



City of Oakland Workforce Development Board FY 2022-2025 REQUEST FOR PROPOSALS

For Workforce Innovation and Opportunity Act (WIOA) and Related Direct Services in the Following Categories:

One-Stop Operator

**On-Call Adult AJCC Career Services
(Comprehensive, Affiliate, and/or Specialized)**

**On-Call Youth Services
(WIOA Youth Services and "Oakland Forward" CA Youth Workforce Development Program)**

RFP ISSUED: March 11, 2022

PRE-PROPOSAL CONFERENCE: March 22, 2022

PROPOSAL DUE: April 22, 2022, BY 2:00 p.m.

City of Oakland Workforce Development Board
250 Frank H. Ogawa Plaza, Suite 3315, Oakland, CA 94612

<https://www.oaklandca.gov/wdb>

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Request for Proposals for Workforce Innovation And Opportunity Act Youth and Adult Programs and related Direct Services March 11, 2022

I. Introduction

A. City of Oakland Introduction

Overview of Application Requirements

This Request for Proposals (RFP) is being issued by the City of Oakland Workforce Development Board (OWDB).

The OWDB seeks experienced organizations to provide Adult and/or Youth and Young Adult career services, with the goal of helping individuals to obtain skills, credentials, and employment and helping businesses to connect with a qualified workforce. OWDB seeks to resource a network of qualified providers to deliver services that are accessible to Oakland's and WIOA's priority populations, and that are accessible from specific geographical areas (East Oakland, Central/Fruitvale, and West Oakland) to advance the economic security and resilience of Oakland's most vulnerable residents.

OWDB anticipates funding contracts for the one (1)-year period from July 1, 2022, through June 30, 2023, with the possibility of contract renewal for up to two (2) additional years pending annual performance, compliance review, and available funding. The total projected amount of funding to be distributed for fiscal year (FY) 2022-2023 grant awards is an estimated maximum \$6,290,000.

Pre-proposal Bidders Conference (Highly Recommended) Meeting Date and Time: March 22, 2022 at 10:00 a.m. to 12:00 p.m.

Topics to be discussed at this meeting include proposal requirements, application process, selection process and timeline, and City of Oakland Contract Compliance and registration in "iSupplier."

All potential applicants are encouraged to attend the meeting which will take place virtually via Zoom platform. Applicants must register in advance by emailing owdb@oaklandca.gov to receive the Zoom webinar information. Please indicate in the subject line, "Registration Request: Pre-Proposal Conference. Please include in the body of the message:

- Organization Name
- Name of Registrant
- Title
- Email address
- Phone number

The meeting will be recorded and made available on <https://www.oaklandca.gov/wdb>.

Deadline for Questions: April 8, 2022 by email to owdb@oaklandca.gov.

Respondents may request clarification or ask questions about this RFP by emailing owdb@oaklandca.gov. OWDB will receive questions through April 8, 2022 by 5:00 p.m. OWDB will only take questions submitted by email through this address: no phone or in-person technical assistance will be provided. All questions will be responded to directly. In addition, the responses will be publicly posted to the OWDB website (<https://www.oaklandca.gov/wdb>) to assist other applicants.

Proposal Submittal Deadline Date and Time: April 22, 2022, by 2 p.m.

The Contractor shall be required to comply with all applicable City programs and policies outlined in Appendix F. Details are presented in the project documents and will be discussed at the pre-proposal meeting. Discussions will include but may not be limited to: Equal Benefits for Registered Domestic Partners, Campaign Contribution, Post-project Contractor Evaluation, Prompt Payment, Arizona Boycott, 50% L/SLBE, Dispute Disclosure, Living Wage, Minimum Wage, Professional Services Local Hire, and Border Wall Prohibition.

Contractors who wish to participate in the RFP process are required to register in iSupplier in order to receive addenda, updates, announcements, and notifications of contracting opportunities. We recommend updating your firm's primary email address regularly and periodically confirming that the "Products and Services" section fully represents the scope of products and services provided. If you have any questions, please email isupplier@oaklandca.gov. iSupplier Registration/Login:

<https://www.oaklandca.gov/services/register-with-isupplier>. New registrants can email: isupplier@oaklandca.gov for registration instructions. Allow three working days for approval to access bid documents through iSupplier.

Contact Information: The following City staff are available to answer questions regarding this RFP:

1. Project Manager: Honorata Lindsay at hlindsay@oaklandca.gov
2. Contract Administration: Paula Peav at ppeav@oaklandca.gov
3. Contracts Compliance Officer: Vivian Inman at vinman@oaklandca.gov

B. Overview of OWDB and WIOA

The OWDB is a 19-member business-led policy and oversight body that oversees employment and training programs and services in the City of Oakland, including those authorized through the Workforce Innovation and Opportunity Act (WIOA). These programs and services help job seekers gain employment and connect businesses with a qualified workforce. The OWDB and its staff mobilize leaders from business, economic development, education, and labor sectors as well as community-based organizations and public agencies to align resources and investments for residents who need assistance developing skills that expand access to high-quality jobs and careers offering income mobility.

WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market, and to match employers with the skilled workers they need to compete in the global economy. WIOA envisions a workforce system that is customer-focused, meeting both the needs of businesses for skilled workers and of individuals for information and services to begin and manage their careers. The OWDB is charged with developing and maintaining the City of Oakland’s workforce development system under WIOA. In addition to fulfilling legislated responsibilities under WIOA, OWDB plays a major role in a variety of key state, local and regional initiatives.

The following websites provide background information on WIOA:

- U.S. Department of Labor and WIOA: <https://www.doleta.gov/wioa>
- WIOA in California: [https://www.edd.ca.gov/jobs_and_training/Workforce Innovation and Opportunity Act.htm](https://www.edd.ca.gov/jobs_and_training/Workforce_Innovation_and_Opportunity_Act.htm)
- EASTBAY Works: <http://www.eastbayworks.com>
- Oakland Workforce Development Board (OWDB): <https://www.oaklandca.gov/wdb>

The OWDB currently funds the operation of one (1) Comprehensive America’s Job Center of California (AJCC)/One Stop Operator, two (2) Affiliate Career Services AJCCs that provide WIOA services to adult job seekers; and four (4) year-round youth service program sites. These programs provide career services that includes access to employment opportunities, skills assessments, occupational and labor market information, career coaching referrals to supportive services and training programs, and a variety of other services.

In **Adult Services**, the OWDB seeks to fund, lead, and support key citywide and regional innovations and partnerships that advance the economic security and resilience of Oakland’s most vulnerable adult residents. In support of this goal, the OWDB has adopted multiple strategies to serve the needs of its adult job seekers and workers, including focusing efforts and investments on programs and services that meet the workforce development needs of historically underserved populations who require more intensive assistance with accessing jobs and careers offering sustainable wages and upward mobility, and enhancing and expanding the range of short-term, high-quality training programs offering skill development opportunities leading to industry-recognized certifications that meet the needs of local employers.

The OWDB’s goal for its WIOA-funded **Youth Services** is to work with public, private, and community-based organizations to empower disconnected youth in the City of Oakland to access meaningful employment opportunities. This goal is supported by strategies that seek to coordinate resources and investments to better align with major citywide and regional efforts targeted toward the educational and career development of youth and young adults, as well as efforts that seek to strengthen and expand work-based learning opportunities for youth and young adults.

In addition to WIOA-funded youth services, the City of Oakland will be allocating funding under the **“Oakland Forward” CA Youth Workforce Development Program** to enhance and expand workforce services to local youth and young people with a focus on creating community-based jobs that improve neighborhood conditions and assist in COVID-19 economic recovery with a

focus on programs that support clean-and-green jobs and promote climate resiliency. This funding will allow the City to support innovative and effective workforce development programs for youth ages 16 to age 30. This support is vital to meeting Oakland’s future workforce needs and ensuring the economic viability of the City.

C. RFP Overview

The Oakland Workforce Development Board (OWDB) is seeking proposals from interested and qualified applicants to provide services as allowed under Title I of the Workforce Innovation and Opportunity Act (WIOA), “Oakland Forward” CA Youth Workforce Development Program, and other funding sources, as they become available, for the City of Oakland. The number of awards will be determined by the quality of the proposals received and to ensure services are provided throughout the City of Oakland. Organizations with or without previous experience as a contractor with the City are encouraged to submit proposals; however, only proposals from organizations that can demonstrate their ability and capacity to provide workforce development services within Oakland will be considered for award of a contract.

Applicants will need to clearly articulate their knowledge of the barriers and needs of the priority populations of WIOA and other applicable programs,¹ as well as the priority populations of Oakland that include the communities of East Oakland, Fruitvale and West Oakland, where a high number of Black and Latinx residents live and are unemployed at higher rates than the general population.

Successful proposers will also demonstrate partnerships and collaborations with relevant partners. Relevant to the services needed for the adult and dislocated worker population, the OWDB works to align local and regional resources to increase access, reduce duplication, close service gaps, and promote collaboration. In keeping with this goal, service providers are expected to demonstrate co-enrollment strategies and partnership agreement service strategies within the community and broader workforce systems such as higher education institutions, CalWORKs, adult education providers, the justice system, housing programs, community-based organizations, vocational rehabilitation programs, employers, and other organizations possessing expertise resources. For youth and young adult programs, those partnerships would include school districts, local employers, community colleges, vocational/technical trade schools, alternative schools offering General Equivalency Diploma (GED) services, mental health providers, and other community-based organizations. Applicants who do not have current relationships with the above-mentioned entities must clearly articulate how they plan to form these connections or how they have successfully formed these linkages in previous or current similar projects.

The OWDB is particularly interested in innovative approaches (including but not limited to virtual service delivery) that leverage WIOA and other public dollars to expand both services and numbers served and that connect participants to education and training opportunities leading to

¹EDD Directive WSD15-14 Adult Program Priority of Service. See page 3 for specific WIOA prioritization requirements: https://edd.ca.gov/Jobs_and_Training/pubs/wsd15-14.pdf

careers in the targeted industry sectors and additional sectors that may be identified by the OWDB or proposed in the future. Sectors are prioritized by WIOA and the City of Oakland based on their capacity to provide high-quality jobs offering livable wages along clearly articulated and accessible career pathways.

Access to services should be physically and programmatically accessible within local communities, particularly in the following priority zip codes: **94621, 94603, 94605, 94601, 94607**. Physical locations need to be accessible to public transportation. Applicants must also propose a strategy that addresses digital literacy, lack of access to technology, and other barriers. Digital literacy and technological services should include, but not be limited to, virtual services for outreach, WIOA and other program enrollment, case management, orientations, and job fairs.

Applicants should submit one proposal in response to each service category and subcategory to provide services to adults and/or youth and young people. Applicants must also submit separate budget for each program they plan to apply for. Applicants seeking to provide services in multiple geographical areas must clearly delineate the areas to be served in the proposal.

This request is to procure qualified service providers for one year with the option to extend the agreement for two additional one-year periods based on need, performance, and funding availability. The initial period of performance is July 1, 2022, to June 30, 2023.

D. Project Purpose

The OWDB seeks experienced organizations to provide Adult and/or Youth and Young Adult career services, with the goal of helping individuals obtain skills, credentials, and employment and helping businesses to connect with a qualified workforce. OWDB seeks to resource a network of qualified providers that can deliver services that are accessible to Oakland's priority populations as well as WIOA's priority populations, and that are accessible from specific geographical areas (East Oakland, Central/Fruitvale, and West Oakland) to advance the economic security and resilience of Oakland's most vulnerable residents. The City seeks proposals from experienced organizations to provide services in one or more of the following categories:

- 1. One-Stop Operator** to coordinate mandated one-stop partners, service delivery providers, and reporting responsibilities in compliance with WIOA, and to ensure the implementation of partner responsibilities and contributions agreed upon in a Memorandum of Understanding (MOU)
- 2. On-Call Adult AJCC Career Services** designed to help adult job seekers access employment, education, training, and support to succeed in the labor market, and to match employers with the skilled workers they need to compete in the global economy.
- 3. On-Call Youth Services, including the "Oakland Forward" CA Youth Workforce Development Program** on a year-round and /or summer basis, for youth ages 16 to age 30 designed to help these individuals obtain skills, credentials, and work experience, and to help businesses to connect with a qualified workforce.

The three service categories specified above are separate and distinct, and applicants are encouraged to respond only for those service categories in which they can demonstrate enough

experience and qualifications. Applicants may submit more than one proposal to OWDB for distinct and substantially different programs operated by the agency. Applicants must submit only one proposal per program – do not submit multiple proposals for the same program under different funding strategies. Applicants may not receive funds as Single Agency and as part of a Collaborative for the same program and set of services. Distinct and substantially different programming is defined as having a different program design, staffing, program location, or target population receiving services.

The organizations selected through this process must demonstrate that their programs include a focus on addressing racial disparities. For more information on the City of Oakland’s commitment to understanding the impacts of race and inequities, please refer to the 2018 Oakland Equity Indicators report.²

Additionally, OWDB conducted a Race and Equity Analysis in 2020, wherein it was determined that the communities of East Oakland, Fruitvale and West Oakland, where a high number of Black and Latinx residents live, are unemployed at higher rates than the general population, and that access to workforce services and improving the employment outcomes for residents in zip codes **(94621, 94603, 94605, 94601, 94607)** with the highest unemployment rates, is imperative.

The OWDB will evaluate all timely submissions in response to this RFP and competitively award contracts to bidders whose submissions are most responsive to the need for services and who collectively propose to deliver the greatest coverage of services to priority populations and geographical areas.

II. Funding and Eligibility

A. Funding Availability and Duration of Contracts

OWDB anticipates funding contracts for the one (1)-year period from July 1, 2022, through June 30, 2023, with the possibility of contract renewal for up to two (2) additional years pending annual performance, compliance review, and available funding. Bidders are asked to submit budgets for a one-year period.

In addition to WIOA funds, OWDB is receiving funds through the City of Oakland General Fund and from the “Oakland Forward” CA Youth Workforce Development Program. Services falling outside WIOA requirements for funding will still be considered if the services offered will fulfill priorities set forth in the Local Plan or in the description of desired services above. The OWDB also often receives other funding for special projects and initiatives. Contractors selected through this competitive RFP process may be eligible to receive additional funding that becomes available from other sources and may be asked by OWDB to partner in fulfilling the requirements of this additional funding.

