



**Our Vision:**

Contra Costa County's Workforce Development Board supports a network that creates and promotes dynamic education systems, high-performing businesses, and a prosperous local economy with an abundance of high-quality jobs and skilled workers to fill them.

## Executive Committee Meeting

### Agenda

July 13, 2022

3:00 p.m. – 4:30 p.m.

**ZOOM Meeting**

**Meeting ID: 827 3212 4875**

**Passcode: 800833**

<https://us06web.zoom.us/j/82732124875?pwd=RIRUeENnL1ZMd29EdHRGZkVrc0hmUT09>

**Join in Dial-In**

+1 669 444 9171 US

+1 720 707 2699 US

- 3:00 PM CALL TO ORDER AND REMINDER OF POTENTIAL CONFLICT OF INTEREST  
PUBLIC COMMENT**
- 3:05 PM DIRECTORS REPORT  
CHAIR REPORT  
COMMITTEE CHAIR REPORTS**
- 3:25 PM CONSENT AGENDA  
C1 Approve minutes from June 8, 2022 Meeting  
C2 Approve Board Resignation**
- 3:30 PM ACTION ITEM  
A1 Approve WDBCCC Policies**
- 4:00 PM INFORMATIONAL ITEM  
I1 Contra Costa County Youth Center Development (MEASURE X)**
- 4:30 PM ADJOURN**

**Upcoming Committee Meetings:**

*FULL BOARD Meeting is on Tuesday, August 2, 2022*

*BED Committee is on Wednesday, August 3, 2022*

*YOUTH Committee Meeting is on Tuesday, September 13, 2022*

*EXECUTIVE Committee Meeting is on Wednesday, September 14, 2022*

*Any appropriate public records related to an open session item on a regular meeting agenda and distributed by the Workforce Development Board and any of its committees to a majority of members of the Workforce Development and/or its committees, less than 72 hours prior to that meeting are available and for public inspection at 4071 Port Chicago Highway, Suite 250 Concord, CA during normal business hours.*

*The Workforce Development Board will provide reasonable accommodations for individuals with disabilities planning to attend Board meetings. Arrangements can be made by contacting the Board at 925.671.45*

**Workforce Development Board (WDB) of Contra Costa County  
Executive Committee Charter**

Charter Element	Charter Agreement Information
<b>Business Objective</b>	The primary objective of the WDB Executive Committee is to support system alignment, service integration, and continuous improvement, using data to support evidence-based policymaking.
<b>Case for Action`</b>	<p>As we advance our work toward realizing our vision for creating shared opportunity and economic prosperity, a number of key factors drive our work:</p> <ul style="list-style-type: none"> <li>• Good jobs in today’s economy and labor market require workers to have a growing level of knowledge and skill in order to compete for them;</li> <li>• The employment gap is widening between those with higher levels of education and credentials and those who lack them;</li> <li>• Jobs are growing at both the high-skill and low-skill end of the labor market, while growth of “middle skill” jobs has been lagging; however, the retirement of baby boomers from the labor force will create openings in nearly every industry and occupation;</li> <li>• The incoming workforce does not have the education and skill-sets needed to perform many of these jobs, as manifested by a continued lag in the educational attainment levels of young people (although beginning to show some signs of improvement, student preparedness for post-secondary education remains very low); and</li> <li>• The difference between supply and demand indicates that there is a “skills gap” between what most workers have to offer and what businesses need, creating the urgency to develop and support new strategies that can better equip and train people for jobs in today’s economy.</li> </ul>
<b>Requirements</b>	<p>The WDB Executive Committee will:</p> <ul style="list-style-type: none"> <li>• Improve and expand the Workforce Development Board's communications systems and networks</li> <li>• Develop and present legislative/advocacy platforms and position statements for consideration by the Contra Costa County Board of Supervisors and other local elected officials</li> <li>• Recruit qualified board member candidates who are able to effectively advance the board’s strategic priorities and recommend membership appointments to the Board of Supervisors</li> <li>• Support and strengthen administrative, fiduciary, management, and oversight roles and responsibilities of the WDB, including monitoring performance of the WDB Executive Director</li> <li>• Help secure, leverage, and expand resources that help to support workforce and economic development in Contra Costa County and the greater region</li> </ul>
<b>Boundaries / Guidelines</b>	The Executive Committee will advise and influence the direction and implementation of the WDB’s strategic objectives as outlined the WDB 2021-2024 Strategic Plan, particularly with regards to work related to systems alignment, administration, coordination, and overall accountability.
<b>Team Membership</b>	The Executive Committee is comprised of the Chair, Vice Chair(s) and Immediate Past Chair of the WDB; the Co-Chairs of each of its subcommittees, and up to three at-large members to provide appropriate representation of the overall membership. The Executive Committee and the WDB work on behalf of the Contra Costa County Board of Supervisors and the businesses and residents of Contra Costa County. The WDB and the Executive committee often draw upon the knowledge and expertise of other individuals and organizations that are not members of the WDB and occasionally form <i>Ad Hoc</i> committees to do work.
<b>Timing</b>	The work of the Executive Committee is aligned with the timeline of the WDB’s 2021-2024 Strategic Plan.
<b>Resources</b>	The WDB and the Executive Committee provide and/or support convening and networking functions that draw together a wide spectrum of stakeholders that contribute to the health of the local economy and prepare residents for effective participation in the workforce. These include local and regional businesses, economic development experts and organizations, public agencies, education, labor, and community-based organizations.
<b>Review Process</b>	The Executive Committee monitors and reports its progress at regular committee meetings and full WDB member meetings as appropriate. Progress against the WDB 2021-2024 Strategic Plan is reviewed at regular intervals as determined by the WDB and any of its relevant governing authorities at the local, state, and/or federal levels.

**EXECUTIVE COMMITTEE MINUTES**

Wednesday, June 8, 2022

The Executive Committee met on Wednesday, June 8, 2022 via a ZOOM meeting. Vice-Chair Terry Curley called the meeting to order at 3:04 pm. Vice-Chair Terry Curley reminded everyone of potential conflict of interest.

