



**Department of Labor and Training**

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## **WORKFORCE INVESTMENT NOTICE: 09-10**

**TO:** WORKFORCE INVESTMENT AREAS

**FROM:** Donna Treglia, Administrator-Workforce Investment Office

**SUBJECT:** Allocations for Contextualized Education and Training using Workforce Investment Act and/or American Recovery and Reinvestment Act State Set-Aside funds

**DATE:** February 22, 2010

**1. PURPOSE.** To provide Locals with the authorization to issue a Request for Proposals (RFP) to obtain bids for Contextualized Education and Training tied to Career Pathways in High Demand Employment Sectors using up to \$1,500,000 of State Set-Aside funds from the Workforce Investment Act (WIA) and/or American Recovery and Reinvestment Act (ARRA) for the period May 21, 2010 through June 30, 2011.

**2. REFERENCES.** Approval by the Strategic Investment Committee of the Governor's Workforce Board Rhode Island (GWBRI) at its December 7, 2009 meeting; WIN 08-11 (Change 1); TEGL 13-08; and TEGL 20-08.

**3. BACKGROUND.** The purpose of the RFP is to:

- provide group education and training services for adults with low literacy levels and/or limited English-speaking ability who also lack occupational skills; and, who may not be easily served through the WIA Individual Training Account (ITA) voucher system; and
- Help increase statewide capacity to provide contextualized learning tied to career pathways in high demand employment sectors.

**4. POLICY.** Local Workforce Investment Areas receiving WIA and/or ARRA Funds (including the chief elected official of the local area), and providers receiving funds under these titles, shall comply with the applicable Circulars and Regulations of the Office of Management and Budget for the type of entity receiving Federal WIA and/or ARRA funds and all applicable State and Local Laws.

Nothing in this policy shall preclude the entity that is receiving funds from adopting new policies and procedures or utilizing existing policies and procedures provided they are at least as restrictive as the Federal Circulars and Regulations. The State Workforce Investment Office, therefore, prescribes, at a minimum, the following administrative and fiscal requirements as State Policy:

- ◆ **Fiscal/Administrative Requirements:** The applicable requirements per federal citations listed below must be complied with by all subrecipient/vendors.

### Cross Reference of Administrative Requirements

Requirement	State/Local Government	Nonprofit Organizations	Institutions of Higher Education	Commercial Organizations
Audit	29 CFR Part 99	29 CFR Part 99	29 CFR Part 99	20 CFR 667.200 (b) (ii) (WIA Regulations)
Audit Resolution	29 CFR Part 96	29 CFR Part 96	29 CFR Part 96	20 CFR 667.500 et. seq. (WIA Regulations)
Cost Principles	A-87	A-122	A-21	48 CFR Part 31
Allowable Costs	A-87	A-122	A-21	48 CFR Part 31
Uniform Administrative Requirements	29 CFR Part 97	29 CFR Part 95	29 CFR Part 95	29 CFR Part 95
Lobbying Restrictions	29 CFR Part 93	29 CFR Part 93	29 CFR Part 93	29 CFR Part 93
Suspension and Debarment	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98
Drug-Free Workplace	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98	29 CFR Part 98

◆ **Additional Administrative Requirements:**

- ◆ **Procurement-** Procurement transactions under the WIA and/or ARRA Fund grants between local boards and units of State or local governments shall be conducted only on a cost-reimbursable basis. All procurements will be “open and competitive” in compliance with the applicable OMB-Circular listed above.
- ◆ **Administrative Cost Limit-** Administrative costs for sub-recipients (LWIBs) receiving WIA and/or ARRA shall not exceed 10%. Contracted training vendors administrative cost shall not exceed 10% of the total contract.
- ◆ **Administrative Cost Definition-** the definition of administrative costs is pursuant to Section 667.220 of the Workforce Investment Act’s (WIA) Final Regulations dated August 11, 2000. If the cost of a function or activity in question is not listed as an administrative cost in 20 CFR 667.220, then such cost will be considered a programmatic cost.
- ◆ **Cost Allocation-** all costs will be appropriately allocated between all benefiting programs per the referenced and applicable federal guidance.
- ◆ **Monitoring -** The State will conduct on an annual basis on-site fiscal and programmatic monitoring of each local area within the State to ensure compliance with the uniform administrative requirements. In addition, the local Workforce Investment Boards shall conduct on a semi-annual basis both internal and on-site monitoring of each of their vendors to ensure compliance with both programmatic and the uniform administrative requirements. The Workforce Development Boards will forward a copy of the monitoring reports to the State Workforce Investment Office along with documented corrective action.
- ◆ A local plan modification must be submitted for approval by each Workforce Investment Area.
- ◆ **Action by the Governor** --- If the Governor determines that a local area is not in compliance with the uniform administrative requirements and/or State or Local Law, he shall:
  - (A) require corrective action to secure prompt compliance; and
  - (B) impose the sanctions; to include recapture of funds and termination of the grant award, etc.

**5. BUDGET.** The amount of internal Administrative/Programmatic costs, if applicable, can only be determined once the LWIB has negotiated contracts from the RFP process in accordance with the administrative requirements above. The maximum amount of funding available for contextualized education and training contracts as well as LWIB staff support costs is \$1,500,000.

**6. ACTION.** LWIBs should negotiate between each other to determine their respective needs against the \$1,500,000 allocation. These negotiated amounts should be

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communicated to the State Workforce Investment Office before any LWIB contract is signed with their training providers.

**7. INQUIRIES.** Questions regarding this WIN may be directed to me at 462-8784 ([dtreglia@dlt.ri.gov](mailto:dtreglia@dlt.ri.gov)) or Bob Garofano at 462-8149 ([bgarofano@dlt.ri.gov](mailto:bgarofano@dlt.ri.gov)).