

WIOA SERVICES CONTRACT COVER SHEET	1. CONTRACT/MODIFICATION NO. PY22-WIOA-02		CONTRACT PERIOD July 1, 2022 - June 30, 2023	
<p>This Contract Amendment is made and entered into by the Southwestern Area Workforce Development Board, hereinafter referred to as the LWDB, and Arbor E&T, LLC dba Equus Workforce Solutions, hereinafter referred to as the Sub-Grantee. The Sub-Grantee agrees to provide WIOA Adult and Dislocated Worker services in the geographic area within the State of New Mexico, as stated in the scope of work, pursuant to the provisions of the Workforce Innovation and Opportunity Act (WIOA), and in accordance with the provisions of this Agreement.</p> <p>This Agreement consists of this WIOA Contract Cover Sheet; Sub-Grant Agreement Provisions; Scope of Work; Budget; and Exhibits.</p>				
2. NAME OF PROVIDER Arbor E&T, LLC dba Equus Workforce Solutions (previously Rescare Workforce Services)			3. NAME OF PROVIDERS POINT OF CONTACT Camille Padilla	
ADDRESS 805 North Whittington Parkway			TITLE OF POINT OF CONTACT Regional Director	
CITY, STATE & ZIP Louisville, KY 40222			TELEPHONE/FAX/EMAIL Phone: (949) 637-2491 Email: camille.padilla@equusworks.com	
4. FUNDING TYPE(S) (Check those that apply) TITLE I <input checked="" type="checkbox"/> Adult <input checked="" type="checkbox"/> Dislocated Worker <input type="checkbox"/> Youth <input type="checkbox"/> Administration			5. TYPE OF CONTRACT ACTION <input checked="" type="checkbox"/> New <input type="checkbox"/> Modification/Amendment <input type="checkbox"/> Other	
AMOUNT OF CONTRACT				
ADMINISTRATION	ADULT	DISLOCATED WORKER	YOUTH	TOTAL
\$0.00	\$1,200,000.00	\$1,500,000.00	\$0.00	\$2,700,000.00
AMOUNT OF MODIFICATION				
ADMINISTRATION	ADULT	DISLOCATED WORKER	YOUTH	TOTAL
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
AMOUNT OF TOTAL CONTRACT				
ADMINISTRATION	ADULT	DISLOCATED WORKER	YOUTH	TOTAL
\$0.00	\$1,200,000.00	\$1,500,000.00	\$0.00	\$2,700,000.00

SUB-GRANT AGREEMENT PROVISIONS

I. BACKGROUND

- (A) This is an agreement with mutual consideration, known to the United States Department of Labor (USDOL) and the New Mexico Department of Workforce Solution (DWS), as a “Sub-Grant Agreement.” The parties to this agreement are the **SOUTHWESTERN AREA WORKFORCE DEVELOPMENT BOARD**, as the Local Workforce Development Board (LWDB) and **Arbor E&T, LLC dba Equus Workforce Solutions**, the Sub- Grantee. The parties enter into this Sub-Grant Agreement pursuant to the Workforce Innovation and Opportunity Act (WIOA). The funding for this agreement is provided by the Workforce Innovation and Opportunity Act and the United States Department of Labor.

The parties enter into this Sub-Grant Agreement pursuant to the Workforce Innovation and Opportunity Act (WIOA) in accordance with the proposal submitted for the **WIOA Adult & Dislocated Worker Service Request for Proposals (RFP#2019 – 02)**.

- (B) The purpose of the Workforce Innovation and Opportunity Act includes:
- (1) Increasing access to and opportunities for the employment, education, training, and support services that individuals need, particularly those with barriers to employment
 - (2) Supporting the alignment of workforce investment, education, and economic development systems, in support of a comprehensive, accessible, and high-quality workforce development system
 - (3) Improving the quality and labor market relevance of workforce investment, education, and economic development efforts
 - (4) Promoting improvement in the structure and delivery of services
 - (5) Providing workforce development activities that increase employment, retention, and earnings of participants and that increase post-secondary credential attainment and as a result, improve the quality of the workforce, reduce welfare dependency, increase economic self-sufficiency, meet skill requirements of employers, and enhance productivity, and competitiveness of the nation
- (C) The Local Workforce Development Board has authorized this agreement consistent with the federal and state regulations under the Workforce Innovation and Opportunity Act, hereby, authorizing the Sub-grantee to provide employment and training programs consistent with the WIOA, the New Mexico Combined State Plan, the LWDB’s local plan, and this Agreement through the Sub-Grantee. All parties to this Agreement consent to the following requirements.

II. AGREEMENT REQUIREMENTS

(A) Duties and Obligations of the Local CEOs and LWDB

- (1) The CEOs in a local area shall serve as the local grant recipient for, and shall be liable for any misuse of, the grant funds allocated to the local area.
- (2) The local grant recipient or an entity designated shall disburse the grant funds for Workforce Innovation and Opportunity Activities at the direction of the local board, pursuant to the requirements of this title. The local grant recipient or entity designated shall disburse the funds immediately on receiving such direction from the local board.
- (3) As the local grant recipient, the CEOs are responsible for overseeing the activities of LWDB and sub-recipients.
- (4) The LWDB shall perform the obligations and duties as outlined in this agreement.
- (5) On behalf of the CEOs and LWDB, the Administrative Entity (AE) and Fiscal Agent (FA) shall provide staff support to the Sub-Grantees and shall be responsible for the day-to-day fiscal and program administration and oversight of the Workforce Innovation and Opportunity Act in the Southwestern New Mexico. The AE will provide administrative direction to Sub-Grantees through the development and distribution of federal, state, and local WIOA program guidance; policy and rules; and technical assistance guides.

(B) Duties and Obligations of the Sub-Grantee

- (1) The Sub-Grantee's duties and obligations are to comply with the federal, state, and local regulations, policies, and guidance letters, as well as the Sub-Grantee's scope of work and budget.

(C) Effective Date and Term

- (1) This Agreement shall be effective upon signature of the Chairperson of the contracting LWDB (or their respective designees), the designated Sub-Grantee officer (or their respective designee). Performance of the Agreement shall commence and end on the dates indicated on the contract cover sheet, unless terminated earlier pursuant to the terms of this Agreement.

(D) Funding

- (1) The LWDB will allocate WIOA funds for services to youth, adults, and dislocated workers in the amount stated in the Contract Cover Sheet of this Agreement.
- (2) Availability of WIOA funds is predicated upon receipt of federal allocations, and subject to required formula disbursements and rescission. Funds which the Sub-Grantee does not expend within the specified period are subject to reversion to the LWDB pursuant to applicable law. Additionally, the LWDB may opt to conduct an

early one-year recapture of funds for purposes of reallocation. The amount of recapture, if any, must be based on the amount by which the prior year's unobligated balance of allocated funds exceeds 20 percent (20%) of that year's allocation for the program, less any amount reserved (up to 10%) for the costs of administration. Unobligated balances must be determined based on allocations adjusted for any allowable transfers between the adult and dislocated worker funding streams.

- (2) In the event the USDOL or the State of New Mexico reduces funding for the current year or retroactively, a unilateral modification to the sub-grant agreement will be executed.
- (3) Upon receipt of a fully executed Sub-Grant Agreement and all required attachments, the funds will be made available to the Sub-Grantee. The allocation letter and any subsequent letters of allocation, notices of increases and/or decreases in funding, or reallocation shall be incorporated into modifications as addendum to this Agreement.

III. ADMINISTRATIVE STANDARDS AND PROCEDURES

(A) Maintenance of Integrity in the Expenditure of Public Funds Under Penalty of Law

- (1) Sub-Grantee shall take every reasonable course of action to maintain integrity in the expenditure of public funds to avoid any favoritism, conflict of interest, disallowed cost or other questionable or improper conduct as defined in WIOA, the Governmental Conduct Act, the New Mexico Procurement Code and other applicable laws and by-laws. The parties agree to administer this Agreement in an impartial manner, free from personal, financial, political, or other questionable or improper gains or motives. In administering this Contract, the Sub-Grantee, its executive staff, and employees, shall avoid situations that, to a reasonable person, appear to call into question the party's loyalty to the highest fiduciary standard of conduct.
- (2) Expenditure Authorization Procedures: Sub-Grantee agrees to abide by LWDB rules, policies and procedures in requesting, disbursing, recording financial expenditures, and reporting requirements.
 - (a) Prior to the expenditure of any funds, the Sub-Grantee shall establish detailed accounting codes to be used to track the expenditure of funds under this Contract and develop fiscal reports to the LWDB, USDOL, and the State.
 - (b) Sub-Grantee will establish local policy and procedures for their subgrantees that will ensure compliance with applicable federal and state laws. Sub-Grantee shall comply with and enforce whatever additional provisions it, in its discretion, chooses to impose on subgrantees.

- (c) Sub-Grantee may receive advances and reimbursements for expenditures pursuant to SAE policies and procedures. Sub-Grantee may submit a Cash Request form to the Fiscal Agent to drawdown funds for allowable costs.
- (d) Sub-Grantee acknowledges that USDOL, SAE, AE, FA, the State Auditor's Office or other authorized agents have the authority and responsibility to monitor and evaluate the Sub-Grantee's fiscal systems to assure compliance with state and federal fiscal management guidelines, policies, and procedures.

(3) Modification Procedures

- (a) This Agreement is subject to modifications required as a result of changes in applicable federal or state law, or to implement federal or state rules, regulations, or procedures or duly approved waiver(s) by the US Department of Labor. Any such required modification shall be automatically incorporated into, and be made a part of, this Agreement as of the effective date of such change, unless such change result from a modification of state or federal law in which case the effective date shall be the date on which the law is enacted. Any other changes to the Agreement may only be made through a written modification request and approved in writing by the parties unless they are addressed separately in this Agreement.
- (b) The parties to this Agreement may modify the budget in accordance with LWDB policies and procedures. Each modification becomes an amendment to this Agreement. Upon proper execution and approval of the parties, Sub-Grantee may begin work related to the modification.
- (c) If changes in labor market conditions, funding, or other factors require substantial deviation from an approved scope of work and/or budget, then Sub-Grantee shall submit a modification of such plan which shall be subject to review by the AE.

(4) Reporting Requirements

- (a) Financial: Sub-Grantee shall comply with the established policy as set forth by the AE and FA regarding fiscal reporting requirements. These include the tracking and reporting of stand-in costs and program income. Monthly Financial Reports must use the required AE and FA format. An electronic copy of the Monthly Financial Report complete with signature must be submitted to the AE and FA by the 15th day following the last day of each month. Original copies must be retained by the Sub-Grantee.

- (b) Program: Sub-Grantee shall comply with the goals and objectives identified within the Sub-Grantee's approved scope of work and budget. Sub-Grantee shall be required to meet all identified performance measures, goals and benchmarks identified, budget, federal, state, and local directives, and the scope of work contained in this agreement.

(5) Maintenance of Funds in Appropriate Financial Institutions

- (a) Sub-Grantee shall maintain all funds in cash depositories that have Federal Deposit Insurance Corporation (FDIC) insurance coverage.

(6) Payment Contingency

- (a) The parties recognize that Sub-Grantee is to be paid, reimbursed, or otherwise compensated, in whole or in part, from available Federal funds. Therefore, Sub-Grantee understands and agrees that all its rights, demands, and claims to compensation arising under this Agreement are contingent upon the LWDB's receipt of such funds from the state and or federal government and upon the continued receipt of such funds.

(7) Performance Standards

- (a) Sub-Grantee shall comply with performance criteria negotiated with the AE. Upon request by the AE, Sub-Grantee shall provide such data as the AE may request for purposes of evaluating Sub-Grantee's compliance with performance requirements. The AE recognizes that Sub-Grantee has the authority and discretion to add its own internal policies and controls so long as they are not inconsistent with federal or state law, this Contract, or written policies established by the LWDB.
- (b) If applicable, and with the approved subcontracts by the AE, Subgrantee shall assure that any subcontracts developed in conjunction with federal WIOA funds shall contain applicable performance standards for adults, dislocated workers, youth, and customer satisfaction, and any federal and state amendments established by law. Sub-Grantee shall perform any necessary data collection and evaluation for such additional local standards.

IV. CONFIDENTIALITY, DATA MANAGEMENT, RECORD MAINTENANCE, AND AUDITING

(A) Data Access and Automation Requirements

- (1) Access to NMDWS information system(s) will be admitted only through Agency approved computing equipment including, but not limited to, SFTP,

ACH Network, etc. Sub-Grantee shall ensure computing equipment and/or resources meet the minimum industry Information Security Requirements (e.g. current anti-virus, anti-malware, current patches, etc.); any other means of system access is prohibited.

(2) Sub-Grantee agrees to:

- (a) Maintain computer equipment to ensure connectivity with the State Workforce Connection On-Line System;
- (b) Adhere to the requirements set forth in applicable state policy; and
- (c) Use a common management information system as determined by DWS and require providers to also utilize it as the primary management information system.
- (d) Access to NMDWS data must be authorized by designated authorities and in accordance NMDWS Access Request and Access Control policies and procedures.

(B) Retention of Records

- (1) Sub-Grantee and any subcontractors shall retain all such records in accordance with federal regulations and State record retention laws.

(2) Fiscal Records

- (a) In addition to any requirements imposed elsewhere in this Grant Agreement, Sub-Grantee shall retain accurate, current, separate, and complete fiscal records sufficient and otherwise adequate to provide full disclosure of the status of the funds received under this Agreement. All such records shall be adequate to allow USDOL, independent auditing firms and the AE and or FA to audit and monitor the Sub-Grantee at any time as deemed appropriate by the AE or FA All such records, documents, communications, and other materials shall be the property of the State and shall be maintained by Sub-Grantee in a central location as custodian for the LWDB.

(3) Fixed Asset and Inventory Maintenance

- (a) Sub-Grantee shall adhere to the requirements for maintenance of fixed assets in accordance with AE, FA, federal, state rules and regulations.

(4) Retention of Complaint Records

- (a) Sub-Grantee, and any subcontractors, shall retain, for a minimum period of not less than three (3) years from the date of resolution, all records regarding program complaints and all actions taken to resolve such complaints and to assure resolution within established time frames.

- (b) Sub-Grantee will immediately notify the AE upon receipt of any complaints to obtain technical assistance in the resolution of such complaints and to ensure resolution within established time frames. If pending litigation, an audit, or a claim involving a Sub-Grantee is initiated prior to the end of the referenced retention periods, then such retention period automatically renews for an additional period of three (3) years or until such litigation, audit, or claim is finally resolved.

(5) Confidentiality of Records

- (a) Sub-Grantee agrees to be bound by all confidentiality requirements of the WIOA and of the State of New Mexico, including but not limited to, the New Mexico Inspection of Public Records Act. Any breach of confidentiality by Sub-Grantee, or third party agents of Sub-Grantee, shall constitute good cause for the AE to cancel this Agreement, without liability to the LWDB. Any AE waiver of an alleged breach of confidentiality by Sub-Grantee, or third party agents of Sub-Grantee, does not constitute a waiver of any subsequent breach by Sub-Grantee, or third party agents of the Sub-Grantee.

(6) Ownership of Materials, Information, Data, Computer Software, Documentation, Studies, and Evaluations

- (a) Unless otherwise provided for in this Contract, the parties agree that all materials, information, data, computer software, etc., are the sole property of the State of New Mexico. The AE may request that SubGrantee deliver these items to the AE upon completion, termination, or cancellation of this Agreement. Sub-Grantee shall not use, willingly allow another to use, or cause such items to be used for any purpose other than for the performance of Sub-Grantee's duties and obligations under this Agreement without the prior, express, written consent of AE and the State of New Mexico.

(7) Confidentiality of Data

(a) Computer Matching and Privacy Protection Act (CMPPA) Agreement

- (i) The Sub-Grantee will comply with the terms and conditions set forth in the CMPPA that is part of the Information Exchange Agreement (IEA) between the Social Security Administration (SSA) and the New Mexico Department of Workforce Solutions (DWS). The Sub-Grantee will not duplicate, disseminate, or disclose such data without first obtaining through DWS, SSA's prior written approval. A copy of the CMPPA and IEA are available from DWS upon request.

- (ii) The Sub-Grantee understands that access, use or disclosure of social security data in a manner or purpose not authorized by the CMPPA may be subject to civil and criminal sanctions pursuant to applicable federal statutes.
- (iii) IT resources shall not be used to reveal confidential or sensitive information, client data, or any other information covered by existing state or federal privacy or confidentiality laws, regulations, rules, policies, procedures, or contract terms. Users who engage in the unauthorized release of confidential information via the state's IT resources, including but not limited to newsgroups or chat rooms, will be subject to sanctions in existing policies and procedures associated with unauthorized release of such information.
- (iv) Sensitive or confidential data passing over an external network connection shall be encrypted to ensure the confidentiality and integrity of the information.

(8) Compliance with Applicable Audit Requirements

- (a) Sub-Grantee shall ensure that it, and its sub-recipients, if any, will comply with all provisions of the Single Audit Act and 2 CFR Part 200 Subpart F (formally OMB Circular A-133) of the OMB Uniform Guidance Regulations, USDOL Exception at 2 CFR 2900.2 and the New Mexico State Auditor requirements. Sub-Grantee shall also institute policy and procedures for its sub-recipients that comply with these audit provisions. A complete copy of the audit must be submitted to the AE and FA within 30 days after completion of said audit. Failure to comply with the applicable audit requirement may result in the application of remedial actions, sanctions and and/or cancelation of the Agreement.

(9) Right of Inspection

- (a) In accordance with federal regulations, the AE, FA, SAE, USDOL, the Comptroller General of the United States, the New Mexico State Auditor's Office and any of their authorized representatives shall, during business hours, have access to audit, inspect, examine, excerpt, and copy books, records, memoranda, correspondence, personnel staffing records, independent audit work papers and any other documents, and shall be allowed to monitor and review such through on-site review visits. The right to access may last beyond the prescribed period of record retention in accordance with State record retention laws.

(10) Financial and Performance Monitoring

- (a) Sub-Grantee shall permit the AE, FA, SAE, USDOL or any other duly authorized governmental agent or agency, to monitor all activities conducted by LWDB and sub-grantees pursuant to the terms of this Agreement. Such monitoring may consist of internal evaluation procedures, examination of program data, special analyses, on-site checking, formal audit examinations, or any other reasonable procedure. All such monitoring shall be performed in a manner that shall not unduly interfere with the work of the Sub-Grantee.
 - (i) Sub-Grantee shall review the monitoring reports by the AE, FA, SAE, USDOL or its representatives, and shall act promptly, under direction of the AE, to remedy deficiencies noted in such findings. If corrective action is not taken and such deficiencies persist, the AE may impose sanctions or terminate this Agreement.

