



REQUEST FOR PROPOSAL (RFP) Fiscal Agent and Human Resources Transition Consultant

Request for Proposal (RFP) for Fiscal Agent and Human Resources Transition Consultant to advise and guide on the transition of fiscal and human resource functions to Michigan Works! Southeast.

Michigan Works! Southeast
21 Care Dr.
Hillsdale, MI 49242

BACKGROUND

In August, 2015, the Counties of Hillsdale, Jackson, Lenawee, Livingston and Washtenaw executed a P.A. 7 agreement to consolidate three Michigan Works! agencies into a single organization. This merger was legally effective on October 1, 2015 and the organizations administratively and programmatically consolidated on July 1, 2016.

The Southeast Michigan Consortium Board (CB) serves as grant recipient for the consortium and consists of ten elected county commissioners — two from each of the five counties. The Consortium Board is responsible for safeguarding Federal/State Workforce Development funds as well as meeting all required administrative and programmatic rules. The Southeast Michigan Consortium Board appoints members to The Michigan Works Southeast Workforce Development Board (WDB). This Board is charged by the Governor with implementing the Michigan Works! "One Stop" system and provides policy guidance and oversight for all federal Workforce Innovation and Opportunity Act programs, Wagner Peyser Act - Employment Services, Partnership, Accountability, Training and Hope (PATH) Program and other workforce development programs in the Consortium's five counties. The WDB is responsible for the day-to-day and strategic oversight of the Workforce Development Services and programs.

As of July 1, 2016, The Southeast Michigan Community Alliance (SEMCA) has served as the fiscal agent and employer of record for the Southeast Michigan Consortium. Both the CB and WDB would like to explore the possibility of bringing these two services under the direct control of the P.A. 7 Agreement.

Both Board and staff are seeking a consultant to provide guidance for this transition.

PROJECT SCOPE

The selected bidder will be responsible for guidance and consulting to the management team and Board member for the proposed transition of fiscal agent and employer of record functions. The full scope of services to be provided will include:

- Fiscal Agent transition

- Complete a comprehensive listing of all considerations needed for fiscal operations including handling of cash, funds management, audits, grant management, etc... (will be needed for "Initial meeting/overview")
- Recommendations on types of software that should be considered and what functions/modules are desirable for Workforce Development Agencies
- Recommendations on policies and best practices to implement
- Recommendation on the needed skills of fiscal staff including sample job descriptions
- Recommendation on what features/characteristics desired in bank and line of credit considerations
- Create a timeline and transition plan with SEMCA to efficiently transfer information and data as needed
- Employer of Record/Human Resource transition
 - Complete a comprehensive listing of all considerations needed for Human Resources management, desired characteristics of a benefits administrator, insurances needed, etc... (will be needed for "Initial meeting/overview").
 - Recommendations on types of software that should be considered and what functions/modules are desirable for Workforce Development Agencies
 - Recommendations on policies and best practices to implement
 - Recommendation on what is needed in a comprehensive and encompassing employee manual
 - Recommendation on the needed skills of additional HR staff person to be hired including sample job descriptions
 - Create a timeline and transition plan with SEMCA to efficiently transfer information and data as needed

PROJECT REQUIREMENTS

- Initial meeting/overview
 - Meet with key staff and Board members to discuss project implementation steps, estimated timeline and present preliminary lists of considerations for HR and fiscal transition
 - Present and discuss common concerns with transferring services; what are common "pitfalls" to guard against, etc...
 - Discussion on expectations and timeframes for Michigan Works! Southeast staff and expectations and timeframes for consultant staff
- Research
 - Compile information as described in the "Project Scope" section
 - Hold periodic conference calls with key staff for updates and discussion of implementation
- Exit meeting
 - Review of all activities and implementation steps achieved; what is still to be accomplished
 - Concerns or shortfalls seen in the transition process
 - Provide an updated timeline to have completion by July 1, 2019

- Consulting report
 - Listing of “high level” considerations (including potential problems) for fiscal and HR transition
 - Clear, succinct timeline for effective implementation
 - Clearly defined steps with timeframes for execution

Exact dates for the transition of services from SEMCA are still To Be Determined. The earliest date would be July 1, 2019 and it is possible for fiscal agent and human resource functions will transition at separate dates. The winning bidder may need to provide services and consulting through December 31, 2019.

