



**One-Stop Operator Procurement  
March 2017**

# Table of Contents

Executive Summary.....	3
One-Stop Operator Selection Flow.....	7
Scenario 1 – Full Procurement.....	8
Scenario 2 – Procure Coordinator.....	11
Scenario 3 – Sole Source .....	15
Define the One-Stop Operator .....	18
Who may be a One-Stop Operator?.....	19
Glossary of Terms.....	20
Other .....	29

# Executive Summary

## **Wyoming Workforce Development Council**

Under the federal Workforce Innovation and Opportunity Act (WIOA) law, each state has Workforce Development Boards charged with directing federal workforce funding. Workforce Development Boards take a leadership role in ensuring an efficient and effective workforce system in the state, primarily through workforce centers operating throughout the state. Workforce Centers provide services to employers and job seekers seeking assistance in their area. Wyoming has one state-level Workforce Development Board which advises the Wyoming Department of Workforce Services and Workforce Centers operating in the State. In Wyoming, this board is called the Wyoming Workforce Development Council (WWDC).

The WWDC is a 30-member board charged with assisting Governor Mead in directing Wyoming's workforce development system, ensuring the system is fundamental in supporting robust regional and state economies and producing a high quality, self-sufficient workforce valued by Wyoming employers. Members represent a range of groups including business and industry, organized labor, state Legislature, education, social service agencies and others who have a stake in employment and training issues. The WWDC regularly assesses Wyoming's employment needs, advises the Governor on setting performance goals and priorities to improve workforce development system and helps leaders to shape workforce development policy at the local level. In order to meet its objectives, the WWDC is to carry out the goals as designated by the Governor in the State Unified Plan (Plan).

## **Overview**

**Under the Workforce Innovation and Opportunity Act (WIOA), the Wyoming Workforce Development Council must select a “One-Stop Operator”** to carry out duties relative to service delivery of the workforce system.

At the January 18-19, 2017, meeting of the Wyoming Workforce Development Council, the Executive Committee was designated to lead the process of One-Stop Operator Procurement. Procurement must happen at least every 4 years, however, the Council may opt to procure more often.

Note: Official guidance regarding the One-Stop Operator was received on January 17, 2017. Despite this, the United States Department of Labor deadline calls for a One-Stop Operator to be in place July 1, 2017.

The goal of the One-Stop delivery system is to provide universal access to an integrated array of labor exchange services so that workers, job seekers, and businesses can find the services they need in one stop and often under one roof.

**The Vision for the One-Stop Centers under WIOA.**

The publicly funded workforce system envisioned by WIOA is quality-focused, employer-driven, customer-centered, and tailored to meet the needs of regional economies. It is designed to increase access to, and opportunities for, the employment, education, training, and support services that individuals need to succeed in the labor market, particularly those with barriers to employment. It aligns workforce development, education, and economic development programs with regional economic development strategies to meet the needs of local and regional employers, and provides a comprehensive, accessible and high-quality workforce development system. This is accomplished by providing all customers access to high-quality one-stop centers that connect them with the full range of services available in their communities, whether they are looking to find jobs, build basic educational or occupational skills, earn a postsecondary certificate or degree, or obtain guidance on how to make career choices, or are businesses and employers seeking skilled workers.

**Under WIOA Law each state is required to procure a One-Stop Operator. In Wyoming’s case a single operator would be required. One of the three scenarios below would have to be followed.**

NOTE: Scenario 3, Sole Source Procurement, while making significant new requirements for the Council and Department would be the most cost effective and least disruptive of the options.

**Decisions to be Made**

1. Determine procurement type
2. Specify role the One-Stop Operator

	Budgets						Total	Total Less Council	Admin 10%
	Adult	Dislocated Worker	Youth	Rapid Response	DW-TAT	Council			
PY2013	1,730,895.00	809,041.18	1,823,290.00	14,779.82	8,300.71	230,422.00	4,616,728.71	4,386,306.71	438,630.67
PY2014	1,738,448.00	648,330.00	1,833,786.00	15,000.00		406,149.00	4,641,713.00	4,235,564.00	423,556.40
PY2015	1,748,673.91	577,211.42	1,833,887.70	68,006.04		469,528.93	4,697,308.00	4,227,779.07	422,777.91
PY2016	1,716,319.00	609,727.00	1,818,410.00	16,920.00		734,359.00	4,895,735.00	4,161,376.00	416,137.60
AVG						460,114.73		4,252,756.45	425,275.64

Funding for the upcoming Planning Year (PY) will be provided in two payments from DOL. The first payment occurs on July 1 and the second on October 1.

### **Scenario 1: Full Procurement**

Scenario 1 provides for the full procurement of a One-Stop Coordinator and the complete oversight of Title I services (Adult, Dislocated and Youth formula programs administered by U.S. DOL) which includes an average amount of \$4,252,756 in federal pass-through funding. This means an RFP would be put out for contractors to bid on. The contractor would be required to secure infrastructure throughout Wyoming to operate out of, coordinate core services at the Council's direction and serve Wyoming constituents.

#### **Funding:**

In this case:

- Due to the fact that Wyoming is a minimally funded state this option appears to be unrealistic with either a dramatic cut in one-stop centers or lack of profit margin for a third party contractor.
- The estimated total cost to fund Scenario 1 is \$4,252,756 and a portion of the 10% Administrative budget allowed.
- Council would retain its funding which averages \$460,114 per year.
- Department of Workforce Services would serve as the fiscal agent and retain a portion of the 10% allowable Administrative funding that averages \$425,275 per year for fiscal staff salary.
- One-Stop Operator/Coordinator would receive the balance to provide the required services for each category. This amount would average \$4,252,756 and the remainder of the 10% Administrative allowance.
- The remaining 10% Administrative allowance would be spent on standing up a new infrastructure, hiring new staff, salaries, and profit.

### **Scenario 2: Procure One-Stop Coordinator**

This option provides for the procurement of a One-Stop Operator as a Coordinator. Essentially, this means the board would put out a Request For Proposal (RFP) to procure an individual who would act as a contractor to the Council and coordinate all services in the workforce centers. Per WIOA, a One-Stop Operator, at a minimum, must coordinate, to avoid duplication, the service delivery of required one-stop partners and service providers within the center or coordinating service delivery to include affiliated sites. The core programs include WIOA Title I (Adult, Dislocated Worker and Youth Formula programs administered by U.S. DOL); Adult Education and Literacy Act programs administered by The U.S. Department of Education; Wagner-Peyser Act employment services administered by U.S. DOL and Rehabilitation Act programs administered by the U.S. Department of Education. This option meets the minimum requirement under Law and would need to be completed every four years at a minimum.

#### **Funding:**

Estimated total cost to fund this Scenario is \$120, 505 plus travel expenses.

If the Council determines that procuring a One-Stop Coordinator (independent contractor) is the best course of action, the Council would need to determine an appropriate amount of funding to provide the Coordinator for salary and travel costs.

