

REQUEST FOR APPLICATIONS

APPRENTICESHIP EXPANSION GRANT

Bid Number AEG-2

Issued on June 18, 2019

Amended on August 13, 2021

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

Submission Deadline:
Ongoing until 4PM ET July 1, 2022

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I. Funding Opportunity Description

A. Purpose

As of the date of this amendment, the New York State Department of Labor (NYSDOL) is making up to **\$2 million** in funding available under the Apprenticeship Expansion Grant (AEG-2) Request for Applications (RFA). The purpose of this RFA is to expand New York State (NYS) Registered Apprenticeship (RA) training by increasing employment opportunities for approximately 800 apprentices, with a focus on underrepresented populations. These apprentices will enter into trades in high-demand occupations, with a focus on the emerging fields of Advanced Manufacturing, Healthcare, Hospitality, and Information Technology, as well as other in-demand occupations. Please note that this solicitation focuses on promoting the **expansion** of NYS RAs and as such, RAs in the field of construction are not eligible for funding under this RFA unless the trade is to be used for the upkeep and maintenance of a facility owned by the business entity employing the apprentice, such as plant maintenance trades.

B. Background

The United States Department of Labor, Employment and Training Administration (USDOL/ETA) announced the availability of \$50.5 million in funds authorized by the Consolidated Appropriations Act of 2016 for ApprenticeshipUSA State Expansion Grants. This investment provided funding to support states in their effort to expand and diversify RA to better respond to industry workforce demands. RA is a global, tried, and true workforce development strategy that offers apprentices opportunities to earn a salary while learning the skills that businesses demand in a variety of occupations across industries. NYS RAs provide structured On-the-Job training (OJT), Related Instruction (RI), regular documentation of progress, and achievement of a NYS certificate of completion. RA is a job-driven strategy, providing a pathway for many to the middle class. For businesses, RA serves as an opportunity to grow their own workforce and meet skill needs for the future. In May 2017, NYSDOL released RFA Bid Number AEG-1 (AEG-1), which made funding available to expand RA training by increasing employment opportunities for apprentices.

NYS faces a middle-skill labor shortage and that failing to address this “middle-skill gap” will erode NYS’s ability to strengthen middle-class economic justice for its citizens. This causes NYS’s businesses to be less competitive in the global economy due to losses in productivity and forces them to seek skilled workers elsewhere. NYS is committed to expanding Registered Apprenticeship in NYS by, in part, establishing a goal to double the number of apprenticeships in high-demand fields like high-tech, health care, and advanced manufacturing; and doubling the number of women in all apprenticeships by 2025.

As of the date of this amendment, the AEG-2 RFA uses \$2 million in Title 1 Workforce Innovation and Opportunity Act (WIOA) Statewide Activities funds. NYSDOL continues to market and promote NYS RA as the workforce development tool to train tomorrow’s middle skill workers in high-demand occupations. Priority industries vary by area. A list of these areas, their corresponding economic development plans, and the priority industries can be accessed at <http://regionalcouncils.ny.gov/> for Regional Economic Development Councils (REDC) and <https://dol.ny.gov/workforce-development-plans> for Local Workforce Development Boards (LWDBs).

While there is a federal expiration date of October 31, 2021 for AEG funds, which supported the AEG-1 RFA, NYSDOL will use available Statewide Activities funding to extend the AEG-2 RFA period of performance, make new awards, and meet any unmet obligations through December 31, 2022.

II. Award Information

A. Funding

NYSDOL is making up to **\$2 million** available for bid until **July 1, 2022** as part of continued efforts to serve approximately 800 apprentices (see [Section III.B.](#)) in NYS RAs. This funding will cover costs associated with training apprentices through RA, such as RI, OJT, books, and tools.

Single award amounts will not exceed \$300,000. Applications that request more than \$300,000 will be considered non-responsive and will be rejected by NYSDOL. Such applications may be corrected, and the applicant may reapply if sufficient funding and time remain.

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.

Applicants awarded a grant through this RFA may re-apply for up to an additional \$300,000 after successfully registering 80% of the planned number of apprentices into their AEG-2 awarded NYS RA program, if sufficient funding and time remain.

Applications will be reviewed, and determinations will be made in the order that they are received. Awards are contingent upon the availability of WIOA and AEG funding. If funding becomes limited for any reason 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 Opportunity webpage. Applications received after the suspension date will not be given funding consideration.

On a periodic basis, funding availability will be reviewed and updated, and an amended RFA with the revised funding available will be posted in the NYS Contract Reporter and also posted on NYSDOL's Funding Opportunities webpage.

B. Use of Funds

AEG-2 RFA funding is intended for the placement of apprentices into NYS RA's.

NYSDOL will provide awardees with up to \$10,000 for each apprentice under this RFA (See [Section II.B.4.](#) below); applicants may request funding to support as many apprentices as possible within the \$300,000 maximum award amount.

1. Allowable Costs

a. RI

- RI for this RFA is defined as instruction in technical subjects related to the trade which will be provided to each apprentice for a minimum of 144 hours per year. RI is designed to provide apprentices with the knowledge of the theoretical subjects related to the apprentices' occupation.

