



PROCEDURE FOR THE EVALUATION AND CONTRACTING OF ELEGIBLE SERVICE PROVIDERS FOR THE YOUTH PROGRAM

I. INTRODUCTION

The Southeast Local Workforce Development Board (Local Area) was designated by the Governor of Puerto Rico to develop the One-Stop Center system, according to the Workforce Innovation and Opportunity Act (WIOA, for its English acronym) of July 22, 2014.

WIOA is designed to help people who are searching for a job, so that they may have access to job, education, training, and support services opportunities to succeed in the marketplace. At the same time, employers will be able to access a skilled workforce that allow them to compete in a globalized economy.

In the particular case of youth (14 to 24 years old), WIOA ratified the commitment of the Federal Department of Labor (DOL, for its English acronym) to provide high quality services for them. The Youth Program serves eligible youth, in and out of school, having one or more barriers to succeed academically and professionally through the delivery of services that allow them to access educational opportunities in which they may gain new skills as a tool to enter the workforce.

WIOA establishes a service sequence starting by exploring careers and receiving professional guidance, support to improve the education level and skills development in in-demand industries and/or occupations, culminating with obtaining a job, or the youth enrolling in a post-secondary educational institution.

II. PURPOSE

The purpose of this procedure is to establish and regulate the evaluation, selection, and contracting process of eligible service providers for the Local Area Youth Program, in accordance with the WIOA provisions, the interpretive regulation and Public Policy #48 for the selection of eligible providers for the Local Area Youth Program, approved on March 3, 2021, and as amended on April 28, 2021 by the Southeast Local Workforce Development Board.

III. LEGAL BASE

- The Workforce Innovation and Opportunity Act (WIOA, for its English acronym) Public Act 113-128 of July 22, 2014;
- Federal Regulation 20 CFR Part 681 of August 19, 2016;
- TEGL 10-16, Change 1: Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs;
- 2 CFR Parts 200 and 2900, Uniform Guidance
- TEGL 21-16 — Third Workforce Innovation and Opportunity Act (WIOA) Title I Youth Formula Program Guidance
- TEN 22-19 — Technical Assistance Resources for the Workforce Innovation and Opportunity Act (WIOA) Youth Program
- TEGL 08-15: Second Title I WIOA Youth Program Transition Guidance
- TEGL 23-14: WIOA Youth Program Transition
- TEGL 21-16: Third WIOA Title I Youth Formula Program Guidance

- TEGL 10-16, Change 1: Performance Accountability Guidance for WIOA Title I, Title II, Title III and Title IV Core Programs
- TEGL 03-18: Eligible Training Provider (ETP) Reporting Guidance under the Workforce Innovation and Opportunity Act (WIOA)
- DDEC-WIOA-03-20, Policy for the Selection of Eligible Service Providers for the Youth Program, State Workforce Development Board, approved on July 7, 2020
- DDEC-WIOA-02-20, Technical Assistance Guide for Youth Program Elements, State Workforce Development Board, approved on July 7, 2020
- Public Policy 48, for the Selection of Eligible Service Providers for the Youth Program, approved on March 3, 2021, and as amended on April 28, 2021 by the Southeast Local Workforce Development Board.

IV. RESPONSIBILITIES OF THE SOUTHEAST LOCAL WORKFORCE DEVELOPMENT BOARD

1. The Southeast Local Workforce Development Board (Local Board) will design a service delivery system that meets the local area youth's needs through:
 - a. The selection of eligible service providers for youth that are aligned with each local strategy and that supports the professional path of the youth as described in its individual service plan;
 - b. The coordination of activities for youth; and
 - c. The supervision and evaluation of the activities of the youth service providers, financed with Title I-B funds.
2. The Southeast Local Workforce Development Board will collaborate with the Fiscal Agent in the monitoring of the use of funds and will serve as a contract administrator. The Local Board will:
 - a. Execute the contracts with the service providers for youth and will monitor compliance with the program regulation.
 - b. Authorize the Fiscal Agent to issue the corresponding payments in favor of contractors, according to the contract conditions.
 - c. Authorize the Fiscal Agent to issue incentive and payments for support services to eligible youth, according to our Local Board's policies.
 - d. Monitor and evaluate the programmatic, fiscal, and administrative performance of all Title I-B funded youth service providers.

