

REQUEST FOR APPLICATIONS

APPRENTICESHIP STATE EXPANSION (ASE) – REGISTERED APPRENTICESHIP GROUP PROGRAMS

Bid Number ASE-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 NY Time on June 30, 2022

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I. Funding Opportunity Description

A. Purpose

The New York State Department of Labor (NYSDOL) is making up to \$2.75 million in funding available under the Apprenticeship State Expansion (ASE-1) – Registered Apprenticeship Group Programs Request for Applications (RFA). The purpose of the RFA is to: (1) support and encourage Registered Apprenticeship (RA) Group Programs to increase the number of registered apprentices by 550 in apprenticeable occupations throughout New York State (NYS); (2) engage and develop additional RA Group Programs; and (3) expand and diversify RA Program models through the creation of new Group Programs in high growth and nontraditional trades designed to meet the 21st Century needs of businesses. NYSDOL is particularly interested in expanding RA Group Programs in priority industries including, but not limited to, Advanced Manufacturing, Healthcare, Information Technology, Hospitality, Film, Transportation and Logistics, Sewing/Textiles, and others. Apprentices 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

In July 2019, the United States Department of Labor Employment and Training Administration (USDOL-ETA) awarded NYSDOL \$4,445,188.86 in Apprenticeship State Expansion funds under the Consolidated Appropriations Act of 2018 to: (1) increase the number of apprentices in RA programs; (2) support and encourage RA program diversification, including both the diversity of apprentices themselves and the types of apprenticeships across industry sectors; and (3) support the integration of RA programs into workforce development, education, and economic development strategies and programs, ensuring that apprenticeship is a viable career path for youth, adults, and career seekers, as well as a valuable workforce development strategy for businesses. 100% of the \$2.75 million available under this RFA is from the federal Apprenticeship State Expansion funds.

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. 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).

About RA Group Programs

NYSDOL's Apprenticeship Office has developed a group apprenticeship program model to "fast track" apprenticeship. With this model, entities, as described below, act as the sponsor of an RA Group Program. Businesses can then sign on as a signatory to the Group Program instead of applying to become an individual sponsor, allowing participating businesses to almost immediately begin enrolling and training apprentices.

An entity serving as a Group Program sponsor must abide by Apprenticeship Regulations and work with NYSDOL to administer the program. Group Program sponsors may have programs in multiple trades. Entities that may apply to be Group Program sponsors include but are not limited to, industry associations, labor-management associations, and/or a group of employers.

To apply to become a sponsor of an NYS RA Group Program, contact your local NYSDOL Apprenticeship office (see <https://labor.ny.gov/apprenticeship/contactus.shtm>).

II. Award Information

A. Funding

This RFA is making up to \$2.75 million available until **June 30, 2022** to serve 550 new apprentices enrolled into NYS RA Group Programs (see Section II.B.). This funding will cover costs associated with supporting apprentices as they begin on-the-job training (OJT) and related instruction (RI) and will help to ensure successful participation in the program. 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 \$200,000. Applications that request more than \$200,000 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.

Awardees will be reimbursed up to \$5,000 for each apprentice they support. This reimbursement will be made in two milestone payments (see [Section II.B.2.](#)). This funding is intended to defray the expenses awardees will assume through supporting the apprentices during the first six (6) months of enrollment. 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.

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All awards are subject to funding availability.

B. Use of Funds

ASE-1 funding is intended for the placement of 550 new apprentices into new and existing NYS RA Group Programs.

This RFA expects to issue up to \$5,000 for each apprentice under this RFA. The proposed number of apprentices identified in the grant application must be served during the contract period and must include **new** apprentices only.

Applicants must demonstrate that apprentices will be supported by staff in the role(s) of RI Coordinator and OJT Job Developer. (RI Coordinator and OJT Job Developer may be a combined role.) The RI Coordinator and OJT Job Developer will prepare an Apprenticeship Service Plan for each apprentice based on their training plan and will document apprentice progression.

- RI Coordinator – The duties under this role include but are not limited to: Securing appropriate RI providers. Supporting apprentices by ensuring they participate in RI classes. Providing mentor services to new apprentices. Documenting that apprentices are progressing in their RI in accordance with their Apprenticeship Service Plan.

- OJT Job Developer – The duties under this role include but are not limited to: Providing mentor services to new apprentices. Ensuring that apprentices are receiving proper task rotation during their OJT. Documenting that apprentices are progressing in their OJT in accordance with their Apprenticeship Service Plan.