The suggested amount to be set-aside for this function is \$120,505 plus necessary travel throughout the year. This amount would come from the Council's average yearly amount of \$460,114 or the average 10% Administrative allowance of \$425,275. Reduction of this amount in either budget may be detrimental due to the fact that funding fluctuates yearly and can be reduced or increased mid-year. Further, if it is determined that funding for an independent contractor is to come from Title I program Administration funds, one, possibly two state merit staff may have to be released from employment. This is based upon the Expenditures from PY 2016 (July 1, 2015 – June 30, 2016). The Department expended \$411,507.46 from the Administrative budget. When calculated from the average allowance for Administrative costs there would only be \$13,768.18 remaining to pay for an Independent Contractor. (The compensation recommendation is based upon salary and benefits received by a state employee in a level 12 position and does include Insurance, Vacation, Sick, Retirement, FICA, Medicare, Unemployment, and Workers' Compensation due to the fact that if an individual is contracted these expenses would likely be incurred by that individual.)

### **Scenario 3: Sole Source**

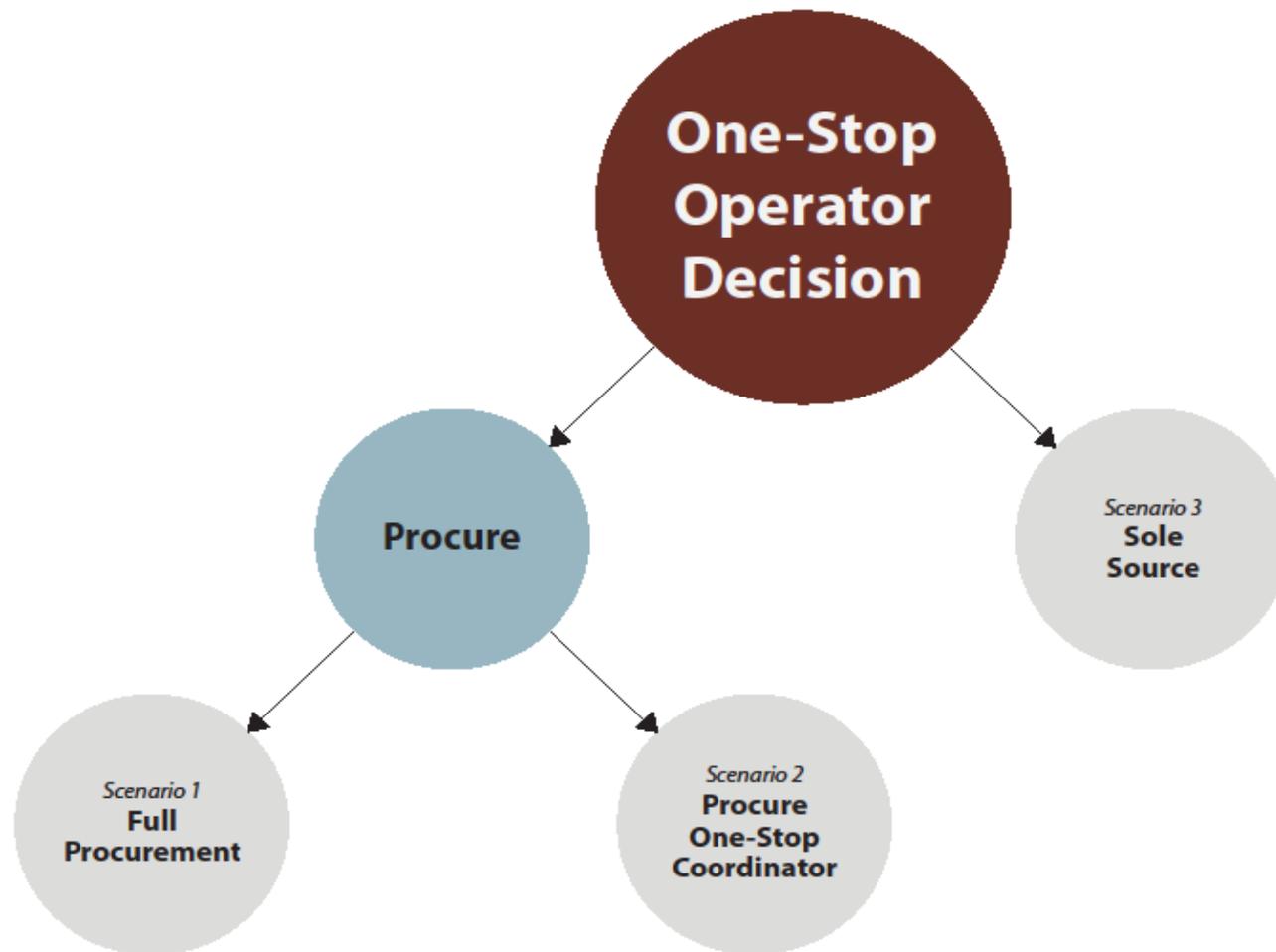
Utilizing the Sole Source or Bid Waiver process allowed by W.S. § 9-2-1016 would provide the least disruption for customers of the workforce system across the state, the Wyoming Workforce Development Council, and the Department of Workforce Services. Wyoming law provides for a bid waiver process through which the Council could procure all services and require the Department of Workforce Services to fill the role of the One-Stop Operator. The Department would reorganize the Employment and Training Division; some staff would become a policy unit and the remaining staff would become an operations unit. The policy unit would support the Council. This reorganization would satisfy conflict of interest requirements under WIOA.

### **Funding:**

The cost of this option would be borne within the current \$416,137 budget allowed for Administrative costs for PY16. At this time it is not possible to determine specific breakouts to administer this option.

Of the three options this would have the least disruptive impact on service delivery. The one-stop operator duties could be distributed among existing staff of the Department/Council and time charged to the appropriate budget on a monthly basis. The Council would retain its average amount of \$460,114 and the Department would have the ability to maintain the current service level using the Department of Labor's average allotment of \$4,252,765 per year.

# Options for Procurement under WIOA for the One-Stop Operator



# Scenario 1 – Full Procurement

## **Overview:**

Scenario 1 provides for the full procurement of a One-Stop Coordinator and the complete oversight of Title I services (Adult, Dislocated and Youth formula programs administered by U.S. DOL) which includes an average amount of \$4,252,756 in federal pass through funding. This means an RFP would be put out for contractors to bid on. The contractor would be required to secure infrastructure throughout Wyoming to operate out of, coordinate core services at the Council's direction and serve Wyoming constituents.

## **Role of the One Stop Operator:**

The role of the one-stop operator could be defined and oversee partner office leases, space planning, maintenance, upkeep of physical one-stop centers, and enforcement of facility standards. This would also make the One-Stop Operator the primary provider of services within the One-Stop Centers to include hiring and firing of staff, procurement of computer and office equipment, negotiate infrastructure funding agreements among the partners, provide services to adults, dislocated workers, and youth.

