WIB
Workforce Investment Board
OF TULARE COUNTY
Driving Economic Success

WORKFORCE INVESTMENT BOARD MEETING AGENDA

Wednesday, September 16, 2026; 7:30 a.m. – 8:30 a.m.

Workforce Investment Board of Tulare County
309 W. Main Street, Suite 130, Visalia, CA

REMOTE ACCESS: To participate remotely, please join the meeting via Zoom Webinar: Join the WIB Webinar

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1. **CALL MEETING TO ORDER**

2. **PUBLIC COMMENTS: Three minutes per speaker; fifteen minutes total for general public comment.** Any member of the public wishing to address the Workforce Investment Board of Tulare County on a matter within its jurisdiction may do so during the general public comment period. The Board may not discuss or take action on items not listed on the Agenda. For items listed on the Agenda, public comment will be taken when the item is considered. Speakers are asked to state their name for the record. The Chair may limit the total time for public comment as needed.

3. **SUCCESS STORY:** Career Services Success Story - Frank Eckert

4. **CONSENT ITEMS:** Items listed under the Consent Calendar are considered routine and will be approved by a single motion. A Board member or member of the public may request that an item be removed for separate discussion and possible action. Items removed from the Consent Calendar will be considered under Regular Items at the direction of the Chair.

   a. Workforce Investment Board Meeting Minutes
   Approve August 12, 2026, Board Meeting Minutes.

   b. Employment Connection Committee Nomination
   Approve the nomination of Inez de Ocio to serve as the Department of Rehabilitation representative on the Employment Connection Committee.

   c. Eligible Training Provider Contract with HealthStaff Training Institute
   Approve an Eligible Training Provider Contract with HealthStaff Training Institute from September 16, 2026, through June 30, 2029.

   d. Transfer of Funds Request to Employment Development Department
   Approve the transfer of $1,000,000 in Dislocated Worker formula funds to Adult formula funds.

e. Workforce Investment Board Procurement Policy Manual
Approve the updated Workforce Investment Board Procurement Policy Manual.

f. Workforce Investment Board Monitoring Procedures Manual
Approve the updated Workforce Investment Board Monitoring Procedures Manual, contingent upon completion of the 30-day comment period without receipt of comments that require substantial changes.

5. REGULAR ITEMS

a. Workforce Investment Board of Tulare County Board of Directors Appointments
Recommend two appointments to the Workforce Investment Board of Tulare County Board of Directors in the noted categories, contingent upon approval by the Tulare County Board of Supervisors.

- Kerissa Chapman, Executive Director, Tulare County Farm Bureau – Business Representative, term expiration date June 30, 2030
- Inez de Ocio, Supervisor I, Department of Rehabilitation – Title I of the Rehabilitation Act Representative, term expiration date June 30, 2028

6. INFORMATION/DISCUSSION ITEMS

a. 2023 Quality Jobs, Equity, Strategy, and Training Disaster Recovery National Dislocated Worker Grant Highlight

b. INNOVATORS by Design Conference 2026

c. Agreements Executed by the WIB Executive Director Between $5,000 and $20,000

d. Workforce Data Newsletter – Volume 12, Issue 7 – July 2026

e. Tulare County Workforce Snapshot and Metropolitan Statistical Area – July 2026

7. WIB COMMITTEE REPORTS

a. Youth Committee

b. Employment Connection Committee

8. GOOD OF THE ORDER/ADJOURN

ACCOMMODATIONS: In compliance with the Americans with Disabilities Act (ADA), if you require special assistance to participate in this meeting, please contact Laura Gonzalez at (559) 713-5200 or laura.gonzalez@tularewib.org during normal business hours. Requests made at least 48 hours in advance will help ensure appropriate accommodations can be arranged.

AGENDA MATERIALS: Agenda packets and supporting documents related to items on this agenda are available at www.tularewib.org and for public inspection at the Workforce Investment Board office, 309 W. Main Street, Suite 120, Visalia, CA, during normal business hours.