It is expected that the support offered by the RI Coordinator and OJT Job Developer will continue during the apprentices' first six (6) months of enrollment; the support provided during this adjustment period will be essential to their success in the program.

1. Restrictions on the Use of Funds

ASE-1 will not pay for the following item:

- Any apprentice 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.

The Occupational Information Network (O*NET), found online at <http://www.onetonline.org/>, is an interactive application that provides a universal classification of more than 900 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.

2. Reimbursable Cost Per Apprentice

The reimbursable cost per **new** apprentice under this RFA is limited to \$5,000. Reimbursement for each apprentice will be made in two (2) separate payments based on achievement of two (2) milestones.

Reimbursement will be made as follows:

- Milestone #1: Enrollment of new apprentice by completion of an Apprenticeship Agreement Form (AT401). Completion of a Trainee Information Form (TIF), and completion of Part 1 of the Apprenticeship Service Plan – \$1,500 (flat fee) per apprentice.
- Milestone #2: Support of RI and OJT with qualified staff such as RI Coordinator and OJT Job Developer (as described above) for a period of six (6) months, as documented on Part 2 of the Apprenticeship Service Plan – \$3,500 (flat fee) per apprentice.
- Maximum reimbursement per apprentice: \$5,000.

Please see [Section IX. Attachments and Appendices](#) for the Apprenticeship Agreement Form (AT401), the Trainee Information Form (TIF), and the Apprenticeship Service Plan.

C. Award Minimum and Maximum

The minimum award amount under the ASE-1 program is \$5,000. The maximum award amount is limited to \$200,000. All awards are subject to funding availability.

D. Contracts

Contracts will be awarded for a period not to exceed one (1) year. 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. There is a federal expiration date of **June 30, 2023** for Apprenticeship State Expansion funds, therefore Applicants must include only the RI and OJT support activities that can be reasonably accomplished within the contract period.

Limited no-cost contract extensions may be approved at NYSDOL's discretion. The length of the extension is dependent on the original contract duration; however, under no circumstances may the length of the contract plus the extension exceed a total of fifteen (15) months. In addition, contracts may not be extended past **June 30, 2023**, unless there is an extension of the federal grant or alternative funds are identified. In the absence of any such extensions or funding, all services funded under this grant must be provided by **June 30, 2023**.

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 ASE-1. 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 ASE-1 funding. By accepting an ASE-1 Program award under this RFA, the Applicant agrees to participate in any such evaluation.

E. Contracting Process

In keeping with the Governor's promise to reform NYS's grant 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 an 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 web-site 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/>.

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.

H. 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.

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 – 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 application.

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. 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 sponsor of an active or probationary NYS RA Group Program, or a lead applicant designated by a sponsor of an active or probationary NYS RA Group Program, or be an applicant for an NYS RA Group 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 of RA Group Programs include but are not limited to:

- Industry associations;
- Labor-management associations;
- A group of employers;

Additional requirements for grant Applicants include:

- 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 designate a lead applicant. Please see Section IX. Attachments and Appendices for the Lead Applicant Designation Form (LADF).
- Have two (2) or more paid employees (principals of corporations, board members and owners of businesses such as sole proprietors or partners are not considered to be employees for this criterion) or the equivalent of two (2) full-time employees (year-round, part-time employees are acceptable);
- 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.

Applicants with existing or pending contracts with NYSDOL remain eligible to apply for funding under this ASE-1 RFA if the application does not propose services to the same individuals as the existing or pending NYSDOL contract(s). In addition, the payments requested from awarded contracts under this RFA cannot duplicate reimbursement from other sources of funding. Please note, the same apprentice cannot be counted under two (2) different funding sources. For example, if a signatory employer to a Group Program is receiving Apprenticeship Expansion Grant (AEG-2) funding for an apprentice, the Group Program that signatory employer belongs to may not receive funding through this grant for that same apprentice.

B. Participant Eligibility

Apprentice participants who meet the following requirements are eligible:

- Individuals not yet enrolled in an NYS RA Group Program and who meet the eligibility requirements for enrollment. Note, minimum eligibility requirements are determined by sponsors and are indicated on the Apprentice Training Recruitment Notification and Minimum Qualifications Form; and
- Apprentices enrolled in an NYS RA Program no earlier than the ASE-1 contract start date, which may be as early as the date of the award letter.

Apprentices need not be NYS residents.

Applicants are encouraged to actively recruit women and underrepresented populations, including but not limited to, minorities and individuals with disabilities.

