opportunity is available. Unsuccessful applicants have the option to modify their application and re-submit if funding and time remain.

Single award amounts will not exceed \$195,000. Applications that request more than \$195,000 will be reviewed and scored by NYSDOL. If the application is awardable, NYSDOL will proportionately reduce the project funding at the time of award to fit within the maximum funding amount. Applications unable to remain viable with the reduced funding will not proceed to contract execution. Therefore, it is highly recommended that applicants keep the cost and scope of applications within the maximum award amount.

If the applicant reduces the number of individuals to be trained at any time prior to or after an award is issued, the requested level of funding will be proportionately reduced.

Awardees will be reimbursed up to \$6,500 for each participant they support. This reimbursement will be made in two (2) milestone payments (see [Section II.B.2](#)). This funding is intended to defray the expenses awardees will assume through supporting the participants through the duration of their Direct Entry pre-apprenticeship program.

If federal USDOL ETA funding becomes limited prior to the closing date of this RFA, the program will be suspended with adequate notice in the NYS Contract Reporter and also posted on NYSDOL's Funding Opportunities webpage. Those applications that are received after the suspension date will not be given funding consideration. Upon review, if NYSDOL decides to continue this program with limited funds, a new Request for Proposals (RFP) would be issued outlining a competitive award process.

All awards are subject to funding availability.

B. Use of Funds

DEPA funding is intended to support approximately 300 participants in Direct Entry pre-apprenticeship programs that lead to NYS RA programs.

NYSDOL will provide awardees with up to \$6,500 for each participant under this RFA. The proposed number of participants identified in the grant application must be served during the contract period and must include **new Direct Entry Program participants** only. Applicants may request funding to support as many participants as possible within the \$195,000 maximum award amount.

Milestone-based Reimbursable Cost Per Participant

The reimbursable cost per **new** Direct Entry Program participant under this RFA is limited to a maximum of \$6,500 per participant. Reimbursement for each participant will be made in two (2) separate payments based on achievement of two (2) milestones.

Milestone-based reimbursement will be made as follows:

- Milestone #1: \$4,000 (flat fee) per participant on their enrollment in the Direct Entry pre-apprenticeship program; and
- Milestone #2: \$2,500 (flat fee) per participant when they complete their program. (Note: Direct Entry pre-apprenticeship programs are not uniform in length; applicants will be required to identify the completion date for their program as part of the application process.)

C. Award Minimum and Maximum

The minimum award amount under the DEPA program is \$6,500. The maximum award amount is limited to \$195,000. All awards are subject to funding availability.

D. 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 activity that begins or is paid for prior to the contract start date will fall outside the contract period and be ineligible for reimbursement. Additionally, any 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 ends with the final execution of the contract. Therefore, if an Applicant chooses a contract start date that begins prior to contract execution, the Applicant will be operating at risk for any activities performed prior to the date of final execution of the contract.

Contracts resulting from this solicitation will be awarded for a period of up to 12 months. Applicants must include only those activities that can be reasonably accomplished within a 12-month time period. Under extenuating circumstances, limited no-cost contract extensions may be approved at NYSDOL's discretion. All activities funded by the contract 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.

Contracts will be paid on a performance basis, meaning that payments will be based on documented achievement of the proposed milestones as described in [Section II.B.2](#). Related information is under [Section VIII.B.](#), Payment. Successful Applicants ("Contractor" or "grantee") receiving grant awards will be required to provide reports at intervals specified by NYSDOL. In addition, USDOL ETA may conduct an independent evaluation of the outcomes and benefits of DEPA. By accepting an award under this RFA, the Applicant agrees to participate in any such evaluation.

Please note that NYSDOL must adhere to New York State Prompt Contracting Law timeframes for executing contracts awarded to not-for-profit 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, USDOL or NYSDOL may conduct an independent evaluation of the outcomes and benefits of DEPA funding. By accepting a DEPA Program award under this RFA, the Applicant agrees to participate in any such evaluation.

E. Contracting Process

NYS has established a standardized statewide grant contracting system which is designed to facilitate prompt contracting.