- RI must be conducted by the RA sponsor’s approved RI Provider (as indicated on the RI Availability Form) to instruct topics listed in Appendix B of the trade’s training outline.
 - RI may be provided in person or via electronic media. Funds will not pay for the cost of any hardware, software, or internet service needed in order to access the instruction.
 - Sponsors are not required to pay wages to apprentices while they are attending RI.
 - For the use of RI funds under this RFA, apprentices cannot contribute to the cost of the RI.
 - The cost of RI shall be reimbursed based on a per apprentice amount, in accordance with standard tuition rates for RI that may be published or in the case of trainers who do not have a published tuition rate, may be calculated using the method described in the Tuition Rate (TR) attachment in [Section IX](#).
 - There is no minimum number of apprentices required for RI.
 - All proposed RI expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the project as described in the applicant’s project narrative. During the contracting process, NYSDOL reserves the right to ask for a justification of proposed expenditures and cost per apprentice.
- b. OJT - Training will be provided to the apprentice(s) by journeyworkers, while meeting the required apprentice to journeyworker ratio for each trade, as determined by the Commissioner of Labor and posted on NYSDOL’s website at <https://dol.ny.gov/apprenticeship/apprenticeship-trades>. This will be “hands-on” training and supplemented by RI. Refer to [Section II.B.3](#) for OJT wage reimbursement rates allowed by this program.
- c. Textbooks or training materials directly associated with the RI.
- Only items with a per-unit cost of less than \$1,000 are allowed.
- d. Tools directly associated with OJT.
- Only items with a per-unit cost of less than \$1,000 are allowed.
- e. Group Program Sponsors or their Lead applicant (those applicants who are designated by a sponsor of an active or probationary NYS RA group program) who are not the RI training provider, or the OJT employer are eligible for reimbursement of indirect costs, if incurred. Refer to the Indirect costs in [Section VI.C.1.b](#) for an explanation of these costs.

2. Restrictions on the Use of Funds

AEG will not pay for any of the following items:

- a. Any RA in the field of construction (O*NET Family Code 47) unless the trade is to be used for the upkeep and maintenance of a facility owned by the business entity employing the apprentice, such as plant maintenance trades;
- b. The acquisition, construction, or renovation of buildings or other real estate;
- c. Any item or cost that has also been paid for or contributed to by the apprentice;

- d. The purchase of any operational software;
- e. Supportive services such as child care, transportation, lodging, and meals for the apprentices (these services may be available through a local area Career Center);
- f. Costs associated with a trainer's transportation, lodging, and meals where the cost is not incorporated into the tuition rate;
- g. Advertising;
- h. Entertainment;
- i. Interest costs incurred by provider agencies;
- j. Costs of organized fund raising;
- k. Sales training;
- l. Human resources training;
- m. Conferences and seminars;
- n. Start-up costs, curriculum development, and assessment costs on the part of the contractor;
- o. Registration fees (except those paid to RI providers);
- p. Payment of fees associated with attendance at seminars, conferences, or meetings of professional organizations;
- q. Training required as part of a Federal, state or local government mandate (excluding training that is directly related to the trade's training outline);
- r. Purchase of videos or DVDs;
- s. Any other costs deemed inappropriate by NYSDOL, such as training that does not result in a transferable skill, activities that are determined to be business consulting rather than training (e.g. coaching, follow-up, reinforcement, etc.), and any costs that do not meet the intent of the RFA; or
- t. Any equipment, tool, textbook, or other tangible personal property with a per-unit cost of \$1,000 or more.

If an applicant is unsure about unallowable trainings or costs they should consider asking specific questions before the Questions Deadline identified in [Section V.A.](#) of this RFA and listed in the RFA time table, [Section V.E.](#)

3. OJT Wage Reimbursement Rate

NYSDOL has established an OJT wage reimbursement policy for the AEG. The reimbursement level to a business may not exceed 75% of the wage rate of the apprentice for businesses with 100 or fewer employees and 50% of the wage rate of the apprentice for businesses with more than 100 employees. Please note that all OJTs must pay at least the NYS minimum wage, which can be found here: <https://www.ny.gov/new-york-states-minimum-wage/new-york-states-minimum-wage>

4. Training Cap Per Apprentice

The cap under this RFA is \$10,000 per apprentice (apprentices who were trained under a contract in AEG-1 may only be trained for a maximum of \$5,000 under AEG-2).

If the training or associated costs proposed by the applicant exceeds the \$10,000 per apprentice cap set above, the applicant must pay the difference. Note that this is a cap per apprentice, not an average cost of all apprentices identified in the application.

If apprentices attend RI during their work hours, OJT hours cannot be combined with RI hours.

C. Award Minimums

There is no minimum award amount under the AEG program. All awards are subject to funding availability.

D. Contracts

Contracts will be awarded for an initial term of up to 16 months. The earliest start date for any contract resulting from this RFA is the date of the award letter, with a contract end date of no later than **December 31, 2022**. **While there is a federal expiration date of October 31, 2021 for AEG funds, which supported the AEG-1 RFA, NYSDOL will use available Statewide Activities funding to extend the terms of awarded AEG-2 RFA applicants to enable the realization of more meaningful outcomes for our participants. All AEG-2 RFA awardees, will be afforded the same opportunity for extension to December 31, 2022.** Applicants must include only those training and service activities that can be reasonably accomplished within the contract period.

Limited no-cost contract extensions may be approved at NYSDOL's discretion.

Contracts may not be extended past **December 31, 2022**, unless alternative funds are identified. In the absence of any such funding, all services funded under this grant must be provided by **December 31, 2022**.

Contracts will be paid on a reimbursable payment basis. An awardee must first pay for incurred expenses and then submit a voucher to NYSDOL for reimbursement. Awardees 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 AEG. By accepting an award under this RFA, the applicant agrees to participate in any such evaluation.

Existing awardees under RFA # AEG-1 are now eligible for contract periods of up to 16 months, and to apply for additional funding after successfully registering 80% of the planned number of apprentices into their NYS RA program as specified in their awarded contract, if sufficient funding and time remain. Funds awarded under RFA # AEG-2 may be used to support apprentices enrolled under RFA # AEG-1, however when calculating the per apprentice cap of \$10,000.00, NYSDOL will include the per participant cap of \$5,000.00 under RFA # AEG-1 as well as additional funds awarded under RFA # AEG-2. Therefore, apprentices who were enrolled under RFA # AEG-1 cannot receive more than \$5,000.00 worth of training or assistance under RFA # AEG-2.

E. Contracting Process

NYS has established a standardized statewide grant contracting system called the Grants Gateway, 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 Gateway website at <https://grantsmanagement.ny.gov/register-your-organization> and follow the instructions to complete the registration. The registration form, organization chart, and substitute W-9 must be signed, notarized, and emailed to Gateway Administrators at GrantsReform@its.ny.gov. Plan accordingly to avoid potential delays in applying for upcoming grant opportunities.

