



**WORKFORCE INNOVATION AND OPPORTUNITY ACT PROGRAM (WIOA)
POLICY NO. 4.1**

EFFECTIVE DATE: March 31, 2026

SUBJECT: MANAGEMENT OF SERVICE PROVIDER CONTRACTS

I. Purpose

The purpose of this policy is to establish a clear framework for the management and oversight of service provider contracts funded in whole or in part with Workforce Innovation and Opportunity Act (WIOA) funds. This policy is intended to ensure effective programmatic, fiscal, and performance oversight; promote accountability; mitigate risk; and support compliance with applicable federal, state, and local requirements. This policy also provides guidance for risk-based monitoring, corrective action, and continuous improvement of contracted services.

II. Authority

This policy is implemented in accordance with applicable federal and state laws and regulations, including but not limited to:

- a) WIOA §107(d)(10) – Oversight of workforce development activities
- b) 20 CFR §§679.410–679.430 – Local board responsibilities and oversight
- c) 2 CFR §§200.302 and 200.303 – Financial management systems and internal controls
- d) 2 CFR §200.318 – Oversight of contracts and subawards
- e) New Mexico Administrative Code (NMAC) 11.3.3 (Workforce Development Act, as amended)
- f) Applicable state procurement and workforce guidance

III. Solicitation of Service Providers

The NALWDB shall procure service providers through a competitive solicitation process, including Requests for Proposals (RFPs), in accordance with WIOA, applicable procurement requirements, and NALWDB policies.

RFPs shall:

- a) Clearly define the scope of services, performance expectations, and funding parameters
- b) Identify evaluation criteria and scoring methodology
- c) Require disclosure of conflicts of interest
- d) Include applicable contract terms and compliance requirements
- e) The NALWDB reserves the right to reject any or all proposals and to negotiate final terms consistent with procurement requirements and program needs.



IV. Proposal Review and Selection

Proposals received in response to an RFP shall be reviewed and evaluated based on the criteria established in the solicitation. Evaluation may include review of:

- a) Programmatic approach and service delivery capacity
- b) Past performance and experience
- c) Fiscal and administrative capacity
- d) Alignment with WIOA requirements and NALWDB priorities
- e) The NALWDB may consider risk factors identified during proposal review when determining contract awards, contract terms, or monitoring requirements.

V. Contract Negotiation and Execution

Following proposal selection, the NALWDB, or its designee, shall negotiate contracts with selected service providers. Contract negotiations may address:

- a) Final scope of work
- b) Performance measures and deliverables
- c) Budget and cost allocation
- d) Reporting and documentation requirements
- e) Monitoring and oversight provisions
- f) Contracts shall be executed prior to the expenditure of funds and shall include provisions for compliance, monitoring, corrective action, and termination.

VI. Contract Management and Oversight

The NALWDB shall provide ongoing oversight of service provider contracts to ensure compliance with contract terms, applicable laws and regulations, and performance expectations.

Oversight activities may include:

- a) Review of programmatic and fiscal reports
- b) Monitoring activities conducted in accordance with the Monitoring Policy
- c) Review of performance data and outcomes
- d) Oversight shall be commensurate with the level of risk associated with the contract.

Quarterly contract activity reports, including deliverables and participant activity, shall be reviewed as part of the Board's ongoing oversight and may be used to inform risk assessments, monitoring activities, technical assistance, performance evaluation, and corrective action, as appropriate.

VII. Risk Assessment

The NALWDB shall conduct risk assessments of service provider contracts to inform monitoring and oversight activities. Risk assessments may be conducted prior to contract execution and periodically during the contract term.



Risk factors may include prior monitoring findings, fiscal capacity, performance outcomes, staff turnover, and complexity of services.

I. Corrective Action and Contract Enforcement

When deficiencies are identified through monitoring or oversight, the NALWDB shall require corrective action. Service providers shall submit corrective action plans within established timeframes and provide documentation demonstrating resolution.


Failure to implement corrective action may result in additional enforcement actions consistent with contract terms, including contract modification, withholding of funds, or termination.

I. Records and Electronic Systems


Service providers shall maintain records related to RFP responses, contract performance, and compliance in accordance with NALWDB policy. Monitoring and oversight documentation shall be maintained in approved electronic systems consistent with the NALWDB's Electronic File Policy.

This policy rescinds any previous NALWDB policy regarding subject.

INQUIRIES; Contact WIOA Program Manager at (505) 986-0363.



NALWDB CHAIR



DATE 3.31.26