WIOA funds are not intended to be the sole source of funding for the activities of AJCC Career Services providers, and funds available through this RFP are to be used to leverage additional

² <https://www.oaklandca.gov/documents/2018-oakland-equity-indicators-report>

resources for the delivery of employment and training services to Oakland youth and adult jobseekers and businesses.

OWDB reserves the right to delay, amend, reissue, or cancel all or any part of this RFP at any time without prior notice. OWDB also reserves the right to modify the RFP process and timeline as deemed necessary. This RFP does not commit OWDB to accept any proposal, nor is OWDB responsible for any costs incurred by applicants in the preparation of responses to this RFP. OWDB reserves the right to reject any or all proposals, to accept or reject any or all items in the proposal, and to award the contracts in whole or in part as is deemed to be in the best interest of OWDB. OWDB reserves the right to negotiate with any proposer after proposals are reviewed, if such action is deemed to be in the best interest of OWDB.

Figure 1: Estimated Funding Availability Per Service Category

Service Category	Service Subcategory	Total Funding Available	Estimated Contract Amount	Maximum Number of Contracts
One Stop Operator	(n/a)	\$90,000	Up to \$90,000	1
On-Call Adult AJCC Career Services	Comprehensive	\$500,000	Up to \$500,000	1
	Affiliate/Specialized	\$950,000	\$75,000 - \$350,000	Up to 6
On-Call Youth Services	WIOA Youth Services	\$1,250,000	Up to \$250,000	Up to 5
	“Oakland Forward” CA Youth Workforce Development Program	\$3,500,000	Up to \$500,000	Up to 10

B. Funding Parameters

The OWDB seeks to fund (1) one-stop operator, (1) comprehensive AJCC site and multiple affiliate or specialized sites for adult and youth services for in-person and/or virtual services within the City of Oakland. Please use the following funding parameters as a guide to determine how much funding is appropriate and allowed.

Single Agencies and Collaboratives:

- 1) No more than 10% may be allocated to administrative costs, calculated as a percentage of the total grant request.
- 2) Agencies may submit more than one grant request. However, applicants must limit each OWDB grant request to no more than 35% of their current-year overall organizational budget excluding current OWDB funding. For example, an organization with an annual budget of \$500,000 could request one or more grants for a maximum of \$175,000 for each grant.

Small and Emerging Applicants:

- 1) A Small and Emerging applicant request size can be up to \$175,000
- 2) No more than 10% may be allocated to indirect costs, calculated as a percentage of the total grant request.
- 3) Agencies may submit more than one grant request. However, Small and Emerging Applicants must limit each OWDB grant request to no more than 50% of their current-year overall organizational budget excluding current OWDB funding. For example, an organization with an annual budget of \$150,000 could request one or more grants for a maximum of \$75,000 for each grant.

Each grant award amount will depend on the following:

- Frequency of service
- Amount of service
- Number of service sites
- Number of customers served
- Proposed staffing
- Range and depth of expertise provided

Audited Financial Statements must be from within the past two years. See Budget and Cost Reasonableness Section below (Section IV.D.) for more information about required financial statements.

C. Match and Leveraging of Resources

City funds should not be the sole source of funding for the activities of proposed by the applicant, and funds available through this RFP are to be used to leverage additional resources for the delivery of employment and training services to Oakland adult and youth jobseekers and businesses. While cash or in-kind match is not required, bonus points will be awarded to applicants that demonstrate leveraging of other resources in the form of committed or projected cash or in-kind match equivalent to 10% or greater of the amount requested of the OWDB. The match amount must be included in the bidder's budget and described in the budget narrative. Committed cash match must be documented by an attachment to the proposal (i.e., copy of an award letter or relevant page of contract document). Additional bonus points will be awarded to bidders demonstrating committed or projected cash match equivalent to 50% (2 points), 100% (4 points), and 200% (8 points) of the amount requested of the OWDB.

Cash match is defined as funds at the disposal of the contractor and to be used specifically for activities serving individuals as described in the contractor's proposal and consistent with the allowable activities of the program and funding source(s). Possible sources of cash match include employer or other private contributions, foundation grants, local government contracts, public education funds, and federal grants of non-WIOA funds. Match funds may be awarded to a subcontractor or partner organization, provided that the commitment to use these funds for activities serving program-eligible and enrolled individuals is documented in an attached letter of commitment.

In-kind, non-cash match will also satisfy the OWDB's match criteria for bonus points. Such match should be referenced in the proposal in the budget form and budget narrative.

D. Solicitation and Eligibility

OWDB is soliciting innovative adult and youth programs operated under the provisions of WIOA and other funding sources to provide high quality educational, employment, and training services. The purpose of this RFP is to identify and fund qualified organizations that have experience providing career development programs or similar programs for adults, dislocated workers and youth and young people who are most in need and can benefit from workforce services. OWDB is committed to fair and open competition. Applicants to this solicitation may include:

- For-profit organizations;
- Non-profit organizations;
- Public agencies; and/or
- A collaboration of these organizations

To be eligible for funding, organizations must be properly organized in accordance with Federal, State, and local law and must have been in business for at least one year. See general City of Oakland Schedules and Policies in Appendix F for additional requirements. Submission of a response to this RFP obligates the proposer(s) to the stated conditions referenced in Appendix F. and will become part of a contract upon award (also see Appendix G – Sample Contract).

The OWDB seeks qualified entities that possess the ability to successfully perform under the terms and conditions of the RFP. Consideration will be given to the entity's organizational capacity, record of past performance, and financial and technical resources. RFP bidders cannot be currently debarred, suspended, or otherwise excluded from or made ineligible for participation in Federal assistance programs or activities.

A consortium, joint venture, or collaboration of organizations is permitted to respond to this RFP. However, the proposal must clearly demonstrate that all contractual responsibility rests solely with one legal entity and that the proposed arrangement would enable the proposer to provide both efficient and quality services.

Applicants may not receive funds as Single Agency and as part of a Collaborative for the same program and set of services. Distinct and substantially different programming is defined as having a different program design, staffing, program location, or target population receiving services.

Small and Emerging organizations are encouraged to apply. The Small and Emerging designation focuses on smaller organizations and assists new grassroots organizations to be funded by OWDB. Eligible Small and Emerging organizations must have completed at least one year of programming related to services described in the funding category for which they are seeking support by the time they respond to this RFP. Additionally, Small and Emerging applicants must have organizational budgets under \$350,000 in the current or most recent fiscal year and must never have received OWDB funding. An additional ten (10) preference points are being awarded for qualified Small and Emerging organizations located specifically in the following zip codes: **94621, 94603, 94605, 94601, 94607.**

To be eligible, all Bidders must have:

- Documented success providing services that are the same or similar to those requested in this RFP to one or more of the following: youth and young adult populations up to age 30, WIOA adult priority populations (public benefits recipients, low-income individuals, individuals who are basic skills deficient, returning citizens, people with disabilities), WIOA Dislocated Workers, and other populations that experience employment challenges; including submission of appropriate financial and performance reports.
- Demonstrated experience in collaboration and coordination of program services with other community-based organizations in person as well as on a virtual platform; and
- Demonstrated capacity to conduct and administer local, state and federally funded programs, including submission of appropriate financial and participant reports.

Agencies that have not previously been awarded a Workforce Investment Act (WIA) or WIOA contract but have managed other federal, state, local, and/or private funds to deliver a similar program design, have served individuals with barriers to education and employment success, or have other relevant experience and expertise connecting youth and adults to career pathways, are encouraged to apply. OWDB is committed to equal opportunity in its contracting process.

The selected service provider(s) will provide linkages between workforce development, education, social services, other organizations, and the business community. This intentional linking with other funding streams creates a more cost effective and cohesive system that maximizes services, minimizes duplication, and improves interagency communication and service coordination.

WIOA fund management and performance outcomes are rigorous and regularly monitored by the OWDB. The OWDB recognizes that smaller community-based organizations may not have the capacity to manage WIOA funding but have distinct expertise in working with a specific target population. In these and other instances, the OWDB encourages potential bidders to consider partnering with other organizations in the community that can provide administrative support and oversight.

The OWDB will examine an entity's past records of non-compliance with Uniform Guidance requirements and WIOA requirements by looking at findings contained in Single Audits and monitoring reports. Uniform Guidance requires that past performance be an evaluation factor during procurement.

III. Application Process

A. RFP Schedule and Timeline (dates subject to change)

RFP Release	March 11, 2022
Bidder’s Conference	March 22, 2022
Deadline for Submission of Questions to owdb@oaklandca.gov	April 8, 2022
Response to Questions Posted on OWDB Website	March 14 – April 13, 2022
Proposal Submission Deadline	April 22, 2022
Evaluation of Proposals	May 20, 2022
Notification of Interviews (as needed)	TBD
Award Recommendation to OWDB	Special Board Meeting TBD (May/June 2022)
Award Recommendation to CED	June 28, 2022
Award Recommendation to City Council	July 5, 2022
Anticipated Contract Start Date	July 1, 2022

B. Pre-Proposal Meeting (Bidders Conference)

To provide general information and guidance to all potential applicants, OWDB will hold a Pre-Proposal Meeting (Bidders’ Conference). All potential applicants are strongly encouraged to attend the Pre-Proposal Meeting.

C. Proposer Questions and Requests for Clarification

Applicants shall address any questions regarding this RFP to the Project Manager whose name and contact information appear on the cover page of this RFP. Applicants who fail to submit questions concerning this RFP and its requirements will waive all further rights to protest based on the specifications and conditions herein. Questions must be submitted by email no later than the deadline for submission of written questions or requests for clarification. A written Addendum will be issued addressing each question and answer and posted publicly.

At the discretion of OWDB, if it becomes necessary to revise any part of this RFP, applicants will be notified of an addendum through iSupplier. Addendums will also be available at <https://oaklandca.gov/wdb>.

Applicants are responsible for checking the website frequently to remain informed about the procurement process, receive addenda to the RFP, read responses to questions, and remain updated on other information that may affect this RFP. Applicants experiencing any difficulty accessing the website or downloading information should contact owdb@oaklandca.gov.

D. Submission Guidelines

The City of Oakland requires that all contractors who wish to participate in the RFP process register in iSupplier in order to receive addenda, updates, announcements and notifications of contracting opportunities. We recommend updating your firm’s primary email address regularly and periodically confirming that the “Products and Services” section fully represents the scope of products and services provided.

If you have any questions, please email isupplier@oaklandca.gov.

1. **iSupplier Registration/Login:**

<https://www.oaklandca.gov/services/register-with-isupplier>

****Please note:*** New registrants can email isupplier@oaklandca.gov for registration instructions. Allow **three** working days for approval to access bid documents through iSupplier.

2. **iSupplier Plan Holders List:**

<https://www.oaklandca.gov/services/active-closed-opportunities>

****Please note:*** OWDB must receive the proposal(s) in two separate files entitled “Name of Agency and Proposal Category” and “Name of Agency and Budget” no later than April 22, 2022, by 2:00 p.m.

Proposal Submittal Deadline: Friday, April 22, 2022 by 2:00 p.m. **via iSupplier.**

Reminders:

- ✓ iSupplier will not allow submission of proposals after 2:00 p.m. on April 22, 2022.
- ✓ All who wish to participate in this RFP must register through iSupplier at: <https://www.oaklandca.gov/services/register-with-isupplier> to receive addenda/ updates on this RFP, submit proposals, invoice payments if selected, and direct notification of future bid opportunities.
- ✓ The following policies apply to this RFP: Equal Benefits ♦ Revised L/SLBE ♦ Living Wage ♦ Campaign Reform Act ♦ Professional Services Local Hire ♦ Prompt Payment ♦ Arizona Boycott ♦ Dispute Disclosure ♦ Border Wall Prohibition ♦ Sanctuary City Contracting and Investment Ordinance.

E. RFP Submittal Requirements

Proposals that do not include all required elements as listed below will be determined non-responsive and will not be considered for funding.

The following items should be included in the proposal packet:

1. Proposal Checklist (Appendix A)
2. Cover Sheet (Appendix B)
3. Proposal Narrative (not to exceed 25 single-spaced pages)

4. Client Flow Chart
5. Performance Outcomes Form (Appendix C)
6. Resumes/Job Descriptions
7. Organizational Chart(s)
8. References
9. Letters of Commitment/Memoranda of Understanding
10. List of Collaborators/Partners

The following forms are required with submission of the proposal. See Appendix D for information on these forms:

11. Schedule E – Project Consultant Form
12. Schedule O – Campaign Contribution Limits
13. Schedule W- Border Wall Prohibition

The following budget forms and documents should be submitted in a separate packet/file:

14. Program Budget Form (Appendix E, to be submitted for bidder and each subcontractor)
15. Budget Narrative (not to exceed five single-spaced pages)
16. Documentation of Committed Cash Match
17. Independent Auditor’s Report

1) Proposal Checklist

A proposal checklist is included as Appendix A. Bidders should refer to and organize the proposal packet in the manner outlined in this checklist.

2) Cover Sheet

The Cover Sheet form (Appendix B) must be completed by the bidder and signed by an official authorized to bind the bidder to the provisions of the RFP. The completed Cover Sheet must not exceed two pages.

3) Proposal Narrative

The Proposal Narrative must not exceed 25 single-spaced pages, using no less than 12-point font. Tables, charts, and figures are included in this page limit. The Cover Sheet, Budget, Budget Narrative, and other required Schedules and attachments are not included in the page limit.

The Proposal Narrative should address all applicable bullet points outlined in the Proposal Evaluation Criteria section below for each service category being proposed. Bidders are encouraged to address each bullet point as fully as possible within their Proposal Narrative.

4) Client Flow Chart

The bidder is asked to create a Client Flow Chart that illustrates the sequence of services to be received by a client. The Client Flow Chart must not exceed one page.

5) Performance Outcomes Form

The Performance Outcomes Form (Appendix C) must be completed and submitted as an attachment. It must not exceed one page. The Performance Outcomes Form indicates the bidder's proposed one-year outcomes for each OWDB outcome measure provided.