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 **May 23, 2022**. No telephone inquiries will be accepted. All inquiries should include the following reference in the Subject line: "ASE-1 Question." Answers to all questions will be posted on the NYSDOL website (<https://dol.ny.gov/funding-opportunities-0>) on an ongoing basis until **May 27, 2022**.

B. Application Due Date

Applications and required attachments will be accepted immediately and on an ongoing basis through the Grants Gateway until **4:00 PM NYT on June 30, 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).

C. Application Submission Instructions and Format

All interested parties must be registered in the Grants Gateway and apply online via the Grants Gateway website at https://grantsgateway.ny.gov/IntelliGrants_NYSGG/login2.aspx (see [Section II.E.](#)). Completed applications must be submitted through the Grants Gateway by the designated date and time.

Please refer to the Grants Gateway for guides and videos on the Registration and Online Application Process: <https://grantsmanagement.ny.gov/apply-grant>.

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 (see [Section IX](#)) are listed below:

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

D. Grants Gateway Registration and Prequalification Status

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

1. Document Vault Prequalified
 - Fully Prequalified
2. Document Vault Prequalified Open
 - If an organization proactively opens its document vault before the required documents expire, it will go to this status.
 - i. The Organization will not lose prequalification status unless an expiration date passes.
 - ii. 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 its vault prior to document expiration and has submitted it with updated documents.
 - i. 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.

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 Gateway in order to maintain or regain prequalification status.

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

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

E. RFA Timetable

- RFA Release Date – **January 3, 2022**
- Deadline Date for Questions – Ongoing, no later than **May 23, 2022**
- Final Date for Responses to Questions – Ongoing, no later than **May 27, 2022**
- Application Due Date – Ongoing until **4:00 PM NY Time on June 30, 2022**
- Projected Notification of Award – Ongoing as received
- Latest Possible Contract End Date – **June 30, 2023** (in the absence of any extensions)

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 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 documents and confirmation of Minimum Requirements attainment, applications will be evaluated by NYSDOL staff.

NYSDOL will establish a Review Team who will review both the Program Design and the Work Plan sections of the assigned application. Each application will be evaluated and scored separately.

B. Evaluation Criteria

The Evaluation Criteria has three 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.

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/Outcomes Timetable.

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. The Applicant is a duly incorporated for-profit or not-for-profit organization, that is eligible to do business in New York State;
2. The Applicant is a sponsor of an active or probationary NYS RA Group Program, or a lead applicant designated by a sponsor of an active or probationary NYS RA Group Program, or an applicant for an NYS RA Group 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 employs two (2) or more employees or the equivalent of two (2) full-time employees (year-round, part-time employees are acceptable);
6. The Applicant agrees to comply with NYS Equal Employment Opportunity Regulations Part 600 and its Affirmative Action Plan/Pledge;
7. 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;
8. 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;
9. 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.);
10. 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) and ensuring the participation of eligible participants as defined in the RFA;
11. 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](#);
12. The apprentices targeted under this application will not be independent contractors or contract employees;
13. The Applicant will comply with NYS Labor Law and Federal law for the protection of workers;

14. 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
15. 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. All questions must be answered and failure to answer all questions will jeopardize the Applicant's scoring and may jeopardize the potential for funding.

The Applicant must:

1. Provide a brief description of the group and its apprenticeship program. If this is an RA Group Program pending NYSDOL approval, please indicate that here. (5 points)
2. Provide a description of the industry sectors targeted by this group, and how they connect to either:
 - a. One of the priority industries identified in the Purpose section of this RFA ([Section I.A.](#)) (10 points); or
 - b. Another regional priority industry as discussed in the Background section of this RFA ([Section I.B.](#)) (5 points).
3. Provide the number of apprentices to be enrolled and trained, the occupations/trades in which they will be trained, and the O*NET codes for those occupations/trades (see [Section II.B.1.](#), above). Please note: apprentices in the field of construction (O*NET Family Code 47) are not allowable trades/occupations under this ASE-1 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)
4. Describe the ability of the Group to run a successful apprenticeship program (e.g., experience, knowledge of the RA system, subject matter expertise, relationships with potential signatory employers, etc.). (10 points)
5. Describe, with clarity and specificity, how this Group will support RA as a viable career path. (10 points)
6. Describe with clarity and specificity, the strategies the Applicant will use to recruit and enroll new apprentices, including women, minorities and other underrepresented populations as outlined in the Sponsor's Affirmative Action Plan approved by NYSDOL. (5 points)
7. Funds under this RFA will be used to support apprentices with RI and OJT. Describe with clarity and specificity, how apprentices will be supported by qualified staff in the roles of RI Coordinator and OJT Job Developer. See [Section II.B.](#) (10 points)