Not-for-profit (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 a NYS agency prequalification specialist, the NFP organization will be able to submit an application. All information is stored in a virtual, secured vault. NFPs must keep their information current throughout a three-year period, including uploading annual documents (i.e., 990, etc.).

For additional information on registration and prequalification, please log on to the Grants Gateway 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 Gateway 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/>.

The Grants Gateway Vault status of all non-governmental NFP applicants must be designated in one of the status categories below at the date and time the application is submitted:

1. Document Vault Prequalified

- Fully Prequalified.

2. Document Vault Prequalified Open

- If an organization proactively opens their document vault before the required documents expire, it will go to this status.
- The Organization will not lose prequalification status unless an expiration date passes.
- This allows NFPs to apply for funding opportunities without losing prequalification status.

3. Document Vault Prequalified/In review

- This status is only available if an organization has proactively opened their vault prior to document expiration and has submitted it with updated documents.
- 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

- NYSDOL is making edits and prequalification status is maintained.

NYSDOL will not review any submission from a non-governmental NFP that is not designated in one of the four status categories above at the date and time the application is submitted.

Once it is determined that the non-governmental NFP is prequalified AND if that organization is awarded a grant, 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 Gateway to maintain or regain prequalification status.

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. Contractor 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.

III. Eligibility Information

A. Applicant Eligibility

For this RFA, an eligible applicant must be a sponsor of an active or probationary NYS RA program, a lead applicant designated by a sponsor of an active or probationary NYS RA group program, a signatory employer to an active or probationary NYS RA group program (please note that signatory and NYS RA group program awardees cannot serve the same apprentices), or be an applicant for a NYS RA program whose application has been received by NYSDOL and posted on the NYSDOL website for public comment. (see: <https://dol.ny.gov/apprenticeship/sponsors-and-programs>). Sponsors include individual employers, groups of employers, or partnerships between an employer(s) and a labor union(s). To apply for a NYS RA program, contact your local NYSDOL Apprenticeship office (see: <https://labor.ny.gov/apprenticeship/contactus.shtm>). Please note, awards cannot be made until the applicant has a NYSDOL approved NYS RA program.

Additional requirements for grant applicants include:

1. Must be legal entities able to fulfill all requirements associated with state and federal grant obligations. Group programs which do not meet these requirements must appoint a lead applicant.
2. Must be headquartered in NYS or have at least one site located in NYS at the time of application; and
3. 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.

Consultants and other third-party entities are not eligible to apply for funds on behalf of other organizations. The use of a grant writer is acceptable, only if the applicant, and not the grant writer, commits to implementing the training or services listed in the application, if a grant is awarded.

NYS Agencies are not eligible to apply for funding.

B. Participant Eligibility

Participants who meet the following requirements are eligible:

- Individuals not yet enrolled in a NYS RA Program who meet the minimum eligibility requirements for enrollment. Note, minimum eligibility requirements are determined by sponsors and indicated on the Apprentice Training Recruitment Notification and Minimum Qualifications Form;
- Apprentices enrolled in a NYS RA Program no more than six months prior to the RFA application submission date; and
- Apprentices who were enrolled in a NYS RA Program under RFA # AEG-1 (See [Section II.B.4.](#) for additional information regarding the per participant cap for AEG-1 enrolled apprentices).

Applicants are encouraged to actively recruit women and underrepresented populations, including minorities, and individuals with disabilities.

Apprentices need not be NYS residents.

C. O*NET Codes

The Occupational Information Network (O*NET), found online at <http://www.onetonline.org/>, is an interactive application for exploring and searching occupations and their distinguishing key features. Applicants should utilize O*NET OnLine to identify the O*NET codes of the title, positions, or job into which apprentices will be placed. Please note that O*NET codes under the job family Construction (47) are restricted under this AEG RFA unless the trade is to be used for the upkeep and maintenance of a facility owned by the business entity employing the apprentice. A list of those occupations can be found online:

<https://www.onetonline.org/find/family?f=47>

O*NET provides a universal classification of more than 900 occupations with key features required by workers, such as: tasks performed, knowledge, abilities, skills, typical education, and work experience. O*NET also provides information on wages and employment prospects of each occupation. O*NET is developed under the sponsorship of the USDOL/ETA's, is available at no cost to the user, and is continually updated by surveying a broad range of workers from each occupation.

IV. Participation Requirements

1. Participation Opportunity 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.

a. Contract Goals

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 RFA 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 RFA, the Applicant 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 Applicant 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, the Applicant agrees to demonstrate its good faith efforts to achieve the applicable MWBE participation goals by submitting evidence thereof through the NYS Contract System ("NYSCS"), which can be viewed at <https://ny.newnycontracts.com>,

provided, however, that the Applicant may arrange to provide such evidence via a non-electronic method by contacting:

NYS DOL
Purchase and Contracts, MWBE Administrator
State Campus
Building 12, Room 454
Albany, NY 12240
518-474-2678
Fax: 518-457-0620

b. MWBE Utilization Plan (MWBE 100)

An Applicant will be required to submit MWBE 100 - MWBE Utilization Plan (Attachment MWBE-4) with their bid or application 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 Applicant of acceptance or issue a notice of deficiency within 30 days of receipt.

If a notice of deficiency is issued, the Applicant will be required to 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 Applicant and direct the Applicant 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 application.

NYSDOL may disqualify an Applicant as being non-responsive under the following circumstances:

- If an Applicant fails to submit a MWBE Utilization Plan (MWBE 100, Attachment MWBE-4);
- If an Applicant fails to submit a written remedy to a notice of deficiency;
- If an Applicant fails to submit a MWBE 101, Request for Waiver (Attachment MWBE-5); and/or
- If NYSDOL determines that the Applicant has failed to document good faith efforts.

The Contractor is required to 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 will be required to 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 (EEO100)

An Applicant will be required to submit EEO 100 – Equal Employment Opportunity Staffing Plan (Attachment MWBE-2) with their bid or application as evidence of compliance with the foregoing.