6) Proposal Budget Form

The Proposal Budget Form (Appendix E) must be completed by the bidder and each subcontractor and submitted as an attachment. Information in the form should describe a one-year program budget.

7) Budget Narrative

A budget narrative is required for each service category being proposed. The budget narrative for each service category must not exceed five single-spaced pages, using no less than 12-point font. The Budget Narrative must describe all program costs for which OWDB funds are requested, including proposed contractor and subcontractor costs. Each line-item amount should be described with clear and enough cost rationale, including the figures (number of hours, rates, %, etc.) used to determine the cost.

Proposed leveraged funds should also be described, including source, amount, proposed use, and whether the funds are secured or proposed. Documentation of proposed cash match should be included as an attachment to the Budget Narrative.

8) Documentation of Committed Cash Match

9) References

Please provide three professional references, including contact name, company, address, telephone number, business relationship, services(s), and contract dates.

10) Resumes/Job Descriptions

The bidder is required to submit a resume for all key program personnel and staff of the bidder and any proposed subcontractors. If a position is currently unfilled, then a job description may be submitted instead. Each resume or job description must not exceed two pages.

11) Organizational Chart(s) – Please submit an organizational chart for each program proposed.

12) Letters of Commitment/Memoranda of Understanding

Since partnerships are a crucial component of successful workforce development programs, the bidder is required to document the existing or proposed relationship with each subcontractor by submitting either a signed Letter of Commitment from each proposed subcontractor or a MOU signed by the bidder and proposed subcontractor(s). The Letter of Commitment or MOU must detail the roles, responsibilities, and commitments of each partner.

Bidders are encouraged to, at a minimum, submit letters of commitment or MOUs for partners described in the Proposal Narrative. Letters of support that do not describe a commitment to deliver specific services or to provide funds to the proposed program should not be included.

F. Interviews

The OWDB may conduct interviews with applicants to clarify aspects set forth in their proposals or to assist in finalizing the final scoring of top-ranked proposals. The interviews may be conducted in person, by phone, or virtually. If conducted in person, interviews will likely be held either virtually or at the OWDB's offices in Oakland, California. The OWDB will not reimburse applicants for any costs incurred in traveling to or from the interview location. The OWDB will notify eligible applicants regarding interview arrangements.

G. Contract Awards

After review of all proposals and once a recommendation for award of contract is made, all bidders shall be notified in writing of the recommendation.

Given that the expertise required for this proposal is highly specialized, the OWDB reserves the right to negotiate a contract with the successful bidder(s) and to further negotiate the proposed scope of work, method of delivery, and amount of compensation.

Contract awards will not be based solely on price, but a combination of factors determined to be in the best interest of the OWDB submitted by a responsive, responsible, and qualified bidder approved by OWDB.

Contracts resulting from this RFP must be approved by the Oakland Workforce Development Board before execution. The planned contract start date is July 1, 2022.

Payment for services under any contract resulting from this proposal is dependent upon the availability of funding.

Also see general City of Oakland Schedules and Policies in Appendix F. Submission of a response to this RFP obligates the proposer(s) to the stated conditions referenced in this Appendix and will become part of a contract upon award (Also see Sample Contract in Appendix G).

H. Protests

Following notification to bidders of the recommendation for award of contract, protests may be submitted to the OWDB regarding the proposal process and selection of the contractor. Protests shall be received within ten (10) calendar days immediately following the recommendation to award a contract. The OWDB shall consider any protest or objection regarding the award of the contract, providing it is submitted in the time period stated above.

Protests shall be in writing (via email or mail) and shall be addressed to the Project Manager indicated above (Section IA, Contact Information).

Protests shall state the reason for the protest, citing the law, rule, regulation, or practice on which the protest is based. The OWDB shall respond in writing to the protester within five (5) calendar days of the end of the protest period. The response shall include the final decision on the protest and the basis for the decision.

IV. Overall Goals and Scope of Work for each Service Category

A. Primary Goals for all services:

- 1) To foster demand-driven skills attainment by:
 - a) Aligning workforce and education programs with leading and emergent industry sectors' skills needs.
 - (1) Emergent Sectors:
 - (a) Advanced Manufacturing
 - (b) Healthcare
 - (c) Transportation and logistics
 - (d) Information and communications technologies
 - (e) Green technology and climate resilience
 - (f) Food and beverage production
 - b) Gathering, analyzing, and making use of labor market data to inform program offerings, guide job seekers, and improve provider accountability.
 - c) Forming strong strategic partnerships and leveraging of other public and private funds.
 - d) Increasing and improving employer engagement, particularly in the emergent sectors, and increasing opportunities for employer-driven training.
- 2) Enabling upward mobility for all Californians and especially populations with barriers to employment by providing career pathways with access to high-road, high-quality training.
 - a) Support job-seekers' progression from one step to another toward education, credentials, and employment goals.
 - b) Maintain a results-oriented system that delivers high-quality training, placements, retention, and other outcomes.
- 3) Aligning, coordinating, and integrating programs and services.
 - a) Coordination with AJCCs, employers, education and training providers, economic development agencies, labor, philanthropy, community-based organizations, and other private and public entities to leverage resources; design and implement sector strategies; and be part of a network of employment, training, and related services.
 - b) Integrated resources and coordinated services at the local level to meet client needs.
- 4) Providing services that are accessible to both WIOA and City of Oakland priority populations, including African American/Black, Latinx, Asian, Pacific Islander, and Native American individuals, and the priority geographical areas of East Oakland, Central/Fruitvale, and West Oakland to advance the economic security and resilience of Oakland's most vulnerable residents.
 - a) Provide access to workforce services that will improve employment outcomes for residents with the highest rates of employment in zip codes: **94621, 94603, 94605, 94601, 94607.**

- b) Offer services and maintain performance metrics tailored to the needs of Oakland's priority populations and geographical areas.
- 5) Reporting all data into EDD's CalJOBS data management system.

B. One-Stop Operator

SCOPE OF WORK

It is the applicant's responsibility to propose a complete scope of work that fully accounts for delivery of services. This proposed scope of work will be used as the basis for negotiating the final scope of work (i.e., deliverables) for inclusion in the Grant Agreement. The Grant Agreement will include the terms and conditions required by the City of Oakland WDB (See Appendices F and G).

- 1) For funding under the One-Stop Operator (OSO) category, the OWDB is seeking a service provider who can deliver:
 - a) Innovative programs through a strong partnership network to improve AJCC systems by:
 - i) Increasing accessibility of services to Oakland's priority populations:
 - (1) Individuals residing in Oakland neighborhoods with the highest rates of unemployment (East Oakland, Central/Fruitvale, and West Oakland);
 - (2) Unemployed African American, Latinx, Asian, Pacific Islander, and Native American residents;
 - (3) Currently or formerly justice-involved individuals (formerly known as re-entry or formerly incarcerated).
 - ii) Increasing accessibility of services to WIOA's priority populations:
 - (1) Recipients of public assistance;
 - (2) Low-income individuals;
 - (3) Individuals who are basic skill deficient; and
 - (4) Veterans.
 - b) Improving services and connections to employers.
 - c) Promoting adult and youth employment and training programs.
 - d) Increasing collaboration between workforce partners.
- 2) Offer all the required One-Stop Operator services required by WIOA and comply with all WIOA requirements including ensuring that the Comprehensive and Affiliate locations are meeting AJCC certification requirements.
- 3) In addition to the desired services described above, the OWDB requires a service provider that can deliver all of the following professional OSO services:
 - a. Compliance
 - i. Understand; remain fully knowledgeable about; and comply with WIOA Federal, State, and local policies, guidance, and regulations applicable to the administration and operation of the AJCC system.
 - ii. Implement policies established by the OWDB.

- iii. Assist in disseminating policies and procedures in response to regulation and/or guidance changes applicable to the administration and operation of the AJCC system.
- b. One-Stop System Partner Memoranda of Understanding (MOU)
 - i. Assist the OWDB staff with ensuring the implementation of partner services and contributions agreed upon in the AJCC Partner Agency MOUs.
 - ii. Coordinate the ongoing provision of services as articulated in the MOUs.
 - iii. Encourage increased Partner participation.
 - iv. Assist in identifying and implementing updates to MOUs as needed.
- c. Service delivery
 - i. Coordinate the service delivery of required AJCC partners.
 - ii. Assist in supporting the implementation of the local workforce plan.
 - iii. Assist in increasing efficiency, effectiveness, and seamless service delivery across partner programs to include use of technology to improve service delivery.
 - iv. Assist in improving the delivery of services to individuals at the AJCC with limited English proficiency, disabilities, and other barriers.
 - v. Assist in improving partner referral processes through partner coordination and facilitated process development.
 - vi. Be proactive in addressing partnership and system needs and issues.
 - vii. Be a focal point in promoting the vision, mission, and goals of Oakland's workforce system.
- d. Covid-19 Re-integration of Services
 - i. Be prepared to assist and implement in the establishment of safe and compliant on-site AJCC services as COVID-19 restrictions fluctuate, which may include, but not limited to, making recommendations on facility changes, access to technology resources, coordinating safe on-site services with partners to meet social distancing and facility capacity guidelines, and assisting in developing a California Employment Development Department (EDD) approved COVID protocol.
- e. Communications
 - i. Facilitate the sharing of information about relevant activities, services, and events among AJCC system partners and other community agencies.
 - ii. Be accessible to AJCC Partners for questions, comments, and concerns regarding AJCC operations.
- f. Meetings/Community Presence
 - i. Convene and facilitate quarterly AJCC OSO meetings and associated mandated partner meetings, to include scheduling of meetings, development of agendas, facilitating meetings, and disseminating notes and/or information after meetings.
 - ii. Assist the AJCC by representing partners at community meetings, partner forums, and other convenings related to the workforce development system in Oakland.
- g. Training and Development

- i. Build on the foundation of existing workforce development system staff training and development.
 - ii. Identify training needs of AJCC and partner staff and provide cross training of mandated partner services.
 - iii. Coordinate and conduct (as needed) staff training and development in coordination with the OWDB.
 - h. Public Awareness
 - i. Assist the OWDB to enhance, conduct, and oversee a public awareness and outreach campaign.
 - ii. Assist the OWDB to build on the foundation of existing outreach tools including publications and media marketing.
 - iii. Assist the OWDB by introducing new methods and concepts for informing the public about the AJCC/workforce development system.
 - i. Evaluation of Services/Customer Satisfaction
 - i. Develop and implement evaluation methods for jobseeker and business customers of the AJCC system that will produce information useful in improving the effectiveness of services.
 - ii. Observe and evaluate internal service activities to ensure a quality customer experience, including the look and feel of the centers, to ensure the sites are welcoming and accessible to all.
 - iii. Observe and evaluate external service activities to ensure effective service delivery.
 - j. Reporting
 - i. Fulfill state-required support to the OWDB, by providing reporting on operations, performance, and continuous improvement recommendations to system services at least quarterly, or as requested.
 - ii. Provide feedback to AJCC partners to enable continuous improvement of services.
 - k. Operator Staffing Presence and Administration
 - i. OSO staff service time will be scheduled during AJCC business hours and days.
 - ii. The OSO will consist of a single person or group of individuals who bill for unique non-duplicated work.
 - iii. Submit monthly invoices detailing work performed no later than the 10th of following month.
 - l. AJCC Transition Services
 - i. The OSO will be responsible for supporting transition and hand-off from any previously contracted AJCC provider(s). Transition services will be delivered using available funding and may include transition of WIOA participant cases that are in Active or Follow-Up status; and addressing any outstanding Individual Training Account, On-the-Job-Training (OJT), or Supportive Services invoices.

NOTE: Service activities can be performed in person at comprehensive, affiliate, or satellite location, or virtually.

All service providers must comply with all Federal/State and Public Policy Compliance requirements.

EXPERIENCE

The service provider must have at least one year of direct experience:

- Providing workforce development services as outlined in the scope of work;
- Building and supporting collaboration among multiple partner entities; and
- Administering complex publicly funded workforce development programs.

The application must provide a description of the proposer’s recent history providing services equivalent to those called for in this RFP.

C. On-Call Adult AJCC Career Services

SCOPE OF WORK

It is the applicant’s responsibility to propose a complete scope of work that fully accounts for delivery of services. This proposed scope of work will be used as the basis for negotiating the final scope of work (i.e., deliverables) for inclusion in the Grant Agreement. The Grant Agreement will include the terms and conditions required by the OWDB (See Appendices F and G).

- 1)** Under the On-Call Adult AJCC Career Services category, the OWDB is seeking a service provider that can deliver Comprehensive, Affiliate, or Specialized services as defined in the Department of Labor’s (DOL) Training and Employment Guidance Letter No. 16-16 dated January 18, 2017,³ including, but not limited to:
 - a) Work-based learning opportunities such as on-the-job training (OJT), internships, and apprenticeships as training paths to employment;
 - b) Improved services to employers to assist them in onboarding workforce; and
 - c) Training services to prepare job seekers to gain employment in one of the above-identified emergent sectors.
- 2)** OWDB recognizes that for individuals to succeed in the workforce, it is often necessary to provide additional supportive services such as:
 - a) Services to help job seekers lacking necessities to maintaining employment such as transportation, childcare, and housing.
 - b) Financial and benefits counseling and career guidance, as well as accommodations for persons with disabilities, to allow all individuals to benefit from workforce opportunities.
 - i) Note: Supportive services are crucial to job seeker’s success, and while highly desirable as part of a program, these services cannot be funded as stand-alone services. Offering these services directly will enhance a proposer’s application but must be in addition to other workforce development-related services. At a minimum, applicants should indicate how clients would be connected to these services and how these linkages will be established.