**ATTENDANCE**

MEMBERS PRESENT: Yolanda Vega, Michael McGill, Terry Curley, Stephanie Rivera, Thomas Hansen, Kwame Reed (late attendance)

MEMBERS ABSENT – Joshua Anijar

OTHERS PRESENT – Nichol Carranza (Board Member), Harumi Murata (City of Oakley), Robert Carrera (City of Concord),

WDB STAFF PRESENT – Tamia Brown, Maureen Nelson, Verneda Clapp, LaTosha Stockholm, Rochelle Soriano, Donn Matsuzaki, Jed Silver

**PUBLIC COMMENT**

None

**DIRECTORS REPORT**

**STAFF UPDATE**

- LaTosha Stockholm, CCWorks Program Manager on board since June 1<sup>st</sup>, 2022
- Jeff Shoji, Business Systems Analyst (MIS) resignation effective June 13, 2022
- Donn Matsuzaki received Temporary Upgrade into Business Systems Analyst . Donn will oversee the Fiscal and MIS functions until we are able to back fill Jeff Shoji's position .
  - Looking to bring additional program support staff to meet the demands of the the additional funding received to ensure we meet objectives and performance requirement of the grants.
- Vee Clapp & Patience Ofodu – completion training with Leadership Programs

Presented at the May 19<sup>th</sup> CWDB Board Meeting on Health Care Initiatives

Patience and I attended CWA WORKCON 2022 Conference at San Diego, CA and made some good connections and conversations . And was able to get some one on one time with CA Secretary of Labor Natalie Payluski.

**WIOA Reauthorization Passed House on May 17<sup>th</sup>, 2022**

- Key Changes
  - Eligibility definitions
  - Youth workforce investment activities
  - Funding appropriations
  - Summer and Year around employment for youth

**REGIONAL PLAN IMPLEMENTATION**

Regional Planning Implementation 3.0 Grant Close Out Report submitted in Jun 1<sup>st</sup>, 2022

- Equitable Ouraceh and Recruitment Capacity Adult and Youth Programs
- Currently Regional Planning Implementation 4.0 is operational and grant has been extended through December 31, 2022. This grant supports the regional industry sector work.

## **BUDGET**

WIOA allocation received on May 31, 2022 and will see the new allocation in the budget item on the agenda.: comparison of last year's allocation.

- WIOA Formula 11% increase
- WIOA Rapid Response and Discretionary 10% increase
- Non- WIOA revenue 10%
- Overall increase in revenue roughly 25%

## **FUNDING**

This will explained in the Budget proposal (Received Funding)

- National Dislocated Worker Grant (NAWDG) – 236K
- Division of Apprenticeship Standards (DAS) – 240K
- Workforce Accelerator Grant (WAF.10) – 250K
- Cal4ALL – 2.4

Pending Proposals

- Good Jobs Challenge approximately 3M – Award Notification late June
- H RTP – 1M
- Regional Equity and Recovery Partnership Grant (REFP) 1.5M

## **CHAIR'S REPORT**

**Yolanda Vega, Chair**

- Patricia Conley, Business Representative reached out to the small business and gave resources according to their business need.
- Continue to connect to the community to share resources or services that WDB offers.

## **COMMITTEE MEMBER REPORTS**

**Youth Committee (YC) (Michael McGill)**

- YC Meeting is on March 8, 2022
- The meeting has a discussion on WIOA Programs in Practice -Youth Discussion Panel (Moderator Verneda Clapp)
  - Youth participant gave their insights and experience from their programs
  - Youth participant was engaging
  - Youth Panel is the highlight
- Youth Committee is discussed proposed agenda for the Full Board Retreat

**Business & Economic Development Committee (BED) (Stephanie Rivera)**

Agenda includes: Presentation/Discussion Item

- New East Bay Small Business Development Center – Vincent McCoy, Director
- Full Board Retreat Debrief
- The Next BED Committee Meeting is on Tuesday, August 2, 2022 at 3:00 PM

## **CONSENT ITEM**

**C1 Approve April 13, 2022 Executive Committee Meeting Minutes**

**Motion/Second Thomas Hansen/Mike McGill**

**Motion Approved**

**AYES:** Yolanda Vega, Michael McGill, Terry Curley, Stephanie Rivera, Thomas Hansen

**NAYES:** None

**ABSENT:** Kwame Reed, Joshua Anijar

**ABSTAIN:** None

**ACTION ITEMS**

**A1 Approve Slate of Offices for 2022-2023**

1. That the Executive Committee approve nominations for Chair and Vice-Chair.  
*Nominations for the Vice-Chairs:*

- **Vice-Chairs**
  1. *Stephanie Rivera, CEO, Lazarex Cancer Foundation*
  2. *Terry Curley, Executive Vice President, United Business Bank*

**Motion/Second**                      **Thomas Hansen/ Michael McGill**  
**Motion**                                      **Approved**

**AYES:** Yolanda Vega, Michael McGill, Thomas Hansen, Kwame Reed

**NAYES:** None

**ABSENT:** Joshua Anijar

**ABSTAIN:** Stephanie Rivera, Terry Curley

2. Allow Chair Yolanda Vega, Principal, Peak Performance Corporate Training to continue for one (1) additional Fiscal year 2022-2023 to serve the board.

