



SOLICITATION NOTICE

REGIONAL INDUSTRY CLUSTER(S) OF OPPORTUNITY III

Solicitation For Proposals (SFP) NO. 70372

April 2015

The State Board is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Special requests for services, aids, and/or special formats need to be made by calling (916) 657-1440 (Voice). TTY users, please call the California Relay Service at 711.

SOLICITATION FOR PROPOSALS

REGIONAL INDUSTRY CLUSTER(S) OF OPPORTUNITY III

Section 1	Overview	4
	A. Introduction	4
	B. Background	4
	C. Project Goals	6
	D. Funding Availability.....	6
	E. Project Activities	6
	F. Eligible Proposers.....	7
	G. Eligible Participants.....	8
	H. Allowable Uses of Funds	8
	I. Length of Project.....	9
Section 2	Significant Dates	9
Section 3	Proposal Submission Instructions	9
Section 4	Proposal Requirements	10
	A. Required Proposal Content.....	10
	B. Match Requirements	12
	C. Proposal Requirements.....	12
	D. Proposal Package Instructions	12
	E. Format and Document Order	13
Section 5	Award and Contracting Process	14
	A. Proposal Evaluation and Recommendation for Funding.....	14
	B. Notification of Recommendation for Funding.....	16
	C. Rejection of Proposal	17
	D. Debriefings	17
	E. Disposition of Proposals.....	17
	F. State Contracting Requirements	18
	G. Performance	18
	H. Project Evaluation	18
Section 6	Doing Business with the State of California	19
Section 7	Appendices and Forms	21
	• Appendix A – ARFVT Description	
	• Appendix B – Sample Standard Agreement	
	• Appendix C – VOS (CalJOBSSM) - Workstation and Software Requirements	

- [Cover Page/Signature Page](#)
- [SFP Form 1 – Proposal Narrative](#)
- [SFP Form 2 – Project Budget](#)
- [SFP Form 3 – Budget Detail](#)
- [SFP Form 4 – Project Work plan](#)
- [SFP Form 5 – Project Outcomes](#)
- [SFP Form 6 – Strategy Partners Matrix](#)
- [SFP Form 7 – Supplemental Budget Form \(if applicable\)](#)
- [SFP Form 8 – Worker’s Compensation Certification](#)
- [SFP Form 9 – Contractor Certification Clauses](#)
- [SFP Form 10 – Darfur Contracting Act Certification](#)
- [SFP Form 11 – Bidder Declaration Form](#)

SOLICITATION FOR PROPOSALS

REGIONAL INDUSTRY CLUSTER(S) OF OPPORTUNITY III

Section 1 **Overview**

A. Introduction

The California Workforce Investment Board (State Board), Employment Development Department (EDD) and the California Energy Commission (Energy Commission), in coordination with the California Labor and Workforce Development Agency (LWDA), are pleased to announce the availability of up to \$605,000 in AB 118 (Chapter 750, Statutes of 2007) Alternative Renewable Fuels and Vehicle Technology Program (ARFVTP) funds to further develop and implement Regional Industry Clusters of Opportunity (RICO) career pathways and/or talent pipeline strategies for K-12 students; and to involve regional partners to advance the competitive position of targeted RICOs resulting in economic prosperity. Proposals received through this Solicitation for Proposals (SFP) shall focus on workforce training programs related to one or more of the established and/or emerging clusters of opportunity in the advanced transportation sector identified below and in Appendix A:

- Alternative and renewable fuel feedstock production and extraction,
- Renewable fuel production,
- Distribution, transport, and storage,
- High-performance and low-emission vehicle technology and high tower electronics,
- Automotive computer systems,
- Mass transit fleet conversion, servicing, and maintenance, and
- Other sectors or occupations related to green transportation.