V. GENERAL PROVISIONS

1. The holding of the competitive process, through which the eligible providers will be selected, will be in charge of the Local Board Youth Committee. This Committee will be responsible for receiving, evaluating, approving or denying, as well as adjudicate the proposals presented by the proponents based on the Guide to Present Proposals. The Local Board, in full, will ratify the Youth Committee determinations.
2. This competitive process must identify the Service Providers for the Youth based on the criteria described in WIOA State Plan. Additionally, it must consider the provider's capacity to comply with the execution measures based on the primary execution indicators for the Youth Program.

3. The Local Board may be able to opt for contracting an eligible service provider through the sole sourcing mechanism when presenting an insufficient number of service providers. An insufficient number of service providers will be considered when the Local Board receives proposals from two (2) providers or less for a particular element. If this happens, the Local Board must hold the competitive process, for this element, at least once (1) once more. If in the second competition insufficiency prevails, the Local Board will be able to select the eligible service providers that comply with all the required criteria, according to the Guide for the Competitive Process.
4. The Local Board will evaluate the service providers during the execution period of the services contract, period in which they will be included in a list of the eligible youth service provide. The selected providers will be able to be part of said list for a maximum period of two (2) years, with the possibility of extending their inclusion up to one (1) additional year. This extension must respond to compelling circumstances that prevent from or make difficult holding competitive processes, and the number of youths that could be serving the provider at the moment the contract expires and its satisfactory execution.
5. The Local Board adopted as a policy keeping open a List of Eligible Providers. This will allow free competition and participation of providers that have not been available at the moment of holding the competitive process. In that case, the provider must present to the Board, in writing, their interest to be included in the List of Eligible Service Providers, and the Board will be obliged to publish an announcement to open the competitive process, if there exists a need and funds are available, so that others may have in equal conditions, the opportunity to be included in the List of Eligible Providers.

The Local Board may also be able to hold a competitive process, at any time, if a vacant or need for provider arises due to cancellation or rescission of service contracts. This could happen considering the Board obligation to keep the fourteen (14) elements of the Youth Program available for our participants.

6. The Local Board may be able to revoke a provider eligibility and remove them from the List due to one or more of the following reasons. The provider...
 - a. has provided, intentionally, false or incorrect information, including information on costs or services;
 - b. has violated any WIOA provision or contract terms, including those related to discrimination;
 - c. has not complied with the execution levels established for the Southeast Local Workforce Development Area;
 - d. has been excluded (debarred) by the federal government, which means that they are disqualified from receiving contracts subsidized with federal funds.
7. When the service provider is revoked and removed from the List of Eligible Providers, they will not be able to participate of the competitive processes for a period of two (2) years, as of the notice of revocation. Once the provider has been revoked will be responsible to reimburse all the funds received during the noncompliance period.
8. In cases where a provider or program is removed from the Eligible Provider List in which there are named and active participants in the elements, the participants may complete the

program, unless the provider or program has lost, by the State agency concerned, licensure, certification, or authorization to operate. In such case, the Career Planner must review the individual plan of the participant to redirect the services that will allow them to comply with the set goals.

9. All the Local Area's employees that intervene in the revision process of the proposals sent by the prospective Service Providers must comply with the provisions of the Government Ethics Act and its amendments: Act No. 12 of June 24, 1985. Otherwise, the members of the Local Board and the Youth Committee will comply with the Local Board bylaws (provisions of the Operational Regulations.)

VI. PROCEDURE

1. The Local Board will select providers able to provide youth services following a systematic approach that offers participants a broad variety of coordinated services. To this end, it will publish an announcement requesting proposals (RFP, for its English acronym) in a general circulation newspaper and in the Board's web page. That announcement will be issued in Spanish and in English.
2. The Board will issue the Guide of Instructions for the Presentations of Proposals, which will be available electronically for all the interested proponents, as of the same publication date of the competition announcement. The Guide will be available in a written format for those proponents that request it.
3. The proposal filing period will be thirty (30) calendar days, counted as of the announcement publication.
4. The Board will hold a pre-competition meeting compulsory for all the interested proponents with the purpose of clarifying doubts on the reach of the works and the Local Board's expectations.
5. The Board will have available an electronic address in which the proponents may be able to send their questions on the process. The Youth Committee will be able to delegate the response to these questions to any of the officials of the Local Board. This official will be responsible to circulate all the questions received as well as the answers, to all the possible proponents that have requested the Guide and participated in the pre-competition meeting.
6. The holding of the competitive process in which the eligible providers will be selected will be delegated to the Local Board Youth Committee. This Committee will be responsible to receive, evaluate, approve or deny, as well as adjudicate the proposals filed by the proponents, based on the Guide of Instructions for the Presentations of Proposals. The Local Board, in full, will ratify the Youth Committee determinations.
7. At the closure of the proposal filing period, the Local Board's Administrative Assistant must prepare the minutes in which it is ratified the proponent's name, the filing date, the time of filing, as per the electronic mail time, of propuestas.juntalocal@aldsureste.org. The electronic mails sent by the proponents must be printed and attached to the minutes. The proposals will not be printed. This has the purpose of validating and documenting the information included in the minutes. This procedure must be carried out the day following the filing closure. Upon completion of the minutes, it must be

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submitted to the Local Board’s Executive Director for ulterior procedures.