³ TEGL No. 16-16: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8772

- 3) All proposed sites must be physically and programmatically accessible to individuals with disabilities, as required by section 188 of WIOA and its implementing regulations at 29 CFR part 38.
- 4) Applicants may propose programs under the On-Call Adult AJCC Career Services category that are Comprehensive, Affiliate, or Specialized. Applicants should submit one proposal in response to each service category and subcategory to provide services to adults. Applicants must also submit separate budget for each program they plan to apply for.
 - a) **Comprehensive** is defined as: An AJCC location where job seekers and employers can access the programs, services, and activities of all mandated AJCC partners in alignment with WIOA Title I services, which authorizes programs to provide job search, education, and training activities for individuals looking to enhance or make better their employment opportunities through the one-stop delivery system. The AJCC location will have staff person(s) to be physically present at the AJCC location that understand WIOA Title I eligibility and requirement criteria for services that serve Adults and Dislocated Workers (WIOA Joint Final Rule Section 678.305).
 - b) **Affiliate** is defined as: An AJCC location where job seekers and employers can access the programs, services, and activities of one or more AJCC partner programs. An Affiliate AJCC is not required to provide access to all partner programs (WIOA Joint Final Rule Section 678.310).
 - c) **Specialized AJCC** is defined as: An AJCC location associated with either a Comprehensive or Affiliate AJCC that addresses specific needs, including those of dislocated workers, youth, or key industry sectors or cluster.
 - i) Note: Affiliated and Specialized sites and service providers allow for more flexibility in terms of the services programs provide. These sites do not need to provide access to every required one-stop partner program. Based on local workforce needs, the OWDB, in conjunction with other partners and one-stop operator(s), may determine that a specialized center, as described in 20 CFR 678.320, 34 CFR 361.320, and 34 CFR 463.320, is more appropriate to serve a particular population and may choose to operate a specialized center(s). For example, a specialized center may be established to serve a specific group of dislocated workers affected by a regional lay-off. In this example, the specialized center would provide a variety of services tailored to the needs of the dislocated workers, including career coaching, networking opportunities, comprehensive assessment, and employer meetings. The specialized center could also provide flexible office hours, such as evenings and weekends, to support the job search needs of the dislocated workers served by that specialized center. Other specialized centers may be established for youth, veterans, or other specified groups as determined by the OWDB. Specialized centers should be knowledgeable about, and prepared to make referrals to, AJCC partners in the comprehensive or affiliate AJCCs.
 - d) For further guidance on the implementation and operational requirements under WIOA regarding Comprehensive, Affiliate, and Specialized AJCC Career Services and sites, please refer to Training and Employment Guidance Letter No. 16-16

dated January 18, 2017.⁴ Comprehensive sites and required programs are described in 20 CFR 678.305, 34 CFR 361.305, and 34 CFR 463.305. Affiliate sites are described in 20 CFR 678.310, 34 CFR 361.310, and 34 CFR 463.310.

5) WIOA Adult Performance Measures

- a) In addition to the services described above, WIOA requires that organizations meet certain Performance Measures, and reporting on these measures will be required of all contractors. In response to this RFP, applicants should demonstrate how their programs are able to help all enrolled participants achieve the outcomes measured. The below outcome measures and definitions should inform program designs. Performance measures will be adjusted as necessary to meet local performance standards and align with requirements of the California Workforce Development Board, the US Department of Labor (DOL), and WIOA. Performance measures are subject to change at any time, and the OWDB may set performance benchmarks or implement additional measures in response to regulations or local need. For further guidance and information on WIOA Performance Measures including how performance is calculated, refer to the EDD’s Workforce Services Directive 19-03: Performance Guidance (WSD 19-03: https://edd.ca.gov/Jobs_and_Training/pubs/wsd19-03.pdf Actual targets and percentages for each measure will be negotiated with selected Proposers based what is proposed in their proposed Budget (Appendix E). Actual targets and percentages for each measure will be negotiated with selected Applicants based what is proposed in their proposed Budget (Appendix E).

The chart below shows WIOA performance measures for Program Year (PY) 2020-2022. Local performance requirements for PY 2022-25 have not yet been determined by the State and are subject to change. Local areas are to plan baseline performance based on measures below.

PERFORMANCE MEASURES AND DEFINITIONS FOR PY 2020-2022	ADULT	Dislocated Worker (DW)
Employment Rate 2nd Quarter After Exit	70.6%	70.0%
Employment Rate 4th Quarter After Exit	67.6%	70.0%
Median Earnings 2nd Quarter After Exit	\$ 7,146	\$ 8,510
Credential Attainment 4th Quarter After Exit	65.0%	71.0%
Measurable Skill Gains	44.3%	45.1%

⁴https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=8772

b) Primary Indicators of Performance:

ii. Employment Rate – 2nd/4th Quarter After Exit

The percentage of participants who are in unsubsidized employment during the second/fourth quarter after exit from all programs.

iii. Median Earnings

The median earnings of participants who are in unsubsidized employment during the second quarter after exit from all programs.

iv. Credential Attainment

The percentage of those participants enrolled in education or training (excluding those in OJT and customized training) who attain one of the following during participation or within one year after exit:

- a recognized postsecondary credential
- a secondary school diploma or its recognized equivalent or certificate

A participant who has attained a secondary school diploma or its recognized equivalent is counted as a positive outcome only if the participant also meets one of the following criteria during participation or within one year after exit:

- employed
- enrolled in an education or training program leading to a recognized postsecondary credential

v. Measurable Skill Gains

The percentage of program participants who, during a program year, are enrolled in education or training that leads to a recognized postsecondary credential or employment AND have also achieved one or more measurable skill gains. A measurable skill gain is defined as documented academic, technical, occupational, or other forms of progress that leads to a credential or employment. Depending on the type of education or training program, progress must be documented using one of the following:

- achievement of at least one educational functioning level of a participant who is receiving instruction below the postsecondary education level
- attainment of a secondary school diploma or its recognized equivalent
- secondary or postsecondary transcript or report card for a sufficient number of credit hours that shows a participant is meeting academic standards
- satisfactory or better progress report toward established milestones such as completion of OJT or completion of one year of an apprenticeship program or similar milestones, from a training provider or employer who is providing training
- successful passage of an exam that is required for an occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams

Applicants should refer to Appendix C to define the number of enrollments, attainments, placements, and exits for Fiscal Year (FY) 2022-2023. To drive continuous improvement and increase program impact, enrollments need to be increased five percent every year the contract is extended based on level of funding.

6) Tracking Requirements – CalJOBS

- a) The contractor must utilize the EDD’s CalJOBS data management system. This includes the entry of individual participant data such as registration, eligibility determination, demographics, activities, case notes, outcomes, and follow-up data in order to meet required performance measures. Timely data entry is required, and data must be entered within thirty (30) calendar days after the date of any individual activity or service has occurred due to system date entry restrictions and limitations. OWDB will conduct ongoing monitoring to evaluate the Contractor’s use of CalJOBS. Failure to comply with the required use will result in corrective action and may result in the contract being terminated.

All service providers must comply with all Federal/State and Public Policy Compliance requirements.

EXPERIENCE

The service provider must have at least one year of direct experience providing career services for adults.

The application must provide a description of the service provider’s recent history providing services equivalent to those called for in this RFP.

D. On-Call Youth Services, including the “Oakland Forward” California Youth Workforce Development Program:

SCOPE OF WORK

It is the applicant’s responsibility to propose a complete scope of work that fully accounts for delivery of services. This proposed scope of work will be used as the basis for negotiating the final scope of work (i.e., deliverables) for inclusion in the Grant Agreement. The Grant Agreement will include the terms and conditions required by the OWDB (See Appendices F and G). All service providers must comply with all applicable City, State, Federal and Public Policy Compliance requirements.

- 1)** Applicants should submit one proposal in response to each service category and subcategory to provide services to youth and young people. Applicants must also submit separate budget for each program they plan to apply for. Applicants may propose programs under the On- Call Youth Career Services category in the following areas:
 - a) **WIOA Youth Services:** Programs offering year-round workforce development services for youth under WIOA that provide work-based learning opportunities like OJT, internships, and apprenticeships as training paths to employment.

- b) **“Oakland Forward” California Youth Workforce Development Program:** Year-round and/or summer employment programs geared toward training and connecting youth to public service jobs with a focus on “clean and green” work activities that promote climate resilience and improve neighborhood conditions.

2) Supportive Services: OWDB recognizes that for individuals to succeed in the workforce, it is often necessary to provide additional supportive services such as:

- a) Supportive services to help job seekers lacking necessities to maintaining employment such as transportation, childcare, and housing.
- b) Supportive services such as financial and benefits counseling and career guidance, as well as accommodations for persons with disabilities, to allow all individuals to benefit from workforce opportunities.
 - i) Note: Supportive services are crucial to job seeker’s success, and while highly desirable as part of a program, these services cannot be funded as stand-alone services. Offering these services directly will enhance a proposer’s application but need to be in addition to other workforce development-related services. At a minimum, applicants should indicate how clients would be connected to these services and how these linkages will be established.

3) Tracking Requirements - CalJOBS: The Contractor must utilize the EDD’s CalJOBS data management system. This includes the entry of individual participant data such as registration, eligibility determination, activities, case notes, outcomes, and follow-up data to meet required performance measures. Timely data entry is required, and data must be entered within five (30) calendar days after the date of any individual activity or service has occurred due to system date entry restrictions and limitations. OWDB will conduct ongoing monitoring to evaluate the contractor’s use of CalJOBS. Failure to comply with the required use will result in corrective action and may result in the contract being terminated.

4) Program Requirements for WIOA Youth Services:

- a) **WIOA Program Eligibility and Enrollment:** To qualify under WIOA funding, eligible youth must be between ages 16-24, and meet the eligibility criteria outlined in Workforce Services Directive 17-07: WIOA Youth Program Requirements. Priority should be given to serving the following populations:
 1. Justice-involved youth;
 2. Pregnant or parenting youth;
 3. Youth with disabilities;
 4. Current or former foster youth;
 5. Refugee/immigrant youth;
 6. Youth residing in a public housing program;
 7. Homeless/runaway youth; and
 8. Youth that have dropped out of school and do not have a high school diploma or equivalent.

- b) **WIOA Youth Performance Measures:** In addition to the services described, WIOA requires that organizations meet performance measures, and reporting on these measures will be required of all contractors. In response to this RFP, applicants should demonstrate how their programs are able to help all enrolled youth achieve the outcomes measured. The below outcome measures and definitions should inform program design. Performance measures will be adjusted as necessary to meet local performance standards and align with requirements of WIOA, the California Workforce Development Board, and DOL. Performance measures are subject to change at any time, and the OWDB may set performance benchmarks or implement additional measures in response to regulations or local need. For further guidance and information on WIOA Performance Measures including how performance is calculated, refer to the EDD’s Workforce Services Directive 19-03: Performance Guidance.⁵

Actual targets and percentages for each measure will be negotiated with selected proposers based what is proposed in their proposed Budget (Appendix E). Actual targets and percentages for each measure will be negotiated with selected applicants based what is proposed in their proposed Budget (Appendix

c) **WIOA Performance Measure Definitions**

1. Attainment of degree or certificate -the percentage of participants who obtain a recognized credential or secondary diploma during participation or within one year after program exit.
2. Placement in employment, education, or training: The percentage of participants who are in employment, education, or training in the 2nd and 4th quarter after program exit.
3. Earnings after entry into unsubsidized employment: The median average earning of participants who are in employment in the 2nd quarter after program exit.
4. In-program skills gain: Percentage of participants in education leading to a credential or employment during program year, achieving measurable skills gains.

Performance Measures listed above are further defined in WSD 19-03: Performance Guidance.

Applicants should refer to Appendix C to define the number of enrollments, attainments, placements, and exits for FY 2022-2023. Continuous improvement and program impact will be assessed for each program year, enrollments will be adjusted based on level of funding.

⁵WSD 19-03: https://edd.ca.gov/Jobs_and_Training/pubs/wsd19-03.pdf

The chart below shows WIOA performance measures for PY 2020-2022. Local performance requirements for PY 2022-25 have not yet been determined by the State and are subject to change. Local areas are to plan baseline performance based on measures below.

PERFORMANCE MEASURES AND DEFINITIONS FOR YOUTH PY 2020-2022	
Employment Rate 2nd Quarter After Exit	72.8%
Employment Rate 4th Quarter After Exit	69.8%
Median Earnings 2nd Quarter After Exit	\$ 3,490
Credential Attainment 4th Quarter After Exit	55.0%
Measurable Skill Gains	52.5%

d) WIOA Required Elements for both In-School and Out-of-School Youth

WIOA requires that the following 14 elements be available to all eligible youth/young adult and must be available on a year-round basis. The RFP requires respondents to articulate how these elements will be accessible and/or delivered: applicants are not required to provide all services themselves but must provide referrals to enrolled participants:

1. Tutoring, study skills training, instruction, and dropout prevention
2. Alternative secondary school services or dropout recovery services
3. Paid and unpaid work experiences
4. Occupational skills training
5. Education offered concurrently with workforce preparation and training for a specific occupation
6. Leadership development opportunities
7. Adult mentoring
8. Follow-up services
9. Comprehensive guidance and counseling
10. Financial literacy education
11. Entrepreneurial skills training
12. Services that provide labor market information
13. Postsecondary preparation and transition activities

For definitions of the above 14 elements, refer to pages 18-25 of EDD’s Workforce State Directive 17-07: WIOA Youth Program Requirements.⁶

⁶ WSD 17-07: https://edd.ca.gov/Jobs_and_Training/pubs/wsd17-07.pdf.

5) Program Requirements for Youth Services under the “Oakland Forward” California Youth Workforce Development Program

In addition to WIOA-funded youth workforce development activities, the City of Oakland has received State funds from CaliforniaVolunteers to develop a California Youth Workforce Development “Oakland Forward” Program that will promote “clean and green” activities that improve neighborhood conditions and enhance environmental stewardship and climate resilience.

- a) **Program Eligibility and Enrollment:** To qualify under this state funding program as awarded through this RFP youth and young adults should be aged 16-30. Priority should be given to young people who:
1. Have not participated in the #CaliforniansForAll College Program or AmeriCorps
 2. May have difficulty finding employment
 3. Are low-income
 4. Are unemployed and/or out of school
 5. Are or were justice-involved
 6. Are transitioning from foster care
 7. Are engaged with the mental health or substance abuse system
 8. Youth in priority zip codes with racial disparities in unemployment, as identified in the OWDB Racial Equity Analysis.

Priority applicants should make up no less than 75% of the total applicants (e.g. meet at least two of the criteria listed above).

- b) **Focus Areas and Work Activities:** Applicants submitting proposals under the “Oakland Forward” program should provide opportunities that connect youth to career pathways in the public sector and support the City’s ability to help residents recover from the COVID-19 pandemic and increase climate resilience.