RESPONSE DEADLINES AND INSTRUCTIONS FOR SUBMISSION

- A. Responses must be complete and fully signed by an authorized organization official in order to be accepted. Members of the Southeast Michigan Consortium Board, The Southeast Michigan Workforce Development Board, or others with administrative or oversight responsibilities for the programs administered by the Southeast Michigan Consortium may not sign the proposal.
- B. Sign all signature pages attached to this RFP and submit with the hard copy of the Proposal. **(Proposal Certification, Attachments A, B and C)**

Proposals are due by **4:00 p.m. on Monday, January 28, 2019.**

Submit one original signed and sealed proposal and email one electronic copy in PDF format to:

Southeast Michigan Consortium

Attn: Maggie Flaherty

21 Care Drive

Hillsdale, MI 49242

The electronic version can be submitted via e-mail to mflaherty@mwse.org.

Bidders may not alter their proposals after the due date. Late proposals will not be received until regular business hours (8:00 a.m. 5:00 p.m.), the next business day and are received as unsolicited proposals outside the procurement process.

QUESTIONS AND TECHNICAL ASSISTANCE

Prospective Bidders may submit written questions concerning this RFP prior to 5 p.m., Wednesday, January 23 to mflaherty@mwse.org. All answers to questions submitted will be posted to the Michigan Works! Southeast website www.mwse.org or MITN website. Answers will also be emailed upon request. No other technical assistance will be provided.

REQUIREMENTS FOR BIDDERS

- A. No proposal will be accepted from, or contract awarded to any person, firm, or corporation that is in arrears or is in default to any of the member counties of the Southeast Michigan Consortium, upon any debt or contract, or that is in default as surety or otherwise, or failed to perform faithfully any previous contract with the Counties.
- B. All costs incurred in the preparation, submission, and presentation of this proposal, in any way whatsoever, will be wholly absorbed by the prospective bidder. All supporting documentation will become the property of the Southeast Michigan Consortium unless requested otherwise at the time of submission. Michigan FOIA requires the disclosure, upon request, of all public records that are not exempt from disclosure under section 13 of the Act, which are subject to disclosure under the Act. Therefore, confidentiality of information submitted in response to this Request for Proposals is not assured.
- C. The Consortium reserves the right to modify the scope of services during the course of the contract. Such modification may include adding or deleting any tasks this project will encompass and/or any other modifications deemed necessary. Any changes in pricing or payment terms proposed by the consultant resulting from the requested changes are subject to acceptance by the County. Changes may be increases or decreases.
- D. Proposer shall note that this Request for Proposal is considered to be under evaluation from the opening date until contract award. The Consortium and Review committee are restricted from giving any information relative to the progress of the evaluation during this time, except as required to administer the evaluation process.
- E. This RFP does not commit the Southeast Michigan Consortium Board to award a contract, to pay any cost in the preparation of a proposal in response to this request, or to procure or contract for services or supplies. The Consortium Board reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with all qualified sources, or to cancel in part or in its entirety this RFP, if it is in the best interest of the Southeast Michigan Consortium to do so. Further, all requested amounts are subject to reduction based upon final award selections and availability of funds.
- F. To ensure fairness in the review process, prospective bidders should not discuss their proposal or this Request for Proposals with individuals who sit on the Workforce Development Board, Consortium Board or staff prior to the completion of the procurement process.