Proponent’s Name	Filing Date	Filing Time

8. The Local Board’s Executive Director will identify and designate between two (2) and five (5) officials, according to the need and the volume of the received proposals to make an initial scrutiny with the purpose of:
 - a. Identify proposals that have been filed late;
 - b. Identify proposals that do not include all the required documents, according to the Guide of Instructions for the Presentations of Proposals, for the evaluation stage.
 - c. Identify proponents that have filed proposals for less than three (3) elements, according to Public Policy #48, as amended;
 - d. Identify proposals that do not comply with the filing instructions stipulated in the Guide of Instructions for the Presentations of Proposals.

This designation must be completed the day following the closure of the proposal filling period.

Under any circumstances, the designated officials will not be able to open the proposals, evaluate its content, or share them with officials or unauthorized individuals. Similarly, these officials will not be able to communicate with the proponents to share information in no way that in this stage of the process is considered confidential and privileged. Acts like these contaminate the competitive process.

The officials in charge of the screening will draw up a minute addressed to the Youth Committee, via the Local Board’s Executive Director, in which this person will notify compliance or noncompliance with the filing instructions on the part of the proponents. These minutes must include a detailed table that allows the Committee to have visibility of the issues resulting from the screening:

Proponent’s Name	Filing Date	Filing Time Late? Yes or No	Documents Evaluation Stage Complete or incomplete?	Filed proposals for the required minimum of three (3) elements.? Yes or No	Followed filing Instructions, as per the Guide? Yes or No	Notes (Include documents not handed in by the proponent. If incomplete, did not follow instructions? Where did they fail?

The designated officials will complete this procedure in a term not greater than two (2) days, counted as of the date of designation on the part of the Executive Director.

9. Once the screening has been completed and the minutes drawn up, the latter must be sent to the Youth Committee with all the digital files containing the proposals, via the Executive Director.
10. The Youth Committee, within the two (2) days following receipt of the minutes and the proposals, will validate the scrutiny and order the notification of outright denial to those proponents whose proposals do not meet the previously mentioned criteria. The notification will be made according to what is established in the Guide of Instructions for the

Presentations of Proposals.

11. Once the screening process and the notice order has been completed, the Youth Committee will start the process of evaluation of the proposals content using the document *Proposal Evaluation Form for Youth Services*.
12. Once the Youth Committee completes the evaluation and determines which proponents comply with the expectations and needs of the Local Board regarding youth services, it will draw up the minutes recording its determinations. These minutes must be submitted to the Local Board President, so that this person call a board meeting to evaluate and ratify the Youth Committee's determinations.
13. Once the Local Board has ratified the Youth Committee's determinations, it will order the Executive Director to issue the corresponding notifications. These notifications must fulfill the requirements established in the Guide of Instructions for the Presentations of Proposals

VII. EVALUATION CRITERIA

Each proposal must be evaluated in light of the following criteria and using the following metrics: Exceeds (3 points), Satisfactory (2 points), Partly Complies (1 point), Does not comply (0 points), Does not apply (N/A). Each proponent can accumulate a 51-point maximum. The score obtained will be translated into percentages, considering that the proponent that obtained 51 points has 100 rating for the proposal. The evaluation criteria are as follows:

- The provider has the administrative and financial capacity to provide youth services;
- Capability, experience and academic preparation of the human resources of the corporation and/or institution that will work in the proposal implementation;
- Capability of the provider to develop and implement innovative initiatives;
- Description of the Projected Activities and Goals (the programmed time for each activity, in which the participants will acquire the skills) will be emphasized;
- Capability of the service provider to bring the elements, as established in the public policy issued by the Local Board – Policy No. 48 of March 3, 2021, as amended on April 28, 2021;
- The physical facilities of the provider are accessible, safe, and the provider has transportation services to bring the youth services, when needed;
- Capacity of the service provider to bring the services in virtual mode;
- Capability of the service provider to serve the people with functional disability and in full compliance with the Americans with Disabilities Act (ADA); serve young people with barriers in the rural area and/or serve youth with barriers in high-poverty communities;
- Capacity of the service provider to deliver all fourteen (14) elements. The Local Board will consider this in light of the three (3) minimally required elements;
- Cost of the proposed services;
- Description of the cost of the activities that will be offered;
- The program must have a register with demonstrated effectiveness to attend the youth, which demonstrates the links with academic and occupational organizations, as well as with the community;