Applicants can propose one or more of the following work activities in these **focus areas**:

- City clean-up,
- graffiti abatement,
- addressing illegal dumping,
- environmental stewardship,
- beautification, murals and art,
- green/energy efficient construction,
- vegetation management,
- waste management and sanitation,
- recycling, conservation,
- other related services.

Applicants will provide general job readiness training, mentoring and specific work-related training including pathways to apprenticeships and career opportunities through a year-round and/or summer program model. Applicants should align training opportunities with specific preparation for meeting minimum requirements for City jobs in Public Works and other City departments.

c) Performance Metrics and Outputs:

1. # of youth employed through the program
2. # of youth employed in each focus area
3. % of youth who retain jobs for the full term (3 months for summer jobs or 1 year)
4. % of participants receiving positive performance evaluations at the end of their term
5. Job training evaluations (skill building for future employment)
6. % of youth employed after conclusion of program (1-month, 6-months, 12-months)
7. % of youth who report job satisfaction after at least one year of employment
8. % of youth who report an interest in a possible public service career after at least one year of employment
9. % of youth employed in public service job one year after program

EXPERIENCE

The service provider must have at least one year of direct experience providing career services for youth.

The application must provide a description of the service provider’s recent history providing services equivalent to those called for in this RFP.

V. Evaluation Criteria

An evaluation team will evaluate proposals to determine the proposer’s demonstrated ability to provide the requested services. Proposals will be evaluated and ranked by score. The highest scoring participants may be scheduled for an interview. The OWDB will evaluate submitted proposals on a 100-point scale using the criteria set forth in the table below. Although some categories are weighted more than others, all are considered necessary, and a proposal must be technically acceptable in each area to be eligible for an award. The evaluation categories, maximum possible points for each category, and evaluation criteria for each category are set forth below:

Evaluation Criteria	Maximum Points
A. Responsibility and Responsiveness	10
B. Match, L/SLBE & Small & Emerging in Priority Locations	20
C. Project Understanding and Program Design	20
D. Approach and Methodology	30
E. Experience and Qualifications	10
F. Reasonableness of Cost Proposal	10
Total	100

The OWDB reserves the right to waive any proposal irregularity; however, this will not relieve the contractor from full compliance with the bidding requirements if awarded the contract.

The OWDB reserves the right to reject any and all proposals, and to cancel the procurement process. The justification supporting the reason for any type of rejection shall be submitted to the bidder(s) in writing.

A. Responsibility and Responsiveness (10 points)

This RFP contains the requirements that applicants must meet in order to submit a responsive proposal. This RFP also provides information regarding the format in which proposals must be submitted, the requirements that must be met to be eligible for consideration, the proposer's responsibilities, and the documents that must be included.

A responsible bidder is one whose proposal substantially complies with all requirements of the proposal. The OWDB Director, selected OWDB staff, and selected interested professionals will evaluate the proposals to determine bidders' responsibility and responsiveness.

A responsible bidder is one who:

- Possesses the competency, experience, and education required to effectively perform the duties as enumerated in the Scope of Work;
- Has the ability to begin delivering the services proposed by the award date or shortly thereafter, taking into consideration available expertise and any business commitments;
- Has no record of unsatisfactory performance, lack of integrity, or poor business ethics;
- Is otherwise qualified and eligible to receive an award under applicable statutes and regulations;
- Has the experience of successfully performing similar services;
- Has articulated a comprehensible approach to completing the required work, and
- Has acceptable references.

At the time proposals are opened, each proposal will be checked for the presence or absence of the required proposal contents.

Any proposal may be declared irregular and not considered for award of a contract if it is conditional, incomplete, not responsive to the RFP, or contains any alteration of form or irregularity that would prevent it from being compared to other proposals.

B. Match, L/SLBE & Small & Emerging in Priority Locations (20 points)

Applicants may receive preference points from the City of Oakland, Contract Compliance Division by receiving certification as a Local, Small and Very Small Local Business Enterprise (L/S/VSLBE). Additional Preference Points may also be earned for having an Oakland resident workforce.

Applicants seeking additional preference points for having an Oakland resident workforce must submit a completed Schedule E-2 ("Oakland Workforce Verification Form") no more than 4 days after the proposal due date to the Project Manager and the Oakland Contracts Compliance Division.

A copy of Schedule E-2 is available at www.oaklandca.gov/documents/schedule-e2-form

More information on the Contracts & Compliance Division, including office hours, can be accessed here: www.oaklandca.gov/departments/contracts-compliance.

Additional preference points will be awarded to qualified Small and Emerging organizations located specifically in the following zip codes: **94621, 94603, 94605, 94601, 94607** (10 points).

L/SLBE Certified Business Participation (2 points).

Additional points will be awarded for documented match equivalent to 50% (2 points), 100% (4 points), or 200% (8 points) of the amount requested from OWDB.

The Proposal Narrative for each service category proposed must not exceed 25 double-spaced pages and must include the following sections:

C. Project Understanding and Program Design (20 points)

The purpose of this section is to ensure that applicants have a clear understanding of the needed services, the populations to be served, and the historical and current challenges of rendering these types of services.

1) Target Population, Recruitment, and Enrollment:

- a) Please describe the demographics and characteristics of the targeted neighborhood(s) and/or the priority population(s) to be served.
- b) Describe potential challenges that may arise in engaging and enrolling this population.
- c) Describe how many participants you propose to enroll in year one, and describe your plan to identify, recruit, and enroll clients into the program.
- d) Describe the intake process, including the collection of basic information from potential clients, informing potential clients of available services in your organization or elsewhere, and determination of client suitability for program services.

2) Customer Experience

- a) Describe the key steps and milestones participants will experience from outreach to program exit. Visuals, such as a flow chart, are strongly encouraged to illustrate the program design.
- b) Describe how you will ensure and measure quality, and continuously improve the experience of the job seekers in your program.

3) Supportive Services

- a) Describe barriers to successful completion of education and/or employment that the target population faces.
- b) Describe what incentives, supportive services, and/or stipends you will use to address these barriers.
- c) Describe how you will incorporate mental/behavioral health services, trauma-informed case management, and other supports for program participants.

4) Performance, Administration and Project Management

- a) Describe your strategy for understanding, monitoring, and measuring performance and outcomes.
- b) Describe your process for ensuring confidentiality, quality, compliance, and proper documentation of all client files.
- c) Describe how you will ensure funds are used properly and according to the spending plan. Current corrective action or corrective action/monitoring findings within the past three (3) years.

5) Access and Locations

- a) Demonstrate how the proposed program will increase access and address parking/transportation and other barriers for program participants.
- b) Address whether the responding organization will maintain a main office, a satellite office, or co-locate with other organizations in the targeted neighborhood(s).
- c) Demonstrate how the proposed program will offer remote, virtual, or distance services to customers.

6) Partnerships

- a) Identify existing or potential meaningful partnerships that will support jobs, internships, and educational opportunities. Partners may be entities such as government agencies, education systems, community/faith-based organizations and other partners that serve similar populations and can support the goals of the program(s).
- b) Describe specific partner roles and, if applicable, how the proposed partnerships will leverage additional funding to serve program participants. Letters of support/commitment and MOUs that detail partnership roles and responsibilities and any in-kind resources committed are encouraged and can be included in section ____.
- c) Describe how you will partner and collaborate with current AJCCs in your proposed service delivery area.
- d) If the proposal includes subcontractors, include information on the specific role of the subcontractors.

7) Employer Connections

- a) Describe your relationship with employers in key industry clusters and the specific roles these employers will play in your program.
- b) Describe past outcomes and how you have developed internships, job shadows, occupational skill training, apprenticeships, work experience, placement in employment, and/or other work-based learning outcomes with employer partners.
- c) Describe your approach to job placement and how staff will identify employment and work-based learning opportunities for program participants.

D. Approach and Methodology (30 points)

In this section, please describe the services to be delivered and the manner of delivery. The services listed below are desirable workforce development services but may not apply to all proposed service categories. Each proposer's description of proposed program components will depend on what services are intended to be offered and may not include all the services listed below.

1) Educational Services

- a) Describe how you will implement tutoring, study skills training, and proven dropout recovery strategies to assist participants in the completion of secondary school resulting in the attainment of a high school diploma or its recognized equivalent.
- b) Describe activities that help participants prepare for and transition to training or postsecondary education.

- c) Describe your education/training programs, which can include occupational skills training, apprenticeship program, post-secondary bridge programs, and/or post-secondary education.
- d) Describe how your proposed education/training programs will lead to jobs with livable wages.

2) Career Pathways

- a) Pathway Identification: Describe the sector(s)/industry(ies) you will focus on and why you have selected that industry/sector focus.
- b) Awareness: Describe how you will help participants become aware of the career pathways in these sector(s)/industry(ies).
- c) Training: Describe how you will connect participants to education that leads to post-secondary degrees and/or industry-recognized certifications.

3) Work Experience

- a) Describe how you will provide participants with work-based learning opportunities (internships, work experience, pre-apprenticeship/apprenticeship, job shadows, etc.).
- b) Describe what percentage of funds will be spent on work experience, and why.

4) Work Readiness, Financial Literacy and Entrepreneurship Training

- a) Describe the proposed work readiness training program including instructional techniques, curriculum, competencies, assessments, and standards for completion.
- b) Describe the financial literacy education and entrepreneurial skills training you will offer.

5) Youth Development

- a) Describe leadership development opportunities, including community service and peer-centered activities encouraging responsibility, and other positive social and civic behaviors.
- b) If applicable, describe how you plan to incorporate adult mentoring for program participants.

E. Experience and Qualifications (10 points)

In this Section, please provide an overview of the lead organization.

1. Please describe the primary location of the organization, type of organization (for-profit, nonprofit, etc.), size of the organization, years in business, history of business, mission and vision, major product lines and/or services, and any other relevant information that helps provide an overview of the organization.
2. Please provide evidence of the organization's ability to successfully perform the services described in this RFP, including descriptions of past projects completed with a similar scope of work.
3. Describe the organization's knowledge, expertise, and experience working with the proposed targeted population and challenges within the workforce development industry and/or nonprofit sector.

4. Describe the approach for recruitment, training, staff development, and support for all staff involved in the program. Include how the approach to staffing takes into account the varied needs of participants served.
5. Describe the staffing plan and qualifications of staff.
Proposer must provide an organizational chart for each program proposed unless all programs proposed have the same organizational chart. If this is the case, provide one chart, but please indicate that in this section.

F. Reasonableness of Cost Proposal (10 Points)

1. Program Budget

OWDB will conduct an analysis of the proposed program budget(s) details to determine reasonableness, allocability, and allowability of costs. Applicants should complete the attached Budget Form (Appendix D) for each service category proposed and provide a budget narrative explaining the proposed budget(s) for each category.

In accordance with Federal Funding regulations, subrecipients of a Federal award under title I of WIOA and the Wagner-Peyser Act must follow the Uniform Guidance at 2CFR parts 200, 215, 225, 230, including any exceptions identified in 2 CFR 2900. Allowable costs under subpart E and appendices III through IX of 2 CFR 200 limit administration costs to no more than 10% of the total grant request. The OWDB is also required to examine an entity's past records of non-compliance with Uniform Guidance requirements and WIOA requirements by looking at findings contained in Single Audits and monitoring reports. Uniform Guidance requires that past performance be an evaluation factor during procurement.

As a component of the Financial Proposal package, Bidder must submit a copy of the organization's most recent audited financial statements. If not available, a review or compilation of the financial statements prepared by a Certified Public Accountant (CPA) must be submitted in lieu of audited financial statements. A copy of the latest filed tax return must be submitted if a review or compilation of the financial statements prepared by a CPA is not available.

Or

If your organization is in the process of obtaining your audited financial statements, but the audit and financial statements will not be complete before the grant deadline, you will be able to submit proof of a contract with a Certified Public Accountant as part of your application submission. Please provide a copy of your contract or engagement letter with a CPA as proof that an audit of your agency will conduct and include the expected date of completion as part of proof. All audited financial statements must be completed and delivered to OWDB by June 30, 2022 (both hard copy and electronic copy via email) in order to be considered for funding.

All Audited Financial Statements must be from within the past two years. If applying with a fiscal sponsor, applicant must submit fiscal sponsor's audited financial statements.

If the organization is subject to the Single Audit requirements set forth in the Code of Federal Regulations, Title 2, Part 200, Subpart F, a copy the organization's most recent Single Audit must be submitted. If awarded a contract, bidders may be required to have audited financial statements during the period of performance.

2. Organizational Budget

In order to determine award request limits and reasonableness, a copy of the respondent's organizational budget is required. Agencies may submit more than one grant request. However, Applicants must limit their total and/or combined OWDB request(s) to no more than 35% of their current year overall organizational budget excluding current OWDB funding. For Small and Emerging Applicants, the limit is 50% of the overall organizational budget.

G. Additional Resources:

- US Department of Labor Employment and Training Administration Training and Employment Notices (TENs) and Training and Employment Guidance Letters (TEGLs): https://wdr.doleta.gov/directives/corr_list.cfm
- California Employment Development Department Workforce Services Directives: https://edd.ca.gov/Jobs_and_Training/Active_Directives.htm
- OWDB 2021-2014 Local Plan: <https://www.oaklandca.gov/topics/2021-24-local-plan>
- East Bay Regional Planning Unit 2021-2024 Regional Plan : <https://www.eastbayworks.com/wp-content/uploads/2021/03/EBRPU-Regional-Plan-03-11-21.pdf>
- City of Oakland Economic Recovery Plan 2021: <https://www.oaklandca.gov/resources/oaklands-economic-recovery>

H. Appendices

Appendix A – Proposal Checklist

Appendix B – Cover Sheet

Appendix C – Performance Outcomes Form

Appendix D – Stand-Alone Forms

Appendix E – Proposal Budget Form

Appendix F – Contracts And Compliance Provisions

Appendix G – City Schedules And Policies

Appendix A: Required Proposal Checklist

- Cover Sheet
- Proposal Narrative (not to exceed 25 single-spaced pages)
- Client Flow Chart
- Performance Outcomes Form
- Resumes/Job Descriptions
- Organizational Chart(s)
- Letters of Commitment/Memoranda of Understanding
- List of Collaborators/Partners
- Stand-Alone Schedules Required with Proposal
 - Schedule E – Project Consultant Form
 - Schedule O – Campaign Contribution Limits
 - Schedule W- Border Wall Prohibition

In separate file/packet:

- Program Budget Form (for bidder and each subcontractor)
- Budget Narrative (not to exceed five single-spaced pages)
- Documentation of Committed Cash Match
- Independent Auditor's Report

Appendix B: Cover Sheet

Oakland Workforce Development Board Request for Proposals for 2022-2025 Adult and Youth Services

BIDDER ORGANIZATION		
Name of Organization:		
Address:		
City:	State:	Zip Code:
Website:		Fax:
Tax ID #:		Year Incorporated:
Check if certified in the City of Oakland as:		
<input type="checkbox"/> Local Business Association		
<input type="checkbox"/> Small/Very Small Local Business Association		

CONTACT INFORMATION	
Program Contact:	Title:
Phone:	Email:
Fiscal Contact:	Title:
Phone:	Email:

PROPOSED SUBCONTRACTOR(S)
Please list any proposed subcontractors. For each subcontractor, include organization information and contact information similar to the above.

