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March 10, 2017

TO: Workforce Development Board

FROM: Josie Marquez, Assistant Director
Workforce and Community Services Branch

SUBJECT: PROCUREMENT AND SELECTION OF AMERICA'S JOB CENTERS OF CALIFORNIA (AJCCs)

On January 27, 2017, at a special meeting of the Los Angeles County Workforce Development Board (WDB), we were asked to provide an overview of the contract process in the County as well as the role of the WDB in the procurement and selection process. The attached two documents outline the County's procurement process as well as Q&A related to the role of the WDB.

Over the next few months, the County will select contractors to operate the new AJCC system. As part of the selection process, we will be working with the WDB Chair to do the following:

1. Support the creation of an Ad-Hoc Workgroup to review the process followed in the selection of Operators for the new system.
2. Schedule a special meeting of the WDB in late April to discuss and approve the results of the procurement in preparation for final recommendation to the Board of Supervisors.

We look forward to continued dialogue on the competitive bidding process and appreciate the WDB's interest in the oversight of our current procurement to select new operators for our system.

JM:MMA:gs

Attachments

Los Angeles County One Stop Operator for the America's Job Centers of California (AJCC) Procurement Process

The County released a revised RFP for the operation of AJCCs on September 30, 2016 and set a December 19, 2016 deadline to receive proposals from interested agencies. The selection of providers for the County's AJCCs follows strict procurement protocols. After the evaluation process is completed, the Workforce Development Board (WDB) will be asked to review and confirm, or record objection thereto, the recommended selection of successful proposers at a special meeting in late April. It is anticipated that the Los Angeles County Board of Supervisors (Board of Supervisors) will make final selections of sub-awards (i.e., agreements) at a Board of Supervisors meeting in May.

Evaluation Process: All proposers submitted documents to the County to support their financial and programmatic viability to support workforce program services and to respond to the various components in the Request for Proposal (RFP). The procurement asked proposers to respond to the following areas: Minimum Mandatory Qualifications (MMQs), Background, and Experience and Organizational Capacity. Only agencies that successfully passed the MMQs would be eligible for possible recommendation for a sub-award by the Board of Supervisors for this critical sub-award. Agencies that do not pass the MMQs would be disqualified and have an option to appeal that decision through the County Protest Policy in the RFP.

Financial Review: As part of the MMQs, all proposers were required to submit financial information to be used for a review of the financial capability of their organization. The Auditor-Controller reviews the financial information to evaluate the organization's financial capability. As referenced above, only agencies that successfully pass this review will be eligible for a potential sub-award. Those that do not pass will be disqualified and may appeal that decision through the County Protest Policy.

Program Review: All proposals that meet the MMQs are evaluated based on how well their Business Proposal meets the requirements explicitly stated in the RFP, including: Executive Summary of experience; Proposers Qualifications; and Program and Business Services Approach. A panel of independent evaluators will rate each component. Consistent with standard County practice, the agency with the highest rating will be recommended for a sub-award.

Evaluators: The Department recruited 30 evaluators that have expertise in workforce programs to make up five AJCC proposal-review panels, and one Veteran AJCC proposal-review panel. Each of the panels is made up of representatives from each of the Core Mandated Workforce Innovation and Opportunity Act (WIOA) Partners, plus a County Department Evaluator from a workforce-related department, such as the Los Angeles County Department of Public Social Services or Los Angeles County Probation Department. Each panel has supervisor-level staff from the State Employment Development Department, Los Angeles County Department of Rehabilitation, Adult Education, or other workforce development area staff. To avoid any perceived conflict of

interest, none of the raters had any direct involvement with the development of the program design.