V. ASSURANCES

(A) Compliance with Certain Laws

- (1) Sub-Grantee assures and certifies that in administering programs under this Contract, it will fully comply with the Workforce Innovation and Opportunity Act, including the Non-Discrimination and Equal Opportunity Provisions of the WIOA, all regulations promulgated there under, and all other applicable laws, including, but not limited to, those listed below:
 - (a) State policy, SAE rules, program information notices or technical assistance guides;
 - (b) The Uniform Relocation Assistance and Real Property Acquisition Act of 1970;
 - (c) The Wagner-Peyser Act of 1933;
 - (d) The Civil Rights Act of 1964, Title V;
 - (e) Section 504 of the Rehabilitation Act Part 25 Non-Discrimination Act;
 - (f) Federal Funding Accountability and Transparency Act (FFATA) of 2006 (Pub.L.109-282), as amended by Section 6202 of the Government Funding Transparency Act of 2008 (Pub.L.10-252).
 - (g) Americans with Disabilities Act of 1990;
 - (h) The Hatch Act;
 - (i) Child Labor Laws;
 - (j) Occupational Safety and Health Act (OSHA);

- (k) Davis Bacon Act and the New Mexico Public Works Minimum Wage Act;
- (l) Social Security Act;
- (m) Military Selective Services Act;
- (n) Section 665, Title 18 of the U.S. Code (theft or embezzlement from employment and training funds, improper inducement and obstruction of investigations);
- (o) Fair Labor Standards Act;
- (p) New Mexico Procurement Code and New Mexico Governmental Conduct Act;
- (q) Equal Opportunity Provisions of the WIOA and Civil Rights Act;
- (r) Age Discrimination Act of 1975;
- (s) New Mexico Human Rights Act;
- (t) Buy American Act (Sec. 502 of WIOA & Title 41 U.S.C. 8301-8305) and,
- (u) OMB Uniform Guidance on Cost Principles, Audit and Administrative Requirements for Grants and Contracts (2 CFR Part 200) in conjunction with USDOL exceptions located at 2 CFR part 2900.

VI. TERMINATION

(A) Termination for Effectiveness

- (1) Either party to this Agreement may terminate the Agreement if it is determined the original purpose would not be accomplished by completing the project. The party desiring to terminate this Agreement shall effect such termination by giving written notice of termination to the other party and specifying the effective date thereof, at least thirty (30) days before the effective date of such termination. In that event, all finished or unfinished documents, data, etc., must be placed in the custody of the AE, and Sub-Grantee shall be entitled to receive just and equitable compensation for any satisfactory services and supplies delivered.
- (2) If the Agreement is terminated by AE as provided herein, Sub-Grantee will be paid an amount which bears the same ratio to the total compensation as the services satisfactorily performed, less payments of compensation previously made.

- (3) Sub-Grantee shall be obligated to return any payment advanced under the provisions of this Agreement over the amount needed to cover the compensation for services performed discussed in this section. If this Agreement is terminated for cause, or due to the fault of either party, the Termination for Cause or Default provision shall apply.

(B) Termination for Default (Cause)

- (1) If for any cause, either party to this Agreement shall fail to fulfill, in a timely and proper manner, its obligations under this Agreement the other party shall thereupon have the right to terminate this Agreement for cause by giving written notice to the non-performing party of its intent to terminate and provide at least ten (10) days opportunity to cure the default or show cause why termination is otherwise not appropriate. In the event of termination for cause, all finished or unfinished documents, data, etc., must be placed in the custody of the AE, and Sub-grantee shall be entitled to receive just and equitable compensation for any satisfactory services and supplies delivered and accepted. Sub-grantee shall be obligated to return any payment advanced under the provisions of this Agreement.
- (2) Notwithstanding the above, neither party shall be relieved of liability for any damages sustained by the other party by virtue of any breach of the Agreement, nor may the AE withhold any payment to Sub-grantee for the purposes of mitigating its damages until such time as the exact amount of damages due to the AE from Sub-grantee is determined.
- (3) If after such termination it is determined, for any reason, that a party was not in default, or that that party's action/inaction was excusable, such termination shall be treated as a termination for convenience, and the rights and obligations of the parties shall be the same as if the Agreement had been terminated for convenience, as described herein.

(C) Remedies Other Than Termination for Default

- (1) In addition to any other remedies provided for in this Agreement, or by law, the parties may exercise the following remedial actions if the other party substantially fails to satisfy or perform its duties or obligations under this Agreement.
- (2) Substantial failure to satisfy or perform is defined to mean: unsatisfactory, insufficient, incorrect, or improper actions or inactions by the party in performing its duties and obligations under this Agreement. The additional remedial actions include, but are not limited to:
 - (a) Suspension of further performance pending completion of necessary corrective action(s) by the non-performing party;

- (b) Withholding of further payments to Sub-grantee until necessary services or corrective actions are satisfactorily completed by the Subgrantee, or withholding of provision of further performance by Subgrantee until necessary performance or corrective actions are satisfactorily completed by AE;
- (c) Deny payment for those services or obligations of Sub-grantee which, have not yet been performed, and which, due to circumstances caused by Sub-grantee, cannot be performed, or if performed, would be of no value to the State. Denial of payment must be reasonably related to the amount of services or performance lost to the LWDB because of the Sub-grantee's actions.
- (d) Termination of this Agreement as set forth in the Termination for Default paragraph of this Agreement but without further liability to the terminating party, including, but not limited to, liability for termination costs.

VII. ADDITIONAL PROVISIONS

(A) Conflict Of Interest

- (1) Sub-grantee shall maintain a written code of standards governing the performance of its boards, councils, and employees engaged in the award and administration of contracts. This Code of Conduct may substantially conform to the model code available from the New Mexico Secretary of State. No employee, officer or agent of Sub-grantee, shall participate in the selection, or in the award or administration of a contract or subcontract supported by Federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when the employee, officer or agent, any member of the employee's immediate family, the employee's partner; or an organization that employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. The Sub-grantee, or officers, employees, or agents will neither solicit nor accept gratuities, favors, or anything of monetary value from Sub-grantee's, potential Sub-grantee's, or parties to subcontracts. Sub-grantee warrants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance or services required under this agreement. Sub-grantee shall comply with the disclosure requirements of the Conflict of Interest Act and the OMB Uniform Guidance Regulations at 2 CFR 200.318.

(B) Insurance

- (1) Sub-grantee shall at all times during the term of this Agreement maintain such liability insurance, by commercial policy or self-insurance, as is necessary to meet its liabilities under the Act. The Sub-grantee shall provide certificates showing adequate insurance coverage to AE with the signed Grant Agreement.

- (2) The LWDB and the State of New Mexico shall be named as additional insured on all liability policies.
- (3) The insurance shall include provisions preventing cancellation without 60 days prior notice to the AE by certified mail.

(C) Notice of Pending Litigation

- (1) Unless otherwise provided for in this Agreement, Sub-grantee shall notify AE within five (5) working days after being served with a summons, complaint, or other pleading in a case which involves services provided under this Agreement and which has been filed in any federal or state court or administrative agency. Sub-grantee shall immediately deliver copies of any such documents to the AE.

(D) Certifications

- (1) By signing this Grant Agreement, Sub-grantee agrees to provide, comply with, and, execute the certifications attached to this Sub-Grant Agreement.

(E) Exhibits

- (1) The original Grant Agreement exhibits are incorporated into Grant Agreement Modifications and Sub-grantee agrees to complete and submit (**where applicable**) as part of this Agreement package as follows:
 - (a) Exhibit A - Assurances and Certifications
 - (b) Exhibit B - Liability & Bonding Insurance
 - (c) Exhibit C - Indirect Cost Rate Agreement
 - (d) Exhibit D - Budget Information Summary
 - (e) Exhibit E - Information Request Form
 - (f) Exhibit F – Campaign Contribution Form
 - (g) Exhibit G – Scope of Work and Budget
- (2) The Scope of Work shall be performed in accordance with the proposal submitted for the WIOA Adult & Dislocated Worker Service Request for Proposals (RFP#2019 – 01).

(F) Liability

- (1) Any liability incurred by AE in connection with this Agreement is subject to the immunities and limitations of the New Mexico Tort Claims Act, §41-4-1 et seq., NMSA 1978, as amended.

(G) Sub-Grantee;

- (1) Shall provide service at the workforce centers located in the southwestern area,

and may provide itinerant services at other locations and cities, as stated in the sub-grantee's scope of work.

- (2) Shall conduct periodic quality assurance reviews on participant files and operations in accordance with the state or local guidance letters and or policy.
- (3) May make budget adjustments and programmatic modifications with written approval of the WIOA Administrator.
- (4) Shall submit program activity and fiscal reports that are due to the Administrative Entity and Fiscal Agent's office not later than the 15th day of the following month.
- (5) Shall submit the contract close-out not later than 45 day after the term of this Agreement.

VIII. REFERENCES

- (A) Workforce Innovation and Opportunity Act (Pub. L 113-128) and all other applicable federal statutes and regulations
- (B) All applicable state laws (once NMAC is updated to reflect WIOA), and state policy directives, including State Technical Assistance Guides
- (C) All relevant federal guidance documents, including, but not limited to the following:
 - (1) Training and Employment Guidance Letter 15-14 (Implementation of New Uniform Guidance Regulations)
 - (2) Training and Employment Guidance Letter 19-14 (Vision for the Workforce System and Initial Implementation of the Workforce Innovation and Opportunity Act of 2014)
 - (3) Training and Employment Guidance Letter 23-14 (Workforce Innovation and Opportunity Act (WIOA) Youth Program Transition)
 - (4) Training and Employment Guidance Letter 27-14, including Change 1 (Workforce Innovation and Opportunity Act Transition Authority for Immediate Implementation of Governance Provisions)
 - (5) Training and Employment Guidance Letter 38-14 (Operational Guidance to Support the Orderly Transition of WIOA to WIOA)
 - (6) Training and Employment Guidance Letter 41-14, including Change 1 (Workforce Innovation and Opportunity Act Title I Training Provider Eligibility Transition)

- (7) Training and Employment Notice 31-14 (Early Operating Guidance for Implementation of the Workforce Innovation and Opportunity Act (WIOA or Opportunity Act))
 - (8) Training and Employment Notice 36-14 (PY 2015 WIOA Funding Allocations and the Extension of Grantee Strategic Plans)
 - (9) Training and Employment Notice 37-14 (Complying with nondiscriminatory Requirements)
 - (10) Training and Employment Notice 01-15 (Promising Practices in Achieving Universal Access and Equal Opportunity: A Section 188 Disability Reference Guide)
 - (11) Training and Employment Guidance Letter 01-15 (Implementation of Waivers approved under the Workforce Innovation and Opportunity Act)
 - (12) Training and Employment Guidance Letter 03-15 (Guidance on Services Provided through the Adult, Dislocated Worker Program under WIOA and Guidance for Transition to WIOA Services)
 - (13) Training and Employment Guidance Letter 04-15 (Vision for the One-Stop Delivery)
 - (14) System under the Workforce Innovation and Opportunity Act (WIOA)
 - (15) Training and Employment Guidance Letter 08-15 (Second Title 1 WIOA Youth Program Transition Guidance)
- (D) Unemployment Insurance Program Letter 20-15 (Unemployment Insurance and the Workforce Innovation and Opportunity Act of 2014)

IX. WIOA ADULT & DISLOCATED WORKER SERVICE REQUIREMENTS

(A) PROGRAM DESIGN & ESSENTIAL ELEMENTS

- (1) Workforce Innovation and Opportunity Act (WIOA) funds may only be used for authorized WIOA activities as outlined in the Act. These services will be provided through the one-stop delivery system in accordance with federal, state and local rules, regulations and guidance. The following program design elements shall be applied to all programs and services.
 - (a) **BUSINESS DRIVEN-** Workforce Research and Regional Labor Market Analysis: All programs and services must be aligned with targeted industry and occupation strategies documented by the LWDB and based on local, regional and statewide economic conditions.

(b) OUTREACH/RECRUITMENT: Local areas shall conduct and document outreach to targeted populations including the following veterans and eligible spouses of veterans, low-income and public assistance recipients, and individuals that are basic skill deficient.

(c) WORKFORCE CONNECTION ON-LINE SYSTEM:
Adult,
Dislocated Workers and Youth who receive services must be registered in the Workforce Connection Online System consistent with federal, state and local policy.

(B) PROGRAM DESIGN AND EMPHASIS ON JOB-DRIVEN SERVICES AND TRAINING

(1) JOB DRIVEN STRATEGIES - Job-driven strategies must be reflected in contracts, operations, processes and performance. LWDBs shall establish and demonstrate job-driven services and training for all funding streams as follows:

- (a) Work up-front with employers to determine local or regional hiring needs and design training programs that are responsive to those needs;
- (b) Engage employers, employer associations, and labor organizations in the design and delivery of programs and services to meet current and future hiring needs that will likely result in employment for participating job seekers;
- (c) Prioritize work-based learning opportunities including on-the-job training, internships, pre- apprenticeships, and Registered Apprenticeship as training paths to employment;
- (d) Utilize timely, reliable, and readily accessible labor market information, in conjunction with program outcomes, to guide jobseekers in choosing the types of employment, or fields of study, training, and credentials to pursue. Labor market information includes current and projected local, regional, State, and national labor markets, such as the number and types of available jobs, future demand, job characteristics, training and skills requirements, and the composition, characteristics, and skills of the labor supply;
- (e) Promote training programs that are part of a continuum of education and training leading to credential attainment, good jobs, increased earnings, and career advancement;
- (f) Include career assistance and supportive services as needed to enable an individual to participate in, and complete, education and training activities and secure employment; and

- (g) Create local and regional collaborations among Workforce Connection Centers, education institutions, labor, and nonprofits.

(C) PRIORITY OF SERVICE

(a) VETERANS PRIORITY OF SERVICE

- (1) Local areas must incorporate priority of service provisions for veterans and eligible spouses sufficient to meet the requirements of 20 CFR parts 1010, published at Fed. Reg. 78132 on December 19, 2008, the regulations implementing priority of service for veterans and eligible spouses in USDOL job training programs under the Jobs for Veterans Act. Under sec. 1010.310(b)(3) of these regulations, when the veterans priority is applied in conjunction with another statutory priority like priority for recipients of public assistance and low-income individuals, veterans and eligible spouses who are members of the priority group must receive the highest priority within that priority group, followed by non-veteran members of the priority group.

(b) ADULT PRIORITY OF SERVICE

- (1) With respect to funds allocated to a local area for adult employment and training activities under WIOA paragraph (2)(A) or (3) of section 133(b), priority shall be given to recipients of public assistance, other low-income individuals, and individuals who are basic skills deficient for receipt of career services and training services.

(D) BASIC CAREER SERVICES - SELF-DIRECTED AND INFORMATIONAL SERVICES

- (1) Basic Career Services must be available to all individuals seeking services in the one-stop delivery system. At a minimum, Basic Career Services consist of the following:
 - (a) determinations of whether the individuals are eligible to receive assistance from the Adult, Dislocated Worker or Youth programs;
 - (b) outreach, intake (including identification through the state's Worker Profiling and Reemployment Services system of unemployment insurance (UI) claimants likely to exhaust benefits) and orientation to the information and other services available through the one-stop delivery system;
 - (c) initial assessment of skill levels (including literacy, numeracy, and English language proficiency), aptitudes, abilities (including skills gaps), and supportive service needs;
 - (d) labor exchange services, including—

- (i) job search and placement assistance and, in appropriate cases, career counseling, including the provision of information on in-demand industry sectors and occupations; the provision of information on nontraditional employment;
- (e) provision of referrals to and coordination of activities with other programs and services, including programs and services within the one-stop delivery system and, in appropriate cases, other workforce development programs;
- (f) 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 such labor market areas; information on job skills necessary to obtain the jobs; and information relating to local occupations in demand and the earnings, skill requirements, and opportunities for advancement for such occupations;
- (g) provision of performance information and program cost information on eligible providers of training services as described in WIOA section 122, provided by program and type of provider;
- (h) provision of information, in formats that are usable by and understandable to one-stop center customers, regarding how the local area is performing on the local performance accountability measures described in WIOA section 116(c) and any additional performance information with respect to the one-stop delivery system in the local area;
- (i) provision of information, in formats that are usable by and understandable to one-stop center customers, relating to the availability of supportive services or 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 the Supplemental Nutrition Assistance Program (SNAP); assistance through the earned income tax credit; housing counseling and assistance services sponsored through the U.S. Department of Housing and Urban Development (HUD); and assistance under the a State program for Temporary Assistance for Needy Families (TANF), and other supportive services and transportation provided through that program;
- (j) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act;

- (k) Provision of information and assistance regarding filing claims for unemployment compensation, including meaningful assistance to individuals seeking assistance in filing a claim. Meaningful assistance means providing assistance on-site using staff who are properly trained in UI claims filing, and/or the acceptance of information necessary to file a claim, or by phone or via other technology, as long as the assistance is provided by trained and available staff within a reasonable time as directed by the State in coordination with the State Unemployment Insurance Operations Center. The costs associated in providing meaningful assistance may be paid for by the State's UI program, the WIOA Adult or Dislocated Worker programs, the Wagner Peyser Employment Service, or some combination of these funding services.
- (l) **Basic Career Services referenced above do not require coenrollment. A WIOA application does not need to be completed.**

(E) INDIVIDUALIZED CAREER SERVICES

- (1) Individualized Career Services must be made available to individuals if the one stop operator or service provide determine the services are appropriate in order for an individual to obtain or retain employment. Staff may use recent previous assessments by partner programs to determine if individualized career services would be appropriate. Individualized Career Services consist of the following:
 - (a) comprehensive and specialized assessments of the skill levels and service needs of adults and dislocated workers, which may include diagnostic testing and use of other assessment tools; and in-depth interviewing and evaluation to identify employment barriers and appropriate employment goals;
 - (b) development of an individual employment plan, to identify the employment goals, appropriate achievement objectives, and appropriate combination of services for the participant to achieve the employment goals, including providing information on eligible providers of training services and career pathways to attain career objectives;
 - (c) group counseling;
 - (d) individual counseling;
 - (e) career planning;
 - (f) short-term prevocational services, including development of learning skills, communication skills, interviewing skills, punctuality, personal maintenance skills, and professional conduct to prepare individuals for unsubsidized employment or training, some instances

preapprenticeship programs may be considered short-term pre-vocational services;

- (g) internships and work experiences that are linked to careers;
 - (h) workforce preparation activities that help an individual acquire a combination of basic academic skills, critical thinking skills, digital literacy, and self- management skills, including competencies in utilizing resources, using information, working with others, understanding systems, and obtaining skills necessary for successful transition into and completion of postsecondary education, training or employment;
 - (i) financial literacy services, such as the activities described in section WIOA 129(b)(2)(D);
 - (j) out-of-area job search assistance and relocation assistance;
 - (k) English language acquisition and integrated education and training programs; and
- (2) Follow-up services – follow up services must be provided as appropriate for participants who are placed in unsubsidized employment, for up to 12 months after the first day of employment. Counseling about the workplace is an appropriate type of follow-up service.
- (a) **Follow-up services do not extend the date of exit in performance reporting.**
- (3) A WIOA application must be completed for all individuals receiving Individualized Career Services. WIOA case managers are responsible for compiling eligibility and data validation documentation.
- (4) Participation for Adult and Dislocated Worker occurs after information is collected to support eligibility determination and begins when the individual receives a staff assisted service excluding those defined as a Basic Career Service.