Other roles that could be assigned to the one-stop operator could include, but not limited to:

- Lead the integration of services among the core partners.
- Assist with the development of a common intake and reporting system. The Department has been working with grant funds to develop an online intake and reporting system. After development of the system services will appear to be more transparent to the individual. Additionally, federal reporting will be much easier on the Core Program partners as a result of the new system.
- Implement processes to ensure that all customers receive appropriate, timely, and effective services.
- Provide guidance on the development of a broad range of employment and training services to meet the needs of residents and employers to be provided in the one-stop centers.
- Procure and implement staff development training to include customer service and cross training on all other program partners and services provided in the one-stop centers.
- Ensure compliance with all federal and state policies and procedures relative to the one-stop system on an ongoing basis.
- Develop processes and accountability mechanisms for data entry into the state management information system for all programs.
- Prepare and submit monthly and quarterly reports to the Wyoming Workforce Development Council.
- Act as the managing one-stop partner to ensure seamless delivery of services from all partners.
- Facilitation of center activities.

- Establish and maintain key relationships with workforce partners.
  - Promote workforce programs within communities.
  - Ensure one-stop partners are contributing to the infrastructure costs in accordance with WIOA regulations and state policies.
  - Ensure customer access to programs and activities carried out by all WIOA one-stop partners.
  - Ensure customer access to data, information, and analysis for the local labor market.
  - Ensure customer access to job search, placement, recruitment, and employment activities.
  - Ensure there is one comprehensive one-stop center in the state.
  - Ensure customers have access to affiliated one-stop centers.
  - Lead the integration of services.
  - Implement a formal referral process for services within and outside the centers, define minimum standards for referral, referral follow-up requirements, and documentation of referral outcomes.
  - Conduct monthly meetings with the Core Partners.
  - Conduct quarterly meetings with one-stop center staff.
  - Procure and implement training and/or staff development to include customer service, cross training on partner services for all one-stop center staff to include Adult Education.
  - Collaborate with the Department of Workforce Services to implement business services delivery model for the One-Stop system.
  - Implement a system to gather, analyze, and report performance of core partners, center processes, and system services.
  - Perform continuous improvement activities to achieve a high level of service quality and to enhance customer services including streamlining services and minimizing duplication.
  - Serve as a liaison to the community, partner agencies, and employers.
  - Establish and maintain key relationships with workforce partners.
  - Promote programs across the state.
  - Develop a resource for the public defining the career services of all partners
  - Develop policies regarding the operation of the centers to be reviewed by the Council and updated yearly.
  - Ensure compliance with One-Stop Certification criteria. Under WIOA each one-stop (Workforce Center) must be certified using a common set of criteria. Council staff has developed a draft policy and criteria for review.
  - Track and implement the one-stop partner Memoranda(m) of Understanding
  - Coordinate and maintain partner data sharing agreements.
  - Develop and implement customer orientation regarding all partner services and other pertinent resources.
  - Develop and maintain Infrastructure Funding Agreements with the core partners.
- Responsibilities may increase over time.

## **Funding:**

In this case:

- Due to the fact that Wyoming is a minimally funded state this option appears to be unrealistic with either a dramatic cut in one-stop centers or lack of profit margin for a third party contractor.
- The estimated total cost to fund Scenario 1 is \$4,252,756 and a portion of the 10% Administrative budget allowed.
- Council would retain its funding which averages \$460,114 per year.
- Department of Workforce Services would serve as the fiscal agent and retain a portion of the 10% allowable Administrative funding that averages \$425,275 per year for fiscal staff salary.
- One-Stop Operator/Coordinator would receive the balance to provide the required services for each category. This amount would average \$4,252,756 and the remainder of the 10% Administrative allowance.
- The remaining 10% Administrative allowance would be spent on standing up a new infrastructure, hiring new staff, salaries, and profit.

## **Infrastructure Overview:**

The workforce infrastructure would likely need to be reimagined and reestablished if this option is selected. Many lease agreements for office space and infrastructure funding agreements would have to be established or renegotiated by the One-Stop Operator.

## **Timelines on implementation:**

This option provides for the same procurement timeline as Scenario 1, however, the existing one-stop center infrastructure across the state would either have to be completely reworked or existing lease agreements with current facilities would have to be renegotiated with the one-stop operator as the primary lessee.

## **Important Items of Note:**

- ❖ The procurement process could take up 90 days (potentially more). The Department of Labor's deadline is July 1, 2017. Within the near future, this is not a realistic option for Wyoming, primarily because of the time constraints and the significant overhead that may be necessary to implement this large change in service model.
- ❖ Potentially standing up a new infrastructure may take up to one year.

## **Pros:**

- ❖ An independent contractor could bring new perspective and processes to Wyoming's workforce system.

## **Cons:**

- ❖ At least 67 state merit staff could be released from employment.
- ❖ New Title I staff would have to be hired and trained.

- ❖ New computers and IT infrastructure would have to be purchased with funding available as many these resources are owned by the state of Wyoming.
- ❖ The one-stop infrastructure may have to be dismantled and rebuilt.
- ❖ A significant disruption in service.
- ❖ The timing of this option will not allow for the procurement, contracting and infrastructure establishment process to be complete within the time allowed by the Department of Labor.
- ❖ The cost associated with paying an independent contractor will significantly take away from or potentially utilize all funding the Council has available to provide the required activities as required by the law. As demonstrated above in PY 2013 the Council received \$230,419. If the Council provides a salary and travel allowance for the independent contractor, there potentially will not be funding available to provide the other required and discretionary activities outlined in the WIOA Law. Due to this, the likelihood of a contractor submitting a viable proposal is questionable.

## Scenario 2 – Procure Coordinator

### **Overview:**

This option provides for the procurement of a One-Stop Operator as a Coordinator. Essentially, this means the board would put out a Request For Proposal (RFP) to procure an individual who would act as a contractor and coordinate all services in the workforce centers. Per WIOA, a One-Stop Operator, at a minimum, must coordinate, to avoid duplication, the service delivery of required one-stop partners and service providers within the center or coordinating service delivery to include affiliated sites. The core programs include WIOA Title I (Adult, Dislocated Worker and Youth Formula programs administered by U.S. DOL); Adult Education and Literacy Act programs administered by The U.S. Department of Education; Wagner-Peyser Act employment services administered by U.S. DOL and Rehabilitation Act Title I programs administered by the U.S. Department of Education. This option meets the minimum requirement under Law and would need to be completed every four years at a minimum.

### **Role of the One-Stop Operator:**

The role of the one-stop operator may be defined in many ways, but must, at a minimum, coordinate service delivery. To further clarify what this may mean for Wyoming the one-stop operator would accept primary responsibility for taking the leadership role, encouraging support and active involvement of all partners in the continuous improvement of the one-stop system. The Core Partners under WIOA are Adult, Dislocated Worker, Youth, Adult Education, Wagner-Peyser, and Vocational Rehabilitation. Adult, Dislocated Worker, and Youth programs are funded via formula

funding by the Department of Labor. Adult Education programs are funded by the Office of Career, Technical, and Adult Education (OCTAE) at the Federal level; funding is to be used to provide services required by Title II of the WIOA Law. Title III or Wagner-Peyser funds are also provided by the Department of Labor and are to be used for services such as the labor exchange or Wyoming at Work. The Vocational Rehabilitation program is funded by OCTAE under Title IV and provides services to people with disabilities. The One-Stop Operator would also be expected to coordinate with other partners such as JobCorps.