B. Background

The Energy Commission stated in its 2011/12 AB 118 ARFVT Investment Plan:

“Workforce training and development are critical in the Energy Commission’s efforts to develop California’s clean transportation market. Training is required to respond to new technology, improve efficiencies, minimize waste, and reduce production costs. Skilled workers are needed to manufacture low-emissions vehicles and components, produce alternative fuels, build fueling infrastructure, service and maintain fleets and equipment, and inform ongoing innovation and refinement to increase market acceptance. As the Energy Commission funds alternative fuel and low-emission vehicle projects, it is critical that funds are allocated to help develop a skilled workforce to implement and sustain those projects.”

The State Board is promoting Regional Collaboration and Sector Partnerships with data-driven analyses as the foundation for developing and implementing strategies for providing skills training to obtain employer-recognized certificates and credentials. The objective of these partnerships is to achieve employment in targeted industry sectors and clusters with a career pathway resulting in economic prosperity.

Regional collaboration is the central component and is critical to the State Board's RICO sector strategy approach. This approach uses the following attributes:

- Targets a specific industry or industry cluster; develops data driven, finely tuned expertise of the interdependence between business competitiveness and the workforce needs of the targeted industries.
- Builds regionally based partnerships of employers, training providers, community organizations, organized labor, and other key stakeholders around specific industries.
- Addresses the workforce needs of employers and the training, employment, and career advancement needs of workers.
- Bolsters regional economic competitiveness by aligning education, economic, and workforce development planning and leveraging of resources.
- Promotes systematic change that supports innovation and achieves ongoing benefits for industries, workers, and communities.

This SFP is based on the success of the first RICO solicitation for proposals, launched in October 2009 by the State Board as part of the California Green Workforce Initiative (CGWI), and subsequent RICO projects in 2013 and 2014. This approach requires proposers to utilize the Clusters of Opportunity data-driven sector strategy methodology.

Clusters of Opportunity

A cluster of opportunity is not the same as an industry sector. An industry sector is a group of firms with similar business processes, products or services (e.g. a specific manufacturing or construction sector). A cluster is a combination of multiple sectors and is geographically concentrated. At the core of a cluster is a particular industry sector, but the cluster is not restricted to firms within the sector since it includes related institutions and firms in other industries. Also, firms exist in clusters even when there are few firms in the sector in a geographical area. The cluster of opportunity strategy is a particular type of sector strategy focusing on concentrations of related industries with certain characteristics within regional areas. It is an organizing principle around which workforce and economic development may be coordinated.

This definition of a "cluster of opportunity" focuses not only on export oriented sectors, but also population-driven sectors (e.g., health care) as well as sectors that offer occupations with "career

pathways potential.” It also includes hybrid sectors or a combination of sectors; those that may have export and local population serving components, or those that branch across traditional industry codes (e.g., green economy segments).

Focusing investments on clusters of opportunity has advantages for both workers and businesses. Workers gain access to career pathways for employment in competitive industries within the cluster. Workers gain skills and knowledge transferable within the cluster in their home region. Businesses gain access to specialized, shared labor pools, and are supported by regional institutions such as education and research that understand their specialized products and processes.

Cluster of opportunity approaches to workforce and economic development present unique challenges to rural areas, where labor market and firm densities are low and traditional industries such as agriculture dominate. Proposers located in rural economic regions are encouraged to review the *Application of Industry Cluster-Based and Sector-Focused Strategies to Rural Economies* by the Corporation for a Skilled Workforce (www.skilledwork.org) and the cluster work of the North Coast Prosperity Network at <http://www.northcoastprosperity.com/>.

C. Project Goals

California is a recognized leader in the development and implementation of environmental and energy efficiency policies and climate change management practices. For this SFP, the Energy Commission and the workforce development community are looking to develop AB118 ARFVTP sector interest programs at the high school level that leverage investments for multiple benefits such as career awareness, career fulfillment, income mobility, etc.

D. Funding Availability

The \$605,000 to be awarded under this SFP are state AB118 ARFVTP funds made available by the Energy Commission and are intended to develop and deploy alternative and renewable fuels and vehicle technologies in the marketplace to transform California’s fuel and vehicle types to help support the state’s climate change policies. The State Board estimates awarding up to four (4) grants with a maximum award amount of \$155,000.