Evaluation Methodology: Proposers submitted applications for their workforce sub-regions of interest. The County requested proposals within ten Comprehensive/AJCC workforce sub-regions, as well as for Rapid Response (RR), Senior Community Service Employment Program (SCSEP), and the Veterans program, which is countywide. The ten workforce sub-regions are within the 8 Los Angeles County Workforce Regions as follows: San Gabriel Valley, Antelope Valley, Santa Clarita, San Fernando Valley, Gateway Cities, Central Los Angeles, and Westside Cities. It is the County's intent, as set forth in the solicitation, that Proposers shall only be awarded one Comprehensive/AJCC sub-award. Three of the successful proposers for Comprehensive AJCCs will also be awarded additional sub-awards and funding for Rapid Response and/or SCSEP, based on meeting the requirements of the solicitation. Any of the Comprehensive/AJCC recommended awardees may also be awarded the separate Veterans sub-award based on meeting the requirements for program services in this area.

As described above, there are six panels each made up of 5 individuals scoring the proposals. Points are assigned to each question within the components. Scores for a proposal are determined for each evaluation category solely and independently by each of the raters using the County mandated Informed Averaging Methodology. For the Comprehensive/AJCC proposal scoring matrix, the maximum base point score is 13,500. Proposers applying for RR, SCSEP, and Veterans programs are scored pursuant to the applicable evaluation/scoring matrix in addition to the base point score. Consistent with County practice, WDACS will recommend for award the agency with the highest score for each workforce sub-region.

Appeals Process: Proposers have the right to appeal their scores. The County appeal process consists of several phases conducted by the contracting department. For the first option, a proposer may explore an appeal of the RFP's elements, known as the Solicitation Requirement Review, which was due within 10 business days of the release of the RFP. The next option is the County Protest Policy, which allows proposers to review their scores. The final opportunity is the Proposed Contractor Selection Review, where the proposer must provide a detailed justification according to at least 1 of 4 set criteria, to argue the County's determination should be changed. If a proposer is not satisfied with the Department's determination on the Proposed Contractor Selection Review, the Proposer may request a County Independent Review Process. This entire process may take up to 45-60 days, or longer.

Final Sub-award Selection: WDACS will coordinate with the WDB to hold a special meeting in late April for the WDB to review and approve, or record objections or commentary thereto, the agencies WDACS will present, based on the outcome of the evaluation process, to the Board of Supervisors. All County RFP solicitations specify that final decisions to award a sub-award rests with the Board of Supervisors, as the Board of Supervisors is the ultimate decision-making body, and makes the final determination necessary to arrive at a decision to award, or not award, a sub-award agreement. WDACS expects formal approval from the Board of Supervisors in late May, with services under the sub-awards to begin July 1, 2017.

Questions & Answers

What is the basis for WDACS' recommendations to the WDB, and ultimately the Board of Supervisors?

The basis for sub-award recommendation, is a function of a proposer's properly submitted proposal meeting the RFP's MMQs and proposal requirements, and receiving the highest scoring proposal in each workforce sub-region.

What happens to agencies that do not pass the financial review?

They are sent a notification of disqualification for not having met the Minimum Mandatory Qualifications (MMQs). Per the County protest policy outlined above, a Proposer has the right to request a review and to appeal the disqualification to WDACS. WDACS will review the Proposer's submission and will make a final decision.

How long is the appeal process?

The disqualification review may take up to 20-30 days. A Contractor Selection Review may take an additional 20 days or more. The County Independent Review Process happens outside of the department and the timeframe is out of the department's control.

What is the process for vetting, ranking, disqualification and selection with the WDB and the Board of Supervisors?

The process for vetting, ranking, disqualification and selection are all based on the standard county practice of procurement policies (See Evaluation Methodology, above).

What is the process if the WDB disagrees with the final recommendations of the RFP?

In a formal Letter to the Board of Supervisors, WDACS is required to report the final results of the RFP process recommending the highest scoring. If the WDB is not comfortable with the selection process, WDACS may need to extend the timeframe prior to agendizing the department's recommendations to allow discussion between the WDB and Board offices. In the event of a disagreement, WDACS will rely on the solicitation process and the final results of the highest scoring proposals in its presentation to the Board of Supervisors. Any process to discuss diverging recommendations may be coordinated between the County's Chief Executive Office and the Board Deputies, separate and apart from the recommendations made in the Letter to the Board of Supervisors.