(F) TRAINING SERVICES

- (1) Training Services shall be used to provide training services to adults and dislocated workers who, after an interview, evaluation, or assessment, and career planning, have been determined by a one-stop operator or one-stop partner, as appropriate, to meet the following:

- (a) be unlikely or unable to obtain or retain employment, that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment, through the career services described;
- (b) be in need of training services to obtain or retain employment that leads to economic self-sufficiency or wages comparable to or higher than wages from previous employment; and
- (c) have the skills and qualifications to successfully participate in the selected program of training services;
- (d) who select programs of training services that are directly linked to the employment opportunities in the local area or the planning region, or in another area to which the adults or dislocated workers are willing to commute or relocate;
- (e) who are determined to be eligible in accordance with the priority system in effect

(G) RULE OF CONSTRUCTION - Nothing in this subparagraph shall be construed to mean an individual is required to receive career services prior to receiving training services.

(1) Training services may include—

- (a) Occupational Skills Training, including training for nontraditional employment;
- (b) On-the-Job-Training;
- (c) Incumbent worker training that combine workplace training with related instruction, which may include cooperative education programs;
- (d) Training programs operated by the private sector;
- (e) Skill Upgrading and retraining;
- (f) Entrepreneurial Training
- (g) Transitional jobs
- (h) Job Readiness training provided in combination with services;
- (i) Adult Education and literacy activities, including activities of English language acquisition and integrated education and training programs, provided concurrently or in combination with services described

- (j) Customized training conducted with a commitment by an employer or group of employers to employ an individual upon successful completion of the training.

(H) ADDITIONAL INFORMATION

(1) CONSUMER CHOICE REQUIREMENTS

- (a) Training services provided under this paragraph shall be provided in a manner that maximizes consumer choice in the selection of an eligible provider of such services.

(2) ELIGIBLE TRAINING PROVIDERS

- (a) Each local board, through one-stop centers, shall make available the list of eligible providers of training services described in WIOA section 122(d). Current providers will be extended through December 31, 2015. Additional guidance will be provided for initial and subsequent determination of Eligible Training Providers pending state and federal guidance.

(3) CREDENTIALS

- (a) Priority consideration shall be given to programs that lead to recognized postsecondary credentials that are aligned with in demand industry sectors or occupations in the local area involved.

(4) SUPPORTIVE SERVICES AND NEEDS-RELATED PAYMENTS

- (a) Supportive services and needs-related payments described in WIOA and as defined by state and local board policy must be made available to support employment and training needs.

X. PY 2022 PERFORMANCE MEASURES

- (A) Sub-recipient must meet or exceed all the following performance measures and levels. These performance measures may be amended in writing through the LWDB's administrative entity to match the LWDB's negotiated performance measure with the SAE.

	Adult	Dislocated Worker
Employment Rate 2nd Quarter After Exit	77.0%	68.0%
Employment Rate 4th Quarter After Exit	74.0%	68.5%

	Adult	Dislocated Worker
Median Earnings 2nd Quarter After Exit	\$6,500	\$6,100
Credential Attainment 4th Quarter After Exit	50.5%	53.0%
Measurable Skills Gain	56.0%	50.5%

XI. PROGRAM YEAR 2021 SELF-SUFFICIENCY WAGE

- (A) The SAE will annually calculate a self-sufficiency standard for each local area using a living wage model or comparable data that draws upon geographically specific expenditures that incorporates the income need of individuals, families and sub-state geographical considerations.
- (B) The Southwestern Local Area Workforce Development Board is \$32.62/Hour

XII. CORRECTIVE ACTION AND SANCTIONS

- (A) Sub-Grantee may be subject to corrective action and sanctions for failure to comply with one or more contracted performance measures; contract provisions; federal or state statutes, regulations, guidance, directives, or circulars. To accomplish the purposes of this section, the Administrative Entity may require, at any point during the year that a WIOA Sub-Grantees cooperate with remedial actions, including, but not limited to, entering into a Performance Improvement Plan, additional performance reviews and technical assistance activities. The purpose of imposing sanctions is to ensure accountability of Sub-Grantees in meeting the needs of employers and job seekers; ensure the achievement of negotiated performance, outcomes and goals; ensure adequate returns on New Mexico investments.

XIII. ADDITIONAL PROVISIONS

(A) Intensive Focal Area

- a. The sub-recipient will provide a dedicated full-time business workforce consultant to focus on employer services to the border industrial area of Santa Teresa, and Sunland Park in Southern Dona Ana county.

(B) Profit Incentives

- a. As part of this agreement, for-profit entities may negotiate a profit amount that is consistent with WIOA regulations. A Profit Incentives Schedule shall accompany the budget section of this agreement. The profit incentive shall be paid after the close-out is conducted and shall not exceed the amount stated in the Profit Incentives Schedule.

LWDB:

Alisa Estrada

06/30/2022

Authorized Signature

Date

Sub-Grantee:

Mark Souglass

07/05/2022

Authorized Signature

Date

PROFIT INCENTIVE SCHEDULE

Attachment A-1 Revised Profit Incentive Schedules

WIOA PROGRAM

	PROFIT INCENTIVE
Adult	\$ 42,222

PROFIT INCENTIVE GOALS - WIOA ADULT PROGRAM

	Target	Percentage Allocation	Amount
Outreach (Prorated)			
Employer	500	3%	\$ 1,266.66
Job Seekers	900	3%	\$ 1,266.66
Agricultural Employers	100	3%	\$ 1,266.66
Agricultural Farmworkers	60	3%	\$ 1,266.66
Total		12%	\$ 5,066.64
Small Community Participant Training Participants (Prorated)			
Catron	3	4%	\$ 1,688.88
Grant	17	4%	\$ 1,688.88
Hidalgo	3	4%	\$ 1,688.88
Luna	15	4%	\$ 1,688.88
Sierra	7	4%	\$ 1,688.88
Socorro	10	4%	\$ 1,688.88
Total	55	24%	\$ 10,133.28
Performance Measures (Prorated)			
Employment Rate at Date of Exit	77%	6.50%	\$ 2,744.43
Median Earnings at Date of Exit	\$ 7,800	6.50%	\$ 2,744.43
Credential Attainment at Training Completion	63%	7.00%	\$ 2,955.54
Customer Satisfaction Rate	85%	4.00%	\$ 1,688.88
Total		24.00%	\$ 10,133.28
Contractual Obligations and Expenditure Rates			
Obligate not less than 80% and Expend 40% of the contract amount by March 31, 2023. (Pass or Fail)		30%	\$ 12,666.60
Expend not less than 95% of the contract amount by June 30, 2023 (Prorated at 90% or higher) (Fail if less than 90%)		10%	\$ 4,222.20
Total		40%	\$ 16,888.80
Overall Total		100%	\$ 42,222.00

(1) Profit incentives will be reported quarterly not later than October 15, 2022, January 15, 2023, April 15, 2023, and July 15, 2023. A one time (year-end) payment for the profit incentives will be paid no later than August 31, 2023.

(2) **Prorated amounts**, as indicated above, are a product of the actual amount of target units delivered divided by the target goal. (Example: Catron Participant Training Expenditures - \$27,000/\$30,000 = 90%; \$1,899.36 x 90% = \$1,709.42.) **Pass or Fail amounts**, as indicated above, are not prorated, and the actual amount of the target units delivered must meet or exceed the target goal to receive the incentive.)

(3) The sub-recipient will measure performance indicators using their internal tracking and reporting system for participants who exit during the 2022 Program Year, July 1, 2022 through June 30, 2023. Credential Attainment will be measured for participants ending relevant training with no intention of resuming, based on case management findings documented via case notes. The information will be submitted to the administrative entity of the SAWDB on a quarterly basis starting October 15, 2022.

(4) Profit incentives earned will be paid after the close-out report is accepted by the administrative entity and will be paid no later than August 31, 2023.

PROFIT INCENTIVE SCHEDULE

Attachment A-1 Revised Profit Incentive Schedules

WIOA PROGRAM

	PROFIT INCENTIVE
Dislocated Worker	\$ 52,778

PROFIT INCENTIVE GOALS - WIOA ADULT PROGRAM

Outreach (Prorated)	Target	Percentage Allocation	Amount
Employer	500	3%	\$ 1,583.34
Job Seekers	900	3%	\$ 1,583.34
Agricultural Employers	100	3%	\$ 1,583.34
Agricultural Farmworkers	60	3%	\$ 1,583.34
Total		12%	\$ 6,333.36

Small Community Participant Training Participants (Prorated)

Catron	2	4%	\$ 2,111.12
Grant	24	4%	\$ 2,111.12
Hidalgo	3	4%	\$ 2,111.12
Luna	26	4%	\$ 2,111.12
Sierra	8	4%	\$ 2,111.12
Socorro	9	4%	\$ 2,111.12
Total	72	24%	\$ 12,666.72

Performance Measures (Prorated)

Employment Rate at Date of Exit	75%	6.50%	\$ 3,430.57
Median Earnings at Date of Exit	\$ 7,400	6.50%	\$ 3,430.57
Credential Attainment at Training Completion	70%	7.00%	\$ 3,694.46
Customer Satisfaction Rate	85%	4.00%	\$ 2,111.12
Total		24.00%	\$ 12,666.72

Contractual Obligations and Expenditure Rates

Obligate not less than 80% and Expend 40% of the contract amount by March 31, 2021. (Pass or Fail)	30%	\$ 15,833.40
Expend not less than 95% of the contract amount by June 30, 2021 (Prorated at 80% or higher) (Fail if less than 80%)	10%	\$ 5,277.80
Total	40%	\$ 21,111.20

Overall Total	100%	\$ 52,778.00
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(1) Profit incentives will be reported quarterly not later than October 15, 2022, January 15, 2023, April 15, 2023, and July 15, 2023. A one time (year-end) payment for the profit incentives will be paid no later than August 31, 2023.

(2) **Prorated amounts**, as indicated above, are a product of the actual amount of target units delivered divided by the target goal. (Example: Catron Participant Training Expenditures - \$27,000/\$30,000 = 90%; \$1,899.36 x 90% = \$1,709.42.) **Pass or Fail amounts**, as indicated above, are not prorated, and the actual amount of the target units delivered must meet or exceed the target goal to receive the incentive.)

(3) The sub-recipient will measure performance indicators using their internal tracking and reporting system for participants who exit during the 2022 Program Year, July 1, 2022 through June 30, 2023. Credential Attainment will be measured for participants ending relevant training with no intention of resuming, based on case management findings documented via case notes. The information will be submitted to the administrative entity of the SAWDB on a quarterly basis starting October 15, 2022.

(4) Profit Incentives earned will be paid after the close-out report is accepted by the administrative entity and will be paid no later than August 31, 2023.

PROPOSAL SUMMARY

The proposal summary must be two (2) pages or less. It shall provide the Evaluation Committee with an overview of the technical and business features of the proposal. This material will not be used in the evaluation process but may be used in public notifications regarding the successful offeror's selection.

With 51 years of national experience, Arbor E&T, LLC dba ResCare Workforce Services (RWS) has built a legacy of industry leadership, serving businesses in all sectors and millions of job seekers from all walks of life. We currently deliver workforce solutions in more than 350 locations across the United States, including Southwestern New Mexico. This affords us the advantage of coordinating and communicating best practices from around the country to serve all counties within this region. Our flexibility to customize local solutions for these communities, collect feedback from job seekers, partners and employers, and identify process improvements allows us to continuously improve the system and services while elevating the mission and meeting the goals of the Southwestern Area Workforce Development Board.

Since 2017, RWS has established working relationships with job seekers and employers in Southwestern New Mexico's seven-county area. Our team's impact on the residents of the region over the last two years has been built through our LEGACY core behaviors, resulting in an established environment where we achieve excellence. We invest in professional development and training of our staff. Through goals, expectations, and dedication to our value system, we inspire employees to deliver services with integrity, respect for one another, professionalism, accountability, investment and focus on community impact. Our service model is based on the fundamental principles of **Work Smart. Do Good. Make an Impact.** We use our four focused pillars to build customized solution that is right for the local area we serve: Leadership, Collaboration, Innovation and Performance.

Leadership. We recruit, hire and develop leaders who demonstrate humility, integrity, inclusion and a passion for their work. As leaders in the industry, we are committed to using our position to introduce technology, processes and systems that advance workforce programs and communities. Our leaders are purposeful in creating an environment of hope and success that enhances the lives of those we touch. We participate in community organizations and influence policy to better assist those we serve. We have helped develop a new generation of local leaders through programs like Office Supervisor on-the-job training in the city of Lordsburg's administration offices.

Collaboration. We bolster collaborative workforce models that prioritize our commitment to "work smart" by serving as highly engaged partners in a diverse group of stakeholders who work collectively to advance communities, families and businesses. We continue to build upon partnerships that produce positive outcomes. The result is a holistic workforce system that strengthens individuals and networks that support them. In Southwestern New Mexico, RWS is part of the Workforce Talent Collaborative with the Bridge of Southern New Mexico.

Innovation. We embrace innovation as a tool to facilitate our desire to constantly "get better." Our revolutionary innovation strategies often result in workforce inventions that help transform how we work. Our evolutionary innovation strategies encourage local staff to leverage unique approaches to solve problems and develop best practices. Both innovation strategies help support



the proliferation of new ideas that help advance the workforce industry.

Service delivery through mobile devices and internet connectivity is critical to reach rural area job seekers in the under-served, remote regions of Southwestern New Mexico, especially during closures and quarantines. Our technology-based platforms provide skills development any time and in any place.

Performance. It is the result of everything we do and the realization of our company philosophy. We develop high performance standards to direct strategies and practices that improve workforce systems. We use performance measures to achieve community goals by leveraging data to make informed decisions that become the foundation for quality process improvements that “do good.”

LIFE-CHANGING IMPACTS

RWS is more than a national corporation; we are part of Southwestern New Mexico. Our Adult and Dislocated Worker Program staff are all local. We put our hearts and souls into finding solutions for peers, family members, and friends. Throughout this proposal, we have included statements and testimonials from public officials, participants, and partner employers who have felt the impact our services have had on their own lives, their families, and the communities in the region. Our services are holistic and customer centered. We meet people where they are and address all their needs to help them truly succeed and meet their goals. We invest in every county in the Southwest region. To date, we have invested more than \$55,000 in the people and small businesses of Catron County – the largest WIOA investment the county has ever seen – to ensure those residents receive the same opportunities as those who live in any other part of the region.

AN EMPOWERED REGION THROUGH INNOVATION

The customized workforce services we provide are tailored to every part of the region and are made possible through innovation. We have evolved our service delivery to flex and adapt to constructive feedback from participants, businesses served, and our own employees. Our ability to adapt quickly is what helped Southwestern New Mexico remain calm when COVID-19 forced closures and swift changes throughout the local economy. Our response plans and tools let us lead the rest of the region and country in response preparedness. Part of this success was from our experience already tailoring services to meet unique needs, as we have been adjusting to provide services in rural regions for years. During the pandemic, our innovative tools allow us to continue serving individuals and businesses with no painful transitions or lapses in service.

INSPIRED FOR FUTURE OPPORTUNITIES

In Southwestern New Mexico, we have high hopes for the future. We are providing the groundwork for future success stories in the people influenced by our service. We focus on enhancing our impact on the entire region with a “no wrong door approach” to service delivery. As we navigate the weeks and months to come, we are poised to continue providing services through re-openings, the resulting needs, and whatever comes next, and to continue growing and developing methods to best serve the region. We look forward to continuing our mission as we navigate the “new normal” with dedicated workforce partners.



Work Smart. Do Good. Get Better.

RESPONSE TO CORE MANDATORY, AND CORE DESIRABLE SPECIFICATIONS

These specifications may be found in Section IV of the RFP. This section contains information required in the submission of proposals. Excluding the Core Mandatory Specifications, offerors must respond in the form of a thorough narrative to each numbered requirement in the order in which they appear in this section. The offeror must identify, in full, the question being answered and its response to that question.

A. CORE MANDATORY SPECIFICATION

Failure to respond to a mandatory specification will result in the disqualification of the proposal as non-responsive.

(1) Obligate a minimum of 80% and expend a minimum of 40% of current year funding by the end of the third quarter of the program year.

Per the request of the Board, RWS will obligate a minimum of 80% and expend a minimum of 40% of current year funding by the end of the third quarter of the program year.

(2) Implement the state's New Mexico Workforce Center One Stop System software for customer and program reporting.

The state's New Mexico Workforce Center One Stop System software will continue to be implemented for customer and program reporting.

(3) Recruit, enroll, case manage, and place participants in Board's special project short-term trainings or cohorts in response to industry needs. Additional operational and participant training funds will be provided for such trainings.

Participants will be recruited, enrolled, case managed, and placed in the Board's special project short-term trainings or cohorts in response to industry needs.

(4) Provide services in accordance with the scope of work to the counties of Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, and Socorro.

Services will be provided in accordance with the scope of work to the counties of Catron, Dona Ana, Grant, Hidalgo, Luna, Sierra, and Socorro.

(5) Station staff who provide direct face-to-face service with customers at each of the workforce centers in Deming, Las Cruces, Silver City, Sierra, Socorro, and Sunland Park NM; and provide itinerant services to Catron and Hidalgo counties.

Station staff will provide direct, face-to-face service with customers at each of the workforce centers in Deming, Las Cruces, Silver City, Sierra, Socorro, and Sunland Park, and provide itinerant services to Catron and Hidalgo counties.

(6) Participate in the "Welcome Function" (see Section I.H. Definition of Terminology) services at the workforce centers.

RWS will participate in the "Welcome Function" services at the workforce centers.

(7) Provide a copy of Financial Policies

Per RFP instructions, a copy of Financial Policies is included in the Policies & Report document.

(8) Provide a copy of Personnel Policies

Per RFP instructions, a copy of Personnel Policies is included in the Policies & Report document.

(9) Provide a copy of most recent Independent Auditor's Report, if applicable

Per RFP instructions, a copy of the most recent Independent Auditor's Report is included in the Policies & Report document.

B. CORE DESIRABLE SPECIFICATIONS AND EVALUATION FACTORS

The Core Desirable Specifications has a 30-page limit. Pages beyond the limit for this section will not be evaluated.

(1) Organization's Experience (150 points)

(a) Provide a narrative of the offeror's experience during the past two years by listing the names of the programs, purpose of the programs, start and end time of the programs, contracted dollar amounts in comparison to actual dollars expensed, performance goals, and monitored and measured outcomes. Experience with WIOA programs must be cited, if applicable.

The WIOA Adult and Dislocated Worker program in Southwestern New Mexico (SWNM) has been operated by RWS since 2017. Since transitioning into the service provider role, we have impacted the lives of 2,340 residents in the region and their families and established relationships with more than 500 businesses by providing On the Job Training (OJT), Tuition Assistance and Support Services, to help meet a spectrum of workforce needs.

