



**Request for Proposals (RFP) for Environmental Protection Agency (EPA) Brownfields
Job Training (BJT)**

Issued – 9/3/2025

Proposals Due- 10/3/2025 12 p.m. Central Time

No Proposals Will be Allowed after the Due Date and Time

For Information Contact:
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READ THIS REQUEST CAREFULLY

Failure to abide by all of the conditions and requirements of this RFP may result in the rejection of a proposal.

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**Request for Proposals (RFP) for
Environmental Protection Agency (EPA) Brownfields Training (BT)
Occupational Skills Training**

1. REQUEST FOR PROPOSALS INTRODUCTION

1.1 Purpose

The Workforce Alliance of South Central Kansas (WA) was awarded an EPA Brownfields Job Grant (award # 96722001) in 2025 for a four year period, to provide job training for a period of 24-36 months, to develop the necessary labor force to complete environmental cleanup. WA will focus on unemployed and underemployed residents of Sedgwick County for participants of this program.

EPA’s Brownfields Job Training Program helps nonprofits, local governments, and other eligible organizations build local workforces to perform assessment, cleanup, or preparation of contaminated sites (including brownfields) for reuse. Training programs funded by Brownfields Job Training Grants enable program graduates to obtain skills to secure full-time, sustainable employment in various aspects of hazardous substances, pollutants, contaminants, and petroleum products within the larger environmental field, including sustainable cleanup and reuse, and chemical safety. Training programs prioritize unemployed and under-employed residents of communities impacted by a variety of waste facilities, blighted properties, and contaminated sites. Throughout this RFP document you will find references to the requirements of the laws tied to this funding and how to submit a proposal to be a training provider for this project.

The WA is issuing this Request for Proposals (RFP) to interested and qualified organizations to provide training services to eligible participants. The primary criteria for a training participant to be eligible for this program is to reside in Sedgwick County, Kansas; be unemployed or under-employed; be eligible to work in the United States; and be selective service compliant. The purpose of this request is to procure qualified service providers for new contracts. Being a Workforce Innovation and Opportunity Act provider does not make you eligible to provide services under this project; a new separate agreement will be executed to be a provider for this project. The target date for the new contract is November 1, 2025. The initial period for the contracts would be from November 1, 2025 through June 30, 2028, with the option to extend the agreement for additional annual periods based on future grant awards, need, performance, and funding availability. Respondents are invited to submit proposal(s) in accordance with the instructions in this RFP.

This RFP provides potential Respondents with background information and describes the desired services, guidelines for proposals, and the Contractor selection process.

1.2 Solicitation

The WA is soliciting service providers operated under the provisions of the EPA to provide high quality educational services for Sedgwick County, Kansas residents that are either unemployed or under employed, eligible to work in the United States and selective service compliant. WA is committed to fair and open competition. Respondents may include:

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

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

Organizations which have managed federal, state, local, and/or private funds to deliver a similar program training

services are encouraged to apply. WA is committed to equal opportunity in its contracting process.

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

Proposals that do not include the following will be determined non-responsive and will not be considered for funding:

- Statement of Qualifications (SOQ) (Page 5 and Attachment A);
- Required Proposal Formatting (Section 4);
- Program Content (Section 4.5);
- Costs (Section 4.9); and
- Conflict of Interest Disclosure (Section 5.8 and Attachment B).

The WA reserves the right to reject any proposal submitted. The WA will remove any excess pages from proposals exceeding the stated limits before the proposals are distributed for evaluation.

1.3 Estimated Funding

WA anticipates awarding approximately \$200,000 in funding for eligible participants through this RFP for the initial period.

1.4 Submittal of Proposals

WA must receive the proposal(s) via electronic delivery (email, Dropbox, etc.) no later than **12:00 P.M., central time, October 3, 2025**. Notice of delivery or download ability must be received at admin@workforce-ks.com prior to deadline.

Email attachments cannot exceed 15mb. For proposals over 15 mb WA recommends using a secure online file download service such as Dropbox. WA has a Dropbox account; if a proposer needs access to Dropbox, WA can provide an online link to upload documents. If proposers need to use WA's Dropbox account, proposer must submit a request to admin@workforce-ks.com at least 3 days prior to the close date and time.

Late proposals will not be accepted. WA will provide a receipt verifying the time and date the proposal is received. Proposals submitted via U.S. Postal Service, UPS, or any other type of delivery service, will not be accepted.