All Applicants are required to register in this system in order to enter into a contract with NYS. All entities must log-in to the Grants Management website at <https://grantsmanagement.ny.gov/register-your-organization> and follow the instructions to complete the registration. **Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.**

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 before the application is submitted.** Failure to do so will mean that their applications will not be reviewed. NFP organizations will be able to submit their responses online, and once reviewed and approved by an NYS agency prequalification specialist, the NFP organization will be able to submit an application. All information is stored in a virtual, secured vault.

For additional information on registration and prequalification, please log on to the Grants Management website at <https://grantsmanagement.ny.gov/register-your-organization> ([registration](#)) or <https://grantsmanagement.ny.gov/get-prequalified> ([prequalified](#)).

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

- Hours of Operation: Monday through Friday, 8:00 A.M. to 4:00 P.M. NYS Time;
- Phone Number: 518-474-5595;
- Email: grantsgateway@its.ny.gov; and
- Grants Management Website: <https://grantsmanagement.ny.gov/>.

F. NYSDOL's Responsibilities

NYSDOL will oversee implementation of the contract(s) awarded through this RFA, including regular monitoring of implementation and performance of the contract(s).

G. Applicant Requirements

By submission of an application in response to this solicitation, Applicants agree with all of the terms and conditions set forth in the attachments to this RFA.

Applicants must comply with the Combined Terms and Conditions ([Section IX, Attachment CTC](#)), which will be incorporated into the Master Contract of successful Applicants.

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

H. Participation Requirements

1. Business Participation Opportunities for Minority and Women-owned Business Enterprises (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 is required to 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 has determined that the Contract does not offer sufficient opportunities to set specific goals for participation by MWBEs as subcontractors, service providers, and suppliers to Applicant. NYSDOL hereby establishes an overall goal of 0% for MWBE participation, 0% for NYS certified minority-owned business enterprises (“MBE”) participation and 0% for NYS certified women-owned business enterprises (“WBE”) participation (based on the current availability of MBEs and WBEs). Nevertheless, Applicants are encouraged to make good faith efforts to promote and assist in the participation of MWBEs on Contracts. The directory of NYS Certified MWBEs can be viewed at <https://ny.newnycontracts.com/>.

Applicants are encouraged to contact the NYSDOL MWBE Administrator at 518-474-2678 or labor.sm.MWBEAdmin@labor.ny.gov to discuss methods of maximizing participation by MWBEs on contracts.

2. Equal Employment Opportunity Requirements (EEO100)

An Applicant will be required to submit EEO 100 (EEO 100, MWBE-2) with its application as evidence of compliance with the foregoing.

By submission of an application in response to this solicitation, the Applicant agrees with all of the terms and conditions of the Master Contract (MC) and the Combined Terms and Conditions (CTC), specifically Section VI.J. Contractors are required to 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 Applicant will be required to submit a Minority and Women-Owned Business Enterprises and Equal Employment Opportunity Policy Statement (MWBE-1) to NYSDOL with its application.

If awarded a contract, Applicants shall submit a Workforce Utilization Report (EEO 101, MWBE-3) 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, which continues former Governor Andrew M. Cuomo’s Executive Order #162 issued on January 9, 2017, Contractors and subcontractors will also be required to report the gross wages to each of their employees for the work performed by such employees on the contract utilizing the EEO 101 (MWBE-3) 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.

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

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

Veteran’s Services Law article 3 of the New York State Executive Law provides for more meaningful participation in public procurement by certified Service-Disabled Veteran-Owned Businesses (“SDVOBs”), thereby further integrating such businesses into New York State’s 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 New York State, Applicants/Contractors are strongly encouraged and 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.

For purposes of this solicitation, NYSDOL determined that the Contract does not offer sufficient opportunities to set specific goals for participation by SDVOBs as subcontractors, service providers, and suppliers to Applicant. Nevertheless, Applicants are encouraged to make good faith efforts to promote and assist in the participation of SDVOBs on the Contract for the provision of services and materials. The directory of New York State Certified SDVOBs can be viewed at <https://online.ogs.ny.gov/SDVOB/search>.

