

State of Hawaii  
Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program

**Request for Proposals**

**RFP No. DLIR/WDD ETF 2015-01**

August 18, 2014

**Note:** *It is the applicant's responsibility to check the public procurement notice website, the request for proposals website, or to contact the RFP point-of-contact identified in the RFP for any addenda issued to this RFP. The State shall not be responsible for any incomplete proposal submitted as a result of missing addenda, attachments or other information regarding the RFP.*

August 18, 2014

## **REQUEST FOR PROPOSALS**

### **Employment and Training Fund (ETF) Program Employer Referral Program RFP No. DLIR/WDD ETF 2015-01**

The Department of Labor and Industrial Relations, Workforce Development Division, Employment and Training Fund Program, is requesting proposals from qualified applicants to provide incumbent worker training to upgrade workforce skills of private sector employers and their employees through the Employer Referral Program. Services may include, but are not limited to, classroom training or online training in various training categories. The contract term will be from January 1, 2015 through December 31, 2016. Multiple contracts will be awarded under this request for proposals.

Proposals shall be mailed, postmarked by the United States Postal Service on or before September 19, 2014, and received no later than 7 calendar days from the submittal deadline. Hand delivered proposals shall be received no later than 4:30 p.m., Hawaii Standard Time (HST), on September 19, 2014, at the drop-off sites designated on the Proposal Mail-in and Delivery Information Sheet. Proposals postmarked or hand delivered after the submittal deadline shall be considered late and rejected. There are no exceptions to this requirement.

The Workforce Development Division will conduct statewide orientation sessions. For dates and times, please refer to page 1-4 of this RFP. All prospective applicants are encouraged to attend the orientation.

The deadline for submission of written questions is 4:30 p.m., HST, on September 5, 2014. All written questions will receive a written response from the state purchasing agency on or about September 12, 2014.

Inquiries regarding this RFP should be directed to the RFP contact person, Mr. Lance Kimura at 830 Punchbowl Street, Honolulu, Hawaii 96813, telephone: (808) 586-8818, fax: (808) 586-8822, e-mail: lance.a.kimura@hawaii.gov.

## PROPOSAL MAIL-IN AND DELIVERY INFORMATION SHEET

**NUMBER OF COPIES WITH ORIGINAL SIGNATURES TO BE SUBMITTED: 1**  
**NUMBER OF ADDITIONAL COPIES: 6**

ALL MAIL-INS SHALL BE POSTMARKED BY THE UNITED STATES POSTAL SERVICE (USPS) NO LATER THAN *September 19, 2014* and received by the state purchasing agency no later than 7 calendar days from the submittal deadline.

All Mail-ins

Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program  
830 Punchbowl Street, Room 329  
Honolulu, Hawaii 96813

DLIR/WDD RFP COORDINATOR

Lance Kimura  
Telephone: (808) 586-8818  
Fax: (808) 586-8822  
E-mail: lance.a.kimura@hawaii.gov

ALL HAND DELIVERIES SHALL BE ACCEPTED AT THE FOLLOWING SITE UNTIL **4:30 P.M., Hawaii Standard Time (HST), September 19, 2014**. Deliveries by private mail services such as FEDEX shall be considered hand deliveries. Hand deliveries shall **NOT** be accepted if received after 4:30 p.m., *September 19, 2014*.

Drop-off Site

Department of Labor and Industrial Relations  
Workforce Development Division  
Employment and Training Fund Program  
830 Punchbowl Street, Room 329  
Honolulu, Hawaii 96813

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## **Section 1**

# **Administrative Overview**

## Section 1 Administrative Overview

Applicants are encouraged to read each section of the RFP thoroughly. While sections such as the administrative overview may appear similar among RFPs, state purchasing agencies may add additional information as applicable. It is the responsibility of the applicant to understand the requirements of *each* RFP.

### I. Procurement Timetable

Note that the procurement timetable represents the State's best estimated schedule. Contract start dates may be subject to the issuance of a notice to proceed.