In addition to the SWNM region, ResCare Workforce Services provides employment and training solutions across the country to thousands of job seekers, representing all demographics, and thousands of businesses through the operation of federally funded workforce programs, including, but not limited to, WIOA. By preparing adults, dislocated workers, and young adults to be talented workforce members, we change lives, impact communities, provide the groundwork for future opportunities, and empower whole regions with innovation.

State Rep. Rebecca Dow, in a letter of support attached to this proposal, explains, "WIOA is a critical program, not only for New Mexico, but particularly for rural New Mexico. As an elected official, I am often contacted by business owners seeking assistance with gaining and retaining qualified staff. Constituents call seeking meaningful employment. Time and time again, I find myself referring folks to ResCare as their workforce solution. ResCare has demonstrated a strong understanding of the federal guidelines, has been responsive to my requests for assistance, and has provided the support needed to help their clients reach their goals."

Below are the details of our Southwest New Mexico A/DW performance for the past two years.

SWNM Adult and Dislocated Worker Program (Program Year 2018-19)		
Purpose of Program		Start and End Dates
Provide comprehensive job seeker, adult and dislocated worker services in the Southwest region.		July 2017-present
Performance for Program Year 2017-18		
Contract Measure	Contract Goal	RWS Performance
Employers Served	500	521
Job Seekers Served	900	1036
Agricultural Employers Served	100	100
Agricultural Employees Served	60	124
Adult Q2 Employment	80%	76%
Adult Median Earnings Q2	\$7606	\$7200
Adult Credential Attainment Rate	64%	56.3%
DW Q2 Employment	80%	70%
DW Median Earnings Q2	\$7606	\$7920
DW Credential Attainment Rate	64%	66.7%
Performance for Program Year 2018-19		
Contract Measure	Contract Goal	RWS Performance
Employers Served	500	585

Job Seekers Served	900	1304
Agricultural Employers Served	100	101
Agricultural Employees Served	60	183
Adult Q2 Employment	80%	70.86%
Adult Q4 Employment	78.9%	79.08%
Adult Median Earnings Q2	\$8580	\$6760
Adult Credential Attainment Rate	64%	73.49%
DW Q2 Employment	75.7%	75.76%
DW Q4 Employment	71.3%	84%
DW Median Earnings Q2	\$7811	\$6965
DW Credential Attainment Rate	58.3%	69.23%
Program Year 2017-18		
Contracted Amount: \$3,168,107.00		
Amount Expended: \$2,013,385.18		
Program Year 2018-19		
Original Contracted Amount: \$2,581,916.00		
Amount Expended: \$2,704,674.00		

Our mission is “to impact communities for the better, creating optimal environments through attentive and quality service principles, so people can live their best life.” With five decades of experience, navigating the transition to WIA to WIOA, we have stood the test of time and learned how to improve the services we offer to our funding partners, businesses, and job seekers. The table below demonstrates our performance in aggregate for our WIOA adult, dislocated worker, and youth programs nationwide. We operate 47 WIOA Adult and Dislocated Worker programs and 28 WIOA youth programs.

National WIOA Performance (Program Year 2018-19)		
WIOA Measure	Average Contract Goal	RWS Average Performance
Adult Q2 Employment	75.00%	80.85%
Adult Q4 Employment	72.50%	78.03%
Adult Median Earnings Q2	\$5,538.00	\$6,668.00
Adult Credential Attainment Rate	65.00%	68.76%
DW Q2 Employment	78.00%	82.97%
DW Q4 Employment	78.49%	84.04%
DW Median Earnings Q2	\$6,714.00	\$7,972.00
DW Credential Attainment Rate	67.00%	75.13%
Youth Q2 Employment/Education	68.00%	79.48%
Youth Q4 Employment/Education	66.00%	74.05%
Youth Credential	62.00%	66.82%
Youth Median Earnings	\$2,710.00	\$3,231.00

RWS also currently operates WIOA Adult, Dislocated Worker, and Youth programs in seven regions in Texas. Our contracted performance requirements align with the State’s Monthly Performance Report (MPR) standards, which include 21 measures specific to each population:

- Rates of employment at the 2nd quarter after exit
- Median earnings during the 2nd quarter after exit
- Credential attainment rates
- Employers assisted
- Unemployment Compensation Claimants Employed within 10 Weeks

Performance information for two regions in Texas is as follows:

Rural Capital, Texas (contractor since 2007)	
Contracted Amount/Amount Expensed (Program Year 2017-18)	Contracted Amount/Amount Expensed (Program Year 2018-19)
\$5,700,000/\$5,319,810	\$5,940,807/\$5,236,227
Performance 2017-18:	Performance 2018-19:
Met 92.31% of state contracted measures	Met 93.33% of state contracted measures
North Texas (contractor since 2011)	
Contracted Amount/Amount Expensed (Program Year 2017-18)	Contracted Amount/Amount Expensed (Program Year 2018-19)
\$2,528,000/\$1,971,840	\$2,400,041/\$1,627,948
Performance 2017-18:	Performance 2018-19:
Met 80% of state contracted measures	Met 100% of state contracted measures

(b) Provide a narrative on the offeror's experience in providing services relative to developing working relationships with employers, training, social services, and case management. Experience in WIOA programs should be cited, if applicable.

WORKING RELATIONSHIPS WITH EMPLOYERS. Our Adult and Dislocated Worker program in the region performs outreach to all seven counties, six of which are rural. We executed more than 100 on-the-job trainings (OJT) last year, making it one of the largest OJT programs in our corporate footprint.

Our largest employers in **Grant County** – Phelps Dodge, Chino, Tyrone, and the Santa Rita mines – furloughed staff recently due to COVID-19 and we are working with Western New Mexico University to develop skills training and short-term programs related to open positions to re-employ these individuals in professions such as welding and electrical. In total, approximately 1,200 people will be furloughed or laid off and we will be charged with finding them new employment and providing the skills they need to succeed in those positions.

Other relationships with employers include the construction apprenticeship model we operate with **Tierra del Sol Housing Corporation** and a special **Dona Ana County** project – the **Film Las Cruces Initiative** – we are developing to assist the growing film industry in the region by creating a robust workforce in the media arts field.

In early October, we also took part in conversations with **Virgin Galactic** in **Sierra County**, as they were seeking to fill two aerospace mechanic positions. This discussion was the catalyst for us to partner with the Eastern New Mexico Board for recruitment, as they are the only region in the state that has an Aviation Mechanic program. This was the first cross-region workforce partnership for enrollment, recruitment, and placement in New Mexico. The Eastern board helped us collect documentation for eligibility determination and gather signatures for contracts. Unfortunately, COVID-19 put these plans on hold, but once stay-at-home orders are lifted, we will continue with OJTs and customized training related to this partnership.

In the **Sunland Park /Borderland Area**, we partnered with **Stampede Meats** to create two OJT opportunities, and are working with their HR Manager, our Wagner-Peyser partners, and DACC to develop customized training courses, such as meat cutters and food inspectors.

Our next endeavor is partnering with the unique **Quemado School District** in **Catron County**. We discussed rolling out a similar initiative to the Alternative Licensure pilot program in Dona Ana County. Currently, we are working with utility companies in Catron County, assisting with OJT opportunities for those who seek to find employment in their own communities.

Hidalgo County has been a host to employment opportunities in the hospitality industry. We have contracted with hotels to provide OJT to people seeking to work in Hotel Management. We have been able to provide OJT opportunities to those seeking employment in Law Enforcement with the **Hidalgo County Sheriff's Office**, helping to build a safer, stronger community.

Law enforcement opportunities are blossoming in **Luna County**, thanks to our OJT program with training support from the county and the City of Deming. Deming is also a hot spot for students telecommuting to classes at WNMU. Just this year, 64 Luna County residents received assistance with tuition and books to pursue or continue higher education through WIOA ITA and Support Services.

Solaro Energy is a green energy tech company that has trained and employed **Socorro County** residents for the past three years, using our OJT program. Not only are we helping to contribute to a stronger economy, we are finding employers with powerful missions and even greater career opportunities in growing industries.

“ This Program has allowed me to expand to a level never imaginable. I think that of the primary reasons we have been successful is because of the support I get from everyone ... This team has gone beyond what it required. I appreciate all the mentoring and help they provide. ”

– Christian Lira,
Owner of Primary Wellness Corporation

RWS has built a model that impacts our rural communities. **Amanda Chevreux, General Manager at Ag Country Propane**, noted: “I have been working with Workforce Solutions since March of 2019 when I was approached by James Fielder, who personally appeared at our business location to promote the program. He is extremely knowledgeable about the program and has gone above and beyond to assist us with navigating the trainings. Workforce Solutions has assisted our small, locally owned business grow from 7 employees to now 12 and growing. Our locations are over 2 hours away from any Workforce Solutions office, but yet James and Cheyenne have made us feel like we are right next door as they do not hesitate to make the commute to handle business face to face. I would highly recommend to any business to work with this program to improve wages and assist employees with their employment growth. Workforce Solutions not only assists us with improving the lives of employees with competitive wages but has assisted us with obtaining CDL licenses, rent assistance, and childcare assistance that is highly needed in these rural areas.”

TRAINING: Collaborative relationships are vital to our ability to provide training opportunities to those we serve. These relationships have contributed to the fact that RWS is the only service provider to ever have provided WIOA services in every county of this region. We utilize a number of tools to facilitate the employer-based training we offer, which provide training to individuals in need of up-skilling that are related to jobs in particular fields and even particular positions and they include OJT, transitional jobs, and ITAs. We have launched an Alternative Licensure Pilot initiative with Las Cruces Public Schools. Through this partnership, we sought policy changes to allow us to provide licensures to teachers who already held bachelor's degrees to fill the education gap and attract teachers to New Mexico. Through our dedication to this partnership, Southwest New Mexico is the pioneer in sector innovations. We are the only region in New Mexico, currently providing Alternative Licensure opportunities through WIOA.

In addition to those training opportunities, the following employers are a small example of notable OJT placements in the Southwest.

- **Bosque Brewing Company.** We currently have two OJT participants for managerial

positions at this new, local micro-brewery in Las Cruces.

- **Mesilla Valley Community of Hope.** We assisted eight participants in becoming employed as case managers at this non-profit homeless shelter in Dona Ana County.
- **Grant County Assessor's Office.** We assist in training new county appraisers and work with Grant County government offices to develop talent to sustain this small community.
- **AG Country Propane, in Catron County.** Through our OJT program, we have vetted and assisted with training two managers who oversee propane delivery and maintenance.
- **City of Lordsburg, Hidalgo County.** We have helped facilitate a first line Office Supervisor OJT. We also provide OJT's to the City of Lordsburg's administration offices to help train the next generation of local leadership.
- **Truth or Consequences Riverbend Hot Springs Resort in Sierra County.** At a job fair, we developed a relationship with this local resort and found the qualified staff they needed for a supervisor position, supporting the business and a job seeker in need of OJT.

SOCIAL SERVICES: Our A/DW program in SWNM is focused on supporting individuals who are hard to reach. The geographic challenges are universal, but we have been successful in serving these areas in ways not seen in the past. With a detailed plan and personal dedication, we help residents of these areas overcome barriers to employment.

Among the support services, we have experience facilitating childcare. RWS staff assisted the region in developing and transforming policies to provide childcare assistance, as needed, to those we serve. Similarly, we created and adapted a policy to provide transportation assistance. RWS programs in SWNM have also assisted participants in receiving car repairs and hearing aids, among other needs. We connect people to resources and provide remediation for any issue that keeps them from getting a job or going to school.

To address other priority populations requiring social services, RWS has partnered with several organizations that help meet those needs. In Luna and Dona Ana counties, we partner with the state H2A/H2B program. We work closely with the TANF (Temporary Assistance to Needy Families) provider – Creative Workforce Solutions (formerly SL Start), Roadrunner Foodbank, Gospel Rescue Mission, and the Mesilla Valley Community of Hope homeless shelter, among others.

Southwest New Mexico has a high population of Migrant Seasonal Farmworkers. Luna County and Dona Ana County are considered "Significant Offices." Each year, in **Hatch, NM**, we work with our Wagner Peyer and **NFJP, National Farmworker Jobs Program** partners to host a Migrant Seasonal Farmworker Fair. The event is held in Spanish and provides farmworkers with information on seasonal job opportunities, immigration information, WIOA, and NFJP services, resources with colleges and Universities like NMSU's – CAMP-College Assistance Migrant Program, as well as other resources like food banks and community closet.

Southwest New Mexico has a high population of Migrant Seasonal Farmworkers. Luna County and Dona Ana County are considered "Significant Offices." Each year, in Hatch, NM, we work with our Wagner-Peyer NFJP National Farmworker Jobs Program (NFJP) partners to host a Migrant Seasonal Farmworker Fair. The event is held in Spanish and provides farmworkers with information on seasonal job opportunities, immigration information, WIOA, and NFJP services, resources with colleges and Universities like NMSU's CAMP (College Assistance Migrant Program), as well as other resources like food banks and community closets.

CASE MANAGEMENT: We utilize our state system, New Mexico Workforce Connection Online

System, (NMWCOS), to document case notes for all participant contact and follow-ups with active participants, which are required every 30 days. These contacts are also tracked in RWS' system, ResCareWORCS™. The philosophy that guides our case management is relationship building. To that end, staff are trained on motivational interviewing and in-depth needs assessments to truly connect with the individuals we serve on a personal and candid level.

Nationwide experience providing thorough case management has informed several of the standard operating procedures that exist in the library/collection our local team uses to train and help our local team create a quality case management system. In addition to having written procedures in place for case management, case managers – our Talent Development Specialists, also operate in every office location in the region. Our quality assurance team also reviews staff work to advise that procedure is followed, and notes and reporting are handled correctly and efficiently.

The support we provide is made possible by our foundation of person-centered service displayed through case management. All new hires for RWS WIOA programs receive thorough training around customer-centered case management. The guiding principles of that training include:

- **Build Rapport:** Talent Development Specialists (TDS) shall follow our Legacy in Action Customer Experience principles and practices.
- **Understand Needs and Barriers:** Using comprehensive assessments, the TDS shall recognize and address the barriers and roadblocks to employment through the development of the Individual Employment Plan (IEP). The TDS shall continually “triage” the participant to determine if there are additional barriers to be addressed.
- **Coach:** Using the IEP and career planning, the TDS shall help participants set realistic goals and achievement timeframes related to career and training services, life skills development, and services provided by partners.
- **Motivate and Support:** The TDS shall use the participant’s motivation for change to keep the participant focused on completing activities and attaining goals. The TDS shall recognize the successes and achievements made by the participant, including accomplishing incremental goals.
- **Equip & Empower:** Using guidance counseling, support services, and referrals to partners, the TDS will help the participant overcome personal obstacles that may prevent the completion of planned activities and services.

(c) Describe the resources the organization brings to the workforce system that will assist in the coordination and delivery of services and how the organization will support the work of staff and programs.

Our human resources are the most personal and impactful resource RWS brings to any workforce system we serve. All Southwest New Mexico staff are local to our service area. The people they serve are not case numbers or statistics or percentages of a goal – they are peers, friends, and family. To assist them in the delivery of services, we bring other resources built on a strong organizational foundation.

ResCare is a member of the **Workforce Talent Collaborative** with the **Bridge of Southern New Mexico**. This collaborative is important to our community as it is business led and education focused and unites educational leaders in Dona Ana County. As a critical part of higher education support, we are front and center in community conversations and employment solutions.

We are in the beginning phases of an initiative with the **City of Las Cruces' Economic Development** team. The initiative includes supporting local business workforce needs through COVID-19 grants and WIOA, through which we will increase support by hosting hiring events, securing qualified applicants, and creating training opportunities.

Local RWS staff relies heavily on our corporate experience when undertaking local initiatives, especially in regard to federal compliance. Our various corporate departments, including Human Resources, Legal, Service Delivery, Regional Directors and others, provide structure and decades of national expertise to be sure every opportunity we approach is built on sound practice and every local staff member has any support needed to provide the most efficient service possible.

Offering person-centered services means we also provide an innovative approach to people-centered policies. We use data collected from the One Stop and support from operations in the rest of the country to provide policy samples for the Board to guide how guidelines adapt to allow us to provide better solutions for the individuals we serve. Just recently, we helped facilitate approval of a new transitional jobs policy that will help us provide time-limited, paid work experience to individuals in SWNM who have been chronically unemployed or have inconsistent work history, making it difficult to obtain employment without a referral or strong support.

In addition to policies and procedures, we bring an array of proprietary and technological tools to the local workforce system. One tool that sets us apart, our Quick Base application, allows us to track every aspect of our service delivery. In as little as two minutes, we can report how many OJTs and ITAs we are supporting, how many obligations exist at that moment, and how much everything costs. Our reports pulled from Quick Base are up-to-date, accurate, and can be provided directly to funders. The following is a summary of the tools used by our local staff and nationally by our company of WIOA experts:

Weekly Team Huddle Calls: Regional Director Janette Dunn holds weekly calls with the Project Director to review program services, program performance, contract performance, budget, and discuss challenges and solutions and staff training needs to increase performance.

Internal Communication Plan: The Project Director manages an Internal Communication Plan that outlines the types and frequencies of meetings with the leadership team and staff, including a morning huddle with all staff; weekly meetings between TDS and Business Services Consultants (BSC) for job matching and direct placement opportunities; and bi-weekly meetings between TDS and supervisors to review status of participants in job search, training, and placement.

Standard Operating Procedures (SOPs): SOPs have been developed for all tasks to ensure staff have the tools to serve participants and data management and documentation are consistent.

Posting Performance Charts: The Quality Assurance Analyst creates weekly performance charts to track actuals against goals for enrollments, placements, and credential attainment. This

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The WIOA has a statement they use quite often, 'Earn as you Learn.' I can honestly say this statement is exactly what happens, and it benefits both the employee and the employer.

- Mary Ann Luevano,
Owner/President of
Glitz School of Cosmetology

”

ensures that all staff know how the project is performing.

Performance Tracking System (PTS): At initial contract award and for any subsequent modifications affecting performance requirements, RWS identifies all measures in a shared database and sets up a rolling 12-month tracking matrix. Each month, the Project Director updates the database with real-time performance information. The PTS report is reviewed by the Regional Director and Vice President and calls are held with any project that has deficiencies to collaborate on solutions and determine if additional resources from the Service Delivery Team are needed to assist the project in exceeding performance expectations.

Business Intelligence Dashboard (BI): RWS operates and reports all aspects of a project's functions, challenges and successes through the BI Dashboard. The dashboard pulls data from our fiscal, human resources, and performance management systems. In this way, we keep "everyone in the know" through all levels of leadership. The dashboard is the foundation used to report on the status of fiscal expenditure, staff levels, quality management, and contract-specific performance measures on a monthly call. The call is conducted by the President of the company, Mark Douglass, and attended by all department heads, Vice Presidents, and Regional Directors.

Quality Measurement Tool (QMT): The QMT is a quarterly assessment completed by the Project Director and leadership team to assess operational conformance to federal, local, and funding requirements, and to company policies and procedures. QMT is designed to facilitate the continual improvement of contract and project performance by identifying opportunities for improvement. A project may also be selected for an External QMT review completed by subject matter experts from the Service Delivery Team. The results of the QMT are reviewed by the Regional Director, Vice President, and President, and are reported to the RWS board.