Applicants are encouraged to contact the Office of General Services’ Division of Service-Disabled Veteran’s Business Development at 518-474-2015 or VeteransDevelopment@ogs.ny.gov to discuss methods of maximizing participation by SDVOBs on the Contract.

III. Eligibility Information

A. Applicant Eligibility

For this RFA, an eligible Applicant must be a Direct Entry pre-apprenticeship program that is recognized by NYSDOL. Direct Entry programs must have an agreement with at least one (1)

sponsor of a NYS RA program as indicated on NYSDOL's website here: <https://dol.ny.gov/direct-entry>. Information on NYS Direct Entry pre-apprenticeship programs, including how to apply, may be found here: <https://dol.ny.gov/direct-entry>.

Applicants that are not currently a Direct Entry pre-apprenticeship program recognized by NYSDOL may apply for DEPA funding if they attest that they have submitted a complete application for Direct Entry Status to the NYSDOL Apprenticeship Training Office at the time of application submission, but no later than **June 28, 2024**. Those who operate an apprenticeship preparation program and wish to apply for Direct Entry status should contact NYSDOL's Apprenticeship Training Office at DirectEntryPreApprenticeship@labor.ny.gov. Applications that do not receive NYSDOL Direct Entry Status approval on or before **July 31, 2024**, will be determined to be ineligible. Awards will not be made until the applicant has a NYS approved Direct Entry pre-apprenticeship program.

When applying to the Apprenticeship Training Office for Direct Entry Status, an Applicant must submit the following required items for review:

- Target population;
- Length of program; hours/day; days/week; total hours for program;
- Program content details, including skills in areas such as job readiness, language, workplace literacy, math, life, and time management;
- Depth of trade-specific content;
- Details regarding actual work experience;
- Details regarding program instructors and their qualifications;
- Location and description of training facility (images are encouraged);
- History of placement with registered NYS apprenticeship program sponsors, if applicable;
- Attestation acknowledging that participants will not be charged tuition;
- NYS Employer Registration number and/or Federal Employment Identification Number (FEIN), for due diligence review purposes; and
- Copies of Occupational Safety and Health Administration (OSHA) Trainers' "Authorized Construction Trainer" Cards, if applicable.

Additional requirements for grant Applicants include:

- Applicant is a duly incorporated for-profit or not-for-profit (NFP) organization, that is eligible to do business in NYS;
- Must be legal entities able to fulfill all requirements associated with state and federal grant obligations;
- Have two (2) or more full-time employees or the equivalent of two (2) full-time employees throughout the duration of the contract. Principals of corporations and owners of businesses such as sole proprietors or partners, are not considered to be employees for this eligibility requirement. An Applicant is not eligible to apply if it has no employees or if the workers are independent contractors, subcontractors or contract employees. However, if an Applicant leases its employees for payroll and tax reporting purposes, and has authority over the hiring, firing and scheduling of workers, it is eligible for funding consideration;

- Must be headquartered in NYS or have at least one (1) site located in NYS at the time of application;
- Must be in good standing with regard 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; and
- If the Applicant is an NFP organization, it must be pre-qualified in Grants Gateway as described in Section II.E.

B. Participant Eligibility

Participants who meet the following requirements are eligible:

- Individuals newly enrolled in a NYS Direct Entry pre-apprenticeship program no earlier than the DEPA contract start date, which may be as early as the date of the award letter.

Note: Minimum eligibility requirements for enrollment are determined by Direct Entry pre-apprenticeship programs.

Participants need not be NYS residents.

Applicants are encouraged to actively recruit women and underrepresented priority populations, which include, but are not limited to women, minorities, individuals with disabilities, and veterans.

IV. Process for Application Submission

A. Questions Concerning this RFA

Applicants may submit questions via electronic mail to WDTD.Onestop@labor.ny.gov. Questions regarding the RFA will be accepted on an ongoing basis until **June 7, 2024**. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "DEPA Question." Answers to all questions will be posted on the NYSDOL website (<https://dol.ny.gov/funding-opportunities-0>) on an ongoing basis until **June 14, 2024**.

Applicants in need of technical assistance regarding this RFA 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 **June 28, 2024**.