E. Project Activities

Proposers should leverage an established regional sector partnership that has identified and connected specific investments and other commitments among local, state, and federal government partners, as well as private firms and industry associations, non-profit and private foundation partners, and others to advance the competitive position of the region through workforce and economic development. This should be an overall strategy with specific organizational commitments and champions organized

around shared cluster priorities. An intermediary should be identified to do the following activities; describing how they will utilize funding to complete them:

Development of a K-12 Talent Pipeline: Grantees will convene, connect, measure, or broker efforts to *establish or enhance* a locally defined career pathway program that connects school districts, county superintendents of schools, and charter schools with business entities by:

- Connecting regional collaborative relationships with business entities, community organizations, and local institutions of education;
- Developing and integrating standards-based academies with career relevant curriculum following AB118 ARFVTP themed pathways that are aligned with emerging regional sectors;
- Providing articulated pathways to postsecondary education or apprenticeships aligned with AB118 ARFVTP sectors; and
- Leveraging:
 - Existing structures, requirements, resources, and regional occupation programs, including staff knowledge, community relationships, and course development;
 - Matching resources and in-kind contributions from public, private, and philanthropic sources; and/or
 - Partnerships with California Community College Economic and Workforce Development Program and its sector and deputy sector navigators.

Measureable Outcomes will include, but are not limited, to:

- Leveraged partnerships with local educational institutions and employers;
- Creation of new awareness or training programs or materials;
- Student participation in career awareness programs;
- Transfer readiness and postsecondary enrollment; and/or transition to appropriate employment, pre-apprenticeships, apprenticeships, or job training.

Learning Community: The State Board is committed to implementing continuous improvement, innovation, and system change strategies. This RICO III grant program will develop a Learning Community of grantees, staff, partners, and other key stakeholders. Grantees and their program partners will access peer and technical assistance, share successful program models, and coordinate performance criteria and evaluation activities through the Learning Community. Successful proposers will be required to participate in up to three (3) web-based meetings during the term of the contract.

F. Eligible Proposers

Any partner on behalf of a Regional Network is eligible and must be designated to serve as the lead fiscal agent for all grant-funded activities. Regional Networks typically include the following partners:

- Local workforce investment boards (Local Board)
- Business and industry associations
- Economic development organizations
- Small business development center(s) (SBDC)
- Rural development
- Community development
- Key infrastructure entities
- Organized labor
- Secondary career and technical education (CTE) providers
- Community colleges and technical colleges
- Community college Centers of Excellence
- California State Universities
- Public and private research entities
- Community-based and other faith and service organizations, and
- Other appropriate entities

In regions with multiple Local Boards, preference will be given to proposals that involve as many regional partners as needed given the region and targeted industry cluster. One lead partner must be designated.

Partnerships: Strong partnerships are an essential component of all program elements of this project and the grantees will be required to develop working relationships with both local and regional stakeholders. Proposers must demonstrate that a high level of coordination exists or that formalized linkages are in the process of being established. Successful proposers will demonstrate they are working with a broad mix of partners, which should include:

- K-12 Schools
- California Community Colleges
- Labor organizations, including local labor and Building Trades Councils, and Joint Apprenticeship Training Committees
- Community-based organizations
- Local Boards
- Coalitions of industry employers (via industry advisory panels)

G. Eligible Participants

The Energy Commission AB118 ARFVTP funds for this SFP are intended to fund programs designed to reach K-12 students, particularly high school age youth.

H. Allowable Uses of Funds

Grantees awarded funds under this SFP must comply with AB 118 ARFVTP Program regulations. All activities must be directly related to the purpose detailed in this SFP and solely related to industries related to the development, deployment, and/or adoption of alternative fuels and low-emission vehicle technologies.

I. Length of Project

The term of the project will be from June 2015 through December 2016. No obligation or commitment of funds will be allowed prior to or beyond the approval term of the grant contract. Any grant funds not expended during the contract agreement period must be returned to the State/Energy Commission.