**Motion/Second**                      **Thomas Hansen/ Michael**  
**Motion**                                      **Approved**

**AYES:** Michael McGill, Terry Curley, Stephanie Rivera, Kwame Reed, Thomas Hansen

**NAYES:** None

**ABSENT:** Joshua Anijar

**ABSTAIN:** Yolanda Vega

**A2 Approval of Board Applications**

That the Executive Committee recommend for appointment to the Workforce Development Board of Contra Costa County:

1. **Jerry L. Aranas** to fill Business Seat #2
2. **Terry Curley** to re-appointment Business Seat #4

1. **Motion/Second**                      **Michael McGill/Stephanie Rivera**  
**Motion**                                      **Approved**

**AYES:** Yolanda Vega, Michael McGill, Stephanie Rivera, Kwame Reed, Thomas Hansen

**NAYES:** None

**ABSENT:** Joshua Anijar

**ABSTAIN:** Terry Curley

**A3 Approval of Proposed WDB Budget PY 2022-2023**

That the Executive Committee to approve the PY 2022-2023 Proposed Budget

**Motion/Second**                      **Kwame Reed/Stephanie Rivera**  
**Motion**                                      **Approved**

**AYES:** Yolanda Vega, Michael McGill, Terry Curley, Stephanie Rivera, Kwame Reed Thomas Hansen

**NAYES:** None

**ABSENT:** Joshua Anijar

**ABSTAIN:** None

## **INFORMATIONAL ITEMS**

### **I1 Workforce Development Board DRAFT Action Plan 2022**

Practical actions the Contra Costa Workforce Board can take over the next 24 months to show positive outcomes in the Board's 4 Key Strategy Areas:

- Incorporate Race, Equity, Diversity & Inclusion (REDI) principles in all Business Services
- Development of Community Business Resources Center focusing on small minority & micro-owned Business
- Creation & Expansion of Earn and Learn Models
- Addressing & Serving Vulnerable Populations & Communities in the County, transfer skills/degrees to work

Staff will work on the Key Areas (timeline, plan, strategy etc.)

### **I2 Health Career Pathways**

Workforce Development Board of Contra Costa County (WDBCCC)'s Health Careers Pathway Program is an effort to advance equity and inclusion by connecting underrepresented individuals to in-demand jobs in the healthcare field.

Recent examples of those efforts:

- 1. Workforce Accelerator Fund (WAF)10-** The project will produce a replicable and scalable program design and model for using WIOA and Employment Training Panel (ETP) funds to develop comprehensive wrap-around & support service model for healthcare training programs.
- 2. Division of Apprenticeship Standards (DAS) -** The DAS State Apprenticeship Expansion, Equity, and Innovation Grant (SAEEI) program focus is to design, develop, and implement projects that support and accelerate the creation of new or the expansion of existing Registered Apprenticeship Programs (RAPs) for women, veterans, justice-involved, youth, people with disabilities, communities of color, and unemployed individuals impacted by COVID-19.
- 3. National Dislocated Worker Grant (NDWG) -** To help the region's most vulnerable residents, people of color and those from underserved communities who had been disproportionately impacted by Covid-19. This will include providing healthcare training, placement and supportive services intended to prepare Contra Costa residents that experienced job loss due to Covid-19 for new employment opportunities as rapidly as possible.

### **I3 Close Out Report for Innovating with Human Centered Design and Workforce Redesign**

The Human Centered Design (HCD) methodology was chosen as an approach to problem solving to ensure that the voice of the customer was incorporated throughout. In the course of the design process, we recognized that both clients and providers are end users. HCD is comprised of five phases that include defining the problem, brainstorming and selecting potential solutions, create prototypes -- and finally, testing, refining and implementing solutions. The process is iterative and involves end users at every step.

## **Grant Outcomes**

**Workforce Seat on Council on Homelessness.** A Workforce seat was added to the Council on Homelessness (CoH) in January 2021 and is filled by the WDBCCC Administrator. Workforce now has input into homeless services and has increased visibility among homeless service providers. Workforce has presented on topics of interest to the Council.

**System Map.** This tool was created to give partners, providers and the public a system-level overview of housing and wraparound services, including workforce.

**Cross-Training.** Several staff cross-trainings were held; each was recorded. Trainings covered system structure, funding, metrics, programming, partners, methods of referral. Additional trainings were held on assisting customers. Over 130 staff were trained. This effort alone helped us achieve one of the main objectives of the grant, which was to *increase knowledge of staff regarding resources and access points available in the parallel systems.*

**Linking Staff and Customers.** The H-WIN meets bimonthly and draws 40+ attendees for presentations, networking, problem solving and cross-promotion of programs and services.

**Journey Map and Client Pilot.** Interviews with clients and staff of both systems allowed us to create a customer “journey map,” after which the design team ran a pilot of a co-enrolled client. Collaboration between case managers resulted in the client, who was about to lose housing, having her housing extended until she finished her job training.

**Employer Forum.** In February 2022, the WDBCCC Business Services team helped host the third in a series of "Untapped Talent" employer forums. The forum included a panel of employers and [formerly homeless] employees. Fifty attendees heard a presentation on California’s new Homeless Hiring Tax Credit. After the event, attendees (half of whom were employers) received materials on CalJOBS, Fidelity Bonding, and the Employer Advisory Council.

**White Paper.** To enable other areas to replicate and scale similar projects, we captured our key learnings in "Integrating Workforce and Homeless Services: An Experiment in Human Centered Design":

#### **14 Youth Program in Practice PY 2022-2023**

Notable efforts include:

- **Department of Rehabilitation Summer Training and Employment Program for Students (STEPS).** The STEPS grant provides funding for paid work experience for students with disabilities. Students will receive \$5,000 stipends for completing workplace readiness training.
- **California Volunteers Office of the Governor Grant** The purpose of this initiative is to increase youth employment, develop youth interest in and experience towards a career, and to strengthen capacity to address key areas of climate, food insecurity, and local COVID-19 recovery. Funding for this project will support two different projects:
  - **Health Ambassadors Project** which provides transitional jobs in the Community Health field. This project was developed from a long-standing partnership with Contra Costa Health Services. Participants will earn a Contra Costa College Health and Human Services certificate.
  - **John Muir Land Trust Family Harvest Farm** is a garden apprenticeship opportunity. Funding will be used for the development of career pathways, additional wrap-around supports, financial literacy, and professional development for the apprentices.