By submission of a bid or application in response to this solicitation, the Applicant agrees with all of the terms and conditions of the Master Contract for Grants – Standard Terms and Conditions, specifically Section VI.J. (available in the Contract Documents module of the Grants Gateway portal). 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 (Attachment MWBE-1) to NYSDOL with its bid or application.

If awarded a contract, Applicants 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 #162, Contractors and subcontractors will also be required to 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, 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 by the contract.

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

Article 17-B 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. The Department of

Labor 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 Department of Labor 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.

a. Contract Goals

The Department of Labor 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 Applicant/Contractor should reference the directory of New York State Certified SDVOBs found at: <https://online.ogs.ny.gov/SDVOB/search>. Questions regarding compliance with SDVOB participation goals should be directed to NYS Department of Labor, SDVOB Administrator, Purchase and Contracts, State Campus, Building 12, Room 454, Albany, NY 12240. Email: Labor.sm.SDVOBAdmin@labor.ny.gov; Phone: 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 clause d. "Required Good Faith Efforts" below).

b. SDVOB Utilization Plan – Form SDVOB 100

1. In accordance with 9 NYCRR § 252.2(i), Applicants are required to submit a completed SDVOB Utilization Plan - Form SDVOB 100 (Attachment SDVOB -1) with their bid.
2. The Utilization Plan shall list the SDVOBs that the Applicant intends to use to perform the Contract, a description of the work that the Applicant 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 Applicant 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 the Department of Labor.
3. The Department of Labor will review the submitted SDVOB Utilization Plan and advise the Applicant/Contractor of the Department of Labor's acceptance or issue a notice of deficiency within 20 days of receipt.

4. If a notice of deficiency is issued, Applicant/Contractor agrees that it shall respond to the notice of deficiency, within seven business days of receipt, by submitting to the Department of Labor a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by the Department of Labor to be inadequate, the Department of Labor shall notify the Applicant/Contractor and direct the Applicant/Contractor to submit, within five business days of notification by the Department of Labor, a request for a partial or total waiver of SDVOB participation goals - Form SDVOB 200 (Attachment SDVOB-3). Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or application.
 5. The Department of Labor may disqualify an Applicant's bid or application as being non-responsive under the following circumstances:
 - If an Applicant fails to submit an SDVOB Utilization Plan (Attachment SDVOB-1);
 - If an Applicant fails to submit a written remedy to a notice of deficiency;
 - If an Applicant fails to submit a request for waiver (Attachment SDVOB-3); or
 - If the Department of Labor determines that the Applicant has failed to document good faith efforts.
 6. 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.
 7. 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, the Department of Labor shall be entitled to any remedy provided herein, including but not limited to, a finding of Contractor non-responsibility.
- c. Request for Waiver – Form SDVOB 200
1. Prior to submission of a request for a partial or total waiver, Applicant shall speak to the SDVOB Administrator at Department of Labor for guidance.
 2. In accordance with 9 NYCRR § 252.2(m), an Applicant/Contractor that is able to document good faith efforts to meet the goal requirements, as set forth in clause d below, may submit a request for a partial or total waiver on Form SDVOB 200, accompanied by supporting documentation. An Applicant 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 the Department of Labor at that time, the provisions of clauses c (3), (4) & (5) will apply. If the documentation included with the Applicant's/Contractor's waiver request is complete, the Department of Labor shall evaluate the request and issue a written notice of acceptance or denial within 20 days of receipt.
 3. Contractor shall attempt to utilize, in good faith, 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 made subsequent to Contract award may be made at any time during the term of the Contract to the Department of Labor, but must be made no later than prior to the submission of a request for final payment on the Contract.

4. If the Department of Labor, upon review of the SDVOB Utilization Plan and Monthly SDVOB Compliance Report SDVOB 101 (Attachment SDVOB-2) determines that Contractor is failing or refusing to comply with the contract goals and no waiver has been issued in regard to such non-compliance, the Department of Labor may issue a notice of deficiency to the Contractor. The Contractor must respond to the notice of deficiency within seven business days of receipt. Such response may include a request for partial or total waiver of SDVOB contract goals.
5. Waiver requests should be sent to the Department of Labor, Purchase and Contracts, SDVOB Administrator, State Campus, Building 12, Room 454, Albany, NY 12240; Labor.sm.SDVOBAdmin@labor.ny.gov.

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:

1. Copies of solicitations to SDVOBs and any responses thereto.
2. Explanation of the specific reasons each SDVOB that responded to Applicants/Contractors' solicitation was not selected.
3. Dates of any pre-bid, pre-award or other meetings attended by Contractor, if any, scheduled by the Department of Labor with certified SDVOBs whom the Department of Labor determined were capable of fulfilling the SDVOB goals set in the Contract.
4. 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.
5. Other information deemed relevant to the waiver request.

e. Monthly SDVOB Contractor Compliance Report – Form SDVOB 101

In accordance with 9 NYCRR § 252.2(q), Contractor is required to report Monthly SDVOB Contractor Compliance Report – SDVOB 101 (Attachment SDVOB-2) to the Department of Labor 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 the Department of Labor's website and should be completed by the Contractor and submitted to the Department of Labor, by the 10th day of each month during the term of the Contract, for the preceding month's activity to: NYS Department of Labor, SDVOB Administrator, Purchase and Contracts, State Campus, Building 12, Room 454, Albany, NY 12240. Email: Labor.sm.SDVOBAdmin@labor.ny.gov; Phone: 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.

V. 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 10, 2022**. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "AEG 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 17, 2022**.

B. Technical Assistance

Applicants in need of technical assistance regarding this RFA may reach out to Alan Gallagher at NYSDOL at Alan.Gallagher@labor.ny.gov.

C. Application Due Date

Applications and required attachments will be accepted immediately and on an ongoing basis through the Grants Gateway until 4:00 pm Eastern Standard Time on **July 1, 2022**. 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, etc.).

D. Application Submission Instructions and Format

Interested parties must apply online via the Grants Gateway website at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx.