BUDGET INFORMATION
Total of OWDB Request:
Total Match Committed/Proposed:
Total Project Budget:
Total Organizational Budget:

RFP SERVICE AREA	
Please check one box indicating the service area for which you are submitting your proposal. If submitting both an Adult and a Youth Services proposal, a separate cover sheet and proposal is required for each submission.	
<p>ADULT & DISLOCATED WORKER SERVICES</p> <p><input type="checkbox"/> Comprehensive AJCC Career Services Provider</p> <p><input type="checkbox"/> One Stop Operator</p> <p><input type="checkbox"/> AJCC Career Services Provider (Affiliate/Specialized/Sector)</p>	<p>YOUTH SERVICES</p> <p><input type="checkbox"/> WIOA Youth Services Provider</p> <p><input type="checkbox"/> "Oakland Forward" California Youth Workforce (Clean & Green)</p>

PROGRAM INFORMATION
Name of Proposed Program:
Program Summary (400 words or less):

Signature: _____ **Date:** _____

Appendix C: Performance Outcomes Form

Organization Name:	
Fiscal Contact:	Title:
Phone:	Email:

PERFORMANCE OUTCOMES SUMMARY	
Total Clients to be Served:	
Total OWDB Request:	
Total OWDB Cost Per Client:	

PROPOSED PERFORMANCE OUTCOMES (2022-2023)	
Adults	
Enrollments	
Employed - 2nd Q post exit	
Employed - 4th Q post exit	
Median Earnings	
Attained Credential	
Attained Skill Gain (within one year of enrollment)	
Dislocated Workers	
Enrollments	
Employed - 2nd Q post exit	
Employed - 4th Q post exit	
Median Earnings	
Attained Credential	
Attained Skill Gain (within one year of enrollment)	
Youth	
Enrollments	
Employed - 2nd Q post exit	
Employed - 4th Q post exit	
Median Earnings	
Attained Credential	
Attained Skill Gain (within one year of enrollment)	

Appendix D: Stand-Alone Schedules

City Schedules E, O, and W are required with submission of this proposal, and Schedule E-2 is an optional for those applicants seeking additional preference points for an Oakland Workforce. More information on the Contract Compliance Division and required forms can be found at:

www.oaklandca.gov/departments/contracts-compliance

www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules

Schedule E - Project Consultant Team Listing

An interactive version of this form can be downloaded from Contracts and Compliance website:

<https://cao-94612.s3.amazonaws.com/documents/OAK023379.pdf>

You must complete and submit this form, even if you have no subcontractors / consultants on your project.

Schedule I – Sanctuary City Contracting and Investment Ordinance

An interactive version of this form can be downloaded from Contracts and Compliance website:

<https://na2.documents.adobe.com/public/esignWidget?wid=CBFCIBAA3AAABLbqZhA86ueRjDUFgOnUbo9zG6TY9vyTvm6YuEw0qcgq-30ICW8PLQ0Jr-AYmz3YhgVQO4A>

You must complete and submit this form, even if you have no subcontractors / consultants on your project.

Schedule O - Campaign Contribution Limits

An interactive version of this form can be downloaded from Contracts and Compliance website:

<https://cao-94612.s3.amazonaws.com/documents/OAK023287.pdf>

Schedule W - Border Wall Prohibition Form

An interactive version of this form can be downloaded from Contracts and Compliance website:

<https://cao-94612.s3.amazonaws.com/documents/Schedule-W-Form-Border-Wall-Prohibition.pdf>

Schedule E-2 - Oakland Workforce Verification

An interactive version of this form can be downloaded from Contracts and Compliance website

<https://cao-94612.s3.amazonaws.com/documents/oak043692.pdf>

Please refer to Section IV-Evaluation of Proposals, Additional Optional Preference Points for more information on Schedule E-2.

Copies of these forms may be requested from the Oakland Contract Compliance Division from Paula Peav at ppeav@oaklandca.gov or phone number 510-238-3190.

Appendix E: Sample Budget Form

Organization Name:	
Fiscal Contact:	Title:
Phone:	Email:

BUDGET SUMMARY			
<i>(One Year – FY 2022-2023)</i>			
	OWDB Request (35% of Total Budget)	Match Funds	Total Project Budget
TOTAL PROGRAM COSTS			

PERSONNEL COSTS						
Position/Title	Employee Name	Annual Salary	FTE %	OWDB Request	Match Funds	Total Program Cost
Fringe Benefit Rate						
TOTAL PERSONNEL COSTS						

OPERATING COSTS			
	OWDB Request	Match Funds	Total Program Cost
Program Materials and Supplies			
Staff Training			
Travel/Transportation			
Facilities Expenses			
General Office Supplies			

Copying/Duplicating			
Phone/Internet/Communications			
Equipment			
Indirect Costs			
Other (Please Specify)			
TOTAL OPERATING COSTS			

A separate Budget Form must be included for each subcontractor

APPENDIX F. CONTRACTS AND COMPLIANCE PROVISIONS

A. GENERAL INFORMATION

1. The successful proposer selected for this service shall obtain or provide proof of having a current City of Oakland Business tax Certificate.
2. The City Council reserves the right to reject any and all bids.
3. Local and Small Local Business Enterprise Program (L/SLBE)

The City of Oakland has adopted a Local and Small Local Business Enterprise Program (L/SLBE). The City's current L/SLBE Program guidelines may be accessed via the following link:

https://cao-94612.s3.amazonaws.com/documents/LSLBE-Program-Guidelines_Revised.5.4.21.pdf

Contractor understands and agrees to the following:

- a. Preference Points – Preference points are awarded based on the level of local, small local and very small local business participation that is proposed by contractors during the competitive solicitation process.
- b. Maintaining Participation – As a condition of award of this Contract, Contractor must achieve and maintain the levels of local, small local or very small local business participation for which preference points were earned during the competitive solicitation process or the levels of participation agreed upon by the Parties during negotiation of this Agreement. Failure to achieve and maintain the proposed levels of participation may result in the imposition of penalties as set forth in the above-reference Local and Small Local Business Enterprise Program guidelines.
- c. Contractor shall submit information concerning the ownership and workforce composition of Contractor's firm as well as its subcontractors and suppliers, by completing Schedule D, Ownership, Ethnicity, and Gender Questionnaire, and Schedule E, Project Consultant Team, which shall be attached hereto and incorporated herein.

4. The City's Living Wage Ordinance

This Agreement is subject to the Oakland Living Wage Ordinance. The Living Wage Ordinance requires that nothing less than a prescribed minimum level of compensation (a living wage) be paid to employees of service Contractors (contractors) of the City and employees of CFARs (Ord. 12050 § 1, 1998). Oakland employers are also subject to the City of Oakland Minimum Wage law (see Section 5, below), and must pay employees wages and provide benefits consistent with the Minimum Wage law or Oakland Living Wage Ordinance, whichever are greater.

The Ordinance also requires submission of the Declaration of Compliance attached and incorporated herein as Declaration of Compliance – Living Wage Form; and made part of this Agreement, and, unless specific exemptions apply or a waiver is granted, the contractor must provide the following to its employees who perform services under or related to this Agreement:

- a. Minimum compensation – Said employees shall be paid an initial **hourly wage rate of \$15.30 with health benefits or \$17.56 without health benefits**. These initial rates shall be upwardly adjusted each year no later than April 1 in proportion to the increase at the immediately preceding December 31 over the year earlier level of the Bay Region Consumer Price Index as published by the Bureau of Labor Statistics, U.S. Department of Labor. Effective July 1st of each year, Contract shall pay adjusted wage rates.
- b. Health benefits – Said full-time and part-time employees paid at the lower living wage rate shall be provided health benefits of at least **\$2.26 per hour**. Contractor shall provide proof that health benefits are in effect for those employees no later than 30 days after execution of the contract or receipt of City financial assistance.
- c. Compensated days off – Said employees shall be entitled to twelve compensated days off per year for sick leave, vacation or personal necessity at the employee's request, and ten uncompensated days off per year for sick leave. Employees shall accrue one compensated day off per month of full time employment. Part-time employees shall accrue compensated days off in increments proportional to that accrued by full-time employees. The employees shall be eligible to use accrued days off after the first six months of employment or consistent with company policy, whichever is sooner. Paid holidays, consistent with established

employer policy, may be counted toward provision of the required 12 compensated days off. Ten uncompensated days off shall be made available, as needed, for personal or immediate family illness after the employee has exhausted his or her accrued compensated days off for that year.

- d. Federal Earned Income Credit (EIC) - To inform employees that he or she may be eligible for Earned Income Credit (EIC) and shall provide forms to apply for advance EIC payments to eligible employees. For more information, web sites include but are not limited to: (1) <https://www.irs.gov/> and <https://www.irs.gov/credits-deductions/individuals/earned-income-tax-credit>
 - e. Contractor shall provide to all employees and to Department of Workplace and Employment Standards (DWES) written notice of its obligation to eligible employees under the City's Living Wage requirements. Said notice shall be posted prominently in communal areas of the work site(s) and shall include the above-referenced information.
 - f. Contractor shall provide all written notices and forms required above in English, Spanish or other languages spoken by a significant number of employees within 30 days of employment under this Agreement.
 - g. Reporting – Contractor shall maintain a listing of the name, address, hire date, occupation classification, rate of pay and benefits for each of its employees. Contractor shall provide a copy of said list to the Department of Workplace and Employment Standards (DWES), on a quarterly basis, by March 31, June 30, September 30 and December 31 for the applicable compliance period. Failure to provide said list within five days of the due date will result in liquidated damages of five hundred dollars (\$500.00) for each day that the list remains outstanding. Contractor shall maintain employee payroll and related records for a period of four (4) years after expiration of the compliance period.
 - h. Contractor shall require subcontractors that provide services under or related to this Agreement to comply with the above Living Wage provisions. Contractor shall include the above-referenced sections in its subcontracts. Copies of said subcontracts shall be submitted to Department of Workplace and Employment Standards (DWES).
5. Minimum Wage Ordinance

Oakland employers are subject to Oakland's Minimum Wage Law, whereby Oakland employees must be paid the current Minimum Wage rate. Employers must notify employees of the annually adjusted rates by each December 15th and prominently display notices at the job site. The law

requires paid sick leave for employees and payment of service charges collected for their services. This contract is also subject to Oakland's Living Wage Ordinance (see Section 4, above), and must pay employees wages and provide benefits consistent with the Living Wage Ordinance, whichever are greater.

For further information, please go to the following website:
<https://www.oaklandca.gov/topics/minimum-wage-paid-leave-service-charges>

6. Equal Benefits Ordinance

This Agreement is subject to the Equal Benefits Ordinance of Chapter 2.32 of the Oakland Municipal Code and its implementing regulations. The purpose of this Ordinance is to protect and further the public, health, safety, convenience, comfort, property and general welfare by requiring that public funds be expended in a manner so as to prohibit discrimination in the provision of employee benefits by City Contractors (contractors) between employees with spouses and employees with domestic partners, and/or between domestic partners and spouses of such employees. (Ord. 12394 (part), 2001)

The following contractors are subject to the Equal Benefits Ordinance: Entities which enter into a "contract" with the City for an amount of twenty-five thousand dollars (\$25,000.00) or more for public works or improvements to be performed, or for goods or services to be purchased or grants to be provided at the expense of the City or to be paid out of moneys deposited in the treasury or out of trust moneys under the control of or collected by the city; and Entities which enter into a "property contract" pursuant to Section 2.32.020(D) with the City in an amount of twenty-five thousand dollars (\$25,000.00) or more for the exclusive use of or occupancy (1) of real property owned or controlled by the city or (2) of real property owned by others for the city's use or occupancy, for a term exceeding twenty-nine (29) days in any calendar year.

The Ordinance shall only apply to those portions of a Contractor's operations that occur (1) within the City; (2) on real property outside the City if the property is owned by the City or if the City has a right to occupy the property, and if the contract's presence at that location is connected to a contract with the City; and (3) elsewhere in the United States where work related to a City

contract is being performed. The requirements of this chapter shall not apply to subcontracts or sub-contractors.

The Equal Benefits Ordinance requires among other things, submission of the attached and incorporated herein as **Schedule N-1**, Equal Benefits-Declaration of Nondiscrimination form. For more information, see http://library.municode.com/HTML/16308/level2/TIT2ADPE_CH2.32EQBE_OR.html#TOPTITLE

7. Prompt Payment Ordinance OMC Section 2.06.070 Prompt Payment Terms Required in Notices Inviting Bids, Requests for Proposals/Qualifications and Purchase Contracts

This Agreement is subject to the Prompt Payment Ordinance of Oakland Municipal Code, Title 2, Chapter 2.06. The Ordinance requires that, unless specific exemptions apply. Contractor and its subcontractors shall pay undisputed invoices of their subcontractors for goods and/or services within twenty (20) business days of submission of invoices unless the Contractor or its subcontractors notify the Liaison in writing within five (5) business days that there is a bona fide dispute between the Contractor or its subcontractor and claimant, in which case the Contractor or its subcontractor may withhold the disputed amount but shall pay the undisputed amount.