Other roles that could be assigned to the one-stop operator could include, but not limited to:

- Lead the integration of services among the core partners.
- Assist with the development of a common intake and reporting system. The Department has been working with grant funds to develop an online intake and reporting system. After development of the system services will appear to be more transparent to the individual. Additionally, federal reporting will be much easier on the Core Program partners as a result of the new system.
- Implement processes to ensure that all customers receive appropriate, timely, and effective services.
- Provide guidance on the development of a broad range of employment and training services to meet the needs of residents and employers to be provided in the one-stop centers.
- Procure and implement staff development training to include customer service and cross training on all other program partners and services provided in the one-stop centers.
- Ensure compliance with all federal and state policies and procedures relative to the one-stop system on an ongoing basis.
- Develop processes and accountability mechanisms for data entry into the state management information system for all programs.
- Prepare and submit monthly and quarterly reports to the Wyoming Workforce Development Council.
- Act as the managing one-stop partner to ensure seamless delivery of services from all partners.
- Facilitation of center activities.
- Establish and maintain key relationships with workforce partners.
- Promote workforce programs within communities.
- Ensure one-stop partners are contributing to the infrastructure costs in accordance with WIOA regulations and state policies.
- Ensure customer access to programs and activities carried out by all WIOA one-stop partners.
- Ensure customer access to data, information, and analysis for the local labor market.
- Ensure customer access to job search, placement, recruitment, and employment activities.
- Ensure there is one comprehensive one-stop center in the state.
- Ensure customers have access to affiliated one-stop centers.

- Lead the integration of services.
- Implement a formal referral process for services within and outside the centers, define minimum standards for referral, referral follow-up requirements, and documentation of referral outcomes.
- Conduct monthly meetings with the Core Partners.
- Conduct quarterly meetings with one-stop center staff.
- Procure and implement training and/or staff development to include customer service, cross training on partner services for all one-stop center staff to include Adult Education.
- Collaborate with the Department of Workforce Services to implement business services delivery model for the One-Stop system.
- Implement a system to gather, analyze, and report performance of core partners, center processes, and system services.
- Perform continuous improvement activities to achieve a high level of service quality and to enhance customer services including streamlining services and minimizing duplication.
- Serve as a liaison to the community, partner agencies, and employers.
- Establish and maintain key relationships with workforce partners.
- Promote programs across the state.
- Develop a resource for the public defining the career services of all partners
- Develop policies regarding the operation of the centers to be reviewed by the Council and updated yearly.
- Ensure compliance with One-Stop Certification criteria. Under WIOA each one-stop (Workforce Center) must be certified using a common set of criteria. Council staff has developed a draft policy and criteria for review.
- Track and implement the one-stop partner Memoranda(m) of Understanding
- Coordinate and maintain partner data sharing agreements.
- Develop and implement customer orientation regarding all partner services and other pertinent resources.
- Develop and maintain Infrastructure Funding Agreements with the core partners.
- Responsibilities may increase over time.

### **Funding:**

Estimated total cost to fund this Scenario is \$120, 505 plus travel expenses.

If the Council determines that procuring a One-Stop Coordinator (independent contractor) is the best course of action, the Council would need to determine an appropriate amount of funding to provide the Coordinator for salary and travel costs. The suggested amount to be set-aside for this function is \$120,505 plus necessary travel throughout the year. This amount would come from the Council's average yearly amount of \$460,114 or the average 10% Administrative allowance of \$425,275. Reduction of this amount in either budget may be detrimental due to the fact that funding fluctuates yearly and can be reduced or increased mid-year. Further, if it is determined that funding for an independent contractor is to come from Title I program Administration funds, one, possibly two state merit staff may have to be released from employment. This is based upon the Expenditures from PY 2016 (July 1, 2015 – June

30, 2016). The Department expended \$411,507.46 from the Administrative budget. When calculated from the average allowance for Administrative costs there would only be \$13,768.18 remaining to pay for an Independent Contractor. (The compensation recommendation is based upon salary and benefits received by a state employee in a level 12 position and does include Insurance, Vacation, Sick, Retirement, FICA, Medicare, Unemployment, and Workers' Compensation due to the fact that if an individual is contracted these expenses would likely be incurred by that individual.)

**Infrastructure Overview:**

Of the two *procurement* (procuring outside services) options this would be the least disruptive to the infrastructure currently in place.

**Timelines for Implementation:**

Once the Executive Committee votes, an RFP would need to be developed which must include the specific role the one-stop operator will be required to fill within the existing infrastructure. In Wyoming, the RFP must be made available for 30 days. After the 30 day RFP period, responses would be compiled and provided to the Executive Committee for review and scoring. This could take up to two weeks. Once scoring is complete, staff would write the Contract or Memorandum of Understanding, have the same reviewed by the Attorney General's office, Governor's office, Department and One-Stop Operator. Additionally, an Infrastructure Funding Agreement would also need to be developed and put into place.

**Important Items of Note:**

- ❖ The process could take up 90 days (potentially more). The Department of Labor's deadline is July 1, 2017.

**Pros:**

- ❖ Independent/private sector review and coordination of services which could bring a fresh perspective to the one-stop system.
- ❖ Fulfills the "competitive competition" element.

**Cons:**

- ❖ The timing of this option would likely not allow for the procurement and contracting process to be complete within the time allowed by the Department of Labor.
- ❖ The cost associated with paying an independent contractor will significantly take away from or potentially utilize all funding the Council has available to provide the required activities as required by the law. As demonstrated above in PY 2013 the Council received \$230,419. If the Council provides a salary and travel allowance for the independent contractor, there potentially will not be funding available to provide the other required and discretionary activities outlined in the WIOA Law.
- ❖ Could be another layer of bureaucracy.

- ❖ Provides for a potential duplication of effort between the One-Stop Operator and current DWS Staff.
- ❖ The One-Stop Operator does not have any true authority.
- ❖ Satisfies the requirements under the law for appearance sake, would add significant expense and may not add value.

## Scenario 3 – Sole Source

### **Overview:**

The One-Stop Operator could be procured by utilizing the Sole Source or Bid Waiver process allowed by W.S. § 9-2-1016. This would provide for the least disruption for customers of the workforce system across the state, the Wyoming Workforce Development Council, and the Department of Workforce Services. Wyoming law provides for a bid waiver process through which the Council could procure all services and require the Department of Workforce Services to fill the role of the One-Stop Operator. The Department would reorganize the Employment and Training Division; some staff would become a policy unit and the remaining staff would become an operations unit. The policy unit would support the Council. This reorganization would satisfy conflict of interest requirements under WIOA. Scenario 3 requires an opinion from the Attorney General's office.

### **Role of the One-Stop Operator:**

(This model is currently in use in Utah.)

- ❖ The Role of the One-stop Operator under the Policy Unit is to:
  - Provide administrative support to the Governor's Wyoming Workforce Development Council and Committees.
  - Report to the State Workforce Development Board results of operations, performance, policy and continuous improvement recommendations for board approval. Support and assure compliance with the State Workforce Development Board certification criteria for one-stop centers.
  - Assure compliance with and implementation of the one-stop center partners Memorandum of Understanding.
  - Oversee and organize cross-training of staff to provide information to customers on all services available in a one-stop center.
  - Ensure compliance with WIOA federal and state laws and regulations.
  - Develop and implement a system to gather, analyze, and report performance of core partners and system services.
  - Coordinate the development and implementation of a formal referral process between partners for services within the one-stop centers.