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

In order 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 IX](#)) are listed below:

1. Budget Worksheet (Attachment BW).
2. Detailed Budget Worksheet (Attachment DBA)
3. Vendor Responsibility – Applicant Questionnaire (Attachment VRAQ).
4. Combined Terms and Conditions (Attachment CTC).
5. Notice to Individual Submitting Applications (Attachment NISA).
6. MWBE and EEO Policy Statement (Attachment MWBE-1).
7. Equal Employment Opportunity Staffing Plan (Attachment MWBE-2).

8. Minority and Women Owned Business Enterprises (MWBE) Utilization Plan and Requirements (Attachment MWBE-4). The MWBE Utilization Plan should list the MWBE subcontractors or suppliers the Contractor intends to use to fulfill the contract should the proposed application be awarded. For further information, refer to [Section IV](#), above.
9. Application for Waiver of MWBE Participation Goal (Attachment MWBE-5). If the applicant will not use subcontractors or suppliers to fulfill services, or will be unable to meet the total MWBE goals, then it must submit the Application for Waiver of MWBE Participation Goal instead of the (MWBE) Utilization Plan (Attachment MWBE-4). For further information, refer to [Section IV](#), above.
10. Service- Disabled Veteran-Owned Business (SDVOB) Utilization Plan and Requirements (Attachment SDVOB-1). The SDVOB Utilization Plan should list the SDVOB subcontractors or suppliers the Contractor intends to use to fulfill the contract should the proposed application be awarded. For further information, refer to [Section IV](#), above.
11. Application for Waiver of SDVOB Participation Goal (Attachment SDVOB-3). If the applicant will not use subcontractors or suppliers to fulfill services, or will be unable to meet the total SDVOB goals, then it must submit the Application for Waiver of SDVOB Participation Goal instead of the (SDVOB) Utilization Plan (Attachment SDVOB-1). For further information, refer to [Section IV](#), above.
12. Lead Applicant Designation Form (Attachment LADF).
13. Executive Order (EO) 177 Certification (Attachment EO).
14. Key Contacts (Attachment KC).

E. RFA Timetable

- RFA Release Date – **June 18, 2019**.
- Deadline Date for Questions – Ongoing, no later than **June 10, 2022**.
- Deadline Date for Responses to Questions – Ongoing, no later than **June 17, 2022**.
- Application Due Date – Ongoing, no later than 4:00 PM ET on **July 1, 2022**.
- Date of Notification of Award – Ongoing as received.
- Latest Possible Contract End Date – **December 31, 2022** (in the absence of any extensions).

VI. Application Requirements

Each application consists of four parts – Minimum Requirements, Program Design, Work Plan/Outcome Timetable, and Budget. The Grants Gateway system will not allow the submission of an application unless all parts are completed.

The evaluation of the application will consist of a review of each part independently.

All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the project as proposed.

Failure to answer all questions in the application will jeopardize the applicant’s potential for funding. NYSDOL will first make an initial eligibility determination based on minimum

requirements criteria for each application received. Applications deemed eligible will be scored based on further review and evaluation. Application scores will consist of 80% on Technical Merit (60% on Program Design and 20% on Work Plan/Outcome Timetable) and 20% on Budget. Scoring of technical merit will award points based on a “criteria met,” “criteria met but not fully,” or “criteria not met” scale.

A. 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. The applicant is not a NYS Agency.
2. The applicant is a sponsor of an active or probationary NYS RA program, a lead applicant designated by a sponsor of an active or probationary NYS RA group program, a signatory employer to an active or probationary NYS RA group program, or an applicant for a NYS RA program whose application has been received by NYSDOL and posted on the NYSDOL website for public comment;
3. The applicant is headquartered in NYS or has at least one site located in NYS at the time of application;
4. 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;
5. The applicant agrees to comply with NYS Equal Employment Opportunity Regulations Part 600 and its Affirmative Action Plan/Pledge;
6. None of the funds to be used under this RFA will be used for the relocation of employment from facilities in other locations which would result in employees losing jobs at the original location;
7. 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;
8. The application was developed by the applicant and all language therein is presented at the request of the applicant. (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.);
9. The applicant is responsible for recruiting, as defined in their approved RA Program (Please contact your Apprentice Training Representative (ATR), or your local NYSDOL Apprenticeship Office for the required form(s)), and ensuring the participation of eligible participants as defined in the RFA;

10. The applicant understands that tuition charges, books, tools and other fees submitted for reimbursement under this RFA shall not also be charged to apprentices;
11. The applicant understands that any award must be expended on program activities in NYS, and as such:
 - a. The applicant provides a reasonable assurance that the apprentices to be trained will continue to work in their RA Program in NYS upon completion of the training;
 - b. The applicant provides a reasonable assurance that at least 75% of OJT provided pursuant to this RFA, will take place in NYS; and
 - c. The applicant will provide adequate justification, as to be determined by NYSDOL, for any RI that takes place outside of NYS.
12. OJT Apprenticeship training will take place on company time and participants will be compensated at no less than their normal rate of pay while they are attending said training;
13. None of the training providers listed in the application, any 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.);
14. The apprentices targeted under this application will not be independent contractors or contract employees;
15. The applicant will comply with NYS labor law and Federal law for the protection of workers; and
16. 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

B. Program Design

A total of 60 points are available in scoring the Program Design part of the application.

1. Project Need

Applicants must provide a brief description of the business/sponsor, the RA program, and the occupations/trades (including their corresponding O*NET codes) in which the apprentices will be trained. Additionally, applicants must provide the number of employees for each participating business; the need for this proposed training program, and how it will benefit the applicant; and how this proposed training program will increase middle-skill employment and expand the workforce in the local area. Finally, a description as to how the proposed

apprenticeship program will lead to long-term employment with opportunities for advancement along a career path must also be provided.

Additional points in the scoring of applications will be given to projects proposing to hire apprentices in the priority industries of **Advanced Manufacturing, Healthcare, Hospitality, and Information Technology**. Please Note: RAs in the field of construction (O*NET Family Code 47) are not allowable trades/occupations under this AEG RFA unless the trade is to be used for the upkeep and maintenance of a facility owned by the business entity employing the apprentice, such as plant maintenance trades.