Section 2 Significant Dates

Event	Date*
SFP Release	April 24, 2015
Proposals Due (by 3:00 p.m.)	May 15, 2015 on or before 3:00 p.m. Pacific Daylight Savings Time
Proposal review and evaluation	May 2015
Award Announcements	Late May/early June 2015
Program Start Date	June 30, 2015

***Note:** All dates after the final proposal submission deadline are approximate and may be adjusted as conditions dictate, without addendum to this SFP.

Section 3 Proposal Submission Instructions

This SFP contains the requirements that proposers must meet in order to submit a responsive proposal. The SFP provides information regarding the format in which proposals must be submitted, the documents to be included, the requirements that must be met to be eligible for consideration, and the Proposers' responsibilities.

The following are incorporated by reference as part of this SFP:

- GTC - 610 - General Terms and Conditions for all contracts except Interagency Agreements.
- CCC - 307 - Contractor Certification Clauses.

These documents can be found on the Department of General Services website:

<http://www.dgs.ca.gov/ols/Resources/StandardContractLanguage.aspx>

Proposal Deadline

The deadline for the **receipt** of proposals is **May 15, 2015, at 3 p.m. Pacific Daylight Savings Time. Late proposals will not be accepted.**

Proposal Delivery Method

Applications must be submitted electronically in Portable Document Format (PDF) to:

Sheri.Collins@edd.ca.gov

Application Questions

Questions regarding the instructions for the SFP may be sent to Joelle Hurst at joelle.hurst@cwib.ca.gov. Cumulative questions and answers will be posted to the State Board's website (www.cwib.ca.gov) on a weekly basis until the SFP is closed.

Section 4 Proposal Requirements

A. Required Proposal Content

All proposals must adhere to the required format and, in order to be competitive, must include all of the requested information, completed forms, and attachments. The proposal must meet the minimum requirements listed below. **Proposals that do not adhere to these requirements will be determined non-responsive and will not be scored or considered for funding.**

- Proposers must use the specific instructions and complete all requested forms.
- Proposers may only submit one application.
- Proposers must use the specific instructions and complete all requested forms.
- **Subcontractors:** No subcontracting will be allowed to circumvent competitive bidding. The subcontracting services and amount shall not exceed 25 percent (25%) of the Agreement. The Grantee/Contractor shall be solely responsible for fulfilling the requirements of the Agreement.

The Grantee/Contractor agrees that any subcontractors to this Agreement must be approved in advance by the State Board and EDD. Nothing contained in this Agreement or otherwise, shall create any contractual relation between the State and any subcontractors, and no subcontract shall relieve the Grantee/Contractor of his responsibilities and obligations hereunder. The Grantee/Contractor agrees to be as fully responsible to the State for the acts and omissions of

its subcontractors and of persons either directly or indirectly employed by any of them as it is for the acts and omissions of persons directly employed by the Grantee/Contractor. The Grantee/Contractor's obligation to pay its subcontractors is an independent obligation from the State's obligation to make payments to the Grantee/Contractor. As a result, the State shall have no obligation to pay or to enforce the payment of any moneys to any subcontractor.

The Grantee/Contractor shall monitor subcontractor activity and compliance. This monitoring shall be verified by EDD Workforce Services Branch as part of the grant management for this program.