- ❖ The Role of the One-stop Operator under the Employment and Training Division is to:
  - Coordinate the service delivery of one-stop partners.
  - Be a primary provider of services within the one-stop centers.
  - Manage the daily operations of the One-stop Centers.
  - Establish and maintain key relationships with workforce partners.
  - Manage partner responsibilities defined in the Memorandum of Understanding (MOU) between partners.
  - Ensure basic services to job seekers and employers are being met such as access to job listings, labor market information, employment workshops, and mediated services.
  - Determine and manage the hours of operation of the one-stop centers.
  
- ❖ A one-stop operator (Employment and Training Division) may not:
  - Convene system stakeholders to assist in the development of the plan.
  - Be responsible for oversight of itself.
  - Manage or significantly participate in the competitive selection process for one-stop operators.
  - Select or terminate one-stop operators, career services, and youth providers.
  - Negotiate performance accountability measures

**Funding:**

The cost of this option would be borne within the current \$416,137 budget allowed for Administrative costs for PY16. At this time it is not possible to determine specific breakouts to administer this option.

Of the three options this would have the least disruptive impact on service delivery. The one-stop operator duties could be distributed among existing staff of the Department/Council and time charged to the appropriate budget on a monthly basis. The Council would retain its average amount of \$460,114 and the Department would have the ability to maintain the current service level using the Department of Labor’s average allotment of \$4,252,765 per year.

**Infrastructure Overview:**

Infrastructure would not change; however, an Infrastructure Funding Agreement would need to be developed for the core partners. Wyoming currently has 23 Centers located in Afton, Casper, Cheyenne, Cody, Douglas, Evanston, Gillette, Green River, Jackson, Kemmerer, Lander, Laramie, Newcastle, Pinedale, Powell, Rawlins, Riverton, Rock Springs, Sheridan, Thermopolis, Torrington, Wheatland, and Worland, Thermopolis, Green River, and Pinedale. Some centers/areas are operated on an as needed basis.

**Timelines on implementation:**

The bid waiver process takes from 5-7 days depending on key individuals’ schedules.

**Important items of note:**

In the required MOU the Council could establish a periodic review of this option to ensure it is the best fit for Wyoming on an ongoing basis but not less than every 4 years.

**Pros:**

- ❖ The Council would still have ultimate authority over the Workforce Centers.
- ❖ The deadline established by the Department of Labor would be attainable.
- ❖ No changes would need to be made to infrastructure.
- ❖ Statewide disruption of services would be avoided.
- ❖ No state merit staff would be unemployed.
- ❖ An opportunity to further enhance existing partnerships would be available.
- ❖ There would be no interruption in services.
- ❖ No changes would need to be made to infrastructure.
- ❖ The Department would need to be mildly reorganized in order to meet the Conflict of Interest/Firewall requirements of the Law.

**Cons:**

- ❖ This does not provide an opportunity for an outside contractor.

# Define the One-Stop Operator

Historically in Wyoming, the One-Stop Centers (Workforce Centers) and One-Stop Operator have been one in the same. Under WIOA there are two separate roles.

## Who May Be An Operator?

(Additional information on the next page)

- A public, private, or non-profit entity or
  - A consortium of entities that must include at least three (3) or more required partners:
    - An institution of higher education
    - A State Wagner-Peyser Employment Agency (DWS)
    - A Community-based, non-profit, or intermediary organization
    - A Private for Profit entity
    - A Government Agency
    - Interested Organizations such as a local Chamber of Commerce, business or labor organization
- It CANNOT be:
- An Elementary or Secondary school, except non-traditional public secondary schools and area career and technical education schools
  - Staff of the Workforce Development Board

## Considerations

- Conflict of Interest – If the Operator has multiple functions there must be a clear delineation of duties via written agreement with the Governor and the Council
- Universal Services – the operator may not create disincentives to serving those with barriers

## Operator Role Required under WIOA

- At a minimum:
  - Coordinate service delivery among partners
  - Coordinate service delivery among physical and electronic sites
  - Coordinate services across the State
- If Title I (Adult, Dislocated Worker, Youth) Services are procured:
  - Primary Provider of services and physical centers
  - Manage hours of operation at all sites
  - Manage technological resources such as websites, case management information, business networking software, online testing sites
  - Manage daily operations through coordination with WIOA Fiscal Agent (DWS) for lease, utilities, and other invoice remittance
  - Manager partner responsibilities as defined in MOU
  - Manage services for individuals
  - Manage services for businesses
  - Provision of basic services such as orientations, information on careers and labor markets, and resource rooms
  - Submission of annual staffing and operational budgets
  - Follow federal and state regulations pertaining to handling of EEO responsibilities, customer complaints, and physical and programmatic accessibility
  - Implementation of Council policies
  - Reporting to Council on operations, performance accountability, and continuous improvements

## Additional Functions that may be considered for the Operator (Council's discretion)

- Provision of Career Services under the WIOA Adult and Dislocated Worker Programs
- Provision of Youth Program Services
- Provision of Other Services
- Fee for Service Activities
- Outreach and Recruitment of customers and voluntary partners
- Staff and partner training
- Membership and/or participation with local associations and workgroups
- Entering into lease agreements for the physical sites
- Specialized site management

## Functions the Operator may not perform

- Convene system stakeholders to assist in the development of the State Plan
- Prepare and submit the State Plan
- Be responsible for oversight of itself
- Manage or participate in the competitive selection process for Operators
- Select or terminate Operators, Career Services, and Youth Providers
- Negotiate performance measures
- Develop and submit budget for activities of the Council

# Who may be a One-Stop Operator?

One-Stop operators may be a single entity, such as an individual or company, or a consortium of entities, that may include other partners, core partners, or private entities. If a consortium is selected the consortium must include any three of the following:

- WIOA Title I Programs (Adult, Dislocated Worker, Youth),
- Wagner-Peyser,
- Adult Education,
- Vocational Rehabilitation,
- Senior Community Service Employment Program,
- Career and technical education programs,
- Trade Adjustment Assistance activities,
- Jobs for Veterans State Grants programs,
- Employment and training activities carried out under the Community Services Block Grant,
- Employment and training activities carried out by the Department of Housing and Urban Development,
- Temporary Assistance for Needy Families (POWER in Wyoming aka Welfare),
- Programs authorized under State unemployment compensation laws,
- Programs authorized under the Second Chance Act.

The types of entities that may be a one-stop operator include:

- An institution of higher education;
- An Employment Service State agency established under the Wagner-Peyser Act (Department of Workforce Services);
- A community-based organization, nonprofit organization, or workforce intermediary;
- A private for-profit entity;
- A government agency.

The One-Stop Operator may operate one or more one-stop centers. (**§ 678.400, § 678.600**)

# Glossary of Terms

**Access** – to each partner program and its services means: Having a program staff member physically present at the one-stop center; Having a staff member from a different partner program physically present at the one-stop center appropriately trained to provide information to customers about the programs, services, and activities available through partner programs; or making available a direct linkage through technology to program staff who can provide meaningful information or services. (**§ 678.305**) A direct linkage through technology can include a direct telephone line to a partner program such as Adult Education or Unemployment Insurance.