Activity	Scheduled Date
Public notice announcing request for Proposals (RFP)	August 18, 2014
Distribution of RFP	August 18, 2014
RFP orientation session	Refer to Page 1-4
Closing date for submission of written questions for written responses	September 5, 2014
State purchasing agency's response to applicants' written questions	September 12, 2014
Proposal submittal deadline	September 19, 2014
Proposal evaluation period begins	September 29, 2014
Provider selection	October 17, 2014
Notice of statement of findings and decision	October 24, 2014
Contract start date	January 2, 2015

## II. Website Reference

The State Procurement Office (SPO) website is <http://hawaii.gov/spo/>

	For	Click
1	Procurement of Health and Human Services	"Health and Human Services, Chapter 103F, HRS..."
2	RFP website	"Health and Human Services, Ch. 103F..." and "The RFP Website" (located under Quicklinks)
3	Hawaii Compliance Express	"Health and Human Services, Ch. 103F..." and "Hawaii Compliance Express" (located under Quicklinks)
4	Hawaii Administrative Rules (HAR) for Procurement of Health and Human Services	"Statutes and Rules" and "Procurement of Health and Human Services"
5	Forms	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Forms"
6	Cost Principles	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Cost Principles"
7	Standard Contract -General Conditions	"Health and Human Services, Ch. 103F..." "For Private Providers" and "Contract Template – General Conditions"
8	Protest Forms/Procedures	"Health and Human Services, Ch. 103F..." and "For Private Providers" and "Protests"

### Non-SPO websites

(Please note: website addresses may change from time to time. If a link is not active, try the State of Hawaii website at <http://hawaii.gov>)

	For	Go to
8	Hawaii Compliance Express (HCE)	<a href="https://vendors.ehawaii.gov/hce/splash/welcome.html">https://vendors.ehawaii.gov/hce/splash/welcome.html</a>
9	Department of Taxation	<a href="http://hawaii.gov/tax/">http://hawaii.gov/tax/</a>
10	Wages and Labor Law Compliance, HRS §103-055	<a href="http://capitol.hawaii.gov/hrscurrent">http://capitol.hawaii.gov/hrscurrent</a>
11	Department of Commerce and Consumer Affairs, Business Registration	<a href="http://hawaii.gov/dcca">http://hawaii.gov/dcca</a> click "Business Registration"
12	Campaign Spending Commission	<a href="http://hawaii.gov/campaign">http://hawaii.gov/campaign</a>
13	Department of Education	<a href="http://www.hawaiipublicschools.org/TeachingAndLearning/AdultEducation/Pages/Licensing-a-vocational-school.aspx">http://www.hawaiipublicschools.org/TeachingAndLearning/AdultEducation/Pages/Licensing-a-vocational-school.aspx</a>

### **III. Authority**

This RFP is issued under the provisions of the Hawaii Revised Statutes (HRS) Chapter 103F and its administrative rules. All prospective applicants are charged with presumptive knowledge of all requirements of the cited authorities. Submission of a valid executed proposal by any prospective applicant shall constitute admission of such knowledge on the part of such prospective applicant.

### **IV. RFP Organization**

This RFP is organized into five sections:

*Section 1, Administrative Overview:* Provides applicants with an overview of the procurement process.

*Section 2, Service Specifications:* Provides applicants with a general description of the tasks to be performed, delineates provider responsibilities, and defines deliverables (as applicable).

*Section 3, Proposal Application Instructions:* Describes the required format and content for the proposal application.

*Section 4, Proposal Evaluation:* Describes how proposals will be evaluated by the state purchasing agency.

*Section 5, Attachments:* Provides applicants with information and forms necessary to complete the application.