BID RESPONSE REQUIREMENTS

The Bidder will provide the following required information in order to demonstrate that the bidder has the experience and knowledge needed to successfully complete the project. Please limit your total narrative response to 5 pages:

- A. Cover Letter: Provide a brief cover letter introducing your organization.
- B. Experience providing similar consulting services as described under the “Project Scope” section. If available, provide up to two references.
- C. Project Approach: Following the “Project Requirements” section described above, describe your plan for discussing, researching and providing guidance to Michigan Works! Southeast for the needed services.
- D. Fees: Provide a detailed budget (and budget narrative, if necessary) detailing costs. It is estimated that the total cost should not exceed \$15,000.

REVIEW PROCESS

Proposals will undergo the following review:

- Michigan Works! staff Staff will conduct initial review of proposals for technical compliance with the RFP. Staff will confirm that all required signature pages and sections of RFP are completed.
- Review Committee Proposals will be reviewed and rated by a committee of staff members and/or Board members in accordance with the published review criteria. Finalists may be interviewed.

REVIEW CRITERIA

A. Experience (30%)

The successful bidder must show experience and expertise in consulting and guiding organizations through complex transitions. Experience in the workforce development, non-profit or public sector is preferred. Working knowledge of fiscal operations, grant management and human resource management is a must.

B. Project Approach (50%)

The successful bidder must provide a guiding plan to ease the transition of fiscal and/or human resource functions. A detailed, step-by-step plan should be provided along with a timeline. Potential hazards and problems should be provided to Michigan Works! Southeast

staff and recommendations on various items needed for a successful transition should be provided.

C. Proposed fees (20%)

The successful bidder will provide a budget and total proposed cost.

ASSURANCES AND PROPOSAL CERTIFICATION

1. General Assurances

The bidder assures that, if awarded funding based on this proposal, all activities will comply with:

- a. The Workforce Innovation and Opportunity Act and all applicable State and Federal rules and regulations governing programs under the Act.
- b. The Age Discrimination Act of 1975, as amended.
- c. Section 504 of the Rehabilitation Act of 1978, as amended.
- d. Title IX of the Education Amendments of 1972, as amended.
- e. Title VI of the Civil Rights Act of 1964, as amended.
- f. Section 3 of the Military Selective Service Act.
- g. The Michigan Occupational Safety and Health Act (MIOSHA) #154, of 1974 as amended.
- h. Public Act 278 of 1980, as amended (MCL 423.231 et. seq., State Contracts with Certain Employers Prohibited).
- i. The Michigan Elliott-Larsen Civil Rights Act, P.A. 453 of 1976, as amended.
- j. Grove City Civil Rights Bill, S557-PL-100-259, as amended.
- k. The Michigan Persons With Disabilities Civil Rights Act, P.A. 220 of 1976 as amended.
- l. Equal Employment Opportunity requirements expressed in
 - i. Executive Directive 1975-3 (signed 6/20/75)
 - ii. Executive Directive 1975-6 (signed 12/2/75)
 - iii. Executive Directive 1979-4 (signed 9/7/79)
- m. Executive Order 1259, Debarment and Suspension, 29 CFR Part 98, Section 98.510.
- n. Workforce Opportunity Wage Act, Act 138 of 2014 (MCL 408.411).
- o. Michigan Department of Labor, Employment Standards, Overtime Compensation Rules R 408.721-408.735.
- p. Michigan Payment of Wages and Fringe Benefits Act 390 of 1978, as amended.
- q. Michigan Workers Disability Compensation Act of 1969, and Administrative Rules, as amended.
- r. Michigan Open Meetings Act, MCL 15.261 et. seq., as amended.
- s. The Americans with Disabilities Act.
- t. 2 CFR 200.

- u. All other applicable Federal and State legislation.
- v. Any other laws, regulations and stipulations listed in the Southeast Michigan Consortium's Michigan Works! System Plan and in effect between the Talent Investment Agency and the local Counties (System Plan available upon request).

The Contractor assures full compliance with any and all Equal Employment Opportunity (EEO) and Affirmative Action (AA) policies.