- **Audit Provision:** Grantee/Contractor agrees that the State Board, EDD, the Energy Commission, the Department of General Services (DGS), the California State Auditor, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. Grantee/Contractor agrees to maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of record retention is stipulated. Grantee/Contractor agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, Grantee/Contractor agrees to include a similar right of the State to audit records and interview staff in any subcontract related to performance of this Agreement. (GC § 8546.7, PCC § 10115 et seq., CCR Title 2, § 1896).
- **Insurance Requirements:** The Grantee/Contractor shall not commence performance under this Agreement until the Grantee/Contractor has provided the EDD with a certificate of insurance stating that there is a liability insurance presently in effect for the Grantee/Contractor with a Combined Single Limit (CSL) of not less than \$1,000,000 per occurrence. The Grantee/Contractor shall provide written notice to EDD within five (5) business days of any cancellation, non-renewal, or material change that affects required insurance coverage. The certificate of insurance must include the following provision:
 - The State of California, its officers, agents, employees, and servants are included as additional insured's, but only with respect to work performed for EDD under this contract.
 - **Workers' Compensation Insurance:** The Proposer shall not commence performance under this Agreement until the EDD is provided with one of the following:
 - a. A certificate of insurance issued by an insurance carrier licensed to write Workers' Compensation insurance in the State of California, which includes the name of the carrier and the date of expiration of the insurance; or,

- b. A certificate of consent to self-insure issued by the Director of the Department of Industrial Relations.

B. Match Requirements

It becomes increasingly important to leverage other public and private resources to support and sustain industries in California. It is the intent of this SFP to fund projects that can leverage other resources to maximize the impact of the project and the return on investment and to better ensure sustainability.

For the purposes of this SFP, although not required, match may include WIA or non-WIA funds made available to the applicant to be used specifically for this proposal's activities. Matching funds will be subject to the reporting requirements contained in WIA Directive [WSD12-3](#), Quarterly and Monthly Financial Reporting Requirements. All cash/in-kind match must be documented with a letter of commitment verifying the match and be included as an attachment to the proposal. **If the applicant is providing cash/in-kind match they must submit a commitment letter describing the match.** All commitment letters must contain a contact person, telephone number and be dated in the month of April 2015. Match amounts will be verified by the state prior to selection of the grant award. Match amounts not included in commitment letters will not be counted.

The definition of cash match is a contribution of funds made available to the Proposer, to be used specifically for these project activities and must be consistent with the allowable activities of the fund source. The awarded grantee has control over and disburses these funds. Examples include: money received from employers, foundation, private entities or local governments.

The definition of in-kind match is a contribution of non-cash resources used specifically for project activities. Examples include donated personnel, services or use of equipment or space.

C. Proposal Requirements

Proposers must meet the other requirements listed below. Proposals that do not adhere to these requirements will not be scored.

Project narrative is limited to 5 pages, 1-inch margins, single-spaced, in a font no less than 12 point. Forms and cover page are not included in the page limit.

D. Proposal Package Instructions

Proposal package instructions are available on the [State Board Website](#) and contain links to each required form.

E. Format and Document Order

The following chart lists the order of documents that must be included in the proposal package. This may also be used as a checklist to help ensure submission of a complete grant package.

1. Cover/Signature page and Proposal Summary (summary limited to one page)	<input type="checkbox"/>
2. Proposal Narrative Form (SFP Form 1 - limited to 5 pages). The Proposal Narrative Form includes the following sections:	<input type="checkbox"/>
I. Statement of Need	<input type="checkbox"/>
II. Proposed Objectives and Activities	<input type="checkbox"/>
III. Outcomes	<input type="checkbox"/>
IV. Regional Partnerships and Leveraged Resources	<input type="checkbox"/>
V. Budget Detail and Plan	<input type="checkbox"/>
3. SFP Forms	<input type="checkbox"/>
Project Budget (SFP Form 2)	<input type="checkbox"/>
Budget Detail (SFP Form 3)	<input type="checkbox"/>
Project Work plan (SFP Form 4)	<input type="checkbox"/>
Project Outcomes (SFP Form 5)	<input type="checkbox"/>
Strategy Partners Matrix (SFP Form 6)	<input type="checkbox"/>
Supplemental Budget Form (SFP Form 7)	<input type="checkbox"/>
Worker’s Compensation Certification (SFP Form 8)	<input type="checkbox"/>
Contractor Certification Clauses – 307 (SFP Form 9)	<input type="checkbox"/>
Darfur Contracting Act Certification (SFP Form 10)	<input type="checkbox"/>
Bidder Declaration (SFP Form 11)	<input type="checkbox"/>
4. Letters of commitment for cash/in-kind match	<input type="checkbox"/>
5. Proof of registration with the California Secretary of State’s Office (if applicable, see Section 6)	<input type="checkbox"/>