### **V. Contracting Office**

The Contracting Office is responsible for overseeing the contract(s) resulting from this RFP, including system operations, fiscal agent operations, and monitoring and assessing provider performance. The Contracting Office is:

**Department of Labor and Industrial Relations (DLIR)**

Workforce Development Division  
Employment and Training Fund Program

830 Punchbowl Street, Room 329  
Honolulu, Hawaii 96813  
Phone: (808) 586-8818  
Fax: (808) 586-8822  
Email: lance.a.kimura@hawaii.gov

**VI. Orientation**

An orientation for applicants in reference to the request for proposals will be held as follows:

Hawaii Island (Hilo)

**Date:** August 21, 2014      **Time:** 9:00 a.m. – 11:00 a.m.  
**Location:** 1990 Kinoole St., Ste 102, Hilo, HI 96720

Kauai

**Date:** August 22, 2014      **Time:** 9:00 a.m. – 11:00 a.m.  
**Location:** 4444 Rice Street, Ste. 302, Lihue, HI 96766

Oahu

**Date:** August 22, 2014      **Time:** 1:00 p.m. – 3:00 p.m.  
**Location:** 830 Punchbowl Street, Room 310, Honolulu, Hawaii

Maui

**Date:** August 25, 2014      **Time:** 9:00 a.m. – 11:00 a.m.  
**Location:** 2064 Wells Street, Ste. 108 , Wailuku, HI 96793

Applicants are encouraged to submit written questions prior to the orientation. Impromptu questions will be permitted at the orientation and spontaneous answers provided at the state purchasing agency's discretion. However, answers provided at the orientation are only intended as general direction and may not represent the state purchasing agency's position. Formal official responses will be provided in writing. To ensure a written response, any oral questions should be submitted in writing following the close of the orientation, but no later than the submittal deadline for written questions indicated in the paragraph VII. Submission of Questions.

**VII. Submission of Questions**

Applicants may submit questions to the RFP Contact Person identified in Section 2, II.F of this RFP. All written questions will receive a written response from the state purchasing agency.

Deadline for submission of written questions:

**Date:** September 5, 2014      **Time:** 4:30 p.m. HST

State agency responses to applicant written questions will be provided by

**Date:** September 12, 2014

## VIII. Submission of Proposals

- A. **Forms/Formats** - Forms, with the exception of program specific requirements, may be found on the State Procurement Office website referred to in II. Website Reference. Refer to the Proposal Application Checklist for the location of program specific forms.
1. **Proposal Application Identification (Form SPO-H-200).** Provides applicant proposal identification.
  2. **Proposal Application Checklist.** Provides applicants with information on where to obtain the required forms; information on program specific requirements; which forms are required and the order in which all components should be assembled and submitted to the state purchasing agency.
  3. **Table of Contents.** A sample table of contents for proposals is located in Section 5, Attachments. This is a sample and meant as a guide. The table of contents may vary depending on the RFP.
  4. **Proposal Application (Form SPO-H-200A).** Applicant shall submit comprehensive narratives that address all of the proposal requirements contained in Section 3 of this RFP, including a cost proposal/budget if required.
- B. **Program Specific Requirements.** Program specific requirements are included in Section 2, Service Specifications and Section 3, Proposal Application Instructions, as applicable. If required, Federal and/or State certifications are listed on the Proposal Application Checklist located in Section 5.
- C. **Multiple or Alternate Proposals.** Multiple or alternate proposals shall not be accepted unless specifically provided for in Section 2 of this RFP. In the event alternate proposals are not accepted and an applicant submits alternate proposals, but clearly indicates a primary proposal, it shall be considered for award as though it were the only proposal submitted by the applicant.
- D. **Tax Clearance.** Pursuant to HRS Section 103-53, as a prerequisite to entering into contracts of \$25,000 or more, providers shall be required to show proof of tax clearance from the Hawaii State Department of Taxation (DOTAX) and the Internal Revenue Service (IRS). Since both DOTAX and IRS no longer provide written or hard copy compliance documentation, registration with Hawaii Compliance Express is required to show proof of tax clearance online. (See item G below.)