1.5 RFP Schedule and Timeline

Beginning **September 3, 2025**, the RFP will be available to download from WA's website <https://www.workforce-ks.com/rfps/>. If you are unable to download the RFP, please email admin@workforce-ks.com.

Item/Event	Date
Issue RFP	September 3, 2025
Deadline to submit questions for Pre-Proposal Conference	September 11, 2025 @ 5 p.m.
Pre-Proposal Conference	September 15, 2025 @ 1 p.m.
Proposals Due	October 3, 2025 @ 12 p.m.
Contract Negotiation	Begins October 10, 2025
Contract Implementation	November 1, 2025

1.8 Statement of Qualifications (SOQ) (Required)

The SOQ will establish a Respondent's qualifications to proposing for EPA funds. The submission of a SOQ determines an organization's legal, administrative, and fiscal capacity to meet WA, state, and federal government requirements.

The WA encourages the participation of Respondents who are certified as small businesses, minority-owned firms,

women’s business enterprises, emerging business organization, disabled veteran business enterprise, and disadvantaged business enterprise. Such certification shall be documented in the SOQ.

Detailed information and the necessary forms are available for download from WA’s website <http://www.workforce-ks.com/rfps>. Please contact Chad Pettera, Procurement Officer at (316) 771-6602 or admin@workforce-ks.com if you have difficulty downloading the document or require assistance with the completion of the required SOQ documentation.

1.9 RFP Questions

The WA will also host a pre-proposal conference and answer session on September 15, 2025 at 1 p.m. The event will occur via Zoom. Interested individuals that wish to attend the pre-proposal conference shall submit a request to attend to admin@workforce-ks.com. Zoom information will be provided to those that submit a request. Questions should be submitted no later than September 11, 2025 at 5 p.m. to admin@workforce-ks.com. An official response will be provided to those questions at the Pre-Proposal Conference. Questions may be asked at the Pre-Proposal Conference, but official responses will come in writing and posted at workforce-ks.com/rfps. Impromptu questions will be allowed and staff will do their best to answer, but official responses will be posted on the webpage after the Pre-Proposal Conference and emailed to those that submitted a letter of intent.

Only the responses on the website or those emailed directly from the WA are considered clarifications to the instructions contained in this RFP. In the event that responses modify any of the terms, conditions, or provisions of this RFP, documentation will be given via a subsequent amendment to the RFP. **No other sources of responses or clarification are considered valid.**

1.10 Avoiding Conflicts

Respondents’ employees, representatives or agents are strictly prohibited from contacting members of the Local Workforce Development Board (LWDB), any WA employee, representative, or agent other than the WA’s Procurement Officer regarding this RFP.

1.11 RFP Modifications

At the discretion of the WA, if it becomes necessary to revise any part of this RFP, an addendum will be posted on the WA’s website, <http://www.workforce-ks.com/rfps>

Respondents are responsible for checking the website frequently to remain informed about the procurement process, receive addenda to the RFP, read responses to questions and remain updated on other information that may affect this RFP. If you have difficulty or problems accessing the website or downloading information, please contact Chad Pettera, Chief Operations/Procurement Officer, at (316) 771-6602 or admin@workforce-ks.com.

1.12 Right to Cancel

The WA reserves the right to delay, amend, reissue, or cancel all or any part of this RFP at any time without prior notice. The WA also reserves the right to modify the RFP process and timeline as deemed necessary.

This RFP does not commit the WA to accept any proposal, nor is the WA responsible for any costs incurred by the Respondents in the preparation of responses to this RFP. The WA reserves the right to reject any or all proposals, to accept or reject any or all items in the proposal, and to award the contracts in whole or in part as is deemed to be in the best interest of the WA. The WA reserves the right to negotiate with any Respondent after proposals are reviewed, if such action is deemed to be in the best interest of the WA.

2. BACKGROUND INFORMATION

2.1 EPA Brownfields Job Training

EPA’s Brownfields Job Training Program provides technical assistance to help nonprofits, local governments, and other eligible organizations build local workforces to perform assessment, cleanup, or preparation of contaminated

sites (including brownfields) for reuse. Training programs funded by Brownfields Job Training Grants enable program graduates to obtain skills to secure full-time, sustainable employment in various aspects of hazardous substances, pollutants, contaminants, and petroleum products within the larger environmental field, including sustainable cleanup and reuse, and chemical safety. Training programs prioritize unemployed and under-employed residents of communities impacted by a variety of waste facilities, blighted properties, and contaminated sites.