- The provider demonstrates the capability to identify the participant progress; establish the evaluations and the goals scope;
- The provider demonstrates that has the capability to document the participant’s progress, conduct the periodic evaluations, and lead the youth until they reach their goals;
- The provider demonstrates the capacity to provide a professional pathway (career pathway) to the youth;
- The provider demonstrates the capacity to provide a successful experience to out-of-school youth and in-school youth with barriers to employment, including youth with functional disability;
- The provider demonstrates the experience to manage federal funds, whether WIOA or otherwise;
- The provider demonstrates the capacity to achieve WIOA primary performance indicators.

The Youth Committee will use the following scale to determine the proposals that it recommends favorably:

SCORE	RESULT IN SCORING SCALE
100 – 90	HIGHLY RECOMMENDABLE
89 - 80	RECOMMENDABLE
79 - 70	ADEQUATE
69 - 0	DENIED

VIII. CONTRACTING

1. To the effect of formalizing the contractual agreements between the Local Board and the service providers, the Local Board delegates to the Executive Director their attendance to the contract activities on their behalf.
2. Contracting of the youth services provider will be made based on the requirements of the Request for Proposals and the Guide of Instructions for the Presentations of Proposals. Any amendment to the contract will take place within the required services framework. Any work or service that is not part of the works reach, according to the Request for Proposals, will not be included in the contract by means of an amendment. This violates the competence principle under which the provided selection is conducted.
3. Once the service provider to be hired is selected and the separation of funds is coordinated with the Fiscal Agent, a meeting will be called to discuss the reach of the activities to be contracted. Costs and terms included in the proposal cannot be negotiated, since that is contrary to the competition process.
4. Upon determining the service providers to be contracted, the Contract Officer will be requested to draw up the contract that will include the agreements between both parties and the law and regulation provisions applicable to federally subsidized contracts.
5. The contract will be registered in the Puerto Rico Office of the Comptroller within the fifteen (15) consecutive days following the date of contract adjudication, or the days following the

amendment, agreement, determination, proof, or action that rescinds it.

6. No service object of the contract will start to be provided until such service has been presented for registration in the Office of the Comptroller according to that provided in Act No. 18 of October 30, 1975, as amended.

IX. SAFEGUARDS

To the ends of avoiding a potential conflict of interest, the Local Board operational area shall not be involved in matters related to the request, management and evaluation of the service provider(s) selection.

If the Local Board operational part, the local fiscal agent, the current providers of the Youth Program, the One-stop Center, Operator, or an entity that is a direct service provider in the local area compete for the opportunity to serve as a provider of the Youth Program, they cannot participate in the request development or in the adjudication process.

Likewise, if at the moment of starting the proposals evaluation, a member of the Youth Committee learns that a possible conflict of interests, or its mere appearance can exist, regarding of any of its components, they must notify it immediately in writing to the Local Board's President and inhibit themselves from the evaluation process. The Local Board's President will be able to designate a substitute or alternate member to the Committee to the ends of this process. Once the President is notified of a real or apparent possible conflict of interests, will be able to designate the necessary resources to substitute the member or members of the Youth Committee that are unfit to manage the undertaking within the next twenty-four (24) hours in order to avoid a delay in the works or unnecessary arrears.

X. YOUTH COMMITTEE

The members of the Youth Committee that evaluate the proposals submitted as part of the competitive acquisition process must:

- a. Sign a Nondisclosure Agreement and a Conflict of Interests Certification and adhere to the same.
- b. Not reveal the vote, results, discussions, and other information of the proposals for their consideration.
- c. Not participate in meetings with the proponents to discuss aspects related to the competition process.
- d. Should any clarification on the part of the proponent arises, it must be handled via the Local Board's Executive Director. This procedure must be conducted within the twenty-four(24) hours following the information request. The Local Board's Executive Director will notify the proponent that has that period of time to answer the Committee's concerns in order to avoid unnecessary delays of the process.
- e. Maintain safe and confidential the proposals and all the materials related to the evaluation process.
- f. Review thoroughly the proposals in all its parts.