- E. **Wages and Labor Law Compliance.** If applicable, by submitting a proposal, the applicant certifies that the applicant is in compliance with HRS Section 103-55, Wages, hours, and working conditions of employees of contractors performing services. Refer to HRS Section 103-55, at the Hawaii State Legislature website. (See part II, Website Reference.)
- F. **Compliance with all Applicable State Business and Employment Laws.** All providers shall comply with all laws governing entities doing business in the State. Prior to contracting, owners of all forms of business doing business in the state except sole proprietorships, charitable organizations unincorporated associations and foreign insurance companies be registered and in good standing with the Department of Commerce and Consumer Affairs (DCCA), Business Registration Division. Foreign insurance companies must register with DCCA, Insurance Division. More information is on the DCCA website. (See part II, Website Reference.)
- G. **Hawaii Compliance Express (HCE).** Providers shall register with HCE for online proof of DOTAX and IRS tax clearance, Department of Labor and Industrial Relations (DLIR) labor law compliance, and DCCA good standing compliance. There is a nominal annual fee for the service. The "Certificate of Vendor Compliance" issued online through HCE provides the registered provider's current compliance status as of the issuance date, and is accepted for both contracting and final payment purposes. (Refer to this section's part II. Website Reference for HCE's website address.)
- H. **Campaign Contributions by State and County Contractors.** Providers are hereby notified of the applicability of HRS Section 11-205.5, which states that campaign contributions are prohibited from specified State or county government contractors during the term of the contract if the contractors are paid with funds appropriated by a legislative body. For more information, FAQs are available at the Campaign Spending Commission webpage. (See part II, Website Reference.)
- I. **Confidential Information.** If an applicant believes any portion of a proposal contains information that should be withheld as confidential, the applicant shall request in writing nondisclosure of designated proprietary data to be confidential and provide justification to support confidentiality. Such data shall accompany the proposal, be clearly marked, and shall be readily separable from the proposal to facilitate eventual public inspection of the non-confidential sections of the proposal.

*Note that price is not considered confidential and will not be withheld.*

- J. **Confidentiality of Personal Information.** Act 10 relating to personal information was enacted in the 2008 special legislative session. As a result, the Attorney General's General Conditions of Form AG Form 103F, *Confidentiality of Personal Information*, has been amended to include Section 8 regarding protection of the use and disclosure of personal information administered by the agencies and given to third parties.
- K. **Proposal Submittal.** All mail-ins shall be postmarked by the United States Postal System (USPS) and received by the State purchasing agency no later than the submittal deadline indicated on the attached Proposal Mail-in and Delivery Information Sheet. All hand deliveries shall be received by the State purchasing agency by the date and time designated on the Proposal Mail-In and Delivery Information Sheet. Proposals shall be rejected when:
- Postmarked after the designated date; or
  - Postmarked by the designated date but not received within 10 days from the submittal deadline; or
  - If hand delivered, received after the designated date and time.

The number of copies required is located on the Proposal Mail-In and Delivery Information Sheet. Deliveries by private mail services such as FEDEX shall be considered hand deliveries and shall be rejected if received after the submittal deadline. Dated USPS shipping labels are not considered postmarks. Proposals transmitted by FAX or electronic mail or diskettes will **NOT** be accepted.

## IX. Discussions with Applicants

- A. **Prior to Submittal Deadline.** Discussions may be conducted with potential applicants to promote understanding of the purchasing agency's requirements.
- B. **After Proposal Submittal Deadline -** Discussions may be conducted with applicants whose proposals are determined to be reasonably susceptible of being selected for award, but proposals may be accepted without discussions, in accordance HAR Section 3-143-403.

## X. Opening of Proposals

Upon receipt of a proposal by a state purchasing agency at a designated location, proposals, modifications to proposals, and withdrawals of proposals shall be date-stamped, and when possible, time-stamped. All documents

received shall be held in a secure place by the state purchasing agency and not examined for evaluation purposes until the submittal deadline.