2. Administrative Entity/WDC Held Harmless

If awarded a contract, the bidder shall defend, indemnify and hold harmless the Southeast Michigan Consortium Board, Michigan Works! Southeast Workforce Development Board, its officers, agents, member counties and employees from any and all claims and losses incurred by or resulting to any person, firm, or corporation who may be damaged or injured by the bidder in the performance of said contract.

The bidder, if awarded a contract, shall maintain at its expense during the term of the contract the following insurance:

- a. Workers' Compensation Insurance with the Michigan statutory limits and an employers liability insurance with a minimum limit of \$500,000 each accident.
- b. Comprehensive General Liability Insurance with a combined single limit of \$1,000,000 each occurrence for bodily injury and property damage. Policy shall include contractual liability coverage, and personal injury coverage.
- c. If there is to be transportation of participants during the course of the program, Automobile Liability Insurance covering all owned, hired and non owned vehicles with personal protection insurance and property protection insurance to comply with the provisions of the Michigan No Fault Insurance Law, including residual liability insurance with a minimum combined single limit of \$1,000,000 each accident for bodily injury and property damage.

3. Certification Regarding Debarment and Suspension

A prospective recipient of federal assistance funds, in accordance with Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, and Executive Order 12689, 2 CFR 215 Appendix A8, page 26297 is required to certify with an official signature on the Debarment and Suspension form that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in a transaction with any federal department or agency. Attachment A.

4. Certification Regarding Lobbying

Prospective recipients of federal assistance funds must certify with an official signature on the Certification Regarding Lobbying form that no federally appropriated funds have been used or will be used by the prospective recipient for the purpose of lobbying. Attachment B.

5. Reporting

If awarded funding, the bidder shall:

- a. Provide access and the rights to examine, transcribe and audit all records, books, papers, tapes or documents related to contract performance.
- b. Record all costs incurred, and report these costs in the manner and format prescribed by and in conformance with applicable Federal/State requirements.
- c. Retain all records pertinent to the program, including financial, participant and statistical records and supporting documents, for at least five (5) years from the date of expiration of any contract awarded as a result of this proposal.

6. Supplemental Nepotism Clause

The bidder must assure that during the time period of the proposed program, no individuals who are members of the immediate family of the bidder's staff or governing board will be enrolled as program participants in MWSE funded programs or activities, unless receiving expressed permission from the Director. Immediate family member is defined as: father, mother, sister, brother, child, aunt, uncle, nephew, niece, grandmother or grandfather.

7. Prevention of Fraud and Program Abuse

To ensure the integrity of the Talent Investment Agency's programs, special efforts are necessary to prevent fraud and other program abuses. Fraud includes deceitful practices and intentional misconduct, such as willful misrepresentation in accounting for the use of program funds. "Abuse" is a general term which encompasses improper conduct which may or may not be fraudulent in nature. While the Talent Investment Agency law and regulations are specific, possible problem areas could include the following: conflict of interest, kickbacks, commingling of funds, charging fees to participants and employers, nepotism and child labor, political patronage, political activities, sectarian activities, unionization and anti-unionization activities/work stoppages and maintenance of effort. Bidders who receive contracts will be required to report immediately any violations in these areas or in problem areas which may later be defined.

8. Monitoring

Staff from the Southeast Michigan Consortium, Workforce Development Board, and/or local Michigan Works! offices will be monitoring, auditing, and evaluating services provided under this Request for Proposals throughout the contract period. Contractors must allow Agency staff or its



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agent full access to all files and records relating directly to Agency funds, participant case files, accounting files and records, and to any related files and records associated with proper accounting of such funds and participants.