**THE MEETING ADJOURNED AT 3:55 PM**

Respectfully Submitted,

Rochelle Martin-Soriano, Board Secretary

/rms



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**DATE:** June 1, 2022  
**TO:** Executive Committee  
**FROM:** Donn Matsuzaki, Administrative Services Assistant III  
**RE:** **Approve WDBCCC Policies**

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## **RECOMMENDATION**

That the Executive Committee approve the new and updated policies:

1. Debt Collection - New
2. Incident Report – Updated
3. Purchasing & Procurement – Updated

### **A. BACKGROUND**

The WDBCCC must periodically amend and create policies to meet new WIOA compliance. WDBCCC policies are designed to provide guidance to Staff, Subrecipients and our Fiscal Agent in specific areas.

### **B. CURRENT SITUATION**

As a result of a Fiscal Monitoring, we are required to update policies for Incident Reporting and Procurement and to create a policy for Debt Collection in order to satisfy findings in the monitor's draft report.

### **C. IMPACT**

The monitor will include the findings in the final monitoring report if staff do not provide these new policies.

### **D. SCHEDULE**

Staff continue to work with EHSD Fiscal and the EDD Compliance Review monitor to clear all findings prior to the finalized report.

### **E. ATTACHMENTS**

- A1a** – WDBCCC Debt Collection Draft Policy
- A1b** – WDBCCC Incident Reporting Draft Policy
- A1c** – WDBCCC Purchasing & Procurement Draft Policy

For any questions, please contact Donn Matsuzaki, Administrative Services Assistant III at 925-671-4545 or email at [dmatsuzaki@ehsd.cccounty.us](mailto:dmatsuzaki@ehsd.cccounty.us)





**WORKFORCE POLICY BULLETIN #XX-22 (NEW)**

**DATE:** July 13, 2022

**TO:** WDB Staff and Service Providers

**FROM:** Tamia Brown, Executive Director  
Workforce Development Board

**SUBJECT:** Debt Collection

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**PURPOSE:**

This policy provides guidance regarding policy and procedures for debt collection associated with the mis-expenditure of Workforce Innovation and Opportunity Act (WIOA) funds.

**BACKGROUND:**

The use of WIOA funds requires that states establish fiscal controls and establish and set forth a process for collecting debts. Among the required controls specified in Title 20 CFR Section 667.500(a) Resolution of subrecipient-level findings (2) A State must utilize the audit resolution, debt collection and appeal procedures that it uses for other Federal grant programs. The policies and procedures described below are used for other federal programs and will be used for WIOA funding as well.

**POLICY:**

The Workforce Development Board of Contra Costa County (WDBCCC) is responsible for their subrecipient audit resolution and aggressive debt collection action. At the State level, audit resolution and debt collection are the responsibility of the Employment Development Department's (EDD) Policy, Accountability and Compliance Branch (PACB) which provides important audit, investigation, survey, evaluation and review services to programs administered by us and our partnering agencies. The Audit and Evaluation Division (AED) under PACB provides value-added services to the director and executive staff through consultation services including surveys, research, statistical analysis services, audit and evaluation services of department programs and processes. The Compliance Review Office (CRO) within the AED ensures WIOA programs are administered to meet federal and state laws, regulations, policy directives and Uniform Guidance guidelines. The Investigation Division (ID) within CRO conducts both internal and external investigations to determine if fraud or embezzlement was committed against our benefit programs. ID also investigates allegations of criminal and administrative misconduct by our employees or vendors.

The settlement of all debts resulting from fraud, malfeasance, misapplication of funds or other serious violations or illegal acts must be cash from nonfederal sources. Funds collected by WDBCCC in settlement of these debts must be returned to CRO immediately upon their receipt. The mailing address for CRO is:

## **Fraud**

Employment Development Department  
PO Box 826880, MIC 33  
Sacramento, CA 94280-0225

The WDBCCC must maintain records that document the action taken with respect to debt collection, restoration, or other debt resolution activities. The WDBCCC must also document the reason for the action taken.

When the debt was not a result of fraud, malfeasance, misapplication of funds or other serious violations of illegal acts, the cash repayment of the disallowance is a credit to the title and year to which it was originally charged. The credit reduces the expenditures of the period of the cost that was refunded. If the year of allocation is still open, WDBCCC may expend the funds within the cost limits. Cash payment received after the fund availability period must be remitted to CRO.

Debt collection procedures include:

- A process for notifying subrecipients of the establishment of the debt, their appeal rights, the date that the debt will be considered delinquent, the sanctions (which may include but are limited to debarment) if the debt is not repaid and the interest rate charged, if any.
- The requirement that three (3) debt collection letters be sent to the subrecipient at no less than 30 calendar day intervals.
- The WDBCCC standards and specifications for terminating, comprising, and litigating debts; and
- An audit resolution tracking log shall document the disposition of reported questioned costs and corrective actions taken for all findings and shall maintain a permanent record of all debt cases and their status.

To be relieved of liability for a subrecipient's debt, the WDBCCC must submit a written request that EDD seek the Department of Labor agreement to forego collection action to CRO. Requests must include documentation and other demonstrations of facts showing compliance with WIOA Section 184(d) and Title 20 CFR 683.740 to CRO. Mere statements of compliance and recitation of the criteria will not be acceptable. Without the prior approval of both EDD CRO and DOL, The WDBCCC will remain responsible for repayment of the entire debt.

All WIOA debts must be paid within 30 calendar days of the date on which the debt was established as final. If the debtor is unable to make restitution in full, an installment repayment agreement may be negotiated. Installment repayment agreements must be short in duration, from 3 to 12 months, with a maximum of 36 months. The length of the repayment agreement will be negotiated based on the size of the debt and the debtor's ability to pay. All installment repayment agreements must have prior approval by the CRO.

### **Citations & References:**

- Workforce Innovation and Opportunity Act, Section 184, Fiscal Controls; Sanctions
- Workforce Services Directive WIAD01-5, Debt Collection (September 10, 2001)
- Contra Costa County Contract Template - Standard Form P-2 Revised 2002, Payment Provisions 9.