Section 5 Award and Contracting Process

A. Proposal Evaluation and Recommendation for Funding

Proposals will be reviewed and prioritized by a panel of workforce and economic development subject matter experts, including representation from industry, labor and state agencies. The scoring value of each section of the SFP is as follows:

Proposal Evaluation Rubric		
Section	Description	Points
I. Statement of Need (SFP Form 1)	<ul style="list-style-type: none"> Describe the targeted region and why these geographic boundaries were selected. Describe the regional ARFVT cluster of opportunity that will be targeted. Demonstrate employer and industry involvement and how it will contribute to the economic prosperity of the region. Cite sources of data. Using supportive data and analysis, describe the current and projected employment opportunities in the regional cluster and the skills gap between what is needed by the cluster and the skill levels of the labor force. If possible, provide number of jobs available in the targeted regional cluster. If data analysis has not yet been done for the region, describe the need to do so and how the information will help in understanding the region's transforming economy. 	10
II. Proposed Objectives and Activities	<ul style="list-style-type: none"> Describe how the Proposer will implement the activities in Section 1 E of the SFP. Complete and attach the Project Work Plan (SFP Form 4) that includes objectives/activities and timelines. 	25
III. Outcomes	<ul style="list-style-type: none"> Describe the anticipated outcome(s) of the project activities. Complete the Project Outcomes (SFP Form 5) to develop and implement regional cluster(s) of opportunity strategy. Describe how the project activities will be measured to determine whether the anticipated outcomes have been achieved. 	30

<p>IV. Regional Partnerships and Leveraged Resources</p>	<p>Creating effective partnerships is an essential component of this SFP and will require that the Proposer develop partnerships with Local Boards, Business and Industry Associations, Economic Development Organizations, Key Infrastructure Entities, Organized Labor, One-Stop Career Centers, K-12, including secondary career and technical education, Community Colleges and Technical Colleges, Community College Centers of Excellence, California State Universities, Local Jurisdictions, Public and Private Research Entities, Community-based and other faith and service organizations and other appropriate entities. Proposers must demonstrate that a high level of coordination already exists or that formalized linkages are in the process of being established.</p> <ul style="list-style-type: none"> • Complete the Strategy Partners Matrix (SFP Form 6) to develop and implement regional cluster(s) of opportunity talent pipeline strategy. • Describe how the Proposer has successfully formed effective partnerships. Provide descriptions of any formal or informal agreements that exist with the partners. • If leveraged/matching funds are included in the proposal (not required), Proposer must describe the cash and/or in-kind match. Match may include federal or non-federal funds. LWIA funds may be used as a match. See Section 4 B of the SFP, for more specific information on the match requirements. • Complete columns D-E in the Strategy Partners Matrix (SFP Form 6) identifying the cash/in kind match that will be used to support activities and/or expand or sustain the proposed project. Attach a letter of commitment from the partner describing the match, specifying the dollar amount and identifying a contact person and phone number. If the Proposer is providing a match, a commitment letter from the Proposer must be attached. All commitment letters must contain a contact person, e-mail address and telephone number and be dated in the month of April 2015. 	<p>30</p>
--	---	-----------

V. Budget Detail and Plan	<ul style="list-style-type: none"> • Complete the Project Budget and Budget Detail (SFP Forms 2 & 3) that details the specific line item costs of the proposal. Costs must be necessary, reasonable and allowable in accordance with the ARFVT Program. • Successful Proposers will be required to participate in up to three (3) web-based meetings during the term of the contract. • Enter Cash/In-Kind Match in Column D. The Amount Leveraged total on the Project Budget (SFP Form 2) must equal Column D, Total Cash/In-Kind Match, on the Strategy Partners Matrix (SFP Form 6). • The Proposal Narrative must provide a detailed justification for all line items contained in the Budget Detail and Plan. For example, Staff Salaries should include a narrative of the staff activities and the percent of salary charged to the project. Explanations should include how the proposed costs are necessary and reasonable in terms of benefits to participants. • If the Proposer plans to budget contractual services, the Supplemental Budget Form (SFP Form 7) Contractual Services must be completed. 	5
3 Point Penalty if Proposal Narrative Exceeds 5 pages Excluding Forms 2-11 and Cover Page		
Total Possible Points		100