**Affiliated Site** - An affiliated site, or affiliate one-stop center, is a site that makes available to job seeker and employer customers one or more of the one-stop partners' programs, services, and activities. An affiliated site does not need to provide access to every required one-stop partner program. The frequency of program staff's physical presence in the affiliated site will be determined at the local level. (**§ 678.310**) For example an affiliated site could provide physical office space to programs on an as-needed or by appointment basis. (**TEGL 16-16, p. 8**)

**Allowable Activities (Council)** - Allowable statewide employment and training activities may include:

- (a) State administration of the adult, dislocated worker and youth workforce investment activities, consistent with the five percent administrative cost limitation;
- (b) Developing and implementing innovative programs and strategies designed to meet the needs of all employers (including small employers) in the State;
- (c) Developing strategies for serving individuals with barriers to employment, and for coordinating programs and services among one-stop partners;
- (d) Development or identification of education and training programs;
- (e) Implementing programs to increase the number of individuals training for and placed in non-traditional employment;
- (f) Conducting research and demonstrations related to meeting the employment and education needs of youth, adults and dislocated workers;
- (g) Supporting the development of alternative, evidence-based programs, and other activities that enhance the choices available to eligible youth and which encourage youth to reenter and complete secondary education, enroll in postsecondary education and advanced training, progress through a career pathway, and enter into unsubsidized employment that leads to economic self-sufficiency;
- (h) Supporting the provision of career services in the one-stop delivery system in the State;
- (i) Supporting financial literacy activities;
- (j) Providing incentive grants to local areas for performance by the local areas on local performance accountability measures;
- (k) Providing technical assistance to Local Workforce Development Boards (WDBs), chief elected officials, one-stop operators, one-stop partners, and eligible providers in local areas on the development of exemplary program activities and on the

provision of technology to facilitate remote access to services provided through the one-stop delivery system in the State;

(l) Providing technical assistance to local areas that are implementing WIOA Pay-for-Performance contract strategies and conducting evaluations of such strategies. Technical assistance may include providing assistance with data collections, meeting data entry requirements, and identifying level of performance;

(m) Carrying out activities to facilitate remote access to training services provided through the one-stop delivery system;

(n) Activities that include:

(1) Activities to improve coordination of workforce investment activities, with economic development activities; and

(2) Activities to improve coordination of employment and training activities with child support services and activities, cooperative extension programs carried out by the Department of Agriculture, programs carried out by local areas for individuals with disabilities, adult education and literacy activities including those provided by public libraries, activities in the correction systems to assist ex-offenders in reentering the workforce and financial literacy activities; and

(3) Developing and disseminating workforce and labor market information;

(o) Implementation of promising practices for workers and businesses;

(p) Adopting, calculating, or commissioning for approval an economic self-sufficiency standard for the State that specifies the income needs of families, by family size, the number and ages of children in the family, and sub-State geographical considerations;

(q) Developing and disseminating common intake procedures and related items, including registration processes, across core and partner programs; and

(r) Coordinating activities with the child welfare system to facilitate the provision of services for children and youth who are eligible for assistance. **(§ 682.210)**

**Bid** – A competitive price offer made by an intended seller, usually in reply to an invitation for bid. A price offer made at a public auction **(Source: State of Wyoming Procurement website)**

**Business Services** – These services are to include the availability of labor exchange activities (*Wyoming at Work* - the online labor exchange system established under Wagner-Peyser and maintained by DWS) and labor market information, sector partnerships, customized screening and referral of potential employees, customized recruitment events, human resource consultation, writing/reviewing job descriptions and employee handbooks, developing performance evaluation and personnel handbooks; creating orientation sessions for new workers, honing job interview techniques for efficiency and compliance, analyzing employee turnover, creating job accommodations and using assistive technologies, explaining labor and employment laws to help employers comply with discrimination, wage/hour, and safety/health regulations; this is a requirement of WIOA customized labor market information for specific employers, sectors, industries or clusters; and/or other business services and

strategies that meet the workforce investment needs of area employers. **(WIOA § 134(a)(3), 134(c)(2), 134(d)(1)(a)(ix)(II)(dd) and Regs § 678.435)**

**Career Services** – There are three types of career services which consist of:

- A. Basic career services which include;
  - (1) Determinations of whether the individual is eligible to receive assistance from the adult, dislocated worker, or youth programs;
  - (2) Outreach, intake (including worker profiling), and orientation to information and other services available through the one-stop delivery system. For the TANF program, States must provide individuals with the opportunity to initiate an application for TANF assistance and non-assistance benefits and services, which could be implemented through the provision of paper application forms or links to the application Web site;
  - (3) Initial assessment of skill levels including literacy, numeracy, and English language proficiency, as well as aptitudes, abilities (including skills gaps), and supportive services needs;
  - (4) Labor exchange services, including—
    - (i) Job search and placement assistance, and, when needed by an individual, career counseling, including—
      - (A) Provision of information on in-demand industry sectors and occupations; and
      - (B) Provision of information on nontraditional employment; and
    - (ii) Appropriate recruitment and other business services on behalf of employers, including information and referrals to specialized business services other than those traditionally offered through the one-stop delivery system;
  - (5) Provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, when appropriate, other workforce development programs;
  - (6) Provision of workforce and labor market employment statistics information, including the provision of accurate information relating to local, regional, and national labor market areas, including—
    - (i) Job vacancy listings in labor market areas;
    - (ii) Information on job skills necessary to obtain the vacant jobs listed; and
    - (iii) Information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for those jobs;
  - (7) Provision of performance information and program cost information on eligible providers of education, training, and workforce services by program and type of providers;
  - (8) Provision of information, in usable and understandable formats and languages, about how the local area is performing on local performance accountability measures, as well as any additional performance information relating to the area's one-stop delivery system;
  - (9) Provision of information, in usable and understandable formats and languages, relating to the availability of supportive services or assistance, and

appropriate referrals to those services and assistance, including: Child care; child support; medical or child health assistance available through the State's Medicaid program and Children's Health Insurance Program; benefits under SNAP; assistance through the earned income tax credit; and assistance under a State program for TANF, and other supportive services and transportation provided through that program;

(10) Provision of information and meaningful assistance to individuals seeking assistance in filing a claim for unemployment compensation.

(i) "Meaningful assistance" means:

(A) Providing assistance on-site using staff who are well-trained in unemployment compensation claims filing and the rights and responsibilities of claimants; or

(B) Providing assistance by phone or via other technology, as long as the assistance is provided by trained and available staff and within a reasonable time.

(ii) The costs associated with providing this assistance may be paid for by the State's unemployment insurance program, or the WIOA adult or dislocated worker programs, or some combination thereof.

(11) Assistance in establishing eligibility for programs of financial aid assistance for training and education programs not provided under WIOA.