- Contact EDD Comments, Suggestions and/or Complaints form DE 8123

If you have any questions regarding this Workforce Policy Bulletin, please contact Donn Matsuzaki, Administrative Services Assistant III at 925-671-4545 or email at [dmatsuzaki@ehsd.cccounty.us](mailto:dmatsuzaki@ehsd.cccounty.us)

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**WORKFORCE POLICY BULLETIN #XX-22 (UPDATED)**

**DATE:** July 13, 2022  
**TO:** WDB Staff and Service Providers  
**FROM:** Tamia Brown, Executive Director  
Workforce Development Board  
**SUBJECT:** Incident Reporting

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**Purpose**

The purpose of this Workforce Policy Bulletin is to update this Workforce Investment Area's Policy regarding the procedures for reporting fraud and abuse. It replaces the Workforce Policy Bulletin, "Reporting Fraud and Abuse", issued on June 14, 2013.

**Background**

As indicated by the attached Directive No. WSD 20-12, State EDD/Workforce Services Division has directed all Workforce Investment Boards, sub-recipients, and lower-tier sub-recipients to establish management procedures that ensure prompt notification of any alleged or proven fraud and abuse, or other criminal acts involving WIOA funds or WIOA funded activities.

**Policy**

The Workforce Services Division is requiring that all alleged fraud and abuse, including criminal activity committed by staff and/or WIOA participants, should be reported to WDBCCC Executive Director, within twenty-four hours of discovery. Additionally, all other instances of non-fraud and abuse relating to criminal activity allegations, such as burglary, arson, malicious damage, damage to buildings and WIOA property, shall be immediately reported to the local law enforcement agency having jurisdiction and subsequently (within twenty-four hours) be reported to WDBCCC Executive Director.

The WDBCCC is requiring that each sub-recipient establish appropriate internal program management procedures to prevent and detect fraud, abuse and criminal activity. These procedures must include a reporting process to ensure that the Office of the Inspector General (OIG) and the Compliance Review Division of the Employment Development Office (CRO) is notified immediately of any allegations of WIOA-related fraud, abuse, or criminal activity. The management procedure must be in writing and it must include the name of the staff responsible for making the notification. In addition, sub-recipients must provide written notification to lower-tier sub-recipients regarding their responsibility to be alert and to report, instances of fraud, abuse and criminal activity committed by staff, contractors, or program participants.

All WIOA Contractors are responsible and required to secure pertinent information sufficient for the preparation of a clear and concise report on each alleged incident. However, contractors should not delay contacting the WDB Administrative offices within five (5) working days of the reported incident.

State Directive WSD 20-12 is accessible at [EDD Directive WSD20-12 Incident Reporting](#)

It provides a Glossary of Terms and a guide to properly identify incidents of fraud and abuse and other criminal activities. Since the Directive cannot address every possible violation of WIOA Program activities, questions whether an activity is reportable should be referred to the WDB Administrative offices for clarification.

**Attachments:**

[Incident Report Form](#)

If you have any questions regarding this bulletin, please contact Tamia Brown, Executive Director at [tbrown1@ehsd.cccounty.us](mailto:tbrown1@ehsd.cccounty.us) or 925-671-4514.

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**AUDITS AND INVESTIGATIONS**



**Chapter 700 - Allegations of Wrongdoing or Misconduct, Incident Reporting, and Whistleblower Protection**

**ETA INSTRUCTIONS FOR OIG 1-156 INCIDENT REPORT (IR)**

**1. Using the Incident Report Form: The OIG 1-156 Incident Report Form should be used for filing:**

(a) Initial Incident Report: Form OIG 1-156 is designed primarily as an initial report to inform the Employment and Training Administration's (ETA) Office of Financial and Administrative Management (OFAM) and the Office of the Inspector General (OIG) that a violation or apparent violation has occurred. It should also be used to inform OFAM and OIG of cases involving ETA employees, programs, and operations being investigated by or reported to other investigative agencies.

(b) Supplemental Incident Report: Once the initial Form OIG 1-156 has been filed Form OIG 1-156 should be used:

- (1) To provide supplemental information not available at the time of the original report.
- (2) If the matter cannot be resolved at the agency level and the case goes to litigation or arbitration at another level, supplemental reports will be submitted without awaiting results of adjudication or arbitration.

(c) Final Incident Report: Form OIG 1-156 should be used when:

- (1) An incident is resolved, or otherwise settled.
- (2) Adjudication and arbitration results are known and all requirements of such adjudication or arbitration have been completed.

**2. Completing the Incident Report Form:**

The agency designation code requested in block 2 is assigned by the office preparing the form and should include the fiscal year in which the report is being submitted, the agency acronym, and a number to indicate the chronological sequence of the report (for example, 09-CHI-ETA-01 would show that the report was submitted in Fiscal Year (FY) 2009, by Chicago, ETA, and was the first report they submitted in FY 2009, and 09-OWI-ETA-02 would show that the report was submitted in FY 2009 by the Office of Workforce Investment (OWI), ETA/NO, and was the second report OWI submitted in FY 2009).

Block 16 should be signed on all copies by the responsible official for the office unless the employee believes he/she should send the form directly to the OIG and OFAM.

Entries requiring additional space may be continued at the end of the synopsis entry in Block 14 or on a separate sheet(s) of bond paper. Head each additional sheet "Continuation" and give the Agency Identification Code from Block 2.

### **3. Transmitting the Completed Incident Report Form:**

For IRs originating in a region or concerning a regional office (RO) program, the Regional Administrator/Regional Apprenticeship Director (RA/RD) should send the original signed OIG 1-156 via a transmittal memorandum to the Special Agent-In Charge (SAC) of the OIG's Regional Office of Labor Racketeering and Fraud Investigations within two days of discovery or receipt of the incident report and simultaneously forward copies to OFAM and the Office of Regional Management (ORM) or the Office of Apprenticeship (OA).