2. Description of Activities

Applicants must describe the number of apprentices who will receive services (i.e., RI, OJT, books, and tools), and the method (Blue Books, RI transcripts, portfolios, and enrollment status) that will be used to measure apprentice progress and outcomes under this proposed project. OJT and RI must be described in full. Material related to the proposed apprenticeship opportunity, such as books and tools, must also be described.

Applicants should highlight the available resources (e.g., grants, American Apprenticeship Initiative (AAI), Empire State Apprenticeship Tax Credit, SUNY Apprenticeship funds), both its own and those in the targeted community, that will be utilized or leveraged to maximize the effectiveness of the program and improve employment outcomes for all parts of the workforce.

3. Work Plan/Outcome Timetable

A total of 20 points are available in scoring the work plan/outcome timetable part of the application.

Utilizing the Grants Gateway system, applicants will define the objectives, tasks, and performance measures that will detail the proposed plan to ensure training and service activities as identified in the program design. Please refer to the trades relevant training outline for guidance in developing the work plan. A list of active trades can be found here: <https://dol.ny.gov/apprenticeship/apprenticeship-trades>. Please contact your ATR, or your local NYSDOL Apprenticeship Office for the corresponding training outlines for each trade.

Applicants can include a total of 30 objectives, tasks, and performance measures, including the following:

- a. The objectives of the proposed apprenticeship training program under this grant, as identified by the Training Outline for the trade (e.g., what will apprentices learn, be able to accomplish by the end of this grant);
- b. The tasks/activities the applicant will use to achieve the objectives;
- c. Describe how the applicant will use their performance measures (e.g., Blue Books, testing, evaluations, etc.) to assess whether apprentices have achieved the objectives under this grant.

C. Budget

A total of 20 points are available in scoring the Budget part of the application.

Requested funding must be directly related to the proposed apprenticeship training program. All proposed expenditures must be reasonable, necessary, and clearly related to the purposes and activities of the services as described in the "Program Specific Questions" section in Grants Gateway under the "Forms" menu.

1. Budget Worksheet

An overall budget for expending the funds and specifics on the costs for each type of training that will be offered (OJT and RI), must be furnished in Attachment BW ([Section IX](#)), as described below:

- a. Overall Budget: the applicant must provide, for each type of training being proposed, the amount of the grant funds being requested, the amount of contributions the applicant is making to the cost of training (please note that applicant contribution is only required for OJT), and the total amount the training will cost.
- b. Training-Specific Budget
 - **OJT:** the budget must provide the trade/occupation (and corresponding O*NET codes) of those to receive OJT, the number of openings for each apprenticeship program, the starting hourly wage of each apprentice, the hours of OJT per week, the number of weeks of OJT, the percentage of the apprentice's wage rate to be reimbursed, and the total cost to the grant. Please note that the maximum reimbursement rate for OJT under this RFA is 75% of the wage rate of the apprentice for businesses with 100 or fewer employees and 50 % of the wage rate of the apprentice for businesses with more than 100 employees.
 - If funding for tools directly associated with OJT is being requested, the budget must include sufficient detail to enable reviewers to determine how those costs were calculated.

RI: to calculate the cost as it relates to your RI, applicants must use a published tuition rate, if they have one. If an Applicant does not have a published tuition rate, the Applicant must create a tuition rate. Additional information on what costs may be included in a tuition rate can be found in the Tuition Rate (TR) attachment in [Section IX](#).

The Applicant must provide two (2) comparison quotes from like programs on the tuition rate from training providers other than the selected training provider, which shows that a training provider with the lowest (or a comparable) tuition rate was selected. This information will document that the costs of the selected RI program are reasonable and will be the basis for awarding points for this portion of the Budget review. The Eligible Training Provider List (ETPL) can be used as a possible resource for obtaining comparison quotes. The ETPL can be found here: <https://applications.labor.ny.gov/ETPL/>

If the Applicant has not provided the required number of comparison bids, then the applicant must provide a compelling justification for the reason(s) the training provider was selected. This justification will be reviewed by NYSDOL and may result in Budget points being awarded. If funding for textbooks or training materials directly associated with RI is being requested, the budget must include sufficient detail to enable reviewers to determine how those costs were calculated.

NYS DOL understands that RI must be conducted by the Applicant's approved RI provider under their NYS RA program, and that therefore it is possible that the selected training provider may not be the lowest cost provider. In the event that the selected training provider's costs cannot be documented as being reasonable, the Applicant will be reimbursed at the lowest tuition rate provided.

- **Indirect costs** (available only to group program sponsors or their lead applicants (i.e. those applicants who are designated by a sponsor of an active or probationary NYS RA group program) who do not directly provide RI or employ the apprentice for OJT purposes): Indirect costs are defined as costs that are not directly accountable to a particular RFA, 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 may be reimbursed at the approved federally recognized indirect cost rate negotiated between the applicant and the Federal government if such a rate exists, and if no rate exists, then 10% of the modified total direct costs.

2. Detailed Budget Attachment

Applicants must also complete and submit the Detailed Budget Attachment (DBA) with their application. The DBA requests specific detail for each type of training proposed, and the allowable non-personnel costs associated with each training. This detail will be incorporated into the contract of successful Applicants.

If it is determined unallowable costs were included in the DBA during the Program Cost review, those costs may be removed during the award process or contract development and will not be included in the contract of the successful Applicant.

VII. Application Review and Selection

A. Evaluation of Applications

A complete application (including the budget) must be submitted so that 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 first make an initial eligibility determination based on minimum requirements for each application received. Applications deemed eligible will be scored based on further review and evaluation. Application scores will consist of 80% on technical merit (60% on Program Design, 20% on the Work Plan/Outcome Timetable) and 20% on the Budget. Scoring of technical merit will award points based on a "criteria met", "criteria met but not fully", or "criteria not met" scale.

NYS DOL reserves the right to make no awards.