WORKFORCE INVESTMENT BOARD

OF TULARE COUNTY

MEETING MINUTES

August 12, 2026

WIB Directors Present: Colby Wells – Chair, Joe Hallmeyer – Vice Chair, Randy Baerg – Treasurer/Secretary, Amy Shuklian, Brandon Lovenburg, Gamaliel Aguilar, Graciela Soto, Jake Piland, Miguel Mora, Rodney Wilson, Thomas Geiger, Yolanda Valdez

WIB Directors Absent: Brent Calvin, Esbeydy Ruvalcaba

1. **Call to Order:** Colby Wells, Chair, called the meeting to order at 7:31 a.m.

2. **Public Comment**: Colby Wells, Chair, called for public comments. A written public comment was submitted by Bill Huott regarding the grand opening of the Neighborhood Community Center, located at 1103 N. Turner Street, Visalia, CA 93291.

3. **Swearing-In of Reappointed Board Members**

4. **Success Story:** Youth Success Story – Jaden Hernandez - Jaden joined the youth@work program while he was in high school. He had very little work experience at the time, and through the program he gained valuable work experience that is paying off today as he is working toward getting his electrician license.

5. **Consent Items:**
   a. Workforce Investment Board Meeting Minutes
      Approve June 10, 2026, Board Meeting Minutes.
   b. Employment Connection Committee Nomination
      Approve the nomination of Mary Alice Escarsega-Fechner to serve as Community Services Employment Training's representative on the Employment Connection Committee.
   c. Workforce Investment Board Directive TUL 26-02, Employment Connection One-Stop System Marketing and Co-Branding Guidelines
      Approve Workforce Investment Board Directive TUL 26-02, Employment Connection One-Stop System Marketing and Co-Branding Guidelines.

d. Workforce Investment Board Directive TUL 26-03, Workforce Innovation and Opportunity Act Program Income
Approve Workforce Investment Board Directive TUL 26-03, Workforce Innovation and Opportunity Act Program Income.

e. Lightcast Developer and eIMPACT Agreements
Approve the following agreements with Lightcast:

i. Approve renewal of the Lightcast Developer subscription for the period of July 1, 2026, through June 30, 2027, in the amount of $20,000.

ii. Approve renewal of the Lightcast eIMPACT subscription for the period of September 1, 2026, through August 31, 2027, in the amount of $9,500.

A motion was made by Joe Hallmeyer and seconded by Graciela Soto to approve the Consent Items. The motion carried by unanimous vote.

6. Regular Items:

a. Fiscal Year 2026-27 Workforce Investment Board Infrastructure Funding Agreement with Employment Connection Partners at the Employment Connection Centers in Visalia and Porterville
Approve the Fiscal Year 2026-27 Workforce Investment Board Infrastructure Funding Agreement with the colocated Employment Connection Partners at the comprehensive Employment Connection Centers in Visalia ($721,056) and Porterville ($347,270).

A motion was made by Gamaliel Aguilar and seconded by Miguel Mora to approve the Fiscal Year 2026-27 Workforce Investment Board Infrastructure Funding Agreement with Employment Connection Partners at the Employment Connection Centers in Visalia and Porterville. The motion carried by unanimous vote.

7. Information/Discussion Items:

a. Subrecipient Panel Discussion
Overview of PY 25-26 challenges, highlights, and implementation of East and West regions and rural and balance of county service locations.

b. Performance Report Cards for Workforce Innovation and Opportunity Act Youth and Career Services

c. Recruitment Assistance Overview

d. Agreements Executed by the WIB Executive Director Between $5,000 and $20,000

e. Sector Partnership Quarterly Updates

f. Tulare County Metropolitan Statistical Area (MSA) – June 2026

8. **WIB Committee Reports:** No committee meetings were held since the last Board meeting.

9. **Good of the Order/Adjourn:** There being no further business, Colby Wells, Chair, adjourned the meeting at 8:34 a.m.

   Minutes submitted for approval by Randy Baerg, Secretary.