The ranked scores will serve as the primary basis for making recommendations for funding in conjunction with other factors such as geographic distribution of funds, uniqueness, and innovative aspects of the proposal. Only those proposals deemed to be meritorious and in the best interests of the State will be recommended for funding. The State Board reserves the right to conduct on-site reviews prior to making final funding recommendations. After completion of the evaluation process, funding recommendations will be made to the State Board Executive Director and the Energy Commission. The State Board and Energy Commission, in consultation with the LWDA, will make final funding decisions.

B. Notification of Recommendation for Funding

Following the selection of proposals to be funded, notification will be placed on the State Board Web site and proposers will be notified of the funding decisions. The State expects that the award decision notices will be sent in May/June 2015.

C. Rejection of Proposal

The State Board reserves the right to waive any immaterial deviation in a proposal; however, the waiver of an immaterial deviation in a proposal shall in no way modify the document or excuse the successful Proposer from full compliance with the proposal requirements after the contract is awarded.

A proposal shall be rejected and deemed non-responsive for any of the following:

- Received at any time after 3 p.m. Pacific Time on May 15, 2015;
- Incomplete or fails to meet the SFP specifications;
- The proposal is not prepared in the format described;
- The proposal contains false or misleading statements or references which do not support an attribute or condition contended by the Proposer. The proposal shall be rejected if, in the opinion of the State, such information was intended to erroneously mislead the State in its evaluation of the proposal;
- An itemized budget is not enclosed and/or exceeds the amount indicated;
- The Proposer has received a substantive negative contract evaluation from the State of California;
- The Proposer has had a contract with the State of California canceled due to failure to comply with the Drug-Free Workplace Act of 1990;
- It is found that the Proposer is not administratively responsible (e.g., has not paid taxes, has no business license, has submitted a proposal when license is subject to suspension on the date of the proposal opening and/or award of the contract, or during the proposed term of the agreement, submitted a proposal without an authorized signature, falsified any information in the proposal package, or has provided poor performance on a previous contract with the State Board, etc.); or,
- It is found, upon license verification with the Contractor's State Licensing Board that a Proposer's license is subject to suspension on the date of the proposal opening and/or award of the contract, or during the proposed term of the agreement.

D. Debriefings

Written debriefings of the evaluation results will not be provided to unsuccessful bidders. Oral debriefings may be provided at the State Board's discretion.

E. Disposition of Proposals

1. All materials submitted in response to this SFP will become the property of the State Board/EDD, and as such, are subject to the Public Records Act (Government Code, Section 6250, et seq.). The State Board and EDD will disregard any language purporting to render all or portions of any proposal confidential.

2. After proposals are evaluated and the notices of intent to award have been posted, all proposals shall be available for public inspection. However, the contents of all proposals, draft SFP's, correspondence, agenda, memoranda, working papers, or any other medium which discloses any aspect of a Proposer's proposal shall be held in the strictest confidence until the award is made. The State Board and EDD shall hold the content of all working papers and discussions relating to a proposal confidential indefinitely, unless the public's interest is best served by disclosure because of pertinence to a decision, agreement, or the evaluation of a proposal. A bidder's disclosure of this subject is a basis for rejecting a proposal and ruling the bidder ineligible to participate further in the bidding process.
3. The State Board/EDD may return a proposal to a Proposer upon written request after **conclusion of** the bid process.