For IRs originating in the national office (NO) or concerning an NO program, the originating office should send the original signed OIG 1-156 to OFAM within two days of discovery or receipt of the incident report and simultaneously forward copies to ORM or OA. OFAM will send the original IR to the OIG within two working days of receipt.

See Attachment E for SAC and other OIG addresses.

Mail ETA NO copies to:

Office of Financial and Administrative Management  
200 Constitution Avenue, N.W., Room N-4653  
Washington, D.C. 20210  
ATTENTION: OGM

Office of Regional Management  
200 Constitution Avenue, N.W., Room C-4517  
Washington, D.C. 20210

or

Office of Apprenticeship  
200 Constitution Avenue, N.W., Room N-5311  
Washington, D.C. 20210

Note: If the report concerns Department of Labor staff, the copies for the ETA NO should be sent in a sealed envelope addressed to the Administrator of OFAM with a notation on the envelope "TO BE OPENED BY ADDRESSEE ONLY."

Incident Report

U.S. Department of Labor

Office of Inspector General



For Official Use Only (When filled in)

1. Date of report

2. Agency designation code (Yr.) (Agency) (Report No.)

3. File Number (For IG use)

4. Type of report

Initial Supplemental Final Other (Specify)

5. Type of incident

Conduct violation Criminal violation Program violation

6. Allegation against

DOL Employee Contractor Grantee Other (Specify)

Given name and position of employee(s), contractor(s), grantee, etc. List telephone number, OWCP or other Claim File Number, if applicable, and other identifying data:

7. Location of incident (Give complete name(s) and addresses of organization(s) involved)

8. Date and time of incident/discovery

9. Source of complaint

Public Contractor Grantee Program Participant Audit

Investigative Law Enforcement Agency (Specify)

Other (Specify)

Give name and telephone number so additional information can be obtained.

10. Contacts with law enforcement agencies (Specify name(s) and agency contacted and results)

11. Expected concern to DOL

Local Regional National Media interest Executive interest GAO/Congressional interest Other (Specify)

12. DOL Agency involved

SECY ESA ETA ILAB LMSA MSHA OASAM OIG OSHA SOL ASP BLS NCEP WB OIPA Other (Specify)

Amount of grant or contract (If known)

\$

Amount of subgrant of subcontract (If known)

\$

13. Persons who can provide additional information (Include custodian of records)

Name Grade Position or job title Employment

Local Address (Street, City, & State) or organization, if employed and telephone number



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<sup>1</sup>Enter one of these codes:

U - Unemployed

G-Grantee

C-Contractor

D - DOL

F-Other Federal Employee

P - Program Participant or  
claimant

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(Complete page 2 of this form)

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**For Official Use Only** (When filled in)

14. Details of Incident (Describe the Incident)

If more room is needed attach additional sheets.

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15. Typed name and title of DOL employee

16. Signature of DOL employee

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17. Copies furnished to:

18. Attachments: (List)

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**WORKFORCE POLICY BULLETIN #XX-22 (UPDATED)**

**DATE:** July 13, 2022  
**TO:** WDB Staff and Service Providers  
**FROM:** Tamia Brown, Executive Director  
Workforce Development Board of Contra Costa County  
**SUBJECT:** Revised Purchasing & Procurement Policy Guidelines

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**Purpose**

The purpose of this Contra Costa County Workforce Policy Bulletin is to adopt the California Employment Development Department (EDD) Workforce Innovation and Opportunity Act (WIOA) Procurement Policy as indicated in Workforce Service Directive WSD12-10 and extend the requirement to its sub-recipients.

**Background**

The WIOA regulations at 20 CFR 652 provide guidance for the administration of the WIOA program. The guidance includes specific direction and referral to 29 CFR 95 for institutions of higher education, hospitals and other nonprofit and commercial organizations, and to 29 CFR 97 for states and local governments. While the format and wording of Part 95 and Part 97 vary slightly, **the intent of the federal government is consistent: procurement policies must ensure free and open competition and must secure the best possible price.**

**Policy**

The Workforce Development Board (WDB) follows the *Manual of Fiscal Policies and Procedures* issued by the Contra Costa County Employment & Human Services Department (EHSD) unless they are in direct conflict with the WIOA and/or Title V rules. The more stringent of the two policies are then followed.

This policy provides guidance and oversight in the procurement of goods and services by entities receiving WIOA funds, including the Workforce Development Board of Contra Costa County (WDB) and its sub-recipients. These entities include, but are not limited to: One-Stop Operators, adult service providers, youth service providers, other contractors and lower tier sub-recipients.

**Citations & References**

- Title 20 Code of Federal Regulations (CFR) 663.410
- Title 20 CFR 667.200
- Title 29 CFR 93
- Title 29 CFR 95.40 through 48
- Title 29 CFR 97.36
- Title 29 CFR 98
- WIOA Section 122

- Title 20 Code of Federal Regulations (CFR) Federal Register, Section 663.500
- State Directive, WSD 16-10, "Property – Purchasing, Inventory, and Disposal"
- [State Directive, WSD 17-08, "Procurement of Equipment and Related Services"](#)
- State Directive, WSD 18-06, "Subrecipient and Contractor Distinctions"
- [State Directive, WSDD-225, "Consultant Services and Pay"](#)
- State Directive, WSD 21-03, "ETPL Policies and Procedures"
- Uniform Guidance Sections 200.318 through 200.326
- Title 5 CFR Section 304.104

### **Role of WDB Administration**

The administration office of the WDB, along with EHSD as the Fiscal Agent, will provide oversight and site monitoring in congruence with this document to ensure that all service providers and contractors adhere to the standards contained herein in the appropriate utilization of WIOA funds.

### **Definitions**

Procurement: For purposes of this policy, the term "procurement" includes ANY acquisition action, which obligates WIOA funds for the purchase of equipment, materials, supplies, and/or programmatic or administrative services beginning with the process for determining the need and ending with contract completion and closeout.

Request for Proposal (RFP): A document which invites offers from service providers for the delivery of a specific type of service. It includes a description of the service(s) desired which enable a potential contractor to submit a proposal. The RFP will include information necessary for an objective evaluation and comparison to similar proposals. The RFP is the specific term applied to a solicitation where negotiation is used.