An Applicant Workshop will be held virtually on Tuesday, January 9, 2024, from 9:30 am – 11:30 am 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 Wednesday, January 3, 2024. This will allow time for the NYSDOL Team to form responses to share at the workshop.

B. Application Due Date

The completed application with all required attachments will be accepted immediately and on an ongoing basis through the Grants Gateway until **4:00 pm NYT on June 28, 2024**. Grants Gateway

will not accept any applications or unsolicited amendments to applications after the due date and time. No mailed, faxed or emailed documents will be accepted. NYSDOL takes no responsibility for any third-party error in the delivery of applications (e.g., computer failure, power outages).

C. Application Submission Instructions and Format

Interested parties must apply online via the Grants Gateway website at <https://grantsmanagement.ny.gov/>.

Note: Those logged into Grants Gateway in the role of Grantee may work on the application, however, only those logged into Grants Gateway in the role of Grantee Contract Signatory or Grantee System Administrator can submit the application to the State. When the application is ready for submission, click the Status Changes tab, then click the “Apply Status” button under “Application Submitted”.

Although grantmaking activities will transition from the Grants Gateway to the Statewide Financial System (SFS) on January 16, 2024, applications for this funding opportunity will continue to be accepted through Grants Gateway until the submission deadline date of **June 28, 2024**.

Completed applications must be submitted through the Grants Gateway by the designated date and time. To apply, applicants must be registered and logged in to the Grants Gateway as detailed in [Section II.E](#).

For an application to be considered, the applicant 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 Grants Gateway system prior to the submission due date.

Required application attachments ([Section VII](#)) are listed below:

1. Performance Based Funding Request Form (PBFR).
2. Vendor Responsibility – Applicant Questionnaire (VRAQ).
3. Executive Order (EO) 177 Certification (EO).
4. Executive Order (EO) 16 Certification (EO).
5. Key Contacts (KC).
6. MWBE-EEO Policy Statement (MWBE-1).
7. EEO-100 Equal Employment Opportunity Staffing Plan (MWBE-2).

D. Grants Management Registration and Prequalification Status

As indicated in [Section II.E](#) of this RFA, all interested parties must be registered in the Grants Management system prior to application submission and all non-governmental NFP Applicants must be designated in one (1) of the status categories listed below prior to application submission:

1. Document Vault Prequalified
 - i. Fully Prequalified
2. Document Vault Prequalified Open

- i. If an organization proactively opens its document vault before the required documents expire, it will go to this status.
 - ii. The Organization will not lose prequalification status unless an expiration date passes.
 - iii. This allows NFPs to apply for funding opportunities without losing prequalification status.
3. Document Vault Prequalified/In review
 - i. This status is only available if an organization has proactively opened its vault prior to document expiration and has submitted it with updated documents.
 - ii. The organization is still considered prequalified during this status EVEN IF the expiration date passes.
4. Document Vault Prequalified/Open for Prequalification Specialist (PQS) Edits
 - i. NYSDOL is making edits and prequalification status is maintained.

NYSDOL will consider any application not meeting the Grants Management registration or non-governmental NFP Application prequalification requirements prior to application submission to be non-responsive.

Once it is determined that a non-governmental NFP Contractor is prequalified, the organization must maintain prequalification status during the contract period. The organization will be given an opportunity to submit documents and information to the Grants Management system in order to maintain or regain prequalification status.

For more information about Grants Management and Prequalification, please visit the Grants Management website <http://grantsmanagement.ny.gov> or contact the Grants Management Team at: grantsgateway@its.ny.gov. The Grants Management help desk/hotline can be reached at (518) 474-5595.

Note: With the transition of grantmaking activities from the Grants Gateway to SFS, prequalification will be unavailable from December 15, 2023 through January 16, 2024. After January 16, 2024, organizations will prequalify in SFS. If an organization is prequalified at the time of the cutover, their prequalification status will move over to SFS. Additional information regarding prequalification can be found at <https://grantsmanagement.ny.gov/transition-SFS>.