______________________________	____________________
Randy Baerg, Secretary	Date Approved

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OF TULARE COUNTY
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INTEROFFICE MEMORANDUM

TO: **David McMunn, Deputy Director of Administration**

FROM: **Edith Hernandez, One-Stop Partnership Coordinator**

DATE: **September 2, 2026**

SUBJECT: **Employment Connection Committee Nomination**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Approve the nomination of Inez de Ocio to serve as the Department of Rehabilitation representative on the Employment Connection Committee.
Summary	In accordance with the Workforce Investment Board of Tulare County (WIB) Bylaws, the Employment Connection Committee (ECC) is established as a standing committee of the Board. The ECC provides guidance and input on operational matters related to the Employment Connection One-Stop System and ensures that system partners have the opportunity to participate in the continuous improvement of services, coordination, and system operations. Committee representatives are appointed from organizations that have executed a Memorandum of Understanding (MOU) with the WIB as Employment Connection partners. Each partner agency may designate one representative to serve on the committee. <u>**Employment Connection Committee Designee**</u> **Department of Rehabilitation** has submitted the following nomination to represent the agency on the Employment Connection Committee: • **Nomination***:* Inez de Ocio, Supervisor I • **Replacing:** Robert Kleyn • **Program Represented:** Title IV – Vocational Rehabilitation Programs
Fiscal Impact	No fiscal impact to the agency.

Alternative(s)	Do not accept the nomination from the Department of Rehabilitation for the Employment Connection Committee and request another designation.
Involvement of Other Stakeholder(s)	Employment Connection One-Stop Partners
Attachment(s)	Employment Connection Committee Designee Nomination

Employment Connection
A proud partner of America's Job Center of California℠ network.

Workforce Investment Board of Tulare County
Employment Connection Committee Designee Nomination

An Employment Connection Committee shall be designated as a standing committee of the Workforce Investment Board of Tulare County (WIB) and will provide information and assist with operational and other issues relating to the Employment Connection Career Center System. The Employment Connection Committee will provide the means by which the local Employment Connection partners will have opportunities for input regarding the operations of the Employment Connection Career Center System.

The Employment Connection Committee representatives shall be from WIB partners which have successfully negotiated a Memorandum of Understanding with the WIB. Each partnering agency shall have no more than one (1) representative on the Employment Connection Committee.

Our agency designates the following representative(s) to be a member of the WIB Employment Connection Committee.

Partner Organization	Department of Rehabilitation (DOR)
Partner Program/Funding (Example: WIOA Title I-B)	Title IV – Vocational Rehabilitation Programs
Name and Title of Designee	Inez de Ocio, Supervisor I
Address	3330 W. Mineral King Ste C
City, State, Zip	Visalia, CA 93291
Telephone Number	(559) 735-3846
E-mail Address	Inez.deocio@dor.ca.gov

Inez De Ocio
Authorized Signature

8/10/26
Date

Inez de Ocio
Print Name

Supervisor I
Title

Department of Rehabilitation
Agency Name

(559) 735-3846
Telephone Number

3330 W. Mineral King, Suite C Visalia, CA 93291
Agency Address

inez.deocio@dor.ca.gov
E-mail Address

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INTEROFFICE MEMORANDUM

TO: **Jennie C. Bautista, Executive Director**

FROM: **Laura Hernandez Rangel, Training Services Analyst**

DATE: **September 16, 2026**

SUBJECT: **Eligible Training Provider Contract with HealthStaff Training Institute**