Disputed payments are subject to investigation by the City of Oakland Liaison upon the filing of a compliant. Contractor or its subcontractors opposing payment shall provide security in the form of cash, certified check or bond to cover the disputed amount and penalty during the investigation. If Contractor or its subcontractor fails or refuses to deposit security, the City will withhold an amount sufficient to cover the claim from the next Contractor progress payment. The City, upon a determination that an undisputed invoice or payment is late, will release security deposits or withholds directly to claimants for valid claims.

Contractor and its subcontractors shall not be allowed to retain monies from subcontractor payments for goods as project retention, and are required to release subcontractor project retention in proportion to the subcontractor services rendered, for which payment is due and undisputed, within five (5) business days of payment. Contractor and its subcontractors shall be required to pass on to and pay subcontractors mobilization fees within five (5) business days of being paid such fees by the City. For the purpose of

posting on the City's website, Contractor and its subcontractors, are required to file notice with the City of release of retention and payment of mobilization fees, within five (5) business days of such payment or release; and, Contractors are required to file an affidavit, under penalty of perjury, that he or she has paid all subcontractors, within five (5) business days following receipt of payment from the City, The affidavit shall provide the names and address of all subcontractors and the amount paid to each.

Contractor and its subcontractors shall include the same or similar provisions as those set forth above in this section in any contract with a contractor or subcontractor that delivers goods and/or services pursuant to or in connection with a City of Oakland purchase contract.

Prompt Payment invoice and claim forms are available at the following City of Oakland website: <https://www.oaklandca.gov/resources/prompt-payment-forms> or at Department of Workplace and Employment Standards (DWES), 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612. Invoice and claim inquiries should be directed to Vivian Inman, City of Oakland Prompt Payment Liaison, 510-238-6261 or email vinman@oaklandca.gov.

8. Non-Discrimination/Equal Employment Practices

Contractor shall not discriminate or permit discrimination against any person or group of persons in any manner prohibited by federal, state or local laws. During the performance of this Agreement, Contractor agrees as follows:

- a. Contractor and Contractor's sub-contractors, if any, shall not discriminate against any employee or applicant for employment because of age, marital status, religion, gender, sexual preference, race, creed, color, national origin, Acquired-Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC) or disability. This nondiscrimination policy shall include, but not be limited to, the following: employment, upgrading, failure to promote, demotion or transfer, recruitment advertising, layoffs, termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship.
- b. Contractor and Contractor's Sub-contractors shall state in all solicitations or advertisements for employees placed by or on behalf of Contractor that

all qualified applicants will receive consideration for employment without regard to age, marital status, religion, gender, sexual preference, race, creed, color, national origin, Acquired-Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC) or disability.

- c. Contractor shall make its goods, services, and facilities accessible to people with disabilities and shall verify compliance with the Americans with Disabilities Act by executing Declaration of Compliance with the Americans with Disabilities Act, attached hereto and incorporated herein.
- d. If applicable, Contractor will send to each labor union or representative of workers with whom Contractor has a collective bargaining agreement or contract or understanding, a notice advising the labor union or workers' representative of Contractor's commitments under this nondiscrimination clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- e. Contractor shall submit information concerning the ownership and workforce composition of Contractor's firm as well as its sub-Contractors and suppliers, by completing the Ownership, Ethnicity and Gender Questionnaire.
- f. The Project Contractor Team attached and incorporated herein and made a part of this Agreement, Exit Report and Affidavit, attached and incorporated herein and made a part of this Agreement.
- g. All affirmative action efforts of Contractors are subject to tracking by the City. This information or data shall be used for statistical purposes only. All Contractors are required to provide data regarding the make-up of their sub-Contractors and agents who will perform City contracts, including the race and gender of each employee and/or Contractor and his or her job title or function and the methodology used by Contractor to hire and/or contract with the individual or entity in question.
- h. The City will immediately report evidence or instances of apparent discrimination in City or Agency contracts to the appropriate State and Federal agencies, and will take action against Contractors who are found to be engaging in discriminatory acts or practices by an appropriate State or Federal agency or court of law, up to and including termination or

debarment.

- i. In the recruitment of sub-Contractors, the City of Oakland requires all Contractors to undertake nondiscriminatory and equal outreach efforts, which include outreach to minorities and women-owned businesses as well as other segments of Oakland's business community. The City Administrator will track the City's MBE/WBE utilization to ensure the absence of unlawful discrimination on the basis of age, marital status, religion, gender, sexual preference, race, creed, color, national origin, Acquired-Immune Deficiency Syndrome (AIDS), AIDS-Related Complex (ARC) or disability.
- j. In the use of such recruitment, hiring and retention of employees or sub-Contractors, the City of Oakland requires all Contractors to undertake nondiscriminatory and equal outreach efforts which include outreach to minorities and women as well as other segments of Oakland's business community.

9. Arizona and Arizona-Based Businesses

Contractor agrees that in accordance with Resolution No. 82727 C.M.S., neither it nor any of its subsidiaries, affiliates or agents that will provide services under this agreement is currently headquartered in the State of Arizona, and shall not establish an Arizona business headquarters for the duration of this agreement with the City of Oakland or until Arizona rescinds SB 1070.

Contractor acknowledges its duty to notify Department of Workplace and Employment Standards (DWES), if it's Business Entity or any of its subsidiaries affiliates or agents subsequently relocates its headquarters to the State of Arizona. Such relocation shall be a basis for termination of this agreement.

10. Sanctuary City Contracting and Investment Ordinance

Ordinance N.O. 13540 CMS was adopted by the Oakland City Council on June 4th, 2019 and prohibits the City from contracting with any person or entity that provides the United States Immigration and Customs Enforcement (ICE)

services or goods for data collection or with the United States Customs and Border Protection (CBP) Customs and Border Protection (CBP), or the Department of Health and Human Services Office of Refugee Resettlement (HHS/ORR) to support immigration detention facilities. These contractors are not to be used unless the City Council makes a specific determination that no reasonable alternative exists. The ordinance also prohibits the City from investing in any of these companies and requires the City to include notice of these prohibitions in any Requests for Proposals (RFPs), Requests for Qualifications (RFQs), and any construction or other contracting bids. The ordinance also requires that the City provide an annual report to the Privacy Advisory Commission on its enforcement.

11. Border Wall Ordinance

This contract is subject to the Border Wall Ordinance of Oakland Municipal Code (Ordinance 13459 C.M.S, passed November 28, 2017) and effective immediately upon adoption. The purpose of the ordinance is to mandate and direct the City Administrator- in instances where there is no significant additional cost, to be defined in regulations, or conflict with law- to refrain from entering into new or amended contracts to purchase professional, technical, scientific or financial services, goods, construction labor and materials or other services, or supplies from businesses that enter into contracts to provide such services, goods, materials or supplies to build the U.S.-Mexico border wall;

The City of Oakland shall be prohibited from entering into any contractual agreement for the purchase of services, goods, equipment, *cyber network or cloud computing, internet, or cloud-based computer technology or services* with any "BORDER WALL ENTITY" individual, firm, or financial institution who provides any services, goods, equipment or information technology or cloud- based technology or services, to construction of the a wall along any part of the United States – Mexico border.

All vendors seeking to do business with the City of Oakland must are complete and sign "Schedule W" as a statement of compliance with Ordinance 13459 C.M.S,

12. Pending Dispute Disclosure Policy:

Contractors are required to disclose pending disputes with the City of Oakland when they are involved in submitting bids, proposals or applications for a City contract or transaction involving professional services. This includes contract amendments. Contractor agrees to disclose, and has disclosed, any and all pending disputes to the City prior to execution of this agreement. The City will provide a form for such disclosure upon Contractor's request. Failure to disclose pending disputes prior to execution of this amendment shall be a basis for termination of this agreement.

13. City of Oakland Campaign Contribution Limits

This Agreement is subject to the City of Oakland Campaign Reform Act of Chapter 3.12 of the Oakland Municipal Code and its implementing regulations if it requires Council approval. The City of Oakland Campaign Reform Act prohibits Contractors that are doing business or seeking to do business with the City of Oakland from making campaign contributions to Oakland candidates between commencement of negotiations and either 180 days after completion of, or termination of, contract negotiations. If this Agreement requires Council approval, Contractor must sign and date an Acknowledgment of Campaign Contribution Limits Form.

14. Nuclear Free Zone Disclosure

Contractor represents, pursuant to the combined form Nuclear Free Zone Disclosure Form that Contractor is in compliance with the City of Oakland's restrictions on doing business with service providers considered nuclear weapons makers. Prior to execution of this agreement, Contractor shall complete the combined form, attached hereto.

15. Sample Professional Service Agreement

This Agreement is subject to the attached Sample Professional Service Agreement.

16. Insurance Requirements

The Contractor will be required to provide proof of all insurance required for the work prior to execution of the contract, including copies of the

Contractor's insurance policies if and when requested. Failure to provide the insurance proof requested or failure to do so in a timely manner shall constitute grounds for rescission of the contract award.

The Contractor shall name the City of Oakland, its Council members, directors, officers, agents, employees and volunteers as additional insured in its Comprehensive Commercial General Liability and Automobile Liability policies. If Contractor submits the ACORD Insurance Certificate, the additional insured endorsement must be set forth on a CG20 10 11 85 form and/or CA 20 48 - Designated Insured Form (for business auto insurance).

Please Note: A statement of additional insured endorsement on the ACORD insurance certificate is insufficient and will be rejected as proof of the additional insured requirement.

Unless a written waiver is obtained from the City's Risk Manager, Contractors must provide the insurance as found at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (Schedule Q). A copy of the requirements is attached and incorporated herein by reference. Liability insurance shall be provided in accordance with the requirements specified.

When providing the insurance, include the Project Name and Project Number on the ACORD form in the section marked Description of Operations/Locations.

When providing the insurance, the "Certificate Holder" should be listed as: City of Oakland, Department of Workplace and Employment Standards (DWES), 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612.

17. City Contractor Performance Evaluation

At the end of the project, the Project Manager will evaluate the Contractor's Performance in accordance with the City Contractor Performance Evaluation program.

18. Violation Of Federal, State, City/Agency Laws, Programs Or Policies:

The City or Agency may, in their sole discretion, consider violations of any programs and policies described or referenced in this Request for Proposal, a material breach and may take enforcement action provided under the law, programs or policies, and/or terminate the contract, debar contractors from further contracts with City and Agency and/or take any other action or invoke any other remedy available under law or equity.

19. Contractor's Qualifications

Contractor represents that Contractor has the qualifications and skills necessary to perform the services under this Agreement in a competent and professional manner without the advice or direction of the City. Contractor's services will be performed in accordance with the generally accepted principles and practices applicable to Contractor's trade or profession. The Contractor warrants that the Contractor, and the Contractor's employees and sub-contractors are properly licensed, registered, and/or certified as may be required under any applicable federal, state and local laws, statutes, ordinances, rules and regulations relating to Contractor's performance of the Services. All Services provided pursuant to this Agreement shall comply with all applicable laws and regulations. Contractor will promptly advise City of any change in the applicable laws, regulations, or other conditions that may affect City's program. This means Contractor is able to fulfill the requirements of this Agreement. Failure to perform all of the services required under this Agreement will constitute a material breach of the Agreement and may be cause for termination of the Agreement. Contractor has complete and sole discretion for the manner in which the work under this Agreement is performed. Prior to execution of this agreement, Contractor shall complete the Independent Contractor Questionnaire, Part A, attached hereto.

20. The following City staff are available to answer questions:

RFP and Project related issues:

Project Manager: Honorata Lindsay, hlindsay@oaklandca.gov,
510.238.3383

Contract Analyst: Paula Peav, ppeav@oaklandca.gov,
510.238.3190

Compliance Officer: Vivian Inman, vinman@oaklandca.gov,
510.238.6261

21. All responses to the RFP become the property of the City.

22. The RFP does not commit the City to award a contract or to pay any cost incurred in the preparation of the proposal.

23. The City reserves the sole right to evaluate each proposal and to accept or reject any or all proposals received as a result of the RFP process.
24. The City reserves the unqualified right to modify, suspend, or terminate at its sole discretion any and all aspects of the RFP and/or RFQ process, to obtain further information from any and all Contractor teams and to waive any defects as to form or content of the RFP or any responses by any contractor teams
25. The City may require a service provider to participate in negotiations and submit technical information or other revisions to the service provider's qualifications as may result from negotiations.
26. All documents and information submitted to the City of Oakland in response to an RFP are public records pursuant to California Government Code, Sections 6254, et seq. and City of Oakland Sunshine Ordinance, Oakland Municipal Code Chapter 2.20. The City shall disclose such documents and information upon request by any member of the public, absent a mandatory duty to withhold or a discretionary exemption that the City may choose to exercise. The City shall not in any way be liable or responsible for any disclosures of documents or information made pursuant to a request under the Public Records Act or the City of Oakland Sunshine Ordinance.
27. The Fair Political Practices Act and/or California Government Code Section 1090, among other statutes and regulations may prohibit the City from contracting with a service provider if the service provider or an employee, officer or director of the service providers' firm, or any immediate family of the preceding, or any sub-contractor or contractor of the service provider, is serving as a public official, elected official, employee, board or commission member of the City who will award or influence the awarding of the contract or otherwise participate in the making of the contract. The making of a contract includes actions that are preliminary or preparatory to the selection of a contractor such as, but not limited to, involvement in the reasoning, planning and/or drafting of solicitations for bids and RFPs, feasibility studies, master plans or preliminary discussions or negotiations.

B. SUBMITTAL REQUIREMENTS

Submit Proposals electronically to iSupplier: Please log on to iSupplier to submit your proposal before the 2:00 P.M. deadline. Questions regarding online submittal through iSupplier must be directed to isupplier@oaklandca.gov to the attention of Paula Peav.

All proposals must include the project name, submittal date, and time the proposals are due on the documents.

Submittals are validated using the following RFP Checklist. Schedules (Required with submission)

- 1. Schedule E - Project Consultant Team**
- 2. Schedule I – Sanctuary City Contracting and Investment Ordinance**
- 3. Schedule O - Campaign Contribution Limits**
- 4. Schedule W – Border Wall Prohibition**

Addenda - Proposal and Acknowledgment of all Addenda – if issued, please provide signed addenda and submit with proposal.