E. RFA Timetable

- RFA Release Date –December 22, 2023; **Amended March 29, 2024**
- Deadline Date for Questions – Ongoing, as received, no later than **June 7, 2024**
- Final Date for Responses to Questions – Ongoing, as received, no later than **June 14, 2024**
- Application Due Date – Ongoing until 4:00 PM NY Time on **June 28, 2024**
- Projected Notification of Award – Ongoing

V. Application Review and Selection

A. Evaluation of Applications

A complete application, including all required attachments, must be submitted via the Grants Gateway portal so NYSDOL can conduct a full and proper evaluation. Failure to answer all questions in the application will jeopardize the Applicant's potential for funding. NYSDOL will make an initial eligibility determination on each application received. Applications that do not meet NYSDOL minimum eligibility requirements will be disqualified. Applications deemed eligible will be scored based on further review and evaluation. Application scores will consist of 70% for Program Design and 30% for Work Plan. 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.

Applications must first meet all minimum eligibility requirements outlined in the Minimum Requirements ([Section V.B. 1](#)) of this RFA. Upon receipt of all required application documents and confirmation of Minimum Requirements attainment, applications will be evaluated by NYSDOL staff. Applications will be scored based on the Program Design and Work Plan, described in the Evaluation Criteria Section ([V.B.](#)) of this RFA.

B. Evaluation Criteria

The Evaluation Criteria has three (3) parts: the Minimum Requirements; the Program Design; and the Work Plan/Outcomes timetable. The evaluation of the application will consist of a review of each part independently. Each is described below:

1. Minimum Requirements

No points will be awarded for the Minimum Requirements part of the application. Failure to attest to and document that you meet minimum requirements will result in an automatic rejection of the application, and scoring will not proceed. Minimum requirements require the applicant to attest to each of the following:

- 1.1. The Applicant is a duly incorporated for-profit or not-for-profit (NFP) organization, that is eligible to do business in NYS;
- 1.2. The Applicant is an approved NYS Direct-Entry pre-apprenticeship provider or has applied to the NYSDOL Apprenticeship Training Office for Direct Entry status;
- 1.3 The Applicant is in good standing with regard to the laws, rules, and regulations for UI, WARN, Public Work, Labor Standards, Safety and Health, NYS Department of State Division of Corporations, Workers Compensation Insurance, and Disability Insurance;
- 1.4 The Applicant understands that all NFP Applicants, in addition to registering in the Grants Gateway system, must be prequalified in the Grants Gateway system (<https://grantsgateway.ny.gov>) no later than the date of application submission or the NFP organization's application will not be reviewed;
- 1.5 The application was developed by the Applicant and all language therein is presented at the request of the Applicant. No consultant, or any other third party has written or contributed wording to the application or solicited the applicant, as their customer, to apply for these monies. (The use of a grant writer is acceptable, only if the Applicant, and not the grant writer, commits to implementing the training/services listed in the application, if a grant is awarded.);
- 1.6 The Applicant is responsible for recruiting participants into their Direct Entry pre-apprenticeship program;

- 1.7 The Applicant understands that all contract payments will be paid on a performance basis, meaning that payments will be based on documented achievement of the proposed milestones as described in Section [II.B.2](#). Related information is under [Section VIII.B. Payment](#);
- 1.8 The participants targeted under this application will not be independent contractors or contract employees;
- 1.9 The Applicant will comply with NYS Labor Law and Federal law for the protection of workers;
- 1.10 The Applicant currently has an executed or pending contract(s) with NYSDOL and is proposing services to different individuals or entities than those targeted by the executed or pending NYSDOL contract(s). (Note: If no executed or pending contract(s) with NYSDOL exists, the Applicant will check Not Applicable to this attestation); and
- 1.11 As a condition of receiving funding under this solicitation, the Applicant agrees to be in full compliance with all applicable state and federal rules and regulations, including but not limited to, those identified in this RFA and associated attachments, including any subsequent amendments, as well as the following regulations and cost principals:
 - a. 2 CFR Part 200 – Uniform Administrative Requirements, Cost Principals and Audit Requirements; and
 - b. 2 CFR Part 2900 – DOL Exceptions to 2 CFR Part 200.

2. Program Design – 70 Points

A total of 70 points are available in scoring the Program Design part of the application. Applicants must fully answer each part of the elements provided in Grants Gateway.