Item	**Comments**
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Approve an Eligible Training Provider Contract with HealthStaff Training Institute from September 16, 2026, through June 30, 2029.
Summary	The Workforce Innovation and Opportunity Act (WIOA) requires states to establish an Eligible Training Provider List (ETPL). The ETPL allows eligible customers to select approved training programs. The Workforce Investment Board (WIB) enters into contracts with Eligible Training Providers (ETPs) so Subrecipients may provide eligible customers with Individual Training Account (ITA) scholarships. These scholarships pay for required training-related expenses, including tuition, books, uniforms, and supplies, for eligible WIOA youth, adults, dislocated workers, and participants of other applicable special workforce grants. Additionally, the WIB complies with Workforce Services Directive (WSD) 18-10 and local Directive TUL 25-07, WIOA Training Expenditure Requirement, which requires 30 percent of the WIOA formula Adult and Dislocated Worker allocation to be expended on training services. HealthStaff Training Institute does not currently have a contract with the WIB and has requested inclusion on the Local WIB ETPL. To discuss its request and outline the current eligibility process and requirements, a meeting was held with the provider on December 29, 2025. During the meeting the provider confirmed their readiness to establish a partnership and move forward with the contract. HealthStaff Training Institute has been listed on the state's ETPL as an approved training provider since February 20, 2025. In alignment with the Local ETPL Policy, distance learning programs must meet applicable local requirements for inclusion on the Local ETPL. The provider offers three distance learning programs that meet the Local WIB's ETPL

	guidelines: Administrative Medical Assistant (Front Office), Drug and Alcohol Counseling, and Medical Billing and Coding. The training programs are within the WIB's in-demand Healthcare industry sector. The contract outlines the scope and terms of the agreement, including training services, funding allocations, provider responsibilities, and compliance requirements, to provide eligible individuals with training opportunities.
Fiscal Impact	Approval will allow the WIB to expend training allocations in compliance with Workforce Services Directive WSD18-10 and Workforce Investment Board Directive TUL 25-07, Workforce Innovation and Opportunity Act Training Expenditure Requirement, to meet the 30 percent training expenditure requirement.
Alternative(s)	If not approved, customers will need to select other approved training providers or seek alternative funding sources.
Involvement of Other Stakeholder(s)	Community Services Employment Training and Proteus, Inc.
Attachment(s)	No attachments are included with this item at this time.

INTEROFFICE MEMORANDUM

TO: **David McMunn, Deputy Director of Administration**

FROM: **Johanna Washam, Accountant I**

DATE: **September 9, 2026**

SUBJECT: **Transfer of Funds Request to Employment Development Department**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Approve the transfer of $1,000,000 in Dislocated Worker formula funds to Adult formula funds.
Summary	The Program Year (PY) 25-26 award for Adult Round 2 funds is $3,568,647 and Dislocated Worker Round 2 funds is $2,824,057, which represents a current split of 56 percent Adult funds and 44 percent Dislocated Worker funds. The percentage of participants served is approximately 80 percent Adult and 20 percent Dislocated Worker. The Workforce Investment Board (WIB) has historically transferred Adult funds to Dislocated Worker funds for the past several years. As of June 30, 2026, the WIB has zero remaining in Adult formula funds and $1,383,952 remaining in Dislocated Worker formula funds of the PY 25-26 allocations. Per Workforce Innovation and Opportunity Act (WIOA) Section 133(b)(4) and Employment Development Department (EDD) Workforce Services Directive (WSD) 22-9, local boards may transfer up to and including 100 percent of their Adult and Dislocated Worker funds between the two funding streams with the approval of the Board of Directors and final approval from EDD. The amount of this transfer request is for $1,000,000 Dislocated Worker funds to be transferred to Adult funds. If approved, the allocations will be as follows:

	Original Allocation	Allocation after Transfer
Adult	$ 3,568,647	$ 4,568,647
Dislocated Worker	$ 2,824,057	$ 1,824,057

	See attached application for EDD-required forms: Transfer of Funds Request, Transfer of Funds Participant Plan, and Transfer of Funds Budget Plan.
Fiscal Impact	The $1,000,000 formula funds transfer will allow the Adult and Dislocated Worker programs to continue until the PY 26-27 Round 2 allocations are received.
Alternative(s)	Do not approve the request. This would result in the Adult program not being fully funded until the PY 26-27 allocations are received, which has historically occurred in October.
Involvement of Other Stakeholder(s)	None
Attachment(s)	Transfer of Funds Request – Participant Plan, Transfer of Funds Request – Budget Plan1, Transfer of Funds Request – Attachment 1