Proposal Certification

I hereby certify:

- a. that all information contained in this proposal in response to questions concerning the applicant organization, its operation, and its proposed program, is true and accurate; and
- b. that completion of this proposal is an application for funding and does not ensure that the proposed program will be funded; and
- c. that if selected for funding, the applicant organization will be bound by the information contained herein as well as by the terms and conditions of the resultant contract or agreement.
- d. that to the best of its knowledge and belief, the cost data are accurate, complete, and current at the time of agreement on price. This price shall be valid for a minimum of six months after submission.**

Signature: _____ Date: _____

Name: _____ Title: _____

Organization: _____



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ATTACHMENT A

Certification Regarding Debarment , Suspension, Ineligibility and Voluntary Exclusion

Lower Tier Covered Transactions

This certification is required by the regulations implementing Executive Order 12549, Debarment and Suspension, 29 CFR Part 98, Section 98.510, participants' responsibilities and Executive Order 12689, 2 CFR 215 Appendix A8, page 26297. The regulations were published as Part VII of the May 26, 1988, Federal Register (pages 19160 19222).

(1) The prospective recipient of federal assistance funds certifies, by submission of this certification, that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any federal department or agency.

(2) Where the prospective recipient of Federal assistance funds is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this certification.

Agency/Organization Authorized Signature

Date



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ATTACHMENT B

CERTIFICATION REGARDING LOBBYING

Certification for Contracts, Grants, Loans and Cooperative Agreements

The undersigned certifies, to be 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 an agency, a Member of Congress, any 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 any 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 undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients 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. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1325, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for such failure.

Agency/Organization Authorized Signature

Date

THE SOUTHEAST MICHIGAN CONSORTIUM/MICHIGAN WORKS! SOUTHEAST
EQUAL OPPORTUNITY (EO) POLICY STATEMENT
EQUAL OPPORTUNITY IS THE LAW

This policy applies to all organizations in receipt of federally funded employees, contracts, and services of the Southeast Michigan Consortium (SEMC) programs. It is against the law for this recipient of Federal financial assistance to discriminate on the following bases:

- Against any individual in the United States, on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, sex stereotyping, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief; or,
- Against any beneficiary of, applicant to, or participant in programs financially assisted under the Title I of the Workforce Innovation and Opportunity Act (WIOA), on the basis of the individual's citizenship status, or participation in any WIOA Title I-financially assisted program or activity.

The recipient must not discriminate in any of the following areas:

- Deciding who will be admitted, or have access, to any WIOA Title I-financially assisted program or activity;
- Providing opportunities in, or treating any person with regard to, such a program or activity; or
- Making employment decisions in the administration of, or in connection with, such a program or activity.
- Recipients of federal financial assistance must take reasonable steps to ensure that communications with individuals with disabilities are as effective as communications with others. This means that, upon request and at no cost to the individual, recipients are required to provide appropriate auxiliary aids and services to qualified individuals with disabilities.

If you think that you have been subjected to discrimination under a WIOA Title I-financially assisted program or activity, you may file a complaint within 180 days from the date of the alleged violation with either:

Local Contact

Lisa McAllister, Equal Opportunity Officer
Michigan Works! Southeast
1240 Packard Drive
Howell, MI 48843
517-552-2104 (voice), or TTY:711

Or

Federal Contact

Director, Civil Rights Center (CRC)

U.S. Department of Labor
200 Constitution Avenue NW, Room N-4123
Washington, D.C. 20210
Or electronically as directed on the CRC
website at www.dol.gov/crc

If you file your complaint with the recipient, you must wait either until the recipient issues a written Notice of Final Action, or until 90 days have passed (whichever is sooner), before filing with Civil Rights Center (see address above).

If the recipient does not give you a written Notice of Final Action within 90 days of the day on which you filed your complaint, you may file a complaint with CRC before receiving that Notice. However, you must file your CRC complaint within 30 days of the 90-day deadline (in other words, within 120 days after the day on which you filed your complaint with the recipient).

If the recipient does give you a written Notice of Final Action on your complaint, but you are dissatisfied with the decision or resolution, you may file a complaint with CRC. You must file your complaint within 30 days of the date on which you received the Notice of Final Action.

I have received the EO Policy Statement on _____
(Date)

Name (Printed)

Signature