F. State Contract Requirements

This SFP and any resulting contract shall be subject to all requirements set forth in amended Public Contract Code (PCC), Section 6611 (AB 1756 amended PC 6611). DGS may perform contract negotiations relative to contracts for goods, services, and information technology and telecommunications, if it is determined to be in the state's best interest based on meeting the criteria identified within PCC 6611.

G. Performance

Proposers will be required to propose program performance targets/goals (final targets will be negotiated with successful proposers.) Performance measures may include:

- Participants Enrolled
- Placement in Education or Training
 - Entered career technical training program
 - Entered pre-apprenticeship program
 - Entered apprenticeship program
 - Entered customized employer-based training
- Completion of Education or Training
 - Completed industry recognized certificate
 - Completed industry-identified soft skills program
- Placement in internships

H. Project Evaluation

The State Board will develop an evaluation of program effectiveness and produce quarterly reports on program activities and outcomes. Grantees will be required to submit brief quarterly narrative reports

on program progress and validate a client data-tracking dashboard, which will be made available to the State Board, the Energy Commission, and other stakeholders (See Appendix C).

Section 6 Doing Business with the State of California

The following laws apply to persons or entities doing business with the State of California.

1. CONFLICT OF INTEREST: Contractor needs to be aware of the following provisions regarding current or former state employees. If Contractor has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

Current State Employees (PCC Section 10410):

- 1) No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- 2) No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

Former State Employees (PCC Section 10411):

- 1) For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
- 2) For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If Contractor violates any provisions of above paragraphs, such action by Contractor shall render this Agreement void (PCC Section 10420).

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem (PCC Section §10430 (e)).

2. LABOR CODE/WORKERS' COMPENSATION: Contractor needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake

self-insurance in accordance with the provisions, and Contractor affirms to comply with such provisions before commencing the performance of the work of this Agreement (Labor Code Section 3700).

3. AMERICANS WITH DISABILITIES ACT: Contractor assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA (42U.S.C. 12101 et seq.)
4. CONTRACTOR NAME CHANGE: An amendment is required to change the Contractor's name as listed on this Agreement. Upon receipt of legal documentation of the name change the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.
5. CORPORATE QUALIFICATIONS TO DO BUSINESS IN CALIFORNIA:
 - a. When agreements are to be performed in the state by corporations, the contracting agencies will be verifying that the contractor is currently qualified to do business in California in order to ensure that all obligations due to the state are fulfilled.
 - b. "Doing business" is defined in Revenue and Taxation Code Section 23101 as actively engaging in any transaction for the purpose of financial or pecuniary gain or profit. Although there are some statutory exceptions to taxation, rarely will a corporate contractor performing within the state not be subject to the franchise tax.
 - c. Both domestic and foreign corporations (those incorporated outside of California) must be in good standing in order to be qualified to do business in California. Agencies will determine whether a corporation is in good standing by calling the Office of the Secretary of State.
6. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
7. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the Contractor shall not be: (1) in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district; (2) subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or (3) finally determined to be in violation of provisions of federal law relating to air or water pollution.
8. PAYEE DATA RECORD FORM STD. 204: This form must be completed by all contractors that are not another state agency or other governmental entity.

Section 7 Appendices & Forms

[Appendix A provides a description of the Energy Commission's ARFVT program.](#)

[Appendix B provides a sample Standard Agreement.](#)

[Appendix C provides information on VOS \(CalJOBSSM\) - Workstation and Software Requirements](#)

[Cover Page/Signature Page](#)

[SFP Form 1 – Proposal Narrative](#)

[SFP Form 2 – Project Budget](#)

[SFP Form 3 – Budget Detail](#)

[SFP Form 4 – Project Work plan](#)

[SFP Form 5 – Project Outcomes](#)

[SFP Form 6 – Strategy Partners Matrix](#)

[SFP Form 7 – Supplemental Budget Form \(if applicable\)](#)

[SFP Form 8 – Worker's Compensation Certification](#)

[SFP Form 9 – Contractor Certification Clauses](#)

[SFP Form 10 – Darfur Contracting Act Certification](#)

[SFP Form 11 – Bidder Declaration Form](#)