Transfer of Funds Request
Budget Plan

Local Area TUL **Date Prepared** 9/9/2026

Subgrant Number AA611042
Year of Appropriation 2025

Grant Code	**Adult to DW**	**DW to Adult**
	☐ 201 → 299	☐ 501 → 499
	☐ 202 → 200	☑ 502 → 500

FUNDING IDENTIFICATION	ADULT	DW
1. Formula Allocation	3,568,647	2,824,057
2. Prior Adjustments - Plus or Minus		
3. Previous Amounts Transferred		
4. Current Amount to be Transferred	1,000,000	(1,000,000)
5. TOTAL FUNDS AVAILABLE (Lines 1 through 4)	**4,568,647**	**1,824,057**

TOTAL ALLOCATION COST CATEGORY PLAN		
6. Program Services (Lines 6a through 6c)	**4,340,215**	**1,678,132**
a. Career Services	3,472,172	1,342,506
b. Training Services	868,043	335,626
c. Other		
7. Administration	228,432	145,925
8. TOTAL (Lines 6 plus 7)	**4,568,647**	**1,824,057**

QUARTERLY TOTAL EXPENDITURE PLAN (cumulative)		
9. September 2026	4,518,160	1,621,977
10. December 2026	4,568,160	1,824,057
11. March 2027	4,568,160	1,824,057
12. June 2027	4,568,160	1,824,057
13. September 20__		
14. December 20__		
15. March 20__		
16. June 20__		

COST COMPLIANCE PLAN (maximum 10%)		
17. % for Administration Expenditures (Line 7/Line 5)	**5.00%**	**8.00%**

Debbie Bach, ASO
Contact Person, Title

559-713-5218
Telephone Number

Comments

Transfer of Funds Request
Participant Plan

Local Area: TUL **Prepared Date** 8/17/2026

Enter the number of individuals in each category.

TOTALS FOR PY 20__	ADULT	DW
1. Registered Participants Carried in from PY 20__	418	108
2. New Registered Participants for PY 20__	1,186	283
3. Total Registered Participants for PY 20__ (Line 1 plus 2)	**1,604**	**391**
4. Exiters for PY 20__	759	178
5. Registered Participants Carried Out to PY 20__ (Line 3 minus 4)	**845**	**213**

PROGRAM SERVICES		
6. Career Services		
a. Basic Career Services	1,186	283
b. Individualized Career Services	1,186	283
7. Training Services	209	51

Debbie Bach, ASO 559-713-5218

Contact Person, Title **Telephone Number**

Comments:

*Instructions to complete this form can be found on the second tab.

Transfer of Funds Request

1. Local Area TUL
2. Subgrant Number AA611042
3. Request Date 09/16/2026
4. Program Year 2025
5. Transfer Request No 01
6. Direction of Transfer (Check One):

Adult program to Dislocated Worker program

☐201 → 299

☐202 → 200

Dislocated Worker program to Adult program

☐501 → 499

☒502 → 500

7. Amount of Transfer $1,000,000
8. Contact Person Debbie Bach
9. Contact Person's Telephone Number 559-713-5218
10. All transfer requests must be approved and signed off by the Local Board.

    Date of Local Board meeting to discuss transfer 09/16/2026

    Date of Local Board meeting to approve transfer 09/16/2026

11. By signing below, the Local Area Administrator/Designee requests a transfer of funds and certifies that this transfer request was approved at the Local Board meeting on the date indicated above.

    Signature

    Name Jennie C. Bautista

    Title Executive Director

    Date 09/16/2026

12. Taking into account the factors described under the Transfer of Funds Procedures section on page 4 of the Directive, describe the Local Board's reasoning to request a transfer of funds.