Procurement files shall be open to public inspection after a contract has been awarded and executed by all parties.

**XI. Additional Materials and Documentation**

Upon request from the state purchasing agency, each applicant shall submit any additional materials and documentation reasonably required by the state purchasing agency in its evaluation of the proposals.

**XII. RFP Amendments**

The State reserves the right to amend this RFP at any time prior to the closing date for the final revised proposals.

**XIII. Final Revised Proposals**

If requested, final revised proposals shall be submitted in the manner, and by the date and time specified by the state purchasing agency. If a final revised proposal is not submitted, the previous submittal shall be construed as the applicant's best and final offer/proposal. *The applicant shall submit only the section(s) of the proposal that are amended, along with the Proposal Application Identification Form (SPO-H-200).* After final revised proposals are received, final evaluations will be conducted for an award.

**XIV. Cancellation of Request for Proposal**

The RFP may be canceled and any or all proposals may be rejected in whole or in part, when it is determined to be in the best interests of the State.

**XV. Costs for Proposal Preparation**

Any costs incurred by applicants in preparing or submitting a proposal are the applicants' sole responsibility.

**XVI. Provider Participation in Planning**

Provider participation in a state purchasing agency's efforts to plan for or to purchase health and human services prior to the state purchasing agency's release of a RFP, including the sharing of information on community needs, best practices, and providers' resources, shall not disqualify providers from submitting proposals if conducted in accordance with HAR Sections 3-142-202 and 3-142-203.

## **XVII. Rejection of Proposals**

The State reserves the right to consider as acceptable only those proposals submitted in accordance with all requirements set forth in this RFP and which demonstrate an understanding of the problems involved and comply with the service specifications. Any proposal offering any other set of terms and conditions contradictory to those included in this RFP may be rejected without further notice.

A proposal may be automatically rejected for any one or more of the following reasons:

- (1) Rejection for failure to cooperate or deal in good faith. (HAR Section 3-141-201)
- (2) Rejection for inadequate accounting system. (HAR Section 3-141-202)
- (3) Late proposals (HAR Section 3-143-603)
- (4) Inadequate response to request for proposals (HAR Section 3-143-609)
- (5) Proposal not responsive (HAR Section 3-143-610(a)(1))
- (6) Applicant not responsible (HAR Section 3-143-610(a)(2))

## **XVIII. Notice of Award**

A statement of findings and decision shall be provided to all applicants by mail upon completion of the evaluation of competitive purchase of service proposals.

Any agreement arising out of this solicitation is subject to the approval of the Department of the Attorney General as to form, and to all further approvals, including the approval of the Governor, required by statute, regulation, rule, order or other directive.

No work is to be undertaken by the awardee prior to the contract commencement date. The State of Hawaii is not liable for any costs incurred prior to the official starting date.

## **XIX. Protests**

Any applicant may file a protest against the awarding of the contract. The Notice of Protest form, SPO-H-801, is available on the SPO website. (See paragraph II, Website Reference.) Only the following matters may be protested:

- (1) A state purchasing agency's failure to follow procedures established by Chapter 103F of the Hawaii Revised Statutes;

- (2) A state purchasing agency's failure to follow any rule established by Chapter 103F of the Hawaii Revised Statutes; and
- (3) A state purchasing agency's failure to follow any procedure, requirement, or evaluation criterion in a request for proposals issued by the state purchasing agency.

The Notice of Protest shall be postmarked by USPS or hand delivered to 1) the head of the state purchasing agency conducting the protested procurement and 2) the procurement officer who is conducting the procurement (as indicated below) within five working days of the postmark of the Notice of Findings and Decision sent to the protestor. Delivery services other than USPS shall be considered hand deliveries and considered submitted on the date of actual receipt by the state purchasing agency.

