

## Northern Area Local Workforce Development Board

### ADMINISTRATIVE OFFICE

525 Camino De Los Marquez, Suite 250 (Physical)  
1000 Cordova Place, PMB 810  
Santa Fe, NM 87505  
(505) 986-0363  
www.northernboard.org



1. Page 4 identifies the funds available for the fiscal services as \$450,000 for the period July 1, 2020 to June 30, 2021. This amount is four times the annual amount from previous years. Is the \$450,000 truly for one year? Does the amount include gross receipts tax?

Should have been

Year 1—\$ 150,000

Year 2—\$ 150,000

Year 3—\$ 150,000

2. Section II - Role of the Fiscal Agent, page 7, indicates that "at the direction of the NALWDB, the Fiscal Agent may have the following additional functions" and it lists items 1 through 6. Should the cost proposal provide a separate cost item for these services in the event the NALWDB directs the Fiscal Agent to provide these additional services?

Additionally, at the direction of the NALWDB, the Fiscal Agent may have the following additional functions:

- 1. Procure contracts or obtain written agreements;**
- 2. Conduct financial monitoring of service providers or program monitoring;**
- 3. Ensure independent audit of all employment and training programs;**
- 4. Inventory control and storage; records storage;**
- 5. Provides staff support for the conducting of hearings or public forums to obtain input concerning community needs and proposed solutions; and**
- 6. Provides clerical and other support to the NALWDB.**

The items 1-6 that you refer to shall be considered elective services and if we arrive at this situation these services will be negotiated, but the RFP requires respondent to reply with a proposed hourly rate. We can elect to purchase these services based on that rate to which you have quoted the NALWDB.

3. Section II - Role of the Fiscal Agent, page 9, paragraph 5 indicates that "The fiscal agent will be responsible for any theft or

misappropriation of funds and is required to carry, at its own cost, liability and fidelity bonds that meet NALWDB funding levels/requirements. The fiscal agent shall reimburse the NALWDB and/or the Commonwealth for any funds paid to a contractor and subsequently disallowed, to the extent that such disallowed funds are recovered from the contractor". This seems to contradict WIOA and Section II page 7, second paragraph which reads in part "The fiscal agent does not make decisions about who receives the money or who approves budgets. The fiscal agent manages accounts payable, receivables, reporting and performs fiscal monitoring annually of each NALWDB contractor. The fiscal agent disburses the funds at the direction of the NALWDB and its Executive Director, as long as those directives do not violate any provision of WIOA, OMB Circulars, 2 CFR Part 200, generally accepted accounting practices, or state law or policies". Per WIOA, the Chief Elected Officials (CEOs) are ultimately responsible for any disallowed costs.

The fiscal agent duties DO NOT include approval of expenditures as this would contradict the "segregation of duties" accounting practice and internal control of separating the functions of approving, recording and payment of expenditures. Can you clarify this contradiction?

This would only apply in the event that a Fiscal Agent would step outside of their role. Their mis-use or conduct would be at their own expense.

4. Section II - Role of the Fiscal Agent, page 9, paragraph 6 reads in part "serve as civil rights compliance and grievance officer for the WIOA services and One-Stop Operator; ...direct service providers and the One-Stop system; provide a facility, office and technology resources/support to staff and the LWDB; manage and coordinate agreements for outside office space; and technology agreements for access to email, internet, and website resources, also provide necessary and appropriate office equipment, technology equipment and supplies, office furnishings; and provide audit activities". It appears that most all of these functions fall under the One-Stop Operator or Operations Manager of the LWDB. Can you clarify that all of these functions are expected of the fiscal agent?

This section does in-deed have information that does not apply to our situation and will be noted as such. This can be reiterated in the contract phase with the winning bidder. Therefore, to all bidders, please disregard this statement highlighted. Please also replace the word "commonwealth" with "state" throughout the doc.

5. Section V - Proposal Content, Paragraph D Cost, Budget- The section requires a detailed line item budget for the scope of services. As indicated on page 12 of the RFP, this is considered a professional services procurement. Standard practice for professional services procurements is for the respondent to provide a comprehensive hourly rate that encompasses all expected costs of the respondent including an element for profit. Page 18, paragraph 5-Budget Information, further states "This is a cost reimbursement contract". Again, this seems to go against standard professional services procurement elements.

Professional services of any kind contain an obvious profit motive and the requirements stated in the section listed above imposes a limitation on this. The question here is whether a respondent that provides an hourly rate and a total aggregate cost for the scope of work indicated in the RFP will be considered unresponsive and or grounds for rejection of the RFP in whole or in part? The NALWDB has historically accepted a comprehensive hourly rate and aggregate amount for fiscal agent services.

No they will not be considered un responsive – a comprehensive hourly rate and aggregate amount for fiscal agent will be accepted.