INTEROFFICE MEMORANDUM

TO: **David McMunn, Deputy Director of Administration**

FROM: **Anabel Rodriguez, Compliance & Information Systems Coordinator**

DATE: **September 1, 2026**

SUBJECT: **Workforce Investment Board Procurement Policy Manual**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Approve the updated Workforce Investment Board Procurement Policy Manual.
Summary	The Procurement Policy Manual was last updated in 2019. Since that time, federal and state procurement requirements have changed, requiring a review and update of the manual to reflect current requirements. The revised Procurement Policy Manual incorporates the updated federal dollar thresholds identified in the Employment Development Department Workforce Services Information Notice WSIN25-17, Federal Adjustment of Dollar Amounts and Rates, as well as additional state procurement requirements. The revisions also update the procedures and guidance that staff use when conducting procurement activities. The revised Procurement Policy Manual was released for a 30-day public comment period, which concluded on August 29, 2026. No comments were received during the comment period.
Fiscal Impact	No fiscal impact to the agency.
Alternative(s)	No alternatives available.
Involvement of Other Stakeholder(s)	None
Attachment(s)	Workforce Investment Board Procurement Policy Manual

WORKFORCE INVESTMENT BOARD
OF TULARE COUNTY
PROCUREMENT POLICY MANUAL

Revised July 2026

309 W. Main Street, Suite 120, Visalia, CA 93291

TABLE OF CONTENTS

INTRODUCTION

The purpose of these procurement requirements is to ensure that goods and services funded under the Workforce Innovation and Opportunity Act (WIOA) are obtained in an effective and compliant manner, consistent with applicable federal statutes, executive orders, and implementing regulations.

WIOA and its implementing regulations establish procurement standards designed to ensure that the best overall value is obtained for each WIOA dollar expended. While cost is an important consideration, the regulations do not require selection based solely on the lowest price. Rather, procurement processes must support free and open competition and provide a level playing field for all qualified competitors, bidders, and proposers.

This manual establishes the procurement policy applicable to the Workforce Investment Board of Tulare County (WIB) and its subrecipients for the acquisition of goods and services under WIOA. Covered procurements include supplies, equipment, administrative services, and programmatic services obtained through contracts or other procurement mechanisms. Additional procurement-specific requirements and evaluation criteria will be provided through individual solicitations or Requests for Proposals (RFPs) issued by the WIB.

Program administration under WIOA is governed by regulations codified in 20 CFR Part 683. Procurement-related requirements include direction and referral to applicable guidance in 29 CFR Part 2900, including Department of Labor (DOL) regulations, which address exceptions. Collectively, these regulations reflect consistent federal intent that procurement policies must ensure free and open competition and secure the best possible price.

This manual is not intended to function as a stand-alone document. Procurement requirements both affect and are affected by other areas of WIOA administration, including fiscal oversight, property management, contract administration, and program monitoring. This document supplements the legal authorities cited in the References section and is intended to be applied in coordination with all applicable governing requirements.

References

This manual references and makes every attempt to be consistent with Federal, State, and local rules, regulations, and policies, including but not limited to:

- Workforce Innovation and Opportunity Act (WIOA) Public Law 113-128, as amended
- Title 2 Code of Federal Regulations (CFR) Part 200 (Uniform Guidance), as amended
- Title 2 CFR Part 2900 (Department of Labor Exceptions)
- Title 20 CFR Parts 675–688 (WIOA Regulations)
- Title 34 CFR (WIOA Joint Provisions)
- California State Contracting Manual (SCM), Department of General Services, Volume 1,

Chapter 5

- Workforce Services Directive (WSD) 16-10, Property – Purchasing, Inventory, and Disposal
- WSD 22-13 Selection of AJCC Operators and Career Service Providers
- WSD 17-08 Procurement of Equipment and Related Services
- WSD 16-16 Allowable Costs and Prior Written Approval
- WSD 16-14 Selection of AJCC Operators and Career Service Providers
- WSD 16-05 WIOA Closeout Requirements
- WSIN25-17 Federal Adjustment of Dollar Amounts and Rates
- Workforce Investment Board of Tulare County adopted policies and procedures, as amended

PART I
General Procurement Requirements

All procurement activities conducted by the WIB and its subrecipients shall comply with the following requirements:

1. **Competition**
   Procurements shall be conducted in a manner that provides full and open competition and shall utilize procurement methods authorized under applicable federal regulations.