Customer Feedback: RWS consistently develops feedback loops in our programs, through partners, businesses, and customers, to capture data as a means of driving system improvement. Our world-class customer-experience training, Legacy in Action, creates a common purpose across all team members, regardless of funding source or line of reporting, driving a culture of performance and high-quality service delivery throughout the system. Legacy in Action includes online customer satisfaction surveys that collect highly valuable feedback that we share with team members to discuss outcomes in team management meetings. As feedback is collected, our team analyzes it for continuous improvement and reacts promptly to concerns to ensure service recovery. We provide satisfaction surveys for customers to garner feedback from job seekers throughout the region. We follow up with employers that we host in-house events for, to obtain immediate feedback to ensuring continuous improvement procedures. All feedback is documented so that trends and improvements are made.

Corporate Site Reviews: We use site reviews documented in Quick Base, an application development platform, to observe programs, note strengths and deficiencies, and log activities with approvals and denials. The approval workflow allows shortcomings to be addressed and resubmitted. Subscription reports are disseminated to keep stakeholders informed during the approval process. A robust set of exception reports exist to identify records that may fall out of tolerance, such as missed milestones, delays in processing, etc.

In addition to Quick Base, we utilize the Semi-Autonomous Research Assistant (SARA). SARA is a mobile-centric, interactive participant communications and engagement platform that conducts and manages day-to-day participant tracking, follow-up, and case notes. This tool automates enough case management reporting that our TDS can focus more on offering guidance and counseling and less time on data entry. SARA's intensive and consistent client follow-up

provides staff with real-time information needed for timely intervention and it is fully integrated into the state's VOS system.

(d) Provide the most recent program monitoring report to demonstrate program performance. WIOA programs must be included their WIOA program's report, if applicable. (This must be provided as a separate attachment that is not counted toward the page limit in this section, and submitted in accordance with Section III.D.)

Our most recent program monitoring report is provided as an attachment on page 36. The report demonstrates our expertise and commitment to manage and oversee the Adult and Dislocated Worker program in accordance to local, state, and federal regulations. We accomplish this goal through the development of our Standard Operating Procedure Manual, our Quality Measurement Tool, and our in-depth training program for all staff. Our efforts have ensured our monitoring resulted in zero disallowed costs and minimal adjustments.

(e) Provide a past record of federal and/or state grants management that includes information of any disallowed costs for the past (5) five years.

Due to the scope and size of our organization, we manage \$244 million dollars in federal, state, and local funds. As the incumbent A/DW provider for SWNM for the past three years, we have only had one instance of disallowed costs. This disallowed cost was \$2,500 in our first year of service and was due to a misinterpretation of verbal training. To address the issue, we assisted the Board in providing more clear definitions of policy and re-trained staff appropriately.

(2) Management and Staffing (125 points)

(a) Provide an organizational chart that includes the WIOA Adult & Dislocated Worker service programs. Indicate whether the positions are full-time equivalent, part-time, or tele-work positions.

Our organizational chart on page 90 depicts the organizational structure of the Project Accountant (Monica Silva), Quality Assurance Analyst (Eric Rivera), Business Services Supervisor (James Fielder), Talent Development Supervisor (Patrick Madrid), and Human Resources, reporting to our Project Director (Yvette Bayless) who reports to our Regional Director Janette Dunn. One Accounting Specialist reports to the Project Accountant. Three Business Services Consultants report to the Business Services Supervisor and seven Talent Development Specialists report to the Talent Development Supervisor.

(b) Provide a brief description for each member of the management and supervisory team that will work in this program. Describe their job, title, credentials, experience, and length of employment with the organization.

All RWS staff in SWNM are local to our service areas. They have unique local knowledge and are embedded in the communities we reach, investing in and caring for residents with a mission to uplift and serve each community in which we are invested. Since 2017, they have performed this exact scope of work and expanded the services and solutions it provides.

Name	Job Title	Credentials	Experience	Length of Employment
Yvette Bayless	Project Director	<ul style="list-style-type: none"> Linguistic Anthropology/Early Childhood Education Bilingual 	15 Years Operations Management/Banking	3 years
Eric Rivera	QA Analyst	<ul style="list-style-type: none"> A.A. in Business Administration 	10 Years Management/Banking	3 years
Monica	Project	<ul style="list-style-type: none"> A.A. in General Studies 	19 Years Accounting	2 years

Silva	Accountant			
James Fielder	BSC Supervisor	<ul style="list-style-type: none"> A.A. in Paralegal Studies/Business Administration 	12 Years in Business Services/ Management/ Paralegal	3 years
Patrick Madrid	TDS Supervisor	<ul style="list-style-type: none"> B.A. in Human Resource Management 	6 Years Management Experience/Banking	1 year

(c) Provide a brief description of your managements' experience in the delivery of services and how they are advantages to the performance of this program.

In addition to being local to SWNM, our staff members are experienced in the delivery of top-notch service. We have built relationships with the adults and dislocated workers in all seven SWNM counties and rapport with businesses in each of those counties. We have integrated ourselves in organizations influential in and impacted by our work. Project Director Yvette Bayless is the former chair of Amigo Ambassadors, with the Las Cruces Hispanic Chamber of Commerce and an Honorary Lifetime Executive Committee member.

In addition to working and seeking out involvement in the community, we take the initiative needed to craft detailed plans to help us provide the kinds of services which impact each community and lay groundwork for future workforce system successes. We open doors in each community we serve, and we invest in the people and communities in every single corner of our region. In parts of the region, such as Catron County, that have previously been underserved in terms of A/DW services, and where small populations are spread across large geographic space, we have the abilities – through remote service delivery, access points, and mobile staff – to ensure all residents receive quality services and are provided opportunities to thrive. In PY 2019-20, RWS met our program goals in these counties, which had never been done before. Our Business Outreach team works in all seven counties of the region, helping employers find employees who match their needs.

On top of these local initiatives during our tenure, local staff have support on a national and corporate level that includes best practices, focus groups, legal guidance, and government relations to stay abreast of policy and protocol on every level of WIOA service and performance. That support and expertise is also why the RWS COVID-19 response only weeks ago quickly became a model used throughout the state as businesses closed, and service models needed to change. Now, as the state re-opens, our return to work plans and health screening are being replicated across the region so service providers and partners can get back to business.

Our staff routinely sets precedents for performance for the rest of the state and prides themselves on quality assurance and self-monitoring, including with some of the techniques mentioned below that have been developed since taking over the A/DW program:

- 100% review of all case closures prior to exit. This has long-term impact on all performance measures, areas of focus are acquired employment information, measurable skills gain, and credential entry. Case notes are reviewed to determine if substantial enough action has been taken to obtain these results.
- Real time, active case load monitoring utilizing ResCareWORCS – our participant management and data collection tool – to track program status, follow ups completed, employment information, and Q2 earnings on exiters.
- Reporting on employment rates in real time based on quarterly follow ups completed in our state CMS and monthly monitoring of these cohorts up to the final deadline.
- A continual training process for all team members around performance goals, what

standards are required of them, and how those standards impact performance directly.

- A team member whose duties include dedicated monitoring of performance reporting and the development and implementation of processes like these.
- Consistent communication with team members regarding team results and how their individual production has impacted that relationship.

(d) Provide a narrative of how management will self-monitor the following: contract deliverables, budget, customer service levels, participant eligibility documentation, employer eligibility documentation, case notes, participant and employer follow-ups, and financial reporting and reimbursement requests.

Efficient monitoring is essential to our service delivery process. Monitoring and quality assurance are rooted in our program design, staffing, and the culture we instill in and expect from staff members. With the basis being our LEGACY culture, we consider Quality Assurance one of our proudest SWNM accomplishments and our programmatic monitoring structure is multi-leveled to track every aspect of performance.

CONTRACT DELIVERABLES:

Active case load monitoring utilizing our WORCS database to track program status, follow-ups, employment information, and Q2 earnings help staff keep track of targets and deliverables. Reporting is conducted in real-time, based on quarterly follow ups and monthly monitoring. Staff are all trained on performance goals, standards, and how those standards impact performance directly. We also facilitate consistent communication with team members regarding results and how their individual production has impacted outcomes.

BUDGET: To self-monitor the program budget, the Project Accountant conducts bi-weekly financial forecasts to predict and drive fund utilization. Budget reviews, including fund utilization and line item analysis, are conducted monthly with the Project Director and Regional Director to determine strategies. Budgets are also reviewed at the corporate level, by the Business Manager, fiscal team and operations team. Fund utilization is captured in our fiscal software, expenditure database and performance reporting structures. Underutilized projects receive individualized assistance from our Director of Performance Optimization at the corporate level. Our Regional Business Manager works with our local Project Accountant on an ongoing basis to ensure expenditures are within budget limits and WIOA allowable.

CUSTOMER SERVICE LEVELS: Customer service levels are measured, and expectations set based on customer feedback surveys, specifically the survey aligned with our Legacy in Action system. Results from those surveys are included in the table to the right. In addition to scores, our system allows for participant comments. As a company dedicated to continuous quality improvement and excellent customer experience, we read comments and take them a mechanism to improve our process, staff training and service delivery efforts.

LEGACY IN ACTION SURVEY DATA	DEC 2017 - APRIL 2020
Number of surveys	776
Indicated they received a "good greeting" from staff	770
Rate the courtesy and professionalism of staff as "good" or "excellent"	95.0%
Rated the facilities and equipment as "good" or "excellent"	92.4%
Indicated that various service options were discussed with them	93.9%
Indicated that staff were helpful	95.6%

PARTICIPANT AND EMPLOYER ELIGIBILITY DOCUMENTATION: Using a common tool, the TDS prepare enrollments and program documents for participants and the BSCs prepare OJT

documents for review. The first review is conducted by the supervisor for the respective team, with the specific focus depending on whether the documents are for participants or employers. TDS documents and reviews cover enrollments, Individual Training Accounts (ITAs) and Support Services. OJT and incumbent worker/customized training programs are covered in BSC documents and reviews. All enrollments and program documents then go to Quality Assurance for final review prior to submission to our accounting team for a final review of any monetary impacts. The accounting team sends the final documents to the Board. This process weeds out the vast majority of any potential monitoring findings. We provide consistent training regarding any error trends that arise.

PARTICIPANT AND EMPLOYER FOLLOW-UPS: We review every case prior to exit. Our areas of focus are acquired employment information, measurable skills gain, and credential entry. Case notes are reviewed to determine if action has been taken to obtain the needed results. Follow-up with participants and employers is conducted routinely. Communications are tracked in Quick Base and feedback is collected via customer satisfaction surveys, namely our Legacy in Action survey, which is easily accessible online. Results are tracked automatically, and reports can be pulled to compile data or review individual comments.

FINANCIAL REPORTING AND REIMBURSEMENT REQUESTS: Our local fiscal team is fully trained per local fiscal policy and procedure, as well as our corporate fiscal department policy and procedures. We manage our financial responsibilities to be in complete compliance with all federal, state, and local regulations. All expenses are managed through a “full revenue cycle” accounting procedure within corporate accounting software, from incurrence of the expense to invoicing. The local Project Director, Project Accountant, and Regional Business Manager review all journal entries, the general ledger to determine accuracy of expenses and allocation across programs. The invoice is reviewed against the general ledger to ensure all items being invoiced are accurate. Our Regional Business Manager reviews all journal entries, the general ledger, and our Income Statement prior to invoicing.

(3) Training (125 points)

- (a) Describe the methods that will be used to train staff with regulations and policies, the completion of forms, use of the Geographic Solutions New Mexico Workforce Connection Online Software, case management methods, and quality assurance. In addition, list and describe the other types of staff trainings that will be offered.*

Staff are all trained regularly on every aspect of service delivery, including regulation and policies, forms, use of required software, case management, and quality assurance. Our local training is advised by national best practice and experience working in SWNM since 2017. Training is delivered on a daily, weekly, and monthly basis. We determine training topics in various ways, error trends we observe in monitoring, topics that Quality Assurance is receiving common questions on, topics selected by the team, and topics requested by the Board.

REGULATIONS AND POLICY: Our extensive local library of SOPs offers a foundation for staff training. These documents exist on an electronic shared drive and are used by our entire team. Our Quality Assurance Analyst assesses them every quarter to ensure everything is up to date. When a policy is updated, our team is informed and trained in whatever new protocol needs to be implemented to adhere to changes in information to be sure everyone is in the know.

Aside from training called for by policy updates, our entire A/DW team is trained once a month and all new implementations are discussed in that forum. The modification of this training

meeting to accommodate COVID-19 responses is also an innovation we are proud of as it displays not only our professionalism, but our ability to act on our feet and continue to do the needed work despite barriers and setbacks.

GEOGRAPHIC SOLUTIONS NEW MEXICO WORKFORCE CONNECTION ONLINE SOFTWARE, COMPLETION OF FORMS AND CASE MANAGEMENT METHODS: We fully utilize the state system for all program and case management tracking. We have completed training specifically on data entry and data quality, case note quality, Individual Employment Plan development, and effective assessment interviews.

QUALITY ASSURANCE AND OTHER STAFF TRAINING: For all A/DW staff, we offer a fully developed menu of training, cross-training, and ongoing development structured around foundational training, job-specific certification, and project-specific training and learning. Additionally, through our national Adult and Dislocated Worker Community of Practice, staff participate in monthly video meetings and have immediate access to RWS peers across all projects who serve these populations and the best practices and knowledge they possess. Staff receive a host of trainings to improve overall operation as part of our annual compliance training, including HIPAA; You're Safe, I'm Safe behavior support; Embracing Diversity; and others. During onboarding, each SWNM team member receives comprehensive training on WIOA Title I rules and regulations, including Wagner-Peyser and WIOA eligibility and enrollment requirements. The table below details specialized and ongoing trainings:

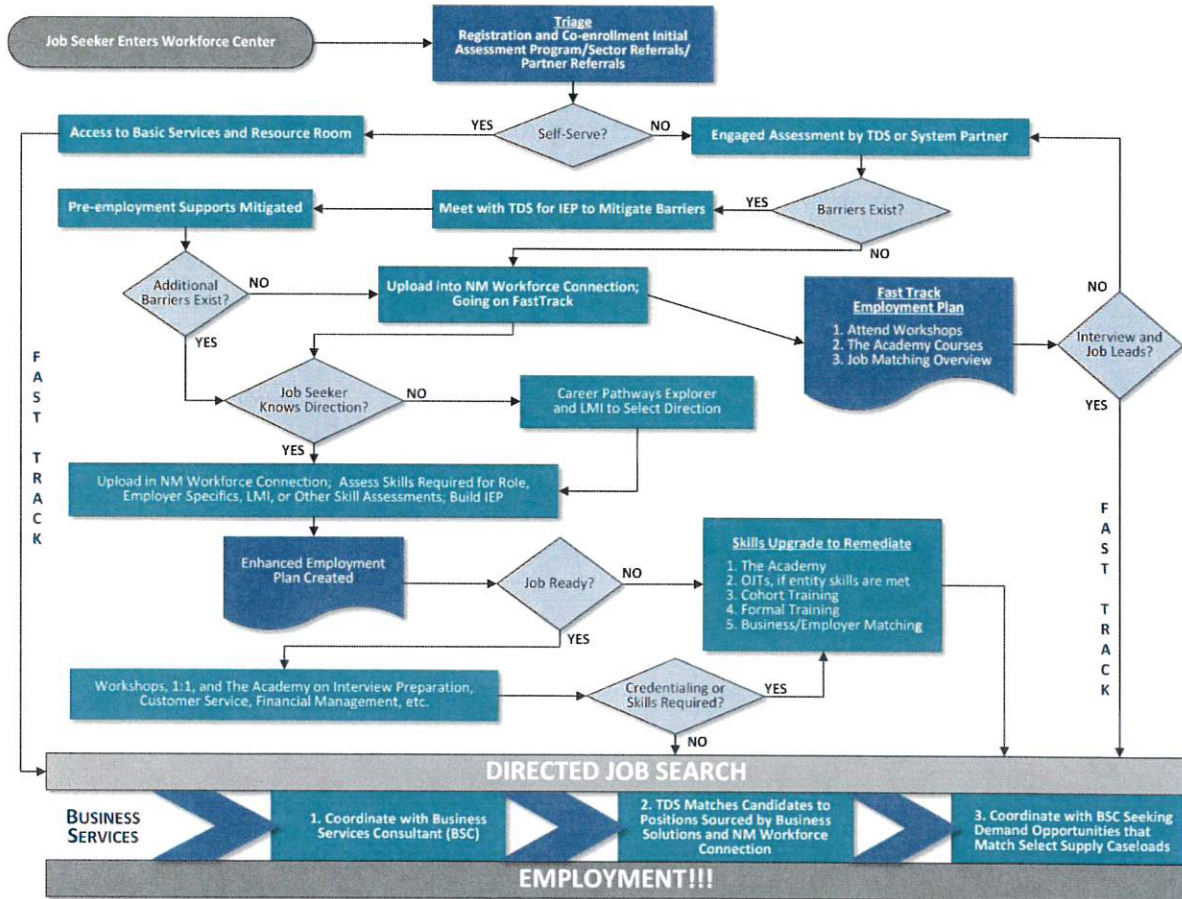
Trainings
Our Talent Development team is trained in career advising, developing employment plans, using the state systems, and case management. All staff complete the Talent Development Certification course to reinforce our talent delivery concepts, including assessments, career planning, case management principles, case noting, required documentation, follow-up and retention, and outcomes.
Our Business Services Consultant Certification curriculum was designed to coach staff on techniques and provide tools to prepare business solutions consultants to accurately assess the business needs and respond with solutions. These sessions require staff to research LMI; discuss, strategically plan, and develop critical deliverables necessary to serve the business community; and ensure performance objectives are met. Tier 1 training is available as an e-learning curriculum on RTS. Tier 2 training is a four-module customized training provided to staff at the career center or via webinars by a member of the national business solutions team.
Staff are also trained on targeted special populations, including veterans and justice-involved individuals. Staff receive training on working with individuals who speak limited English. Staff also participate in our comprehensive Opening Doors to Employment for Job Seekers with Disabilities . Frontline staff participate in our former offender training, Navigating the Transition from Corrections to Work , which was developed to enhance the programmatic expertise of our workforce professionals who work with this population.
RWS has developed new curricula for Sexual Harassment Prevention and Human Trafficking Training , as well as in-depth Resume Training , Interview Preparation Training , LGBTQ+ training , and Justice-Involved Training .

Further, our robust training includes courses in business skills, compliance, leadership, personal and professional development, and management training. ResCare employees may take advantage of online courses, increase knowledge, and encourage professional development of team members. Our standardized learning platform, the **ResCare Talent System**, ensures training is consistent across all operations, which makes our processes measurable; curriculum and content can be updated immediately, making us highly flexible; and all completed training is automatically tracked, which ensures peak compliance documentation. RWS invests in its people to ensure job seekers receive quality services with meaningful outcomes.