Applications must first meet all Minimum Requirements described in [Section VI.A.](#) of this RFA. Upon receipt of all required documents and confirmation of Minimum Requirements attainment, applications will be evaluated by NYSDOL staff. NYSDOL staff will score applications based on the Program Design, Work Plan, and Budget described in the Evaluation of Applications ([Section VII.B.](#)) of this RFA.

B. Evaluation Criteria

The Evaluation Criteria has four parts: Minimum Requirements; Program Design; Work Plan/Outcome Timetable; and the Budget. Each is described below.

1. Minimum Requirements

No points will be awarded for this section of the application. Failure to meet minimum requirements will result in an automatic rejection of the application and scoring will not proceed. Refer to [Section VI.A.](#) for a complete breakdown of minimum requirements.

2. Program Design (up to 60 points as described below)

The applicant must:

- a. Provide a brief description of the business, or sponsoring entity, and its apprenticeship program. If this is a pending apprenticeship program, please indicate that here. (5 points)
- b. Provide the number of employees for each participating business, including the number of skilled workers (journeyworkers) employed in the RA trades. (5 points)
- c. Provide the number of apprentices to be trained, the occupations/trades in which they will be trained, and the O*NET codes for those occupations/trades (refer to [Section III.C.](#), above). Please Note: RAs in the field of construction (O*NET Family Code 47) are not allowable trades/occupations under this AEG RFA unless the trade is to be used for the upkeep and maintenance of a facility owned by the business entity employing the apprentice, such as plant maintenance trades. (5 points)
- d. Explain with clarity and specificity, the need for this proposed training program, and how it will benefit the applicant. (5 points)
- e. Explain with clarity and specificity how this proposed training program will increase middle-skill jobs and expand the capacity of your workforce. (5 points)
- f. Describe with clarity and specificity as to how this apprenticeship program will integrate into the “career ladder” for the apprentice (e.g., are there opportunities for long-term employment, opportunities for promotion?). (5 points)
- g. Describe what, if any local, state, or federal funds (e.g., grants, American Apprenticeship Initiative (AAI), Empire State Apprenticeship Tax Credit¹, SUNY Apprenticeship funds, etc.) the applicant will leverage with this RFA, if applicable. (5 points)
- h. Describe with clarity and specificity, each of the covered components of the apprenticeship training program for which the applicant is seeking reimbursement. (10 points)
 - OJT – describe the training approach and the delivery of OJT (e.g., Time-Based, Competency-Based or Hybrid).
 - RI – include the delivery method or timeframe (e.g., when RI is completed in relation to OJT - simultaneous, sequential, or front-loaded).
 - Books – a complete list of text/work books is required.

¹ <https://dol.ny.gov/apprenticeship/options-apprenticeship-program-sponsors>

- Tools – a complete description of the type and use of tools is required.
 - i. Describe with clarity and specificity, the method the applicant will use to measure program outcome, to be provided by end of grant (e.g., Blue Books, RI transcripts, portfolios, and enrollment status). (5 points)
 - j. Describe with clarity and specificity, how this apprenticeship training program connects to either: one of the priority industries identified under this RFA (refer to [Section VI.B.1.](#) above) (10 points), or another regional priority industry. (5 points)
3. Work Plan/Outcomes Timetable (up to 20 points as described below)

Utilizing the Grants Gateway system, applicants will define the objectives, tasks, and performance measures that will detail the proposed plan to ensure training and service activities as identified in the program design. Applicants can include a total of 30 objectives, tasks and performance measures.

The applications must include the following:

- a. The Objectives of the proposed apprenticeship training program under this grant, as identified by the Training Outline for this trade (e.g., what will apprentices learn, be able to accomplish by the end of this grant). (10 points)
 - b. The tasks/activities the applicant will use to achieve the objectives. (5 points)
 - c. Describe how the applicant will use their performance measures (e.g. Blue Books, testing, evaluations, etc.) to assess whether apprentices have achieved the objectives under this grant. (5 points)
4. Budget (up to 20 points as described below)

The budget worksheet will be evaluated in accordance with the following:

- a. Overall Budget (5 points): the applicant will receive full points for this component if the budget provides, for each type of training being proposed, the amount of the grant funds being requested, the amount of contributions the applicant is making to the cost of training (please note that applicant contribution is only required for OJT), and the total amount the training will cost.
- b. Training-Specific Budget (15 points)
 - **OJT:** the applicant will receive full points for this component if all of the following information is clearly provided in the budget: the trade/occupation (and corresponding O*NET codes) of those to receive OJT, the number of openings for each trade/occupation, the starting hourly wage of each apprentice, the hours of OJT per week, the number of weeks of OJT, the percentage of the apprentice's wage rate to be reimbursed, and the total cost to the grant.
 - **RI:** the applicant will receive full points for this component if the Applicant provides two (2) comparison quotes from like programs on the tuition rate from training providers other than the selected training provider, which shows that a training provider with the lowest (or a comparable) tuition rate was selected. This information will document that the costs of the selected RI program are reasonable and will be the basis for awarding points for this portion of the Budget review.

If the Applicant has not provided the required number of comparison quotes, then the applicant must provide a compelling justification for the reason(s) the training provider was selected. This justification will be reviewed by NYSDOL and may result in Budget points being awarded. Applicants are encouraged to use the Eligible Training Provider List (ETPL) as a resource finding for obtaining comparison quotes to their selected training program. A link to the ETPL can be found here:

<https://applications.labor.ny.gov/ETPL/>

NYSDOL understands that RI must be conducted by the Applicant's approved RI provider under their NYS RA program, and that therefore it is possible that the selected training provider may not be the lowest cost provider. In the event that the selected training provider's costs cannot be documented as being reasonable, the Applicant will be reimbursed at the lowest tuition rate provided.

If the application includes both types of training described above, a cost score will be calculated for each type and then pro-rated based upon its percentage of the overall funding request of the application. For example, if an applicant proposes 50% OJT and 50% RI, and provided all the required budget information for the OJT, but did not for the RI, the cost score would be 7.5 points (OJT: 15 points x 50% = 7.5 points + RI: 0 points X 50% = 0 points).