- 2.1 Provide a brief description of the Direct Entry pre-apprenticeship provider and its pre-apprenticeship program. (3 points)
- 2.2 Provide a description of the industry sector(s) targeted by this Direct Entry pre-apprenticeship provider. (2 points)
- 2.3 Provide the number of participants to be enrolled by the Direct Entry pre-apprenticeship provider and trained in their pre-apprenticeship program, and the occupation(s)/trade(s) in which they will be trained. (5 points)
- 2.4 Describe the ability of the Direct Entry pre-apprenticeship provider to run a successful pre-apprenticeship program (e.g., experience, knowledge of the pre-apprenticeship and Registered Apprenticeship (RA) system, subject matter expertise, etc.). (10 points)
- 2.5 Describe, with clarity and specificity, how this Direct Entry pre-apprenticeship provider will support pre-apprenticeship programs as a viable career path. (10 points)
- 2.6 Describe with clarity and specificity, the strategies the Applicant will use to recruit and enroll new participants into their Direct Entry pre-apprenticeship programs, specifically the priority populations targeted by this RFA (including, but not limited to, women, minorities, individuals with disabilities, and veterans). (10 points)
- 2.7 Funds under this RFA will be used to support Direct Entry pre-apprenticeship programs and participants. Describe, with clarity and specificity, how this Direct Entry provider will provide supportive services and the associated costs for their participants (including, but not limited to, childcare, transportation, housing, tools, and equipment). (5 points)

- 2.8 Describe, with clarity and specificity, what retention methods and strategies the Applicant will put in place to support and engage these new participants in their pre-apprenticeship programs through completion of the Direct Entry pre-apprenticeship program. Include the number of new participants who you expect will successfully complete the Direct Entry pre-apprenticeship program. (10 points)
- 2.9 Describe, with clarity and specificity, how the Direct Entry pre-apprenticeship program supported will offer opportunities for placement into NYS RA training programs. (10 points)
- 2.10 Describe what, if any, local, state, or federal funds (e.g., grants, SUNY Pre-Apprenticeship funds, etc.) the Applicant will leverage with this RFA, if applicable. Include the estimated dollar figure. (5 points)

3 Work Plan/Outcomes Timetable – 30 Points

A total of 30 points are available in scoring the proposed Work Plan.

Utilizing the Grants Management System, Applicants will define the objectives, tasks, timeframes, and performance measures that will detail the proposed plan to support new participants in their Direct Entry pre-apprenticeship programs.

Applicants can include a total of up to 30 objectives, tasks, and performance measures.

The Work Plan summary should detail the following:

- 3.1 Plan for recruiting and enrolling new participants into Direct Entry pre-apprenticeship programs. Applicants should include details on their recruitment strategies and the projected number of new participants enrolled, specifically the priority populations targeted by this RFA (including, but not limited to, women, minorities, individuals with disabilities, and veterans). (15 points)
- 3.2 Plan for engaging participants in the Direct Entry pre-apprenticeship program through program completion. Applicants should include the number of new participants who will stay engaged and reach completion and how this will be accomplished. (15 points)

The following Objectives and Performance Measures must be included:

- Objective: Increase the number of newly enrolled Direct Entry pre-apprenticeship participants.
 - Tasks: The program will use a myriad of strategies to outreach and recruit new Direct Entry pre-apprenticeship participants with a focus on priority populations.
 - Performance Measure: The program will enroll (add organization's projected number of new Direct Entry pre-apprenticeship participants) new Direct Entry pre-apprenticeship participants by the end of the contract term.
 - Performance Measure: (Enter projected percent) percent of all newly enrolled Direct Entry pre-apprenticeship participants are from priority populations.
- Objective: Provide support to new Direct Entry pre-apprenticeship participants to increase program completion.

- Tasks: The program will provide a number of supportive services to newly enrolled Direct Entry pre-apprenticeship participants in order to assist in the continuation of the program to improve program completion.
 - Performance Measure: Approximately (enter projected number of Direct Entry pre-apprenticeship participants) participants will complete the Direct Entry pre-apprenticeship program by the end of the contract year.
 - Performance Measure: The program will have all Apprenticeship and grant related documentation on file and submitted to NYSDOL for all participants that complete the program.