2.2 WA Governance

The WA is responsible for the fiscal and programmatic administration of federal employment and training funds for Kansas Local Area IV. The Workforce Innovation and Opportunity Act (WIOA) establishes Local Workforce Development Boards (LWDB) which connect employers and job seekers together to strengthen the local economy. The LWDB's role is to develop regional strategic plans that set funding priorities and oversee the operations of the Workforce Alliance. LWDBs convene partnerships between businesses and community stakeholders, establishing sector strategies driven by high-growth industries.

More than 50% of the membership of the LWDB are private sector business leaders. Representatives from various community-based organizations, economic development, educational institutions, elected officials, and organized labor also serve on local boards. The LWDB works through a combination of standing committees and ad hoc taskforces which may include additional stakeholders and professionals from the community.

The Workforce Innovation and Opportunity Act (WIOA) mandates that a majority of local board members come from the private sector. Representatives from various community-based organizations and educational institutions that provide job-training services are also required to serve on local boards. Due to the large size of the LWDB, most of its work is done through a combination of standing committees and ad hoc taskforces.

The LWDB sets the strategic direction of local workforce strategy and funding priorities with the vision of supporting and advancing a competitive workforce in South Central Kansas. The LWDB is a federally mandated board that shares responsibility with the Chief Elected Official Board (CEOB) for overseeing funding and policy development under WIOA. The LWDB's expertise in labor market conditions and the development of effective responses to regional economic needs is one reason why the EPA has awarded a Brownfields Training Grant.

2.3 Chief Elected Officials Board (CEOB)

The Chief Elected Officials Board (CEOB) appoints members to the Local Workforce Development Board and shares in the oversight duties of the local workforce development operations and the WA staff.

For more information about the WA and its boards, please visit the WA website at <https://workforce-ks.com/about/>.

2.4 Roles and Responsibilities of WA

Roles and responsibilities of the WA include:

- Overseeing and evaluating the management and operations of all programs funded by the WA;
- Allocating funds and paying invoices as agreed upon in the contract;
- Monitoring Contractor's performance, quality of service and cost effectiveness, and reporting on performance;
- Developing and providing technical assistance to Contractor's staff;
- Informing and assisting Contractors in the implementation of federal, state, and local policies, procedures and rules that may impact the operations of the program(s), needed to implement them; and
- Ensuring compliance with all rules, regulations and procedures issued by all funding sources.

The roles and responsibilities may be refined and changed as:

- Relevant federal and state law requirements are enacted and implemented covering the workforce development system;
- Regulations and procedures are developed or changed by the EPA; and
- WA's governing boards adopt local direction and procedures.

3. PROGRAM DESCRIPTION

3.1 Needs Statement

The WA will recruit and accept referrals of potential participants for environmental cleaning training. Training eligible for EPA funding for this award include those identified in the following table. WA is seeking providers to refer for training for each of the courses in the following table.

Course Name	Projected Trainees	Level of Training	Type of Certification	# of Hours
Asbestos Training	8	Intermediate	Industry	8
Commercial Driver's License Class A or Class B	20	Intermediate	State	160
DOT - Hazardous Materials Transportation Training	16	Advanced	State	16
DOT Refresher*	8	Intermediate	State	8
HAZWOPER 40	90	Awareness	Industry	40
HAZWOPER Refresher	90	Intermediate	Industry	8
OSHA 30 Hr. Occupational Health & Safety for General Industry	90	Intermediate	Industry	30
RCRA Hazardous Waste Management (KS Regs)	12	Intermediate	State	8
RCRA Refresher**	12	Intermediate	Industry	8

*Refresher courses will only be offered for unemployed individuals with existing certification who are in need of refresher to gain industry employment or advance in a career pathway

3.2 Additional Program Requirements

Access & Locations. Participants access to public transportation can be critical for participant success. Contractor is encouraged to indicate if they offer courses at locations on or near City of Wichita Bus routes. It may also be beneficial to offer courses outside the typical 8am to 5pm time frame.

Contractors may bundle or provide more than one course.

Contractors are encouraged to provide trainings at multiple times. Courses maybe be attended by participants not participating in this project. WA will pay for training/course costs for approved participants. WA will provide vouchers/Purchase Orders for those authorized to attend by WA. WA will not pay for anyone not authorized by WA.