If at any time prior to or after an award is issued the applicant reduces the number of apprentices to be served, the funding will be proportionately reduced. Note that the cost per apprentice calculated in the application may not be exceeded in resulting contracts.

During the Budget review process, NYSDOL will not remove any disallowed costs included in the Budget Section. However, during the award process and contract negotiations, if it is determined that ineligible costs were included in the application, those costs will not be included in the final contract.

C. Method of Selection

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

Applications that meet all minimum eligibility requirements will proceed to the review phase, where the application will be scored for Technical Merit (worth up to 80% of the total) by NYSDOL's Program Staff, and Budget (worth up to 20% of the total) by NYSDOL's Finance Bureau. Scores for each portion of the evaluation will be combined and result in an Application Final Score.

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 AEG RFA.

It is important to note that:

1. Ineligible applicants will be disqualified before completing a review;
2. Incomplete applications will be disqualified before completing a review;
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 requirements may be disqualified after completing a review; and
5. NYSDOL reviews will result in a final score.

VIII. 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, successfully register at least 80% of the planned number of apprentices into their NYS RA program or have expended at least 80% of the awarded funds may apply again, 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 cost reimbursement basis in agreement with the cost per apprentice and hours of training indicated in the contract budget. 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. The Contractor must provide documentation that the service was provided. This documentation will be negotiated as part of the contract development process. NFP & Governmental entities that have a fully executed contract qualify for an advance of up to 25% of the contract amount. Details will be discussed during contract negotiations.

A Contractor will be required, if applicable, to complete an on-the-job training application for each apprentice if they are requesting funding for any OJT. These applications will be completed during contract negotiations. For further details regarding the On-the-Job Training application, see Attachment OJT in [Section IX](#) of the RFA.

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.

Existing awardees under RFA # AEG-2 are eligible to apply for additional funding after successfully registering 80% of the planned number of apprentices into their NYS RA program as specified in their awarded contract, if sufficient funding and time remain.

Funds awarded under RFA # AEG-2 may be used to support apprentices enrolled under RFA # AEG-1, however when calculating the per apprentice cap of \$10,000.00, NYSDOL will include the per participant cap of \$5,000.00 under RFA # AEG-1 as well as additional funds awarded under RFA # AEG-2. Therefore, apprentices who were enrolled under RFA # AEG-1 cannot receive more than \$5,000.00 worth of training or assistance under RFA # AEG-2,

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. 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 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 proposal.

D. Buy American Requirements

Applicants should be aware of the requirements of the Workforce Innovation and Opportunity Act (WIOA), Section 502 which provides that none of the funds made available under Title I or II of WIOA or under the Wagner-Peyser Act (29 U.S.C. 49 et seq.) may be expended by an entity unless the entity agrees that in expending the funds the entity will comply with the Buy American Act (41 U.S.C. sections 8301 through 8303). It is the sense of Congress that entities receiving assistance should, in expending the assistance, purchase only American-made equipment and products. See WIOA, Section 502 – Buy American Requirements set forth as Attachment WIOA to this RFA.

E. Additional Information

The WIOA funds supporting this initiative are subject to the following Federal & NYS Executive Orders:

1. Executive Order 13333 –This contract may be terminated without penalty, if the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement.” (22 U.S.C. § 7104(g))
2. 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.
3. Executive Order 12928 – the recipients are strongly encouraged to provide contracting/subgranting 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.
4. 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.
5. Executive Order 13166 – recipients must take reasonable steps to ensure that LEP persons have meaningful access to programs in accordance with DOL’s Policy Guidance on the Prohibition of National Origin Discrimination as it Affects Persons with Limited English Proficiency Volume 68, Number 103, Page 32289-32305. Meaningful access may entail providing language assistance services, including oral and written translation, where necessary.
6. NYS Executive Order 177 – see [Section IX](#) for further information.

F. Reservation Clauses

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

1. Make no awards;
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's references as a check on qualifications;
10. Award contracts to more than one applicant;
11. To make reductions to applications at any time before the award is made, if such action is in the best interest of NYS;
12. Negotiate with a selected Applicant prior to contract award;
13. Make any payment contingent upon the submission of specific deliverables;
14. 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 applicants will have any rights against NYSDOL arising from such action.
15. Require that all offers are held open for a period of 120 days unless otherwise expressly provided for in writing.

IX. Attachments

Attachment Number	Document Title	Required to be completed and submitted via Grants Gateway?
BW	Budget Worksheet	Yes
DBA	Detailed Budget Attachment	Yes
CTC	Combined Terms and Conditions – A-1 and A-2	Yes
VRAQ	Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
LADF	Lead Applicant Designation Form	Yes
NISA	Notice to Individuals Submitting Applications	Yes, with original signature
WIOA	Workforce Innovation and Opportunity Act References	No
TR	Appendix – Tuition Rate	No
OJT	Appendix – On-the-Job Training Application	No
MWBE	Appendix – Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) Requirements and Procedures	No
MWBE – 1	MWBE and EEO Policy Statement	Yes, with original signatures
MWBE – 2	EEO 100 – EEO Staffing Plan	Yes, with original signatures
MWBE – 3	Appendix – EEO 101 – Workforce Utilization Report	No, required quarterly AFTER Contract award
MWBE - 4	MWBE 100 – MWBE Utilization Plan	Yes, for Applicants requesting \$25,000 or more In grant funds, with original signatures
MWBE -5	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
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	No
SDVOB – 1	SDVOB 100 – SDVOB Utilization Plan	Yes, for Applicants requesting \$25,000 or more In grant funds, with original signatures
SDVOB – 2	Appendix – SDVOB 101 – SDVOB Monthly Compliance Report	No, required monthly AFTER Contract Award
SDVOB – 3	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
GISA	General Information for Successful Applicants	No
GGPR	Grants Gateway Prequalification Requirement	No
EO	Executive Order (EO) 177 Certification	Yes, with original signatures
KC	Key Contacts	Yes
DEF	Definitions	No

*** These documents are located in the “Forms” menu on Grants Gateway under “Contract Document Properties.”

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