

**MEMORANDUM OF UNDERSTANDING**

**between**

**RHODE ISLAND DEPARTMENT OF ADMINISTRATION**

**and**

**RHODE ISLAND DEPARTMENT OF LABOR AND TRAINING**

This Memorandum of Understanding is hereby entered into by the RHODE ISLAND DEPARTMENT OF ADMINISTRATION, by and through its Division of Purchases, One Capitol Hill, Providence, RI 02908 (“DOA/Purchases”) and the RHODE ISLAND DEPARTMENT OF LABOR and TRAINING (“DLT”) regarding DLT’s “Real Jobs Rhode Island” grant program.

Whereas, DLT is the state agency statutorily charged with workforce development and training;

Whereas, DLT has expertise and experience in workforce development and training programs and initiatives;

Whereas, DLT has been charged by the Governor to create and administer an improved workforce development and training platform that is demand-driven and responsive to industry needs and that operates at the speed of business;

Whereas, DLT has created the workforce development and training platform described above;

Whereas, DLT is responsible for providing assistance and training to Rhode Island citizens and employers;

Whereas, DLT has State and Federal funds available for work force training programs; and,

Whereas, DLT has created a program known as Real Jobs Rhode Island (“RJRI”) whose stated purpose is to create partnerships within the Rhode Island between the DLT, academic institutions, and the business community in order to promote work force training programs and employment opportunities for Rhode Island citizens; and,

Whereas, DLT intends to implement the RJRI program through competitive awarding of grants to qualified participants;

Whereas, the DOA/Purchases is the centralized procurement authority for the State of Rhode Island;

Whereas, DLT grant awards through the RJRI program are subject to Section 10 of the Procurement Regulations; and,

Whereas, it is in the best interest of the State of Rhode Island for DOA/Purchases and DLT to work cooperatively to make the RJRI program function effectively and efficiently.

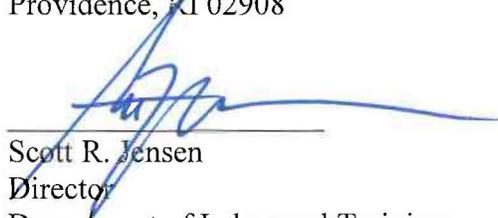
Now, therefore, DOA/Purchases and DLT hereby agree as follows:

1. Pursuant to Procurement Regulation 10.3 RJRI program grant shall be not be considered t procurements which are subject to the competitive procurement requirements of the “State Purchases Act”, R. I. Gen. Laws § 37-2-1, *et seq.*
2. Pursuant to Procurement Regulation 10.4 the DLT Director is hereby granted limited delegated contracting authority to enter into agreements with qualified RJRI grant applicants for the purpose of awarding RJRI grants. This limited delegated contracting authority shall be for a term of five (5) years from the date hereof, unless extended in writing by the Chief Purchasing Officer;
3. In accordance with Procurement Regulation 10.4.1.2, RJRI program grant awards shall not be authorized by DLT without written agreements or contracts which contain the following:
  - specify the purpose for the grant
  - specify method and terms of payment
  - define service being provided by the grant applicant
  - outline any legal limitations on the funding
  - set a time limit for distribution of funds
  - require maintenance of records for a specified period of time
  - provide for auditing of grantee records
  - provide for termination of the agreement/contract
4. DLT shall maintain RJRI program records which contain, *inter alia*, all applications for RJRI grants, the evaluation and selection of applications for grant awards, grant award agreements, grant disbursements, grant audits, grantee program reviews, etc. DLT shall make all RJRI program records available for periodic inspection by the Bureau of Audits and shall be subject to the “Access to Public Records Act”, R.I. Gen. Laws § 38-2-1, *et seq.*
5. As part of the RJRI program, DLT shall administer a process by which DLT designates each partnership as a Real Jobs Partnership (“RJP”). Designation as a RJP will be upon selection and receipt of a RJRI implementation award. This process allows a partnership to be granted supplemental awards upon request to DLT for additional funding to support and enhance partnerships and training plans.

6. This RJP process shall be exempt from the RFP process and competition requirements pursuant to Procurement Regulation 10.3, 10.3.2 and 10.3.4.
7. Under this RJP process, DLT shall allow funding to RJP's on a three (3) year basis and provide RJP's with one DLT option period of two (2) additional years of funding.
8. Under this RJP process, DLT shall administer funding pursuant to DLT created guidelines designed to encourage competition, transparency, and flexibility.



Michael DiBiase  
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