Other schedules must be submitted prior to full contract execution and are available at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>

Proprietary Information: All responses to the RFP become the property of the City. To withhold financial and proprietary information, please label each page as "confidential" or "proprietary".

Public Records Act or Sunshine Ordinance: Although a document may be labeled "confidential" or "proprietary", information is still subject to disclosure under the Public Records Act or Sunshine Ordinance, and is, at the City's discretion, based on the potential impact of the public's interests whether to disclose "confidential" or "proprietary" information.

APPENDIX G. CITY SCHEDULES AND POLICIES

PLEASE READ CAREFULLY: It is the prospective primary proposer's/bidder's/grantee's responsibility to review all listed City Schedules, Ordinances and Resolutions.

If you have questions regarding any of the schedules, Ordinances or Resolutions, please contact the assigned Contract Compliance Officer listed on the Request for Proposals (RFP), Notice Inviting Bids (NIB), Request for Qualifications (RFQ) and Grant announcements.

By submitting a response to this RFP/Q, NIB, or Grant opportunities, to the City of Oakland the prospective primary participant's authorized representative hereby certifies that your firm or not-for profit entity has reviewed all listed City Schedules, Ordinances and Resolutions and has responded appropriately.

Note: additional details are available on our website as follows:
<https://www.oaklandca.gov/documents/contracting-policies-and-legislation>

1. Schedule B-1- (Arizona Resolution) – Applies to all agreements and is part of the “Combined Contract Schedules”.

- i. This Agreement is subject to Resolution No. 82727 C.M.S. For full details of the Resolution please go to the City's website
<https://www.oaklandca.gov/documents/contracting-policies-and-legislation>
- ii. *Excerpt:* (Resolution #82727) RESOLVED: That unless and until Arizona rescinds SB 1070, the City of Oakland urges City departments to the extent where practicable, and in instances where there is no significant additional cost to the city or conflict with law, to refrain from entering any new or amended contracts to purchase goods or services from any company that is headquartered in Arizona.
- iii. Prior to execution of this agreement and/or upon request, the contractor shall complete the Schedule B-1 form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> *(see Combined Schedules)*

2. Schedule C-1 - (Declaration of Compliance with the Americans with Disabilities Act) – Applies to all agreements and is part of the “Combined Contract Schedules”.

- i. This Agreement is subject to the Americans with Disabilities Act (ADA). It requires that private organizations serving the public make their goods, services and facilities accessible to people with disabilities. Furthermore, the City of Oakland requires that all its Contractors comply with their ADA obligations and verify such

compliance by signing this Declaration of Compliance.

- (1) You certify that you will comply with the Americans with Disabilities Act by:
 - (2) Adopting policies, practices and procedures that ensure non-discrimination and equal access to Contractor's goods, services and facilities for people with disabilities;
 - (3) Providing goods, services and facilities to individuals with disabilities in an integrated setting, except when separate programs are required to ensure equal access;
 - (4) Making reasonable modifications in programs, activities and services when necessary to ensure equal access to individuals with disabilities, unless fundamental alteration the Contractor's program would result;
 - (5) Removing architectural barriers in existing facilities or providing alternative means of delivering goods and services when removal of barriers is cost-prohibitive;
 - (6) Furnishing auxiliary aids to ensure equally effective communication with persons with disabilities;
 - (7) If contractor provides transportation to the public, by providing equivalent accessible transportation to people with disabilities.
- ii. Prior to execution of this agreement and/or upon request, the contractor shall complete the Schedule C-1 form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

For Declaration of ADA compliance for facility and other special events agreements please reference C-2 on the above web site.

- 3. Schedule D – (Ownership, Ethnicity, and Gender Questionnaire) – Applies to all agreements and is part of the “Combined Contract Schedules”. Please be advised that ethnicity and gender information will be used for reporting and tracking purposes ONLY.**

This agreement is subject to the reporting of Ownership, Ethnicity and Gender questionnaire form. Prior to execution of this agreement and/or upon request, the contractor shall complete the Schedule D form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

- 4. Schedule E – (Project Consultant or Grant Team). Applies to Non-Construction agreements and is a “stand alone Schedule”⁷ and must be submitted with proposal.**

⁷ Stand Alone Schedule is not part of the “Combined Schedule”.

- i. This Agreement is subject to the attached hereto and incorporated herein as Schedule E form, this form is required to be submitted with the proposal.
- ii. The form can also be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>.
- iii. This form is use for establishing level of certified local Oakland for profit and not for profit participation and calculating compliance with council’s 50% local participation policy.
- iv. In response to this RFP/Q or grant opportunity, the prime shall be a qualified for profit or not-for profit entity.
- v. Sub-Consultants (if used) or sub-grantees must be listed to include: addresses, telephone numbers and areas of expertise/trace category of each. Briefly describe the project responsibility of each team member. Identify if contractors are certified MBE, WBE, Local Business Enterprises (LBE) and Small Local Business Enterprise (SLBE), Locally Produced Goods or Very Small Local Business Enterprise. Additionally, for LBEs/SLBEs, please submit a copy of current business license local business certificate and date established in Oakland.

5. Schedule E-2 (Oakland Workforce Verification Form) – Referenced in Attachment B. Applies to Non-Construction agreements and is a “stand alone Schedule”, and must be submitted with proposal if seeking extra preference points for an Oakland Workforce.

- i. All prime consultants, contractors, or grantees seeking *additional preference* points for employing an Oakland workforce must complete this form and submit with "required attachments" to Department of Workplace and Employment Standards (DWES) no later than four (4) days after the proposal due date. For questions, please contact the assigned Compliance Officer named in the RFP/Q, NIB, and competitive grant opportunity.
- ii. The Schedule E-2 form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>

6. Schedule F – (Exit Report and Affidavit) – Applies to all agreements and is a “stand alone Schedule”.

- i. This Agreement is subject to the Exit Reporting and Affidavit form. The Schedule F form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>.
- ii. The Prime Contractor/Consultant/Grantee must complete this form as part of the close-out process. Each LBE/SLBE sub-contractor/sub-consultant and sub-

grantee (including lower tier LBE/SLBE sub-contractors/sub-consultants, sub-grantees, suppliers and truckers). The Exit Report and Affidavit must be submitted to Department of Workplace and Employment Standards (DWES) with the final progress payment application. (Remember to please complete an L/SLBE Exit Report for each listed L/SLBE sub-contractor/sub-consultant or sub-grantee).

7. Schedule G – (Progress Payment Form) – Applies to all agreements and is a “stand alone Schedule”.

This Agreement is subject to the reporting of subcontractor progress payments monthly. The Schedule G form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>.

8. Schedule K – (Pending Dispute Disclosure Policy) – Applies to all agreements and is part of the “Combined Contract Schedules”.

- i. Prior to execution of this agreement and/or upon request the contractor shall complete the Schedule K form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)
- ii. Policy – All entities are required to disclose pending disputes with the City of Oakland when they submit bids, proposals or applications for a City contract, contract amendments or transaction involving:
 - (1) The purchase of products, construction, non-professional or professional services, Contracts with concessionaires, facility or program operators or managers, Contracts with project developers, including Disposition and Development Agreements, lease Disposition and Development Agreements and other participation agreements Loans and grants, or acquisition, sale, lease or other conveyance of real property, excluding licenses for rights of entry or use of city facilities for a term less than thirty (30) consecutive calendar days.
 - (2) Disclosure is required at the time bids, proposals or applications are due for any of the above-described contracts or transactions when an entity is responding to a competitive solicitation and at the commencement of negotiations when bids, proposals or applications are solicited by or submitted to the City in a non-bid or otherwise non-competitive process.
 - (3) The disclosure requirement applies to pending disputes on other City and Agency contracts or projects that: (1) have resulted in a claim or lawsuit against the City of Oakland (2) could result in a new claim or new lawsuit against the City of Oakland or (3) could result in a cross-complaint or any other action to make the City of Oakland a party to an existing lawsuit. “Claim”

includes, but is not limited to, a pending administrative claim or a claim or demand for additional compensation.

- (4) Entities required to disclose under this Disclosure Policy include (1) any principal owner or partner, (2) any business entity with principal owners or partners that are owners or partners in a business entity, or any affiliate of such a business entity, that is involved in a pending dispute against the City of Oakland or Agency.
- (5) Failure to timely disclose pending disputes required by this policy may result in (1) a determination that a bid is non-responsive and non-responsible for price-based awards, or (2) non-consideration of a bid or proposal for a professional service contract or other qualification-based award. The City may elect to terminate contracts with entities that failed to timely disclose pending disputes and/or initiate debarment proceedings against such entities.

9. Schedule M – (Independent Contractor Questionnaire, Part A). – **Applies to all agreements and is part of the “Combined Contract Schedules”.**

Prior to execution of this agreement and/or upon request, the contractor shall complete the Schedule M form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

10. Schedule N - (LWO - Living Wage Ordinance) – **Applies to Non-Construction agreements and is part of the “Combined Contract Schedules”.**

- i. This Agreement is subject to the Oakland Living Wage Ordinance. The full details of the Living Wage Ordinance can be found on the City’s website (https://library.municode.com/HTML/16308/level2/TIT2ADPE_CH2.28LIWAOR.html#TOPTITLE).
- ii. Prior to execution of this agreement and/or upon request the contractor shall complete the Schedule N form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

11. Schedule N-1 - (EBO - Equal Benefits Ordinance) – **Applies to Non-Construction agreements over \$25,000 and is part of the “Combined Contract Schedules”.**

- i. This Agreement is subject to the Equal Benefits Ordinance of Chapter 2.32 of the Oakland Municipal Code and its implementing regulations. The full details of the Equal Benefits Ordinance can be found on the City website at http://library.municode.com/HTML/16308/level2/TIT2ADPE_CH2.32EQBEOR.html#TOPTITLE.

- ii. Prior to execution of this agreement and/or upon request the contractor shall complete the Schedule N-1 form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

12. Schedule O – (City of Oakland Campaign Contribution Limits Form) - Applies to all agreements and is a “stand alone Schedule”, and must be submitted with proposal.

- i. This Agreement is subject to the City of Oakland Campaign Reform Act of Chapter 3.12 of the Oakland Municipal Code and its implementing regulations if it requires Council approval. The City of Oakland Campaign Reform Act prohibits Contractors that are doing business or seeking to do business with the City of Oakland from making campaign contributions to Oakland candidates between commencement of negotiations and either 180 days after completion of, or termination of, contract negotiations. If this Agreement requires Council approval, Contractor must sign and date an Acknowledgment of Campaign Contribution Limits Form attached hereto and incorporated herein as **Schedule O**.
- ii. The form is also available on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>

13. Schedule P – (Nuclear Free Zone Disclosure) - Applies to all agreements and is part of the “Combined Contract Schedules”.

- i. This agreement is subject to the Ordinance 11478 C.M.S. titled “An Ordinance Declaring the City of Oakland a Nuclear Free Zone and Regulating Nuclear Weapons Work and City Contracts with and Investment in Nuclear Weapons Makers”. The full details of the Ordinance 111478 C.M.S. can be found on our website at <https://www.oaklandca.gov/documents/contracting-policies-and-legislation>
- ii. Prior to execution of this agreement and/or upon request the contractor shall complete the Schedule P form and submit to the City. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see *Combined Schedules*)

14. Schedule Q - (Insurance Requirements) - Applies to all agreements and is a “stand alone Schedule”, and evidence of insurance must be provided.

- i. This Agreement is subject to the attached hereto and incorporated herein as Schedule Q Insurance Requirements. Unless a written waiver is obtained from the City’s Risk Manager, Contractors must provide the insurance as found at

<https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> Schedule Q.

- ii. A copy of the requirements is attached and incorporated herein by reference. Liability insurance shall be provided in accordance with the requirements specified.
- iii. When providing the insurance, include the Project Name and Project Number on the ACORD form in the section marked Description of Operations/Locations.
- iv. When providing the insurance, the “Certificate Holder” should be listed as: City of Oakland, Contracts and Compliance, 250 Frank H. Ogawa Plaza, Suite 3341, Oakland, CA 94612.

15. Schedule R – (Subcontractor, Supplier, Trucking Listing) – applies to Construction agreements only and is a “stand alone Schedule”.

- i. This Agreement is subject to the attached hereto and incorporated herein as Schedule R form. The form can also be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>.
- ii. For establishing level of certified local Oakland for profit and not for profit participation and calculating compliance with council’s 50% local participation policy.
- iii. In response to this Notice Inviting Bids (NIB) opportunity, the prime shall be a qualified for profit or not-for profit entity.
- iv. The contractor herewith must list all subcontractors and suppliers with values more than one-half of 1 percent of the prime contractor’s total bid or ten thousand dollars (\$10,000) whichever is greater regardless of tier and all trucking and dollar amount regardless of tier to be used on the project. The contractor agrees that no changes will be made in this list without the approval of the City of Oakland. Provide the address, type of work, dollar amount and check all boxes that apply. Bidders that do not list all subcontractors and suppliers with values greater than one half of one percent and all truckers regardless of tier and dollar amount shall be deemed non-responsive.
- v. Identify if contractors are certified MBE, WBE, Local Business Enterprises (LBE) and Small Local Business Enterprise (SLBE), Locally Produced Goods or Very Small Local Business Enterprise.

16. Schedule V – (Affidavit of Non-Disciplinary or Investigatory Action) - Applies to all agreements is part of the “Combined Contract Schedules”.

This Agreement is subject to the Schedule V - Affidavit of Non-Disciplinary or Investigatory

Action. The form can be found on our website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules> (see Combined Schedules)

17. Schedule W – (Border Wall Prohibition)- Applies to all agreements and is a “stand alone Schedule”, and must be submitted with proposal.

This Agreement is subject to the Ordinance #13459 C.M.S. and its implementing regulations. The full details of the Border Wall Ordinance are located on the City website at <https://www.oaklandca.gov/documents/contracts-and-compliance-forms-and-schedules>

PLEASE NOTE: *By submitting an RFP/Q, NIB or Grants to the City of Oakland the prospective primary participant’s authorized representative hereby obligates the proposer(s) to the stated conditions referenced in this document.*