4 Performance Budget

The submission of a preliminary performance budget within the Grants Gateway is required. The budget should include the number of, and payment for, planned outcomes achieved for each of the two (2) milestones, as described in [Section II.B.2](#). No points will be awarded for the Performance Budget part of the application.

Please see below for an example of a performance-based budget completed in the Grants Gateway. (Note: this is similar to what you will see in the Grants Gateway, but not exact).

When completing the Performance Based Budget columns Deliverable/Outcome, Total Amount Per Unit and Number of Units must be completed. Total Match Funds should be entered if there is a match/local share component to the program. Line Total and Category Total will populate automatically.

Details

Deliverable/Outcome

Financial

Total Amount Per Unit	<input type="text" value="\$1,500.00"/>
Grant Amount Per Unit	<input type="text" value="\$1,500.00"/>
Number of Units	<input type="text" value="5"/>
Total Grant Funds	<input type="text" value="\$7,500.00"/>
Total Match Funds	<input type="text" value=""/>
Match %	<input type="text" value="0%"/>
Other Funds	<input type="text" value=""/>
Line Total	\$0

When completing the Performance Based Budget columns Deliverable/Outcome, Total Amount Per Unit and Number of Units must be completed. Total Match Funds should be entered if there is a match/local share component to the program. Line Total and Category Total will populate automatically.

Details

Deliverable/Outcome

Financial

Total Amount Per Unit	<input type="text" value="\$3,500.00"/>
Grant Amount Per Unit	<input type="text" value="\$3,500.00"/>
Number of Units	<input type="text" value="5"/>
Total Grant Funds	<input type="text" value="\$17,500.00"/>
Total Match Funds	<input type="text" value=""/>
Match %	<input type="text" value="0%"/>
Other Funds	<input type="text" value=""/>
Line Total	\$0

C. Method of Selection

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

Applications that meet all minimum eligibility requirements will proceed to the review phase, where the application will be scored for Program Design (worth up to 70% of the total) and Work Plan (worth up to 30% of the total) by NYSDOL's Program Staff. Scores for each portion of the evaluation will be combined and result in the Application Final Score.

A complete response to each question is crucial to ensure full points are awarded.

Applications will be reviewed in the order they are received. Each application will be scored on its individual merit and will not be compared to other applications. Eligible applications that attain an Application Final Score of 70 points or more will be awarded funding. Successful applicants will be awarded on a continuous basis until the funds allocated are exhausted. Eligible applicants that fail to attain a score of 70 points will be notified via letter and are eligible to revise their applications and re-apply if sufficient time and funding remain.

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

As stated above in [Section II.A.](#), NYSDOL has set aside sufficient funding to support the estimated demand for this program in the current year; however, if federal USDOL ETA funding becomes limited, if interest is limited as evidenced by lack of response to this RFA, or if there is no longer a valid need for these services, the program will be suspended with adequate notice in the NYS Contract Reporter and also posted on NYSDOL's Funding Opportunities webpage. Those applications that are received after the suspension date will not be given funding consideration. Upon review, if NYSDOL decides to continue this program with limited funds, a new RFP would be issued outlining a competitive award process.

It is important to note that:

1. Ineligible Applicants will be disqualified before completing a review;
2. Incomplete applications will be disqualified;
3. All Applicants that are determined not to be responsive or responsible will be disqualified after completing a review;
4. Applications that fail to meet minimum requirements may be disqualified; and
5. NYSDOL reviews will result in a final score.

VI. Award Administration and Information

A. Award Notices

All Applicants will receive a letter informing them of the decision on their application and successful Applicants will be contacted by NYSDOL contract development staff.

Applicants who receive an award must be prepared to enter into contract negotiations immediately and begin project activities upon execution of the contract. NYSDOL reserves the right to rescind

the award of any contractor that is unable or unwilling to promptly engage in the contracting process or to begin conducting their project activities immediately following contract execution.

Applicants that receive an award under this program, that have earned/received at least 80% of the awarded funds may apply for additional funds (if funding and time remain).