(4) Program Narrative (350 points)

(a) Service Delivery Strategy

This depiction of our service delivery process visualizes the steps our A/DW program participants move through, from program entry to employment.



i. Describe the eligibility, assessment, case management, and counseling services that will be provided to adults and dislocated workers in an integrated system.

The service delivery strategy our talent model represents is built on the belief we can open doors in the communities we invest in, especially those in rural counties, with the goal of uplifting individuals so they can succeed, but also improve their families and communities, whether all of that happens inside one of our offices, at a designated community access point, or remotely.

ELIGIBILITY: Our eligibility process is based on thorough and complete documentation. Individuals interested in participation after orientation to our services complete the WIOA eligibility and onboarding process with a Talent Development Specialist. We explain the purpose of our program and assist with or suggest the easiest way for each adult or dislocated worker to obtain/compile required eligibility documentation. Currently, with stay-at-home orders in place and potentially beyond, depending on the changing workforce landscape, we are offering orientation and eligibility determination remotely, via phone call or online. Our goal is to collect all required documents to certify eligibility within three to five days of beginning the eligibility process. We accomplish this by using electronic checklists to immediately provide participants with a list of required documents, collaborating with them on where to acquire each, and using third party sources as much as possible to verify information (i.e., TANF agency verify family

size/income; school records verify disability status). We have found this approach reduces job seeker stress and increases rapport with the TDS, who becomes a trusted partner in the enrollment process. This relationship is key to ongoing individualized support and progress through follow-up.

ASSESSMENT: Following orientation and eligibility determination, job seekers receive our Steps to Employment Plan (STEP) guide, which includes self-directed activities, opportunities for individualized help with career planning and employment, and referral information for partner agencies for services not directly provided by RWS. The assessments provided to help determine the needs of our customers are comprehensive and assessment tools include:

Topics	Assessment Tools
Academic Skills Level	WorkKeys® to determine basic math, reading, and language skill levels and functioning in relationship to GED and other academic requirements, such as college entrance examinations. Prove It! , offered completely online, offers over 1,200 assessments in a variety of different fields and skill sets. Assessments can range from basic to advanced and include topics in Accounting, Behavioral, Call Center, Clerical, Financial, Healthcare, Legal, Software, and Technical environments. An evolving relationship between RWS and LinkedIn also offers participants access to additional assessments and job search resources.
Work Readiness	ResCare STEP : structured interview process to document work skills and preparedness. WorkKeys measures essential work skills needed for jobs across industries and occupations.
Occupational Skills/Work History	Prior Work History and Education identifies job experience and skills, establishes employment history, if any, and any formal skills.
Interests and Aptitudes	Career Pathways Explorer™ , a visual personality assessment through our partnership with Traitify, gives participants a better understanding of their personality as related to careers. This assessment links to O*NET and assists in understanding career aptitudes and interests related to local market demand.
Foundational and Supportive Needs	STEP identifies obstacles/barriers and teaches Change Talk to resolve troublesome feelings and insecurities which cause barriers. Trauma-Informed Care helps uncover past traumas that cause barriers to success. MoneySKILL® and Financial Needs Analysis identify areas of financial need.

CASE MANAGEMENT: Our case management techniques are motivational, strength-based, and involve constant contact. They include referrals to a spectrum of wraparound services and truly holistic IEP planning in addition to connections to jobs. Our TDS use motivational interviewing, a customer-driven approach, to develop the IEP. They do so by asking open ended questions, listening, reframing answers, and asking follow-up questions. These techniques encourage participation, reduce ambivalence to change, and produce buy-in from the job seeker to own their plan. To ensure job seekers understand program requirements and expectations, the TDS identifies details from the customer's case files and assessments to help measure soft skills, program commitment, openness to working various shifts (if necessary), communication skills, and the ability to take direction. Job seekers choose their own career paths and identify environments they flourish in. The IEP is a thorough, strategic road map to each job seeker's selected career pathway. It includes both professional and personal goals and we link activities in the IEP to attainment of one or more of the WIOA performance measures. The TDS routinely checks in on job seeker progress and the IEP is revisited regularly.

COUNSELING: TDS facilitate career counseling to help each adult and dislocated worker set personal and professional goals based on their needs and abilities, set timelines to achieve each of those goals and the related training. Beyond career goals, they help explore life skills

development needs and identify any barriers that might not be as apparent and obtain necessary outside services to remedy them. Supportive services, including counseling beyond that which can be addressed by our TDS, are provided (as needed and in compliance with Board policies) by partner agencies. Currently, we partner with the TANF program for referrals through Wagner-Peyser. TANF participants are required to register with the workforce center in NMWCOS. Once registered, our Wagner-Peyser partners refer interested participants to WIOA Title I services.

ii. Describe strategies to provide services via technology and other means in rural communities.

Investment in every area of our service region is the key to a strong workforce program and a strong workforce system. This includes rural communities, where our persistence and adaptability are vital to ensuring we provide the exact same services and opportunities available to those who reside in more populated geographic regions with no additional costs or work for the Board. We do this with innovative platforms that can reach any customer, even those in rural areas with limited infrastructure.

We use the NM Career Solutions website to assist in determining career interests and compatibility. In addition, RWS brings the following tools and resources to deliver solutions:

- **ResCare Academy™:** an online training platform that offers thousands of free courses and credential-qualifying training in more than 100 industries.
- **Computer Essentials Online:** a self-paced, online digital literacy course to learn computer and internet skills required for college and careers
- **Money Essentials:** a self-paced, mobile-friendly financial literacy course that equips students with the tools they need to be successful at managing their money
- **Career Pathways Explorer:** an assessment tool through our partner Traitify, which determines what types of jobs best match the participant's personality
- **Virtual Orientations and Workshops:** face-to-face job readiness workshops and orientations, to inform job seekers about program services and prepare for employment
- **Virtual Job Fairs:** Virtual Job Fairs have recently been added to our service offerings for employers to reach potential applicants. Virtual Job Fairs are customizable, scalable, and 100% mobile friendly. They are designed to engage candidates and employers via a chat-based virtual environment.
- **Zoom and Webex:** customer engagement via conference call and video conference to meet the needs of customers where they are, including virtual case management. Our Service Delivery Team has been providing training on 'successful case management appointment using videoconferencing' since March 2020.
- **Legacy in Action:** online customer satisfaction survey tool
- **ResCare Talent System:** a database of more than 1,500 available staff development courses in Business Skills, Compliance, Leadership, Personal and Professional Development, and Management Training.

In addition to technology tools and platforms, Project Director Yvette Bayless created a strategic plan that allowed us to successfully provide our services in every county of the Southwest New Mexico region, including those never served before, by expanding A/DW services into Catron County in 2018 and 2019. Her plan exemplifies how we use multi-disciplinary strategies to take the initiative to address challenges rather than overlook or ignore them. The plan involved

cultivating and nurturing relationships with residents and public officials in even our smallest communities. For instance, Mayor Richard Rumpf in **Magdalena, NM**, allowed us to post our advertisements in his town and even helped create a remote access point there so individuals in his community can call-in to access our services. Access sites, satellite sites, and itinerant locations such as these throughout the region allow centrally located, office-type settings to provide services for those who cannot travel the distance to main offices.

Our response to COVID-19 has also prompted us to provide virtual orientations, workshops, career consultations, employment services, and virtual business services that can be adapted for regular use in our rural locations moving forward, including virtual training, hiring events, and job fairs. It has enabled us to hone our skills as far as offering orientation and assessment online, communicating with participants via online methods, and offering experiences online – through computers or any other internet-connected device.

iii. Describe the strategies that will be implemented in delivering career services, training, and work-based learning.

CAREER SERVICES: When providing career services, our mission is to always meet people where they are and present a menu of services which allows them to choose, with the informed guidance of staff members, which services are most beneficial to them, and which ones are most needed for them to succeed and meet their employment and life goals. TDS use regional labor market information to drive provision of personalized, informative career services.

TRAINING: Partnerships with colleges, technical schools, and employers, including businesses in high-demand industries, allow us to offer tailored and comprehensive education and training, including OJT. We fill education gaps by providing adult basic education to those who may be basic skills deficient and assist non-native English speakers and those who need help with their English skills.

WORK-BASED LEARNING: The current A/DW program has facilitated more than 180 OJT contracts in PY19. This is our most effective service provided consistently over the last two program years. Our business team's strategy is focused on relationship building, with numerous employers utilizing OJT services for more than one employee. We focus on skilled positions, pushing wages above listed averages, and working to ensure we look for upgrading the contract and further upskilling our participants, ensuring their long-term employability.

iv. Describe how the organization will ensure appropriate job placement in quality in-demand occupations.

Regional Labor Market Information, the state system, and information from Title 3 partners are all used to guide each of our job placements. In addition to research and knowledge, our BSCs form connections with employer customers to keep them abreast of the needs of in-demand industries in the region.

Our training programs are formed around regional business needs and in-demand skills. This assures individuals coming out of our training programs are thoroughly prepared for employment in the sectors that appeal to them and they have chosen to pursue. Once training is complete, they connect with a BSC who connects them to OJT or unsubsidized employment.

We also use the Marketability Assessment to assist with job searches. This is a comprehensive process to determine if an individual is job-search ready and possesses the skills after training to obtain successful employment in their field of choice.

- v. *Describe how the career exploration online system “Why I Work” (www.dws.state.nm.us/whyiwork/) and the NM Career Solutions website (www.nmcareersolutions.com) will be used to enable participants in navigating labor market information with an understanding of how to interpret and analyze in-demand occupations by geographic area and their potential salaries.*

RWS does not shy away from web solutions. The career exploration online system, “Why I Work,” will be offered to all new participants to provide a realistic look at the salary they can expect based on their career pathway or industry of choice and provide a glimpse of the lifestyle it will afford them and their family. Talent Delivery staff always provide labor market information to participants as it relates to their training plans and directs them to the New Mexico Workforce Online System to further explore their options. Our Business Services team also actively uses the NM Career Solutions website by contributing to job postings, recruiting to fill positions, scouring the job seeker pool, and vetting applicants for employers.

Jennifer Johnson of Roots Counseling notes: “My interaction with NM Work and the OJT Program has been a positive and memorable time. ... All the participants that are working at Roots Counseling Center have had a wonderful opportunity, myself included. The program has shown me that I have a broader range of skills, that I am able to stand beside people that have masters degrees strategizing, giving my own input as a professional and be a part of the business/community, things that are bigger than just my own personal world. I would highly recommend the OJT program for anyone that wants to learn skills that can be utilized in the future and it is an opportunity to grow as an individual.”

- vi. *Describe how participants will begin their job search process prior to completing credentialing (certificate, license, or degree) program.*

One thing that sets RWS apart from other providers is our dedication to job search and job placement from the beginning of the process. We discuss preferences, expectations, plans, and outcomes from the first steps of our process at intake and assessment. And we keep those discussions fresh throughout the development of the IEP and at every milestone check-in.

Upon completing any required credentialing, the TDS evaluates job readiness with help from the Marketability Assessment. This includes a review the participant’s resume, interview skills, life situation, and current and potential barriers. Participants are encouraged to prepare before this process to ensure they have begun this self-assessment when the TDS meets with them. We also address any barriers uncovered prior to the job search process at this step.

Once they are deemed job-ready, participants are assigned a BSC to direct them to employment in the sectors in which they have shown interest and studied. Current in-demand sectors include medical, education, and STEM fields. This direction is facilitated early in our process by IEP development, focus on specific employment, and resources that address existing social barriers.

The job search process is also guided by Business Services staff who have existing relationships with regional industry leaders. Knowledge of those business needs helps us place participants in quality employment that matches their needs and allows us to recruit for those employers in each sector field. This not only sustains and strengthens our relationships with these employers, it keeps our program’s placements up and common measures on track.

- vii. *Describe the supportive service strategies to be used to address participant barriers, how frequently they will be monitored and analyzed with the participant.*

The need for supportive services to address barriers is addressed from the earliest stages of

enrollment in the A/DW program. These needs are included in forming the IEP and the successes and goals required to overcome them are included in each participant's program pathway alongside education and career goals because they are just as detrimental to success as lacking employment skills. These needs, as part of the IEP, will be addressed frequently with each participant – at any point that there is a status change, but at the very least on a monthly basis. These check-ins and discussions are part of why our TDS staff are trained to form personal relationships with participants. We are aware that discussion about some social barriers requires a deeper level of trust than career talk and the goal is always for staff to foster and nurture those relationships so interactions are truly transparent and open in a way which allows us to offer the best, most personal services possible. Because of this, each TDS will decide, based on the preferences of the participant, how these communications take place – via call, text, video call, or in-person (once social restrictions are lifted).

More recently, we were able to take initiative and demonstrate community leadership through work on policy modifications that allowed us to provide computers and internet access to participants who are attending school but unable to obtain those resources on their own. While some providers may reimburse participants who pay for their own internet services or equipment, our corporate backing allowed us to meet these needs immediately, helping the people of SWNM through a challenge rather than putting that burden on them or creating additional barriers.

viii. Describe the strategy for delivering services to customers through virtual, remote, and other services while under the New Mexico Governor's Public Health Emergency Declaration.

In light of the recent Public Health Emergency Declaration, we were able to remain the calm in the middle of a national storm. We kept our preparation and professionalism on full display. Our dependence on virtual services to reach rural customers and those with certain barriers means our familiarity with technology and distance delivery aided in our ability to be nimble and implement layers of ever-changing CDC safety guidelines and state regulations without significant challenges. We continue to provide options as orders are lifted and some facets of life are reopening and helping us to evolve our service delivery as the workforce system landscape changes nationwide to accommodate new public health guidelines.

The existence of our national network means that as soon as things started to shift, our national Service Delivery Team already had programs, policies, and procedures in place. In real-time, as closures were announced, we were able to guide the Board in structuring funds and approaches. Our A/DW program structure was in place within a day or so of stay-at-home orders. After our roll-out, the state reached out to our management specifically for guidance on staff working from home, tracking equipment, and other related logistics.

To assist RWS staff in adjusting to the new COVID-19 reality, the Service Delivery Team developed and hosted regularly scheduled webinars on topics such as:

- Best practices and tips and strategies for working from home
- Self-care, addressing anxiety
- Successful case management appointment using videoconferencing

Most recently, we have partnered with program funders to jointly lead business continuity planning as a result of the COVID-19 outbreak. This has included access to virtual service delivery options, remote staff work assignments, and an unwavering focus on health and safety for all system stakeholders. We have demonstrated a constructive navigation trajectory path and

continuity in service delivery while faced with COVID-19. We are committed to:

- Continuity of access to services in whatever form is best for the local area
- Use of technology as a platform for service delivery
- Use of learning management systems to ensure people have access to move forward with education and training
- Partnering together to ensure the highest quality services are available, guided by the constraints of our current environment, and strengthened by a spirit of collaboration and the ingenuity of our people and partners

As we partner to navigate the weeks and months to come, RWS has three primary areas of focus in the near term:

1. **Maximizing our Capabilities** – Continue to support operations with expanded offerings, additional training on relevant topics, and access to a robust library of resources.
2. **Expanding Capacity** – In April, RWS formed four separate “2020 and Beyond” taskforces focused on different service delivery phases (planning, development, preparation, and placement/retention). These teams are exploring ways to serve the significantly increased demand by leveraging technology and streamlining processes, factoring in realities such as social distancing. We look forward to sharing these concepts with our operations knowing that planning and implementation is ultimately local.
3. **Re-Opening** – As offices are beginning to reopen, although there is not a COVID-19 vaccine, we have formed a Re-Opening Taskforce to provide guidance across the spectrum of considerations on topics that include:
 - Preparing the buildings
 - Controlling access
 - Preparing the employees and partners
 - Communicating with confidence to minimize fear and discomfort
 - Creating a social distancing plan
 - Continuing to facilitate virtual services
 - Reducing touchpoints and increasing cleaning
 - Working to collect feedback on virtual service offerings and platforms to continue to innovate service delivery

(b) Partnership and Collaboration Strategy

i. Describe the strategies for co-enrolling participants with other programs.

The SWNM workforce system is an ecosystem. We are one part of that system and our ability to function as a leader as well as a collaborative and active partner with all of the other pieces is what keeps an integrated system working fluidly. The existing RWS A/DW program has a strong partnership and integration with the One-Stop System. Our staff attend regular OSO meetings, present in those meetings and in other situations where education is beneficial to all partners, cross train among programs and partners, partake in common orientation, and facilitate co-enrollment through a common referral process.

We are aware upon eligibility determination and enrollment of each participant what other programs they may be eligible for. A relationship with the local WIOA youth provider enables us to co-enroll youth who are older than 18 and qualify for the adult and dislocated worker program. We ensure our work with the participant can mesh with the steps to the out-of-school youth program and that the two programs can work side-by-side to provide the best, most comprehensive services for the individual.

We are in the early stages of piloting an integrated education and training (IET) program with Title 2 providers at Dona Ana Community College. The first co-enrollment cohort for this program will be in the fall. We have worked to co-enroll with veterans' services on numerous occasions and co-enrolled participants with TANF and DVR.

Teamwork, referrals, and common goals help us to promote co-enrollment to A/DW participants, which helps to boost performance across the entire system.

ii. Describe the strategies that will be used to coordinate and collaborate with other workforce partners to meet the goals of the Board and State of New Mexico.

Knowing there is a common purpose among other workforce partners enables us to take a united approach to meeting the goals of the Board and the state of New Mexico. Each partner is one factor in the full state workforce equation. Operating with a comprehensive system approach allows each partner to function as part of a collective, collaborating in development of system standards, processes, client tracking, and information and resource sharing.

As the A/DW provider in the region since 2017, we have forged relationships with mandated workforce partners and other partners and service providers that we can rely on to reinforce the strength of the state system as a whole and develop the SWMN goals of outreach, small community participant training, and meeting performance measures.

Aligned with the Southwestern Area Workforce Development Board's Strategic Vision and Goals, as outlined in the Modified Local Four-Year Plan PY 2016-2019, entitled "Building a Skilled & Ready Workforce: For an Ever-Changing Economy in Southwestern New Mexico, moving forward, we plan to work more intricately with other partners, and put our innovation into action to evolve from services we offer now to enhanced options that make our process more efficient for those we serve. We plan to focus on:

- Transitional jobs, specifically senior employment programs, helping find training and employment for justice-involved individuals, and focusing more on transitioning youth co-enrollments to A/DW programming. Focusing on youth co-enrollments aligns our work with **Goal 3: Establish an effective system of communication with Youth and Adult Service Providers to inform youth participants of the occupations in demand, along with the opportunities available to enroll in adult training programs. This goal is designed to align the youth and adult service programs. And Goal 4: Build relationships that promote long term success and connect youth to the workforce system.**
- An agriculture initiative with New Mexico State University to be implemented next fall. This collaborative, two-week residential training program will result in six agricultural certifications for participants, which aligns with **Goal 6: Increase outreach and assistance for farm workers, migrant seasonal farm workers, and agricultural employers.**
- Enrollment of dislocated workers. Rapid Response services and co-enrollment with TANF is going to increase significantly as we are called to serve individuals impacted by COVID-19 across the region who have been furloughed or laid off. While the Great Recession mentioned in the 2016-19 plan is different, this aligns to **Goal 13 – Develop innovative initiatives to address those who are underemployed in the aftermath of the Great Recession that will benefit the economy – as there will, most certainly be a similar scenario as the economy and workforce reopen and recover from recent events.**
- We will be focusing heavily in the coming weeks and months on our COVID-19 response toolbox, which includes previously addressed tools such as plans for following safety

guidelines, plans for staff to work remotely, and work on remote service provision, as displayed by our leadership over the past few months. We will continue that leadership as we set examples and precedence with our re-opening protocols, flexibility to evolving health guidelines, and newly implemented health screenings to assure individuals are safe to return to work and in-person events.