3.3 Eligibility and Enrollment

For the purposes of this RFP, eligible participants could include the following

- Age 18 (per FOA) or older
- Unemployed or Under Employed (defined as working but earning less than \$35,000 annually)
- If male, Selective Service Complaint
- Resident of Sedgwick County Kansas
- Eligible to Work in the United States with valid documentation

3.4 Program Management

Performance measures are tracked by program year, the current program year is from July 1, 2025 to June 30, 2026. Contractors will be required to demonstrate how their programs are able to help all enrolled participants achieve the outcome measures.

Figure 2: Performance Measures

Performance Measure	Definition	Goal
Credential Attainment	The percentage of participants enrolled in an education or training courses who obtain a recognized credential.	85%
# of Participants Employed in Environmental Positions	The percentage of participants who are in employment in environmental positions	80%
Wage of Participants Placed in Environmental Careers	Hourly wage of participants placed in employment in environmental careers	\$21.99/hour
Retention	Participants that remain in job placement during 2 nd quarter after training completion	80%

3.5 Tracking Requirements

WA will conduct participant tracking, but WA may engage contractors for assistance as needed.

3.6 Technology System Requirements

The Contractor must comply with the WA’s technology and participant identifiable information requirements as indicated in Technology Requirements-Attachment D.

3.7 Personally Identifiable Information

All contractors must protect participants personally identifiable information. WA’s requirements for contractors to protect participants PII is attached to this RFP as Attachment G. Contractors must sign they understand and can comply. If contractors have questions or need assistance on complying please contact the procurement officer.

4. REQUIRED PROPOSAL FORMAT

The proposal must clearly demonstrate the Respondent's ability to provide the requested services. The RFP provides information regarding the format in which proposals should be submitted, the requirements that must be met to be eligible for consideration, the Respondent’s responsibilities, and the documents that must be included. Questions regarding the proposal format must be submitted to WA in writing by **5:00 P.M. CST, September 11, 2025** per Section 1.8 RFP Questions.

4.1 Required Documents and Page Limits

Respondents must include the following documents and must adhere to the following page limits:

- Title Page (Section 4.3) - 1 page limit
- Table of Contents (Section 4.3) - No limit
- Executive Summary (Section 4.3) - 1 page limit

- Business Description and Qualifications (Section 4.4) - 2 page limit
- Program Content (Section 4.5) - 3 page limit per course offered
- Past Performance (Attachment F) - 2 questionnaires completed by existing contracting organizations
- Required Attachments: Course Cost Worksheet (Section 4.9 & Attachment I) - No limit
- Required Attachments: Conflict of Interest Disclosure (Section 5.8) - No limit

***Note:** Conflict of Interest Disclosure – Attachment B must be submitted even if Respondent does not have a potential conflict.

The WA will remove any excess pages from proposals exceeding these page limits before the proposals are distributed for review and evaluation.

4.2 Formatting Requirements

Respondents must adhere to the following formatting requirements:

- Font size: 12 point
- Font: Times New Roman
- Margins: At least one inch
- Line spacing: Double-spaced
- Pages: Single-sided numbered sequentially
- Language: English

4.3 Title Page, Table of Contents, and Executive Summary (5 points)

Title Page:

- Include company name, address, phone number, website. Federal Unique Identifier (if available), DUN (if available) and federal tax identification number;
- Include name of the person authorized to negotiate the contract and make decisions for the organization including the phone number, fax number, and e-mail address; and
- Include authorized signature and submittal date.

Table of Contents:

- Include a clear identification of the material in the proposal by section and by page number.

Executive Summary:

- Include a brief overview of the entire proposal including a summary of the understanding of the program, and
- Include an overview of the proposed scope of work.

4.4 Business Description and Qualifications (10 points)

- Respondent must provide an overview of organization including: primary location of the organization, type of organization (for-profit, nonprofit, etc.), size of the organization, years in business, history of business, mission and vision, major product lines and/or services, and any other relevant information that helps provides an overview of the organization.
- Respondent must provide evidence of the organization’s ability to successfully perform the services described in this RFP, including descriptions of past projects completed with a similar scope of work.
- Describe the organization’s knowledge, expertise, and experience.
- Describe the staff qualifications.