8. Describe with clarity and specificity, what retention methods and strategies the Applicant will put in place to support and engage these new apprentices in ongoing RI and OJT for at least six months. Include the number of new apprentices who you expect will reach this six-month goal. (10 points)
9. 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. Include the estimated dollar figure. (5 points)

3. Work Plan/Outcomes Timetable

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

Utilizing the Grants Gateway system, Applicants will define the objectives, tasks, timeframes, and performance measures that will detail the proposed plan to support new apprentices in RI and OJT. Applicants can include a total of up to 30 objectives and related information.

Work Plans should address the following:

1. Staff responsibilities related to developing and implementing RI and OJT support. Include objective(s), related tasks, timeframes, and performance measures. (5 points)
2. Plan for recruiting, enrolling, and developing the Apprenticeship Service Plan for new apprentices. Include the number of new apprentices you will enroll, including women, minorities and other underrepresented populations as outlined in the Sponsor's Affirmative Action Plan approved by NYSDOL. The objective(s), related tasks, timeframes, and performance measures should be included. (10 points)
3. Plan for engaging apprentices in RI and OJT for at least six months. Include the number of new apprentices who will reach this six-month goal. Include objective(s), related tasks, timeframes and performance measures. (10 points)
4. Staff responsibilities related to overseeing, evaluating, and/or monitoring apprentices' progress with RI and OJT. Include objective(s), related tasks, timeframes and performance measures. (5 points)

Performance Measure Tips:

- The performance measures as proposed, should measure whether the associated objective was attained.
- Performance measures should evaluate project effectiveness.
- Performance measures must be SMART: Specific, Measurable, Achievable, Relevant and Time-oriented (who will do what, how it will be counted, how often, when to evaluate the tasks and objectives).

4. Performance Budget

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

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. (Please note: this is similar to what you will see in the 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	\$1,500.00*
Grant Amount Per Unit	\$1,500.00*
Number of Units	5*
Total Grant Funds	\$7,500.00*
Total Match Funds	
Match %	0%
Other Funds	
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	\$3,500.00*
Grant Amount Per Unit	\$3,500.00*
Number of Units	5*
Total Grant Funds	\$17,500.00*
Total Match Funds	
Match %	0%
Other Funds	
Line Total	\$0

C. Method of Selection

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. Scoring will award points based on how comprehensively the application responds to each question and whether the criteria for the question is met. The evaluation will 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.

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

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 ASE-1 RFA.

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 Gateway 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 service was provided.

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

The funds supporting this initiative are subject to the following Executive Orders:

Federal 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 limited English proficiency (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.

NYS Executive Orders:

1. NYS Executive Order 177 – see [Section IX, Attachment EO 177](#) 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. 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;
5. 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;
6. Correct any arithmetic errors in any application;
7. Reject any and all applications received in response to this RFA;
8. Contact Applicant references as a check on qualifications;
9. Award contracts to more than one Applicant;
10. To make reductions to applications at any time before the award is made, if such action is in the best interest of NYS;
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
VRAQ	Attachment – Vendor Responsibility – Applicant Questionnaire	Yes, with original signatures
MWBE – 1	Attachment – MWBE - EEO Policy Statement (fillable)	Yes, with original signatures
MWBE – 2	Attachment – EEO 100 – Equal Employment Opportunity Staffing Plan	Yes, with original signatures
LADF	Attachment – Lead Applicant Designation Form	Only if applicable, with original signatures
EO	Attachment – Executive Order (EO 177) 177 Certification	Yes, with original signatures
KC	Attachment – Key Contacts	Yes
GGPR	Appendix – Grants Gateway Prequalification Requirements	No
AT-401	Appendix – Apprenticeship Agreement Form	No
TIF	Appendix – Trainee Information Form	No
ASP	Appendix – Apprenticeship Service Plan, Parts 1 and 2	No
MWBE	Appendix – Minority and Women-Owned Business Enterprises (MWBE) and Equal Employment Opportunity (EEO) Requirements and Procedures	No
SDVOB	Appendix – Service-Disabled Veteran-Owned Businesses	No
CTC	Appendix – Combined Terms and Conditions – A-1 and A-2	No
GISBA	Appendix – General Information for Successful Bidders/Applicants	No
SCNYS	Appendix – Standard Clauses for all NYS Contracts	No
MC	Appendix – Master Contract, Terms & Conditions	No

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