(c) Serving Target Populations

- i. Describe the service delivery strategies for the following priority populations: Individuals with disabilities; Veterans; Migrant Seasonal Farm Workers; Native Americans, Low Income Individuals; Older Individuals; and Individuals with Low literacy.*

Serving SWNM for three years has provided RWS experience serving a variety of populations that exist in each of its counties. It has allowed us the opportunity to create a strong network of organizations we can reach out to when an individual is a member of a priority population that requires more intensive or tailored assistance than we are able to offer independently. The customized nature of our services allows us to be flexible as we adjust our offerings to accommodate every individual. The table below details some of the current partnerships and strategies we use to provide quality, holistic services in the region.

Population	Strategies and Examples
Individuals with Disabilities	We established a partnership and reverse referral system for individuals with disabilities through DVR. An RWS staff member used to serve on the state ADA board and is passionate about serving this population.
Veterans	A/DW staff are co-located with the veteran program and work very closely with the area veteran's services representative.
Migrant Seasonal Farm Workers	A/DW offices in Luna and Dona Ana counties are considered significant offices – indicating that they operate in high-population migrant seasonal farm worker areas. These counties have several agriculture opportunities and large Spanish-speaking populations. We host specific events for this population to provide support services. We work with H2A/H2B program with the state to help MSFW job seekers apply for work. The H2A/H2B representative we work closely with is from Luna County and we have a strong partnership with the area National Farmworker Jobs Program that allows us to offer even more specialized services to these individuals.
Native Americans	One of the employers we work in close coordination in Socorro County is a member of the Alamo Navajo Nation and provides a liaison between our staff and members of that population. In coordination with the State, we attended a Native American Summit at which we learned about workforce investment needs and we were able to help educate our Native partners about WIOA programs and how we could better serve their communities.
Low-Income Individuals	90% of A/DW participants fall into this population and we focus intently on the low-income individuals in all of the other listed priority populations. To assist in serving them, we work closely with the Creative Workforce Solutions, formerly SL Start, Roadrunner Foodbank, Gospel Rescue Mission, and the Mesilla Valley Community of Hope homeless shelter. We prioritize self-esteem building and education gaps with this population as these can be common barriers to success for those deemed low-income.
Older Individuals	When the opportunity presents itself, we partner with the Senior Community Employment Service Program by providing our Roadmaps to Success job readiness workshops at the Workforce centers and assisting participants with job skills, support services, and other job seeking services.
Individuals with Low Literacy	We provide skills testing for every participant and those in need of assistance are co-enrolled in adult education such as Dona Ana Community College and Western New Mexico University.

(d) Participant Training Goals

- i. *The minimum number of participants to be served by the program is: 110 WIOA Adult training participants; and 150 WIOA Dislocated Workers. Provide the number of individuals to be served from July 1, 2020 to June 30, 2021 in training programs (i.e., classroom training; on-the-job training, customized training, incumbent worker training, and other types trainings) for the WIOA Adult program; and Dislocated Worker program.*

We plan to identify and address community needs as we serve 145 individuals from July 1, 2020, to June 30, 2021, in training programs for the WIOA Adult program, and 195 individuals in the Dislocated Worker program. We will operate with a targeted focus on creating opportunities through rapid response efforts, including our previously mentioned mining initiative. We believe this participant training number is a reasonable goal as it was calculated based on averages for our training programs for PY19 and the training budgets provided.

We know the entire workforce landscape of the U.S. will be vastly different in PY20 due to COVID-19. We anticipate the number of Dislocated Worker enrollments to be well above previous levels due to the massive unemployment suffered by many people. We effectively deliver remote services, which will have a long-lasting impact on our ability to serve rural areas and individuals with transportation barriers. We have the ability to respond to the change with extreme dexterity. The strategies of the past are no longer an indicator of future success.

(e) Customer Service Strategy

- i. *Describe the strategy that will be used to deliver excellent customer service. Explain how customers will be surveyed, and how the results will be reported to the One Stop Operator, Administrative Entity and the Board.*

Providing excellent customer service is vital to the success of our workforce programs. Customizing every opportunity to the participant sets us apart in regard to customer experience. We meet people where they are: in offices, through access points, or even online. We assess the skills they possess and compare them to the expectations and requirements to help them meet their goals, then help them fill in the gaps on their path to success. To make this work as seamlessly as possible, and to continue to evolve services and revolutionize the workforce services landscape, we rely on participant feedback. We value the information provided to us and use it as the baseline when we implement change, on both a local and a national scale.

We provide a warm, inviting atmosphere for first impressions and make every potential participant feel welcome when seeking assistance at our One Stop Centers. A Welcome Team triages each job seeker to identify their immediate needs, determine the most appropriate next steps, help relieve any anxiety, offer needed assessments, provide information about available services and referrals, make referrals to job coaching and training resources, and empower participants to become marketable candidates.

To gauge our success, we rely on our Legacy in Action survey (formerly RAYS), part of our Legacy in Action customer experience program. This participant feedback survey is available online through links, QR code scanning, and posters and marketing materials in the center asking for feedback. Because the survey exists online, results are easily organized, reviewed and reporting to the One Stop Operator, AE and the Board.

We developed our Legacy in Action world-class customer experience in collaboration with the Disney Institute – a world-renowned organization that creates real and memorable experiences

for customers. Our work with the Disney Institute led us to a defined Chain of Excellence that supports the Legacy in Action program. It emphasizes:

1. Leadership excellence to create an environment for staff to perform at the highest level.
2. Employee excellence that requires hiring talented, motivated, high-performing staff who constantly innovate creative and smart ways to deliver complex programs in ways that make a meaningful, positive impact on lives of those we serve
3. Customer satisfaction that has brought about the creation of an environment of hope and success through highly engaged staff and outstanding service offerings
4. Customer success that includes the opportunity for job seekers to truly live their best lives

To observe staff and reinforce our Legacy in Action Service Expectations, we have developed a mobile enabled observation tool that allows supervisors and colleagues to conduct on the spot observations and for participants to offer immediate feedback to supervisors and the individual. The training and observation tool are available to partners at no cost.

(f) Business Engagement

- i. Describe how business services teams will develop long-term relationships with employers and your organization's role in the sector partnership strategy process.*

Our Business Outreach Team is built on national best practices for fostering employer relationships and two years of relationships with SWNM industry leaders and employers. The collaboration we use when we work with other WIOA partners serves us well as we work to meet the need of employers and further the sector strategies important in the region – specifically those related to medical, education, STEM, and agricultural fields. Our Business Outreach Team was able to facilitate more than 180 OJT in PY19, and these were provided in all seven counties of our region.

Staff use a consultative approach to serve businesses and employers. We consult with business clients, assess their dynamic and unique needs using a Business Needs Assessment, and respond with services and solutions that not only meet, but exceed them. The Business Needs Assessment allows the Business Services Consultants (BSC) to get to know the business customer – plans for growth/reduction, recruitment/hiring/onboarding processes, current vacancies, details about ideal candidates, pain points, skills needed, culture, and solutions RWS offers (LMI, wage review, job description development, etc.). If the business partner is not ready to hire, we offer a menu of other solutions to build and maintain a partnership, ensuring that when they are ready to hire, they look to us. Staff are trained to identify business needs, provide salary range information and data on the availability of skilled job seekers, and to research the availability of training opportunities. BSCs work closely with the Talent Development team to

"I am a small business where most, if not all, duties are completed by me and my small staff. It is not easy however to find employees when I need them. The Workforce Solutions staff here in Deming have taken the time to get to know my agency, what I require as far as a staff member and what many of the duties are that we do in my agency. When we need more assistance in my office, I always know that I can count on them for a referral or to help me post a job needed for my agency. One of my current agents in my office came from Workforce Solutions and I can't be more blessed to have her. I have had four contracts with Workforce Solutions in which my agency has hired a referral from them and I was grateful they had already been trained by our local Workforce Solutions staff."

Sonia Terrazas, Terrazas Insurance Agency

ensure training investments are targeted in high-growth industries with occupational shortages.

In Dona Ana County, we are building a strong and steady workforce pipeline for a groundbreaking new company, Electronic Caregiver. They provide around-the-clock, virtual medical care and we are steadily recruiting talent to help develop a new model in the medical field. We will be able to help fund training through ITAs as well as OJT.

As business demands change, especially in the post-COVID-19 environment, our proactive approach allows us to remain nimble, changing with the employment landscape. Recent examples include the business services team's use of Zoom calls to connect with employers and the use of virtual job fairs to keep business connected to job seekers.

(g) Community Outreach Strategy

- i. Describe the outreach process and how employers will be engaged to support the Board's targeted industries; to include, but not limited to, chambers of commerce, rotaries, and other employer groups.*

Outreach is done face-to-face, over the phone, via email, and through our BSC team operating prominently in the communities we serve. In February 2019, there were no participants engaged in the A/DW program from Catron County. To outreach specifically to the towns there, three BSCs were specifically tasked with building relationships with Catron County adult and dislocated workers. In following the outreach strategy and plan, we were able to provide WIOA services to our very rural counties for the first time. In some cases, we far exceeded our goal. In Catron County we exceeded our investment goal by approximately \$30,000. Every dollar expended/invested, means we helped to change someone's life. This outreach plan was divided into three phases measured by these goals:

- Build a relationship with the County Commissioners in order to extend the outreach efforts within Catron County with the assistance and support of the Commissioners, by obtaining invitations to job fairs, community events, school events, health fairs, and other community activities.
- Re-establish the OJT participation within Catron County and to serve as an example of the success of the OJT program
- Reach out to local businesses that would be willing to participate in the OJT program and provide the opportunity to reach out to potential participants become part of the WIOA program. The strategy is to reach out to local businesses such as small businesses, local police department, sheriff department, local senior programs, and public schools, to include childcare facilities. Once the WIOA program is established with participant, the TDS assigned to Catron County will continue assisting the participants.

The plan was supplemented with work by a TDS in our Las Cruces office who conducted outreach by utilizing the RESEA tool and reaching out to the dislocated workers – adults, unemployed, under-employed, college students, displaced homemakers – via telephone call.

Success of this thorough planning enabled us to successfully outreach, for the first time, to all seven counties in the region. Similar strategies are used in every other county to seek out and outreach to other perspective participants.

- ii. Describe how the availability of services to adults and dislocated workers will be marketed in all communities within the region as well as how recruitment of these populations will be conducted.*

In SWNM, we make services available to every individual in every community in the same ways. We offer face-to-face services when possible, but also tailored and efficient virtual service to be sure that no area in the region is neglected or receives sub-par service because of location. Moving forward, as we restructure services post-COVID-19, we will continue to offer virtual services and offer modified, non-traditional office hours across the region to accommodate a variety of schedules for those who seek out a return to in-person services. We have expanded our offerings in light of COVID-19 to include a range of webinars that help facilitate service delivery and offering the most efficient and comprehensive services available for every customer. One of these webinars occurred on April 7, 2020. The RWS Government Relations teams hosted a CARES Act webinar for RWS teams, our funding customers, and community partners. Robert Knight, RWS Director of Workforce Policy and Government Relations, presented on the CARES Act and bills that greatly impact local and national workforce systems that were moving through to legislation. We were share that information to the full workforce systems to provide up-to-date information on how these bills affect our customers, operators, partners, and communities.

Our A/DW program will also benefit from the OSO Awareness Campaign that allows for messaging to be posted on local public transportation. We ensure staff participate in local events in every county as opportunities arise, and we provide literature, sponsor public service announcements, and outreach to public organizations, presenting our services as beneficial to employers, employees, and job seekers.

So far, this year alone, we have outreached to over 560 new employers. Our Business Services Team has established a business support system that provides solution-driven services to build stronger communities and strengthen our local economies. Small businesses thrive with support through OJT, and bigger businesses depend on our development of a steady workforce pipeline, through ITAs, and support services. Our Business Services team has provided the Workforce Solutions and Workforce Connections that Southwest New Mexico has come to depend on. This was clearly evident during the initial COVID-19 response. We were able to provide resources and education to local business with lightning fast speed, showing again, our strength in supporting our business community.

(5) Performance Management (250 points)

(a) Describe the quality assurance methods that will be used to meet the contractual deliverables, to include but not limited to participant goals, budget, and performance incentives.

Our Quality Assurance process is a detailed, thorough record keeping that tracks participant goals, budget, and performance incentives. There is 100% review of all new enrollments and all training documentation and staff conduct regular and consistent case management reviews, all backed up by a full set of SOP documents that have been shared with and approved by our Board. We operate with a tested and efficient case review checklist, used by the TDS through enrollment. This checklist process funnels directly into supervisor and QA reviews.

We track daily, weekly, and monthly progress against contract benchmarks and keep up with quality, customer relations, financials, and human resources. Corporate and regional participate in monthly reviews to compare performance with contract goals and project leadership meets monthly to review individual and program performance.

PARTICIPANT GOALS: Our Quick Base platform is used to capture and report performance in key areas. Weekly reports document human resources, critical performance, funder relations, and

financial information, while monthly reports detail performance against contract benchmarks for the period and contract-to-date. The management team and corporate leadership review all submitted information and use it to take a proactive approach to identifying and addressing any potential deficiencies in operations. Summary reports of each project's performance are pulled in real time for analysis to ensure we are always managing operations to the Board's expectations.

BUDGET: The Project Accountant conducts bi-weekly reviews of the budget and financial forecasts and regular use of our QMT identifies opportunities for improvement and itemizes standards for fiscal, program, and human resources management internal assessment.

PERFORMANCE INCENTIVES: When it comes to performance, the management team focuses on numbers and results. They strategize around areas of concern and focus the rest of the team there. That focus the leadership team delivers to the team is based around behaviors. They ensure our team is delivering the right services to each individual they meet with. Numbers, results, and goals are delivered to the team and they are kept informed, but they are to focus on the people they serve, altering their behaviors to achieve goals.

We manage our performance incentives through our Quick Base Performance Tracking System. The system allows us to monitor and drive performance through weekly reviews and oversight. We maintain back up documentation files, from the state system and our internal ResCareWORCs system to substantiate our performance claims. We take pride in the fact that since our inception in 2017, we have not had a reversal of performance claim, which is a testimony to our in-depth record keeping and dedication to accuracy.

(b) What internal monitoring systems and techniques will be used to ensure there are no disallowed costs and contract budget expenditures are monitored? Include in your description:

i. techniques to be used to measure fiscal performance;

Fiscal responsibility is relied on to ensure we have no disallowed costs and expenditures are monitored. This fiscal responsibility – backed by our SOPs on fiscal integrity – contributed to the A/DW program having zero disallowed costs in PY 19-20.

Our fiscal responsibility is structured with assistance from our Quality Measurement Tool (QMT). The QMT is a quarterly assessment completed by the Project Director and leadership team designed to facilitate the continual improvement of contract and project performance by identifying opportunities for improvement through assessing operational conformance to federal, state, and Board requirements, and to accompany policies and procedures. The QMT itemizes standards for fiscal, program, and human resources management internal assessment. In addition, each project is provided an external QMT by a WIOA expert from our national Service Delivery Team. We put extensive monitoring practices in place to reduce the risk for disallowed or questioned costs and we rely on our clear understanding of federal, state and local policies to ensure we operate efficiently and in compliance with all guidelines and regulations.

In addition to the QMT, our SWMN team conducts regular site reviews. The Site Review captures program service delivery, file reviews, participant expenditure reviews, staff professionalism and alignment to LEGACY standards, customer experience observation, performance management tools, and facility standards.

Our Vice President and Regional Director use the Microsoft Business Intelligence (BI) dashboard to monitor SWNM performance. Our BI dashboard documents the real-time status of

each project in a number of key areas that support operational excellence. Specifically, it allows leadership to monitor total contract funding and investments for the month and contract-to-date to ensure we make timely investments without under- or over-committing resources entrusted to us. Furthermore, our Performance Tracking System (PTS), driven by Quick Base, reports performance and financial data, tracking every contract benchmark. The PTS database displays performance for the past 12 months and indicates the monthly variance from goals.

ii. techniques to compare costs against planned budgets;

The Project Accountant reviews expenditures weekly. Using WORCS and its reporting capabilities, we are able to drill down to Center and program levels, which is key to monitoring benchmarks and driving expenditures. We use WORCS to track ITA and support services obligations and payments. Actual financial performance is compared to budget. Excessive variances are flagged and brought to the attention of the operations manager. Strategic plans are designed and implemented as needed. Financial forecasting is an ongoing part of operations. A review of contract to date expenditures and a forecast through the end of the contract occurs monthly in order to maximize funding.

iii. actions to assure the accuracy and allowability of expenditures; and

Our corporate Planning & Analysis Department monitors contract expenditures and assists the project in order to prevent cost overruns, ensure proper fund expenditure, and plan for future operations. When increases or decreases in funding occur, a review is performed to ensure operations are sustainable and operating efficiently. Our quality assurance monitoring reviews check for proper eligibility documentation, allowability of program expenses, timely data entry and verify that program policies and procedures are being followed. Training helps ensure staff knows and follows program funding regulations. Our internal auditors check for proper usage of contracted funds. If any discrepancies occur through any of these processes, RWS immediately acts on findings and implements corrective action and policy reviews.

iv. techniques to be used to guarantee data integrity.

Our corporate standard operating procedures address the process and expectations for accurate and timely data entry. Training material is developed with these standards and all local policies, and the Project Director and Quality Assurance Analyst conduct reviews for data integrity and accuracy in the A/DW program for 100% of contracts submitted to the Administrative Entity.

(c) If certain costs are determined to be disallowed, does your organization have a procedure and source for reimbursing such costs to Board? If so, describe that procedure and the source these costs will be paid from. (Federal funds may not be used to repay any disallowed costs.)

In the unlikely event of a disallowed cost, RWS is secure in our financial resources, and reimbursement is made from non-governmental funds. With \$244 million in annual revenue in 2019, RWS has the full financial backing of its parent company. Arbor E&T, LLC dba ResCare Workforce Services is a wholly owned subsidiary of Res-Care, Inc. dba BrightSpring® Health Services. Res-Care, Inc. dba BrightSpring Health Services is a wholly owned subsidiary of Phoenix Guarantor, Inc., with annual revenue in excess of \$4.5 billion. This capital structure provides RWS with ample capacity to meet obligations. Res-Care, Inc. also maintains a \$320 million line of credit with Morgan Stanley Senior Funding, Inc.

(d) Describe the methods to monitor data entry in the New Mexico Workforce Connection Online System, how it will be analyzed and reported.