This method is the most commonly used form of solicitation when:

1. The nature of the service needed precludes developing a specification or purchase description so precise that all proposers would have an identical understanding or approach to the requirements; and
2. Cost is not the only factor considered in making an award.

Responsible Entity: is one that has been determined to: (1) have adequate financial resources to perform the contract or the ability to obtain such resources; (2) be able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and business commitments; (3) have a *satisfactory* performance record; (4) have a satisfactory record of integrity and business ethics; (5) have the needed organization, experience, accounting, operational control and technical skills or ability to obtain them; (6) have adequate production, construction or technical equipment and needed facilities or the ability to obtain them; and (7) be both qualified and eligible to receive the award under applicable law and regulation.

Responsive Proposal: is the term used for a proposal or bid that meets all requirements of the solicitation adequately; and the *submitted* document does not constitute a substitute or counter offer. When a bidder substitutes a "like item," the submittal is considered non-responsive when the like item fails to meet published specifications. The same principle holds when the proposal is a substitute or counter offer.

Sole Source (Non-competitive Proposals): may be used only under certain limited circumstances – e.g., the item is available from only one source or competition is determined inadequate (usually occurs after a competitive process has been used and there are insufficient bidders – fewer than three). A cost analysis is required for all non-competitive procurements. The reason for selecting this method along with the justification for the provider selection must be carefully documented and maintained.

Solicitation: means an Invitation for Bid, Request for Proposal, or any other document, such as a Request for Quotation, issued by a purchasing *agency* for soliciting offers to fulfill a contract.

### **General Policies**

All procurement will be conducted in a manner that ensures that the most effective service provider is selected. Procurements will be conducted in a fair and impartial manner and in accordance with all applicable federal and state laws. Generally, all procurement activities will be conducted in a confidential manner. All proposals will be due in a timely manner as published, and must be free of any conflict of interest.

### **Exclusions**

The following exclusions will apply to this policy:

- **On-the-Job Training (OJT)**: The competitive provisions of this policy will not apply to OJT employers, except in the procurement of OJT brokering services.
- **Individual Training Accounts (ITA)**: The delivery of classroom training from vendors through an ITA as described in 20 CFR 663.410 is excluded if the cost falls within the guidelines of the small purchase procedures.

### **General Requirements**

At a minimum, procurement will:

- A. Be conducted in a manner that provides full and open competition regardless of method or dollar amount. Where appropriate, cost analysis will be made of lease versus rental or purchase alternatives, and any other appropriate analysis to determine which approach would be the most economical;
- B. Minimize the use of sole source procurement;
- C. Clearly set forth the requirements that bidders or offerors must meet and the factors to be used in evaluating bids or proposals;
- D. Include a clear and accurate written description of the technical requirements for the material, product, or service to be procured, including the method of procurement, selection and basis for the type of contract, criteria for contractor selection or rejection, contractor selection and basis for payment. Competitive procurement will not contain features that unduly restrict or eliminate completion.
- E. Contracts will be awarded to responsible bidders who possess the potential ability to perform successfully under the terms and conditions of the procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. The contract award will also include the following provisions:
  3. Clearly specify deliverables and basis for payment;

4. Compliance with all applicable regulations;
  5. Assurance of non-discrimination and equal opportunity as found in 29 CFR 34.20 is required;
  6. Certifications, where applicable, regarding debarment, suspension, lobbying and drug- free workplace;
  7. The opportunity to protest the award
- F. Procurement transactions with any other governmental organization will be conducted on a cost reimbursement basis.
- G. To the extent possible, small firms, minority firms, and women-owned businesses will be included in bidder's lists, and will be targeted for mailings and advertised procurement. These firms will be provided the maximum opportunity to compete in all procurement of goods and services.
- H. WIOA funds will not be used to duplicate facilities or services available in the area (with or without reimbursement) from Federal, State or local sources, unless it is demonstrated that additional capacity is needed or that alternative services or facilities would be more effective or more likely to achieve performance goals and mission.
- I. Procurement activities and record-keeping will be subject to State and Federal audits and monitoring. Special audit requirements specify that internal procurement policies and procedures are in place and must be produced when necessary.

#### **Methods of Procurement**

For the purpose of this policy, procurement will be made by the following methods:

- Small Purchases
- Competitive Sealed Bids
- Competitive Negotiation
- Non-Competitive Negotiation (Sole Source)

#### **Contract Pricing**

The cost-plus method of contracting will not be used.

Price Analysis: A price analysis will be used in all instances to determine the reasonableness of a proposed contract price, including contract modifications. A price analysis is the process of examining and evaluating a price without looking at the estimated cost elements and proposed profit. It is used when price reasonableness can be established on the basis of a catalog or market price of a commercial product sold in substantial quantities to the general public or based on prices set by law or regulations.

Cost Analysis: A cost analysis of the proposed contract or contract modification will be performed when: the offeror is deemed a sub-recipient; individual cost elements have been requested; procurement is made by sole source method; or, no catalog or market price is available. A cost analysis is the process that examines element-by-element, costs and related information presented in the cost and pricing data submitted by offerors. The method and degree of cost analysis is dependent on the facts surrounding the procurement.

Costs or prices will be consistent with reasonable and allowable cost principles. The offeror will certify that to the best of its knowledge and belief, the cost data are accurate, complete, and current at the time of agreement on price. Contracts or modifications negotiated in reliance on data provided by the offeror may be adjusted if it is discovered data is not accurate, complete, or current.

Profit: The following factors will be considered in determining whether income or profits are excessive:

- B. Complexity of work to be performed
- C. The risk borne by the contractor;
- D. The contractor's investment;
- E. The amount of subcontracting;
- F. The quality of the contractor's record of past performance;
- G. Industry profit rates in the surrounding geographical area;
- H. Market conditions in the surrounding geographic area.