4.5 Program Content (Total 50 points)

Responses to this section must not exceed 3 pages per course offered double-spaced pages and must include the following sections:

4.6 Program Design (20 points)

Participant Experience

- Describe the program design and the experience and supports a participant may receive
- Describe how you will measure course success or failure

Performance, Administration and Project Management

- Describe your strategy for understanding, monitoring and measuring course success or failure
- Describe your process for ensuring quality, compliance and proper documentation.

Access and Locations

- Contractors are required to identify locations of courses.
- Contractors shall identify how often courses are typically offered and the number of participants (either minimums and/or maximum).
- Contractors shall identify if the locations of courses are located on or near City of Wichita Bus routes.
- Identify business office hours.

Partnerships

- Describe any meaningful partnerships that will benefit program participants.
- Subcontracting for services is not allowed.

Employer Connections

- Describe any employer connections contractor may have to help with employment in environmental careers.
- Describe your relationship with employers in key industry clusters and the specific roles these employers will play in your program.

4.7 Past Performance (Total 10 points)

Complete Past Performance Questionnaire (attachment F) must be submitted for each course proposed.

4.8 Cost Reasonableness (Total 30 points)

The WA will conduct a Cost Price Analysis of the proposed cost to determine reasonableness of costs.

5. EVALUATION PROCESS AND CONTRACT AWARD

5.1 Compliance Review

Upon receipt of proposals, WA staff will review submitted proposals for completeness and technical compliance with the terms and conditions of the RFP. All proposals should adhere to the required format and, in order to be competitive, should include all of the requested information, all sections awarding points, completed forms, and attachments. **Proposals that do not include the following will be determined non-responsive and will not be considered for funding.**

- Statement of Qualifications (Page 5 and Attachment A);
- Proposal Formatting (Section 4);
- Program Content (Section 4.5);
- Costs (Section 4.8 and Attachment E);
- Past Performance Chart (Attachment D); and
- Conflict of Interest Disclosure (Section 5.8 and Attachment B).

The WA reserves the right to reject any proposal submitted. The WA will remove any excess pages from proposals exceeding the stated limits before the proposals are distributed for evaluation.

5.2 Evaluation Criteria

The WA will put together an RFP Scoring Panel of WA staff and could include community leaders, board members and outside experts who will score and rank all proposals that meet the compliance requirements described in Section 5.1 Compliance Review. The RFP Scoring Panel will score and rank all responsive proposals using the criteria described within the RFP and make a recommendation for funding based on the evaluation scores.

Respondents may be asked to give a presentation about their proposal to the Scoring Panel. Not all Respondents may be given this opportunity. Respondents that qualify for presentations will be given thirty (30) minutes to highlight the different areas of their proposal. Respondents will then answer a series of questions from the RFP Scoring Panel. Respondents may not present any new information during the oral interview that is not included in their proposal. The individual designated as the authorized negotiator, the individual who will serve as the Program Manager, and other key personnel must attend the interview. The Respondent is limited to a presentation team of five (5) individuals.

RFP Scoring Methodology*	
Section 4.3: Title Page, Table of Contents, and Executive Summary	5
Section 4.4: Business Description and Qualifications	10
Section 4.5: Program Content	20
Section 4.6: Past Performance	10
Section 4.7: Cost Reasonableness of Proposed Budget	30
Total Available Points	75

5.3 Selection

The RFP Scoring Panel will recommend as the successful Respondents the organizations whose proposal is determined to best meet the needs of the WA, based on the evaluation criteria discussed above.

The selection of the successful proposal will be based upon information supplied by the Respondents in response to this RFP and upon other information that will be obtained by the RFP Scoring Panel, as deemed necessary. The lowest-cost proposal may not be determined to be the most responsive when all factors of evaluation of the proposal have been considered. However, the quoted budget will be an important factor in the determination of the successful proposal.

The WA reserves the right to negotiate with any Respondent after proposals are opened, if such action is deemed to be in the best interest of the WA.

5.4 Appeals Process and Access to Evaluation Information

The information below outlines the appeals process and procedure to access evaluation information. An appeal will only be considered valid if there has been a violation of the one of the following criteria:

- The procurement process as outlined by the RFP was violated in some manner; and/or
- Federal, state, and/or WA procurement guidelines

An appeal would not be allowed:

- To contest individual scores, the rating system, or dissatisfaction with the evaluation results unless there is a violation of the process as outlined above; or
- By those other than RFP Respondents.