To ensure accuracy and monitoring when data is entered into the New Mexico Workforce Connection Online System, we train every staff member in appropriate and efficient use of the system, local policies and general data entry. We conduct thorough reviews on 100% of cases to assure that our training is effective, and that staff are entering data into the system as required.

These reviews are conducted on each enrollment, program document, and case closure. We utilize a well-developed case review checklist to analyze each case in detail with up to 68 points of review. All aspects of data entry in the system are reviewed for 100% new enrollments and a random selection of active participants on a monthly basis and all review are tracked in a monitoring data spreadsheet with accuracy rates calculated for ease of reporting.

(e) Describe management's approach to monitoring the progress and challenges of participants in training programs. Explain the method to detect participants who are struggling in their training program and what measures will be used to assist the participant.

Consistent contact with every single participant helps staff to ensure each job seeker is progressing as expected and that any challenges that arise in their plans and training programs are addressed. Participant contact is required every 30 days and focuses primarily on IEP goals and barriers that keep participants from meeting them. This contact can be conducted in a variety of ways depending on what works best for the participant and their communication style.

These monitoring check-ins have allowed us to target transportation as a large barrier to the individuals we serve in SWMN. We utilized support services to assist 77 individuals with barriers in PY19, and the largest percentage of those, based on check-ins and need, were for transportation assistance.

(f) Describe the strategies to place participants into employment in their field of study by the second quarter after exit, and how they will retain employment through the fourth quarter after exit.

Quality job placement and retention in that employment begin early in our process with stringent interest assessment and deep knowledge of local career pathways, in-demand regional industries and local employer needs. Our Talent Development staff operate with standard procedures for Marketability Assessment. They are trained to work with individuals to determine their marketable skills and how to improve those through education and training to become the ideal candidates for local employment. They are trained in use of the New Mexico Career Solutions website to help provide direction and prioritize needs based on career goals for participants who are unsure of the pathway or career sector they want to pursue. This helps ensure participants are not only aware of the expectations of their pathway and field up-front, but also that they are invested in and dedicated the employment they obtain. We make placements that really are about solutions and overcoming, and not just paychecks.

This process relies heavily on the coordination of our Talent Development team with our Business Services team. Candidates are referred to the business team for job development based on business partner needs. We make the most efficient job placements based on the needs of both the employer and the employee. Establishing that bond and communication early in the process and before placement not only aids in retention, it assures we can step in and become involved as needed to address new barriers as they arise and keep employees engaged.

(g) Describe the strategies for participants' credential completion and how this will be monitored while in their training activities.

To help participants earn credentials required by their employment of choice, we set clear expectations up front with the help of our Participant Agreement. This ensures everyone involved is aware of the expectations required and comfortable with the responsibility required and being held accountable. On the road to completion, we maintain monthly contact with participants and focus conversations on what they are learning, their status in the credentialing program, any needed assistance we can provide or help them find, any new barriers that emerge and any additional supportive services opportunities we can provide to make the process and achievement of their goals easier to obtain.

(h) Describe the strategies and objective to re-engage participants who have become disengaged as a participant in their training activity.

When we need to re-engage, we focus on addressing barriers. When it becomes apparent that a participant has become disengaged in their training activity, a TDS continues to attempt regular contact and shifts the focus of discussion to new needs-based questions to determine the reason for disengagement. Once new needs or barriers have been identified, additional supportive services are offered, and new plans are introduced.

In PY19, to help address new barriers leading to disengagement, we worked with the Board on significantly widening the supportive services the local policy allows us to provide. Many of the new options we have been able to provide have been utilized by our participants – auto repair, clothing, and equipment and utility assistance, to name a few.

(i) Describe the strategies for meeting the following performance measures:

Adult

Employment Rate 2nd Quarter Exit 77.0%
Employment Rate 4th Quarter Exit 78.0%
Median Earnings 2nd Quarter Exit \$7,500
Credential Attainment Rate 60.0%

Dislocated Worker

Employment Rate 2nd Quarter Exit 72.0%
Employment Rate 4th Quarter Exit 59.0%
Median Earnings 2nd Quarter Exit \$7,100
Credential Attainment Rate 67.0%

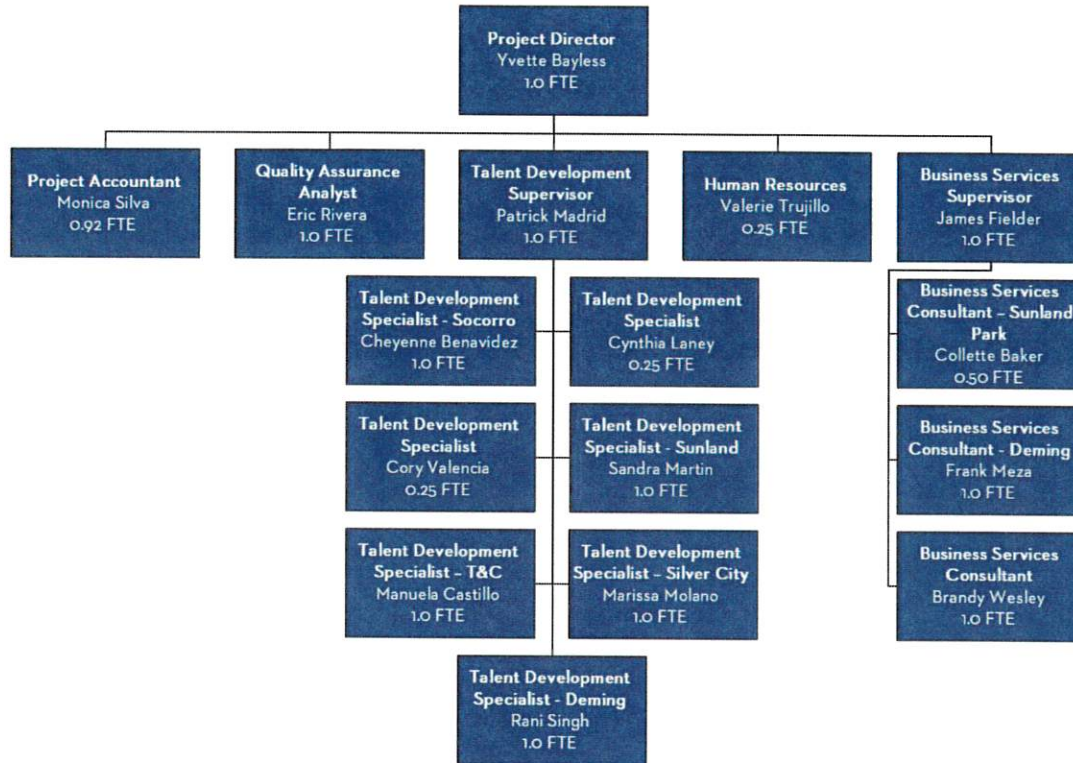
The performance measures are subject to change and will be the same as the SAWDB's negotiated performance measures with the New Mexico Department of Workforce Solution for PY20.

Performance is cornerstone of all we do. We set goals, analyze data, and receive feedback. We track daily, weekly, and monthly progress against each of our contract benchmarks and keep up high quality, customer relations, financials, and human resources. Leadership across our corporate support team and our regional leadership participate in monthly reviews to compare performance with contract goals and project leadership meets monthly to review individual and program performance. Specifically:

- To meet employment rate goals, our business services team researches and provides real time employment rates to our team. We maintain a focus on case management with the end goal of our process always being employment placement. We ensure career interest compatibility early in our training process to ensure stability. We provide continual communication and supportive services after participants exit to employment so any new barriers to employment and success can be addressed quickly and efficiently.
- To meet wage goals, we issue OJTs according to policy and keep ITA training focused on occupations to ensure we meet median earnings goals.
- To meet credential attainment goals, we continue to maintain and build collaborative relationships with training providers to ensure a smooth process for participants to earn credentials required or beneficial to their career pathways.

REQUESTED ATTACHMENTS
ORGANIZATIONAL CHART

Southwestern New Mexico Adult and Dislocated Worker Organizational Chart



[illegible]

Budget Worksheet

Name of Provider
Arbor E&T, LLC dba ResCare Workforce Services

Budget					
Budget Adjustment		Final Budget			
Dislocated Worker	Total	Adult	Dislocated Worker	Total	
\$ -	\$	327,662.16	\$	409,577.70	\$ 737,239.86
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	-	\$	-	\$ -
\$ -	\$	327,662.16	\$	409,577.70	\$ 737,239.86

[illegible]

Dedicated Worker	Total	Adult	Dedicated Worker	Total
\$ -		\$ 5,000.00	\$ 6,250.00	\$ 11,250.00
\$ -		\$ 267.00	\$ 333.00	\$ 600.00
		\$ 142.00	\$ 178.00	\$ 320.00
\$ -		\$ 333.00	\$ 417.00	\$ 750.00
\$ -		\$ -	\$ -	\$ -
\$ -		\$ 333.00	\$ 417.00	\$ 750.00
\$ -		\$ 267.00	\$ 333.00	\$ 600.00
\$ -		\$ 142.00	\$ 178.00	\$ 320.00
\$ -		\$ 6,484.00	\$ 8,106.00	\$ 14,590.00

[illegible]

Average Cost per Participant (Participant Training Costs Only)	\$	3,141.36	\$	3,623.19	\$	6,764.55	#DIV/0!	#DIV/0!	#DIV/0!	\$	3,141.36	\$	3,623.19	\$	6,764.55
											46.44%		53.56%		100.00%

**Southwestern Area Workforce Development Board
Service Provider of Workforce Innovation and Opportunity Act Youth Services**

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Campaign Contribution Disclosure Form

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

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“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By:	N/A
Relation to Prospective Contractor:	N/A
Name of Applicable Public Official:	N/A
Date Contribution(s) Made:	N/A
Amount(s) of Contribution(s)	N/A
Nature of Contribution(s)	N/A
Purpose of Contribution(s)	N/A

(Attach extra pages if necessary)

N/A	N/A
Signature	Date
N/A	

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Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.



Signature

4/20/2022

Date

President

Title (Position)

**Southwestern Area Workforce Development Board
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ASSURANCES AND CERTIFICATIONS

**EXHIBIT A
ASSURANCES AND CERTIFICATIONS**

**Southwestern Area Workforce Development Board
Service Provider of Workforce Innovation and Opportunity Act Youth Services**

**ASSURANCES AND CERTIFICATIONS FOR
PROGRAM YEAR 2022**

By signing the Agreement and on the line below, the Sub-recipient's signatory official is providing the certifications and assurances referenced therein as detailed in the attached documents.

Arbor E&T, LLC dba Equus
Workforce Solutions

4/20/2022

Sub-recipient
(PRINTED NAME)

DATE



SIGNATURE

ASSURANCES AND CERTIFICATIONS

The New Mexico Department of Workforce Solutions (NMDWS) will not award a grant or agreement where the grantee has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under the Agreement, the Grantee hereby certifies and assures that it will fully comply with the following:

Debarment and Suspension Certification (20 CFR Part 98)

Certification Regarding Lobbying (29 CFR Part 93)

Drug Free Workplace Certification (29 CFR Part 98)

Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37)

Financial Capability Certification

By signing the face sheet of this Agreement, the Grantee is providing the above assurances and certifications as detailed below:

**A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS.**

The prospective primary grantee certifies to the best of its knowledge and belief, that the grantee and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A)(2) of this certification; and

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4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Where the prospective primary grantee is unable to certify to any of the statements in this certification, such prospective grantee shall attach an explanation to this proposal.

B. CERTIFICATION REGARDING LOBBYING- Certification for Contracts, Grants, Loans, and Cooperative Agreements

By accepting this Agreement, the Grantee hereby certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The signer shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

c. CERTIFICATION REGARDING DRUG FREE WORKPLACE REQUIREMENTS.

The Drug-Free Workplace Certification is required pursuant to Government Code Sections 8350 et seq., the Drug-Free Workplace Act of 1990. The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract for the procurement of any property or services from any State agency must certify that it will provide a drug-free workplace by doing certain specified acts. In addition, the Act provides that each contract awarded by a State agency may be subject to suspension of payments or termination of the contract, additionally the LWDB may be subject to suspension of payments or termination of the contract, and the LWDB may be subject to debarment from future contracting, if the state agency determines that specified acts have occurred.

1. The Grantee certifies that it will or will continue to provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b. Establishing an ongoing drug-free awareness program to inform employees about —
 - i. The dangers of drug abuse in the workplace; ii. The grantee's policy of maintaining a drug-free workplace; iii. Any available drug counseling, rehabilitation, and employee assistance programs; and;
 - iv. The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace;
 - c. Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy of the statement required by paragraph (1) (A);

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- d. Notifying the employee in the statement required in paragraph (1) (A) that, as a condition of employment under the grant, the employee will
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the grantor agency in writing, within ten (10) calendar days after receiving notice under subparagraph (D) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose activity the convicted employee was working, unless the agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2) with respect to any employee who is so convicted —
 - i. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended, or;
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State or local health, law enforcement, or other appropriate agency;
- g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of this entire certification.

2. NONDISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE:

As a condition of the award of financial assistance from the USDOL under Title I of WIOA, the Grantee assures that it will comply with the nondiscrimination and equal opportunity provisions of the following laws:

- a. Workforce Innovation and Opportunity Act prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in an WIOA Title I - financially assisted program or activity;
- b. Title VI of the Civil Rights of 1964, as amended, which prohibits discrimination on the basis of race, color and national origin;
- c. Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of age; and individuals with disabilities.
- d. The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and
- e. Title IX of the Education Amendments of 1972, as amended, which prohibits the discrimination on the basis of sex in educational programs.

The Grantee also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to the Grantee's operation of the WIOA Title I - financially assisted program or activity, and to all agreements the Grantee makes to carry out the WIOA Title I - financially assisted program or activity. The Grantee understands that the United States has the right to seek judicial enforcement of this assurance.

3. FINANCIAL CAPABILITY CERTIFICATION

- a. The Grantee certifies the organization has a financial management system capable of tracking and accounting for WIOA funds received and disbursed.

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- b. The Grantee certifies the organization has the fiscal capability of providing services pending payment or reimbursement.
- c. The Grantee certifies the organization has resolved all questioned/disallowed costs from prior monitoring or audit reviews.
- d. The Grantee certifies all prior year audits have been resolved.

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CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Campaign Contribution Disclosure Form

Pursuant to NMSA 1978, § 13-1-191.1 (2006), any person seeking to enter into a contract with any state agency or local public body for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body shall void an executed contract or cancel a solicitation or proposed award for a proposed contract if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

THIS FORM MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to either statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

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“Family member” means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law.

“Pendency of the procurement process” means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

“Person” means any corporation, partnership, individual, joint venture, association or any other private legal entity.

“Prospective contractor” means a person who is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person qualifies for a sole source or a small purchase contract.

“Representative of a prospective contractor” means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

DISCLOSURE OF CONTRIBUTIONS:

Contribution Made By:	<u>N/A</u>
Relation to Prospective Contractor:	<u>N/A</u>
Name of Applicable Public Official:	<u>N/A</u>
Date Contribution(s) Made:	<u>N/A</u>
Amount(s) of Contribution(s)	<u>N/A</u>
Nature of Contribution(s)	<u>N/A</u>
Purpose of Contribution(s)	<u>N/A</u>

(Attach extra pages if necessary)

<u>N/A</u>	<u>N/A</u>
Signature	Date
<u>N/A</u>	

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Title (position)

—OR—

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.



Signature

4/20/2022

Date

President

Title (Position)

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ASSURANCES AND CERTIFICATIONS

**EXHIBIT A
ASSURANCES AND CERTIFICATIONS**

**Southwestern Area Workforce Development Board
Service Provider of Workforce Innovation and Opportunity Act Youth Services**

**ASSURANCES AND CERTIFICATIONS FOR
PROGRAM YEAR 2022**

By signing the Agreement and on the line below, the Sub-recipient's signatory official is providing the certifications and assurances referenced therein as detailed in the attached documents.

Arbor E&T, LLC dba Equus
Workforce Solutions

4/20/2022

Sub-recipient
(PRINTED NAME)

DATE



SIGNATURE

ASSURANCES AND CERTIFICATIONS

The New Mexico Department of Workforce Solutions (NMDWS) will not award a grant or agreement where the grantee has failed to accept the ASSURANCES AND CERTIFICATIONS contained in this section. In performing its responsibilities under the Agreement, the Grantee hereby certifies and assures that it will fully comply with the following:

Debarment and Suspension Certification (20 CFR Part 98)

Certification Regarding Lobbying (29 CFR Part 93)

Drug Free Workplace Certification (29 CFR Part 98)

Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37)

Financial Capability Certification

By signing the face sheet of this Agreement, the Grantee is providing the above assurances and certifications as detailed below:

**A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER
RESPONSIBILITY MATTERS - PRIMARY COVERED TRANSACTIONS.**

The prospective primary grantee certifies to the best of its knowledge and belief, that the grantee and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
2. Have not within a three-year period preceding this proposal been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (A)(2) of this certification; and

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4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.

Where the prospective primary grantee is unable to certify to any of the statements in this certification, such prospective grantee shall attach an explanation to this proposal.

B. CERTIFICATION REGARDING LOBBYING- Certification for Contracts, Grants, Loans, and Cooperative Agreements

By accepting this Agreement, the Grantee hereby certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
3. The signer shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into.

c. CERTIFICATION REGARDING DRUG FREE WORKPLACE REQUIREMENTS.

The Drug-Free Workplace Certification is required pursuant to Government Code Sections 8350 et seq., the Drug-Free Workplace Act of 1990. The Drug-Free Workplace Act of 1990 requires that every person or organization awarded a contract for the procurement of any property or services from any State agency must certify that it will provide a drug-free workplace by doing certain specified acts. In addition, the Act provides that each contract awarded by a State agency may be subject to suspension of payments or termination of the contract, additionally the LWDB may be subject to suspension of payments or termination of the contract, and the LWDB may be subject to debarment from future contracting, if the state agency determines that specified acts have occurred.

1. The Grantee certifies that it will or will continue to provide a drug-free workplace by:
 - a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
 - b. Establishing an ongoing drug-free awareness program to inform employees about —
 - i. The dangers of drug abuse in the workplace; ii. The grantee's policy of maintaining a drug-free workplace; iii. Any available drug counseling, rehabilitation, and employee assistance . programs; and;
 - . The penalties that may be imposed upon employees for drug abuse violation occurring in the workplace:
 - c. Making it a requirement that each employee to be engaged in the performance of the Agreement be given a copy of the statement required by paragraph (1) (A);

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- d. Notifying the employee in the statement required in paragraph (1) (A) that, as a condition of employment under the grant, the employee will
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;
- e. Notifying the grantor agency in writing, within ten (10) calendar days after receiving notice under subparagraph (D) (2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose activity the convicted employee was working, unless the agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (D) (2) with respect to any employee who is so convicted —
 - i. Taking appropriate personnel action against such an employee, up to and including termination consistent with the requirements of the Rehabilitation Act of 1973, as amended, or;
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