Applicants 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 performance basis, meaning that payments will be based on the achievement of the proposed milestones as described in [Section II.B.2.](#), and not on the Contractor's actual expenditures.

Vouchers must be submitted to NYSDOL using the Grants Management payment feature and reviewed and approved before payment is made. For payments to be approved, certain records must be kept, and specific documents submitted. The Contractor must provide documentation that the milestone was achieved.

Please be advised that project activities 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 earliest start date for any contract resulting from this RFA is the date of the award letter. Any activity that begins or is paid for prior to the date of the award letter will fall outside the contract period and be ineligible for reimbursement.

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 NYS procedures and practices. The contractor shall comply with the NYS Comptroller's procedures to authorize electronic payments which can be set up through the Vendor Portal at <http://www.sfs.ny.gov/index.php/vendors>. Support is available 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 applications and accompanying documentation will become the property of NYS and will not be returned. The content of each applicant's application will be held in strict confidence during the evaluation process, and no details of the application will be discussed outside of the evaluation process. Successful applications and portions of the RFA deemed applicable by NYSDOL will be made part of the contract. Therefore, an official authorized to commit the entity to a contract must sign the application.

D. Buy American Requirements

Pursuant to P.L. 115-141, Division E, Title VI, Section 606 and 607, by drawing down funds, the recipient agrees to comply with sections 8301 through 8303 of title 41, United States Code (commonly known as the “Buy American Act”). Additionally, no funds may be made available to any person or entity that has been convicted of violating the Buy American Act.

E. Federal and NYS Executive Orders

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

Executive Orders:

- Executive Order 13513 – Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Sub-recipients. Contractors, subcontractors, and recipients and sub-recipients are encouraged to adopt and enforce policies that ban text messaging while driving a vehicle when performing official Government business or work on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.
- Executive Order 12928 – The recipients are strongly encouraged to provide contracting/subcontracting opportunities to Historically Black Colleges and Universities and other Minority Institutions such as Hispanic-Serving Institutions and Tribal Colleges and Universities; and to Small Business Owned and Controlled by Socially and Economically Disadvantaged Individuals.
- Executive Order 13043 – Recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating company-owned, rented, or personally owned vehicles.
- Executive Order 13166 – Recipients must take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access to programs in accordance with USDOL’s Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with LEP Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.
- Executive Order 14005 – Recipients agree to comply with all Applicable Made in America Laws (as defined in the Executive Order), including the Buy American Act at 41 USC sections 8301-8305. The recipient is required to maximize the use of goods, products, and materials produced in, and services offered in the United States, in accordance with the Made in America Laws.

NYS Executive Orders:

- NYS Executive Order 177 – see [Section VII](#) for further information.
- NYS Executive Order 16 – see [Section VII](#) for further information.

F. Reservation Clauses

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

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

VII. Attachments and Appendices

Acronym	Document Title	Required to be completed and submitted via Grants Gateway?
PBFR	Attachment – Performance Based Funding Request Form	Yes, Excel format
VRAQ	Attachment – Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
EO 177	Attachment – Executive Order (EO 177) 177 Certification	Yes, with original signatures
EO 16	Attachment – Executive Order (EO 16) 16 Certification	Yes, with original signatures
KC	Attachment – Key Contacts	Yes
MWBE-1	Attachment – MWBE-EEO Policy Statement	Yes, with original signatures
MWBE-2	Attachment – EEO 100 – Equal Employment Opportunity Staffing Plan	Yes, with original signatures
NYS DEPA TIF	Appendix – NYS DEPA Trainee Information Form	No
CTC	Appendix – Combined Terms and Conditions – A-1 and A-2	No
GISBA	Appendix – General Information for Successful Bidders/Applicants	No
GGPR	Appendix – Grants Gateway Prequalification Requirements	No
SCNYS	Appendix – Standard Clauses for all NYS Contracts	No
MC	Appendix – Master Contract, Terms & Conditions	No

Note: This workforce product was funded by a grant awarded by the United States Department of Labor (USDOL) Employment and Training Administration (ETA). The product was created by NYSDOL and does not necessarily reflect the official position of USDOL ETA. Neither makes any 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. This product is copyrighted by NYSDOL.