B. Individualized career services must be made available if determined to be appropriate in order for an individual to obtain or retain employment. These services include the following services, as consistent with program requirements and Federal cost principles:

(1) Comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include—

(i) Diagnostic testing and use of other assessment tools; and

(ii) In-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;

(2) Development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve his or her employment goals, including the list of, and information about, the eligible training providers;

(3) Group counseling;

(4) Individual counseling;

(5) Career planning;

(6) Short-term pre-vocational services including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct services to prepare individuals for unsubsidized employment or training;

(7) Internships and work experiences that are linked to careers;

(8) Workforce preparation activities;

(9) Financial literacy services;

(10) Out-of-area job search assistance and relocation assistance; and

(11) English language acquisition and integrated education and training programs.

C. Follow-up services. Follow-up services must be provided, as appropriate, including: Counseling regarding the workplace, for participants in adult or dislocated worker workforce investment activities who are placed in unsubsidized employment, for up to 12 months after the first day of employment.

D. Temporary Assistance for Needy Families (TANF) agencies must identify employment services and related support being provided by the TANF program (within the local area) that qualify as career services and ensure access to them via the local one-stop delivery system. Commonly known as welfare. **(WIOA § 134(c)(2) and Regs § 678.430)**

**Competitive Bidding** – (1) The offer of firm bids by individuals or firms competing for a contract, privilege or right to supply specified services or merchandise (Source: State of Wyoming Procurement website); (2) Transparent procurement method in which bids from competing contractors, suppliers, or vendors are invited by openly advertising the scope, specifications, and terms and conditions of the proposed contract as well as the criteria by which the bids will be evaluated. Competitive bidding aims at obtaining goods and services at the lowest prices by stimulating competition and preventing favoritism. In (1) open competitive bidding (also called open bidding), the sealed bids are opened in full view of all who may wish to witness the bid opening; in (2) closed competitive bidding (also called closed bidding), the sealed bids are opened in the presence only of authorized personnel. **(Source: businessdictionary.com)**

**Comprehensive One-Stop Center** - A comprehensive one-stop center is a physical location where job seeker and employer customers can access the programs, services, and activities of all required one-stop partners. A comprehensive one-stop center must have at least one staff member who works with the Title I programs which include Adult, Dislocated Worker, and Youth Services physically present. The comprehensive one-stop center must provide: Career services; Access to training services; Access to any employment and training activities; Access to programs and activities carried out by one-stop partners including services under the Wagner-Peyser Act; and access to Workforce labor market information. **(§ 678.305)** Per WIOA only one Comprehensive One-Stop Center is required in Wyoming due to the fact that Wyoming has been designated as a single area state. **(WIOA § 121(e)(2)(A) and TEGL 16-16 § 4(C))**

**Core Partners** – Adult, Dislocated Worker, Youth, Wagner-Peyser, Adult Education, Vocational Rehabilitation.

**Customized Training** – Training that is designed to meet the specific requirements of an employer or group of employers; that is conducted with a commitment by the employer to employ an individual upon successful completion of the training; and for which the employer pays a significant portion of the cost of training, as determined by the board, taking into account the size of the employer and such other factors as the local board determines to be appropriate. **(§ 680.760)**

**Direct linkage** – means providing a direct connection at the one-stop center, within a reasonable time, by phone or through a real-time Web-based communication to a program staff member who can provide program information or services to the customer. A “direct linkage” cannot exclusively be providing a phone number or computer Web site or providing information, pamphlets, or materials. All comprehensive one-stop centers must be physically and programmatically accessible to individuals with disabilities. (§ 678.305)

**Employment and Training Activities** – Employment and Training activities include Rapid Response and:

- (i) providing assistance to—
  - (I) State entities and agencies, local areas, and one-stop partners in carrying out the activities described in the State plan, including the coordination and alignment of data systems used to carry out the requirements of this Act;
  - (II) local areas for carrying out the regional planning and service delivery efforts;
  - (III) local areas by providing information on and support for the effective development, convening, and implementation of industry or sector partnerships; and
  - (IV) local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, which may include the development and training of staff to provide opportunities for individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance accountability measures;
- (ii) providing assistance to local areas;
- (iii) operating a fiscal and management accountability information system;
- (iv) carrying out monitoring and oversight of activities carried out under this chapter and chapter 2;
- (v) disseminating—
  - (I) the State list of eligible providers of training services, including eligible providers of nontraditional training services and eligible providers of apprenticeship programs;
  - (II) information identifying eligible providers of on-the-job training, customized training, incumbent worker training, internships, paid or unpaid work experience opportunities, or transitional jobs;
  - (III) information on effective outreach to, partnerships with, and services for, business;
  - (IV) information on effective service delivery strategies to serve workers and job seekers;
  - (V) performance information and information on the cost of attendance (including tuition and fees) for participants in applicable programs; and
  - (VI) information on physical and programmatic accessibility, in accordance the Americans with Disabilities Act of 1990 for individuals with disabilities; and

(vi) conducting evaluations of activities authorized under this chapter and chapter 2.

**On The Job Training** – Training by an employer that is provided to a paid employee while engaged in productive work in a job that provides knowledge or skills essential to the full and adequate performance of the job; is made available through a program that provides reimbursement to the employer of up to 50 percent of the wage rate of the participant, except as provided in section 134(c)(3)(H), for the extraordinary costs of providing; and is limited in duration as appropriate to the occupation for which the participant is being trained, taking into account the content of the training, the prior work experience of the participant, and the service strategy of the participant, as appropriate. **(WIOA § 3(44))**

**One-Stop Center** – Also known as American Job Center or Workforce Center. A physical center within the one-stop delivery system. **(WIOA § 121(e)(2)(A), Regs Preamble P. 56335)** Wyoming currently has 23 Centers located in Afton, Casper, Cheyenne, Cody, Douglas, Evanston, Gillette, Green River, Jackson, Kemmerer, Lander, Laramie, Newcastle, Pinedale, Powell, Rawlins, Riverton, Rock Springs, Sheridan, Thermopolis, Torrington, Wheatland, and Worland, Thermopolis, Green River, and Pinedale.

**One-Stop Delivery System** – The one-stop delivery system brings together workforce development, educational, and other human resource services in a seamless customer-focused service delivery network that enhances access to the programs' services and improves long-term employment outcomes for individuals receiving assistance. One-stop partners administer separately funded programs as a set of integrated streamlined services to customers. **(§ 678.300)**

**One-Stop Operator** – One-Stop Operator, at a minimum, must coordinate the service delivery of required one-stop partners and service providers. Other roles that the One-Stop Operator could be required to fill are coordinating services provided across the one-stop delivery system, being the primary provider of services within the center, providing some of the services within the center or coordinating service delivery in a multi-center area, which may include affiliated sites. The competition, Request for Proposal, for a one-stop operator must clearly articulate the role of the one-stop operator. **(§ 678.620)**

**One-Stop Partners** – The required partners are the entities responsible for administering the following programs and activities in the local area: Adults; Dislocated workers; Youth; Job Corps; YouthBuild; Native American programs; and Migrant and seasonal farmworker programs; The Wagner-Peyser Act Employment Service program; The Adult Education and Family Literacy Act; The Vocational Rehabilitation program; The Senior Community Service Employment Program; Career and technical education programs at the postsecondary level authorized under the Carl D. Perkins Career and Technical Education Act; Trade Adjustment Assistance activities; Jobs for Veterans State Grants programs; Employment and training activities carried out under the