### **Selection of Training Providers**

With the exception of certain types of customized and on-the-job training, only providers, through their training programs being listed on the State Eligible Training Provider List (ETPL), are eligible to receive WIOA funds for training adults and/or dislocated workers. In order to be listed on the ETPL as a vendor, providers must submit an application to the WDB in any local area in which the provider desires to provide training services and fulfill the requirements outlined in State Directive, WSD 21-03, "ETPL Policies and Procedures." Only one provider application is required; however, a separate application is required for each program of training services offered by the provider.

Once the provider is listed on the ETPL, it is eligible to train individuals enrolled in WDB programs without further selection through the procurement process.

### **Procurement Records**

- A. Procurement records will be retained for three years after final payment on a contract and all other matters are closed or five years, whichever is greater. Records will be maintained sufficient to detail the significant history of procurement. These records will include, but are not necessarily limited to, the following:
  - 1. Rationale for the method of procurement (small purchase, request for proposal, etc.)
  - 2. The selection of agreement type (cost reimbursement or fixed price)
  - 3. Awardees (selection or rejections)
  - 4. Determination whether Lease or Purchase is the most cost efficient, economical and practical procurement option
- B. Records of solicitations shall include:
  - 1. Copy of the solicitation package
  - 2. Copy of the public notification
  - 3. Bidders' List to which notices were mailed
  - 4. List of all organizations/entities that received the RFP
  - 5. Agenda and minutes of a bidders' conference, if held
  - 6. Written responses to all clarifying questions received outside of the bidders' conference
  - 7. Copy of each proposal received
  - 8. Rating and scoring sheets completed in the evaluation process
  - 9. Determination of demonstrated performance
  - 10. Documentation of the rationale for selection and funding any offer or that did not receive the highest score/ranking in the evaluation process
  - 11. Completed Memorandum of Negotiation for each contract
  - 12. Completed cost or price analysis for each selected bidder
  - 13. Copy of any submitted protests and the resolution of each

**Monitoring**

Sub-recipients are monitored a minimum of twice annually. One of the monitoring events is for fiscal compliance. Sub-recipients are identified as contracted agencies that have one or more of the following services:

Subsequent to determining eligibility of applicants,

1. Enrolls participants in the WIOA/Title V program(s)
2. Has performance measured against meeting the objectives of the WIOA/Title V program(s)
3. Is responsible for programmatic decision making
4. Is responsible for compliance with program requirements and needs to use the WIOA/Title V regulations to run its program(s).

Vendors and/or contractors that do not fit all of the above requirements for sub-recipient status are not monitored. "Quasi-subs" may be monitored as deemed necessary by the WDB Executive Director.

**Policy Action**

It is the policy of the Workforce Development Board that all One-Stop Operators, career services providers and their sub-recipients shall strictly adhere to this policy. Please distribute this directive to appropriate procurement staff within your organization. This policy will remain in effect from the date of issue until such time that a revision is required.

For further information and inquiries, please contact: Debbie Rodrigues, Admin Services Assistant III/EHSD Fiscal at [drodrigues@ehsd.cccounty.us](mailto:d Rodrigues@ehsd.cccounty.us) or (925) 608-4839.

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**DATE:** July 13, 2022  
**TO:** Executive Committee  
**FROM:** Tamia Brown, Executive Director  
**RE:** **Contra Costa County Youth Center Development (MEASURE X)**

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## **BACKGROUND**

Youth centers play a critical role in the lives of young people. Today, many people seek out youth centers to help the development of their children. There are many studies that show positive outcomes of being involved in youth programs. Youth centers vary in their activities across the globe and have diverse histories based on shifting cultural, political, and social contexts and relative levels of state funding or voluntary action. Many youth clubs are set up to provide young people with activities designed to keep them off the streets and out of trouble and to give them a job and an interest in activity. Some youth clubs can have a particular compelling force, such as music, spiritual/religious guidance an advice or characteristics such as determination.

Youth clubs are there to help youth people understand the world around them. They are there to advise youth people with their future, to talk about the past, and even help them with the present. Many clubs hold different sessions to educate youth people about different topics regarding their health worries. Youth clubs normally have a leader youth worker who organizes trips or workshops for the young people to participate in. They can also hold charity events and even volunteer to do many different things. Youth clubs will sometimes help young people to gain qualifications for their life ahead.

The County does not currently operate youth centers. The RYSE Center in west county was used as a basic model for providing a center in East and Central County. According to the financial statements for the RYSE Center, it costs approximately \$3.47 million per year to operate a center (attached, page 4 of Audit for Year Ended June 30, 2020) . Of the amount \$2.52 million is for programming, \$742,000 for general costs and administration, and \$205,000 for fundraising. The center is supported by \$1.79 million in grants and contributions, \$1.78 million in government contracts, and \$90,000 in program service fees. Using the RYSE Center's financials as an estimate, it would cost approximately \$3.5 million per year for each added center. It should be noted that the RYSE Center is established program and similar programs would require time to develop significant fund raising.

Approximately \$5 million is estimated for each center for infrastructure and an annual budget of approximately \$3.5 million, which will be supported at approximately 50% by donations, grants, etc.

### **Board of Supervisor's Approved Recommendations:**

Centers for East and Central County are recommended for funding. Given its focus on children and family services. Employment and Human Services Department (EHSD) would be the host agency to contract for the development and operations of youth centers. A significant amount of planning and



logistics will be required to develop these centers.

The County Administrator's recommendation includes \$5,000,000 for each of the two centers for infrastructure (10 million total one-time), \$1,750,000 for start-up costs through June 30, 2023 and on-going annual appropriations of \$3,500,000 (\$1,750 million each) for operations.

**FISCAL IMPACT**

The Youth Center Project is fully funded through Measure X funding with administrative cost. There is no fiscal impact to WIOA.

For any questions, please contact Tamia Brown, Executive Director at 925-671-4514 or email at [tbrown1@ehsd.cccounty.us](mailto:tbrown1@ehsd.cccounty.us)