The appeals process shall consist of the following steps:

- A written letter of appeal must be delivered to WA's Chief Operations Officer at chad@workforce-ks.com
- The written appeal shall specify evidence for valid appeal and the specific relief sought;

- The written appeal must be received by the WA within ten (10) business days from the date the RFP recommendation is first publicly posted on WA's website and notification letters are mailed to all respondents.
- A review panel shall have ten (10) business days to determine if the criteria for a valid appeal have been met. The decision of the review panel shall be final with no provision for reconsideration.

Access to Score Sheet and Comments

Individual score sheets and comments used during the evaluation process may be provided in the form of summaries as prepared by WA staff. Each individual score sheets will not be disclosed. These summaries will be provided to applicants of the RFP who submit a written request. Requests for this information shall be responded to within ten (10) business days of the WA reviewing the final contract recommendations and any appeals submitted. The purpose for releasing this information is for technical assistance and continuous improvement and not for purpose of an appeal.

5.5 Board Action

The RFP Panel's recommendation will be presented at the LWDB meeting. These dates are subject to change at the WA's discretion. Respondents are advised that the LWDB must approve the final selection, based upon the results of the evaluation process and the recommendations of the RFP Scoring Panel.

5.6 Contract Award

The WA will approve the final selection of the successful Respondent's proposal with contract negotiations and contract signing to follow.

These target dates are subject to revision. Once the successful Respondent is approved, arrangements will be made to begin negotiations and implementation. The term of the contract will be for twenty (24) months with the option to extend the agreement for additional one-year periods based on need, performance and funding availability.

5.7 Negotiation/Contract

All Respondents must designate an authorized negotiator. The name and contact information for this person should be included on the title page of the proposal. This designated person must be empowered to make binding commitments for the successful Respondent. The WA reserves the right to negotiate the final terms of the contract agreements with the successful Respondent(s).

5.8 Conflict of Interest

Respondents are required to list any and all individuals who contributed to the preparation of the proposal in the Conflict of Interest Disclosure – Attachment F. Disclosure of any actual or potential conflicts of interest relative to this RFP is required. **All Respondents must fill this out and submit if even if there are no actual or potential conflicts of interest.**

5.9 Ex-Parte Communication

It is the policy of the WA to prohibit ex-parte communication with any board member (CEOB, LWDB), WA staff, WA consultants, or other persons serving as an evaluator during the procurement process. Respondents that directly contact board members or evaluators on matter related to this RFP risk elimination of their proposals from further consideration.

Any written communication to a board member or evaluator from potential Respondents will be distributed to all board members and evaluators. Collaboration with members of the various WA boards and committees on or about the proposal is a violation of the ex-parte communication rule. However, recognizing the value that such collaborations may bring to our system, WA has developed Conflict of Interest Disclosure Form-Attachment F to ensure that these types of arrangements do not place Respondents in jeopardy. **All Respondent must include a Conflict of Interest Disclosure Form- Attachment F, even if no real or potential conflicts exist.** Financial relationships with Respondents will disqualify a CEOB, LWDB, or WA staff member from participating in the

discussion and voting to fund proposals and will also disqualify any individual from evaluating proposals.

NOTE: Under no circumstances may an individual who is part of the RFP Scoring Panel collaborate with any Respondent. All individuals on the RFP Scoring Panel will be asked to sign the “Conflict of Interest Certification for Request for Proposal” stating they have not collaborated with any Respondent.

5.10 Cooling Off Period

The WA, the LWDB and the CEOB shall not approve or contract with, and shall reject any bid or proposal submitted by, an individual or entity who within the preceding twelve (12) months was themselves or employs anyone who:

1. Is a current, dismissed, separated, or formerly employed person of the WA, and
 - a. Was employed in any position(s) of substantial responsibility in the area of service to be performed by the contract; or,
 - b. Participated in any way in the negotiations, transactions, planning, arrangements, or any part of the decision making process relevant to the proposed contract/service agreement, or was or is employed in a role of substantial responsibility in the same general subject area as the proposed contract; or,
 - c. Is an owner, officer, principal, partner, or major shareholder of the proposed Contractor.