<b>Head of State Purchasing Agency</b>	<b>Procurement Officer</b>
Name: Dwight Takamine	Name: Norman Ahu
Title: Director	Title: Business Management Officer
Mailing Address: 830 Punchbowl Street, Room 321 Honolulu, Hawaii 96813	Mailing Address: 830 Punchbowl Street, Room 321 Honolulu, Hawaii 96813
Business Address: Same as above	Business Address: Same as above

## **XX. Availability of Funds**

The award of a contract and any allowed renewal or extension thereof, is subject to allotments made by the Director of Finance, State of Hawaii, pursuant to HRS Chapter 37, and subject to the availability of State and/or Federal funds.

## **XXI. General and Special Conditions of Contract**

The general conditions that will be imposed contractually are on the SPO website. (See paragraph II, Website Reference). Special conditions may also be imposed contractually by the state purchasing agency, as deemed necessary.

## **XXII. Cost Principles**

In order to promote uniform purchasing practices among state purchasing agencies procuring health and human services under HRS Chapter 103F, state purchasing agencies will utilize standard cost principles outlined in Form SPO-H-201, which is available on the SPO website (see paragraph II, Website Reference). Nothing in this section shall be construed to create an exemption from any cost principle arising under federal law.

**Section 2**

**Service Specifications**

## **Section 2**

### **Service Specifications**

#### **I. Introduction**

##### **A. Overview and purpose**

ETF's purpose is to assist employers and workers by providing them with opportunities such as business-specific training, upgrade training, new occupational skills, and management skills. ETF funds are generated by an employer assessment based on unemployment insurance contributions.

Employers and workers may access ETF training opportunities at any of the following WDD Offices listed below:

Hawaii:

WDD, Hawaii Branch, consists of the following two local offices: The Hilo Local Office, located at 1990 Kinoole Street, Room 102, which serves residents of East Hawaii; and the Kona Local Office, 74-5565 Luhia Street, Building C, Bay 4 which is situated in the Kona industrial area, serves West Hawaii residents.

Maui:

WDD, Maui Branch, consists of two local offices: The Wailuku Local Office, 2062 Wells Street, Room 108, which serves all residents on Maui Island and Lanai Island, and the Kaunakakai Office, 55 Makaena Street, which serves Molokai residents.

Oahu:

WDD Honolulu Office, located at the Princess Ruth Keelikolani Building, 830 Punchbowl Street, Room 112, services residents on Oahu.

Kauai:

WDD, Kauai Branch, consists of one local office serving all residents in the County of Kauai and is located at 4444 Rice Street, Room 302 in Lihue.

The purpose of this RFP is to procure various types of training services from providers to train participants in each county for the period of January 2, 2015 to December 31, 2016.

During this period, public training providers such as the University of Hawaii and State Department of Education and private training providers will offer potential trainees more choices to meet individual needs. This RFP is intended to result in a list of training services that *in total* provides in each area a comprehensive array of courses that are high-quality, conveniently located, reasonably priced, reliable, and effective.

The needs and skills of individual participants will vary; therefore, even the approximate number of participants to attend any particular training course cannot be predetermined or guaranteed. The ETF counselor and the employer will decide on what training is to be undertaken. They will base their decisions on company training needs, class schedule(s), course content, location, and market price in accordance with ETF program policies and procedures.

The number of contracts awarded will depend on what training provides the optimal choices for a particular area as determined by the State. An applicant who is awarded a contract is hereinafter referred to as "Provider."

**B. Planning activities conducted in preparation for this RFP**

A request for information (RFI) for this contract has not been solicited for this RFP.

**C. Description of the goals of the service**

The goal for the services being procured is to provide and/or to enhance the occupational knowledge and skills of incumbent workers and other individuals eligible for ETF-funded training services.

**D. Eligible applicants**

1. Entities eligible to apply to this RFP are public or private training providers.
2. All specific qualifications and requirements of item II.A. of this section also apply.

**E. Description of the target population to be served**

Eligible participants for this RFP consist of incumbent workers referred by their employers for training made available as a result of this RFP.