Community Services Block Grant; Employment and training activities carried out by the Department of Housing and Urban Development; Programs authorized under State unemployment compensation laws; Programs authorized under sec. 212 of the Second Chance Act of 2007; and Temporary Assistance for Needy Families (TANF), unless exempted by the Governor under § 678.405(b). **(§678.400)**

**Procurement** – The act of obtaining or buying goods and services. The process includes preparation and processing of a demand as well as the end receipt and approval of payment. (Source – businessdictionary.com)

**Required Activities (Council) -**

- (a) Required rapid response activities;
- (b) Disseminating by various means:
  - (1) The State list of eligible training providers (including those providing non-traditional training services), for adults and dislocated workers and eligible training providers of registered apprenticeship programs;
  - (2) Information identifying eligible providers of on-the-job training (OJT), customized training, incumbent worker training, internships, paid or unpaid work experience opportunities and transitional jobs;
  - (3) Information on effective outreach and partnerships with business;
  - (4) Information on effective service delivery strategies and promising practices to serve workers and job seekers;
  - (5) Performance information and information on the cost of attendance, including tuition and fees;
  - (6) A list of eligible providers of youth activities; and
  - (7) Information of physical and programmatic accessibility for individuals with disabilities;
- (c) States must assure that the information listed in paragraphs (b)(1) through (7) of this section is widely available;
- (d) Conducting evaluations;
- (e) Providing technical assistance to State entities and agencies, local areas, and one-stop partners in carrying out activities described in the State Plan, including coordination and alignment of data systems used to carry out the requirements of this Act;
- (f) Assisting local areas, one-stop operators, one-stop partners, and eligible providers, including development of staff, including staff training to provide opportunities for individuals with barriers to employment to enter in-demand industry sectors or occupations and nontraditional occupations, and the development of exemplary program activities;
- (g) Assisting local areas for carrying out the regional planning and service delivery efforts;
- (h) Assisting local areas by providing information on and support for the effective development, convening, and implementation of industry and sector partnerships;
- (i) Providing technical assistance to local areas that fail to meet the adjusted levels of performance agreed to;

(j) Carrying out monitoring and oversight of activities for services to youth, adults, and dislocated workers under WIOA Title I, and which may include a review comparing the services provided to male and female youth;

(k) Providing additional assistance to local areas that have a high concentration of eligible youth; and

(l) Operating a fiscal and management accountability information system, based on guidelines established by the Secretary. **(§ 680.200)**

**TANF** – Known as POWER in Wyoming – A time-limited pay-after-performance program, the POWER assures families with a dependent child(ren) are working to become self-sufficient through employment, child support and other resources. The program is funded with state and federal dollars through the Temporary Assistance for Needy Families (TANF) block grant.

**Title I** – Authorizes programs that provide training and certification services to unemployed and underemployed individuals. Title I includes state formula grant programs to provide services to Adult, Dislocated Workers, and Youth.

**Training Services** - Provide training services to adults and dislocated workers, respectively. Services may include: occupational skills training including training for nontraditional employment; on-the-job training; incumbent worker training; programs that combine workplace training with related instruction, which may include cooperative education programs; training programs operated by the private sector; skill upgrading and retraining; entrepreneurial training; transitional jobs; job readiness training; adult education and literacy activities, including activities of English language acquisition and integrated education and training programs; and customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training. **(WIOA § 134(c)(3) and Regs § 680.200)**

**Wagner-Peyser** – Established to provide high quality job seeker and employer labor exchange service and information and includes a variety of employment related labor exchange services including but not limited to job search assistance, job referral, and placement assistance for job seekers, [re-employment services to unemployment insurance claimants](#), and recruitment services to employers with job openings. Services are delivered in one of three modes including self-service, facilitated self-help services and staff assisted service delivery approaches. Depending on the needs of the labor market other services such as job seeker assessment of skill levels, abilities and aptitudes, career guidance when appropriate, job search workshops and referral to training may be available.

# Other

Other considerations for the Wyoming Workforce Development Council:

- **Infrastructure Funding** (TEGL 17-16)
- **One-Stop Certification** (WIOA Law § 121(g), Rules & Regs § 678.800)
- **Transparency and Responsibility** (TEGL 15-16, P.9)

The entire procurement process must be performed under a process that promotes transparency and responsibility from the planning phase to the closeout phase. Information about the selection and certification of the one-stop operator(s) must be made available to the public on a regular basis through electronic means and open meetings.

- **Negotiation and Selection** (TEGL 15-16, P.13)

The Council must also consider negotiations. Optional negotiation topics may include: performance levels to be met by the Operator; reasonable profit margin (if a private entity is selected); payment details and frequency (if a private entity is selected); duration of the contract or memorandum of understanding; approval of the Governor; make an offer and obtain acceptance; certify or designate one-stop operator; and execute the contract or memorandum of understanding; and ensure appropriate conflict of interest policies are or will be in place.

- **Implementation** (TEGL 15-16, P. 14)

Conduct oversight and monitoring; issue timely invoices, make timely payments, monitor performance of the operator according to performance negotiations and service deliverables. Ensure monitoring functions are not associated or involved with one-stop operator functions. The Council must measure, track, and monitor performance, service deliverables, and achievement of program or performance measures.

- **Closeout** (TEGL 15-16, P. 14)

Reconcile costs and payments, reconcile performance goals with actual performance; ensure participant and financial records are secured and retained, and prepare closeout documents. Perform evaluation or reconciliation of the one-stop operator's performance and payments to ensure they are made in accordance with the approved contract or agreement.

- **Monitoring** (TEGL 15-16, PP. 18-19)

- Oversight and monitoring is an integral function of the WDB to ensure the One-Stop Operator's compliance with the requirements of WIOA, the activities per the SOW, performance reporting requirements, and the terms and conditions of the contract or agreement governing the One-Stop Operator. Monitoring includes an attestation by the monitoring entity that it has examined compliance with the requirements of WIOA, the Uniform Guidance at 2 CFR 200 and 2 CFR 2900, and the terms and condition of the contract/agreement of the One-Stop Operator.
- WIOA requires the WDB to conduct monitoring of the One-Stop Operator. If necessary an outside State agency, such as a State auditor or inspector

- general, must conduct the monitoring and report the monitoring results. If the State agency is selected as the operator, in the state that is not a Single State Local Area, an independent State agency, like an auditor or inspector general, should conduct the monitoring.
- For Single-State Local Areas where a State agency is the operator, there often is an inherent conflict of interest in that a State agency cannot effectively monitor itself. In such circumstances, an outside entity must conduct the monitoring. The outside entity could be a State auditor who does not have real or apparent conflicts of interest. However, in circumstances where sufficient independence exists between the State WDB and the State agency selected as the one-stop operator (such as may occur when a State WDB is incorporated as a nonprofit, the State WDB could effectively monitor the State agency serving as one-stop operator.
  - Entities serving as one-stop operators are sub-recipients of a Federal award and thus are required to follow the Uniform Guidance. **(2 CFR 200)**