This prohibition will apply to any qualified person(s) leaving employment of the WA, and will apply at all times during the twelve-month period beginning on the date the person left the employment of the WA. This policy will apply to procurements issued or contracts executed for program-related services. Potential Respondents must detail any Cooling Off Period disclosures on the required Conflict of Interest Disclosure Form- Attachment F. The CEOB may, upon a showing of special circumstances that would justify the approval of such a contract, waive this prohibition.

5.11 Communications

The WA takes sole responsibility for any and all outreach and distribution of information about the status of contracts and/or public relations matters to the media and/or other parties. Any and all media or information inquiries about the WA contracts and/or public relations matters should be immediately directed to the Vice President and Business Development Officer Amanda Duncan at AmandaDuncan@workforce-ks.com or 316-771-6600.

5.12 Insurance

A full line of business insurance will be required of all successful Respondents. Proof of insurance will be required as part of contract negotiation.

5.13 Contract Terms and Litigation Warranty

The WA will negotiate contract agreements with the successful Respondent(s). The WA’s standard contract terms are included in the Contract General Provisions - Attachment J. These will be the terms and conditions used by the WA in its contract, and will form the basis for contract negotiations. All terms included are required by federal law or regulation.

The RFP, any addendums, and the Respondent’s response shall also become part of the contract agreement between the WA and the Respondent. The WA is not responsible for oversights in this RFP that are not brought to the attention of the WA prior to starting contract negotiations. The Respondent shall indicate in its proposal any exceptions that the Respondent takes to the terms and conditions in Contract General Provisions-Attachment J, or to any of the contents of this RFP. Contract terms required by the Respondent must be included or attached to the Respondent’s proposal.

Respondents, by submitting a proposal, warrant that they are not currently involved in litigation or arbitration concerning their performance as it relates to the same or similar services to be supplied pursuant to the referenced contract and that no judgments or awards have been made against the Respondents on the basis of their performance in supplying the same or similar services, unless such fact is disclosed to the WA in the proposal(s). Disclosure will not automatically disqualify the Respondents; however, the WA reserves the right to evaluate proposal(s) on the

basis of facts surrounding such litigation or arbitration. These will be reviewed and decided upon at the discretion of the WA.

5.14 Funding Warranty

Respondents, by submitting a proposal, warrant that in the preceding three (3) years they have not had one or more public transactions (federal, state, or local) terminated for cause or default.

5.15 Restriction on Disclosure

Any information deemed confidential or proprietary by the Respondent must be clearly marked and identified by the Respondent as such and include an explanation of why such information is exempt from disclosure under applicable law. Such clearly marked and identified confidential or proprietary information will be protected and treated with confidentiality only to the extent permitted by law. Information not protected from disclosure by law will be considered a public record.

If Respondent does not mark information as confidential or proprietary, the WA will assume that Respondent believes such unmarked data should be released to the public.

Proposals will be received, maintained, and disclosed to the public consistent with the Kansas Open Meetings Act. Proposals will be exempt from disclosure until the evaluation and selection process has been completed. Respondents should be aware that the WA is required by law to make its records available for public inspection and copying, with certain exceptions (see Kansas Public Records Act, Section 1. K.S.A. 75-4317 and the Freedom of Information Act - 5 U.S.C. Sec. 552).

Proposals submitted in response to RFP, amounts actually paid by the government under a contract, and cost and pricing data incorporated into a contractual document such as line item prices, contract award prices, and modifications are released. Explanatory material and headings associated with costs and pricing data are normally released unless the Respondent can justify their deletion.

The WA will not notify Respondent of requests for release of information or that the WA released data unless the WA receives a request for information previously marked and identified by Respondent as confidential or proprietary. If the WA receives a request for release of such previously marked and identified confidential or proprietary information, the WA will notify Respondent of such request to allow Respondent to challenge such request consistent with applicable law.

Respondent, by submission of materials marked confidential or proprietary, expressly acknowledges and agrees that the WA will not have any obligation or liability to the Respondent in the event a court of competent jurisdiction compels the disclosure of these materials.

Any data to be returned should be so marked by Respondent and will be returned if not essential to the proposal or contract record.

6. ATTACHMENTS

Attachments are separate documents to this RFP and maybe downloaded from the WA’s website www.workforce-ks.com.

Attachment A: Statement of Qualifications	Attachment E Cost Worksheets
Attachment B: Conflict of Interest	Attachment F: Contract Provisions
Attachment C: Technology Requirements	Attachment G: PII
Attachment D: Past Performance	Attachment H: Checklist