2. **Noncompetitive Procurement**
   Noncompetitive (sole source) procurement shall be used only under the circumstances authorized by 2 CFR § 200.320 and shall be supported by a written justification documenting the basis for the noncompetitive procurement, appropriate approvals, and compliance with all applicable federal requirements.

3. **Cost and Price Analysis**
   A cost or price analysis, as applicable, shall be performed for all procurement actions, including contract modifications, to determine the reasonableness of proposed costs or prices.

4. **Profit and Program Income Limitations**
   Procurements shall not result in excess program income for nonprofit or governmental entities or excess profit for for-profit entities. In determining the allowability and reasonableness of profit, consideration shall be given to factors including, but not limited to:

   - The complexity of the work to be performed;
   - The level of risk assumed by the contractor; and
   - Prevailing market conditions within the applicable geographic area.

5. **Deliverables and Basis for Payment**
   Procurement documents and contracts shall clearly define required deliverables, performance expectations, and the basis for payment.

6. **Intergovernmental Agreements**
   Procurement transactions between the WIB and units of state or local government shall be conducted on a cost-reimbursement basis.

Applicability and Core Procurement Standards

This procurement manual establishes the procurement standards and procedures that the WIB and its subrecipients must follow when acquiring goods and services funded with WIOA funds.

Procurement activities conducted by the WIB and its subrecipients shall comply with applicable federal regulations, including 2 CFR 200 Uniform Guidance, WIOA requirements, and applicable state and local policies.

Contractors that provide goods or services to the WIB or its subrecipients are not subject to these procurement procedures; however, they must comply with all applicable contract terms, required federal provisions, and conditions set forth in the executed agreement.

1. **Competition and Procurement Integrity**
   Procurements shall be conducted using methods that provide full and open competition. Individuals who develop specifications, prepare or evaluate specifications, make award recommendations, or otherwise participate in a procurement process shall not compete for or benefit from that procurement. This restriction applies to all procurement methods and contract types.

2. **Evaluation Factors**
   Procurement decisions shall consider both price and the demonstrated ability of the proposer or contractor to meet all required specifications and performance requirements.

3. **Avoidance of Unnecessary or Duplicative Purchases**
   Procurements shall avoid unnecessary or duplicative acquisitions of goods or services. Existing inventory and surplus property shall be reviewed and utilized, when feasible, prior to initiating a new purchase.

4. **Affirmative Steps to Ensure Participation**
   The WIB and its subrecipients and or contractors shall take affirmative steps to utilize minority-owned businesses, women's business enterprises, and labor surplus area firms in accordance with 2 CFR § 200.321 when feasible.

Responsibility

The WIB may elect to utilize supplies, equipment, and services procured through the County of Tulare Purchasing Department, or it may procure such items independently in accordance with the WIB's procurement policy. While the WIB maintains its own procurement policy under the WIB/Local Elected Official Administrative Services Agreement, the policy aligns with the County's purchasing standards and applicable federal, state, and local requirements.

The WIB’s procurement responsibilities include, but are not limited to, the following:

- **Approval of Property Purchases**
  Review and approval of property purchases by WIB subrecipients prior to acquisition when required by the monetary thresholds established in the applicable subrecipient agreement and the WIB Contract Management Guide.

- **Purchasing Training and Program Services**
  Procurement of training and related services from subrecipients and eligible training providers in accordance with WIOA requirements.

- **Contract Approval and Execution**
  Approval of contracts for services and training. The Workforce Investment Board of Directors (referred to as the "Board") has delegated authority to the WIB Executive Director to execute contracts on behalf of the WIB in accordance with WIB-approved limitations.

- **Contract Amendments**
  Approval of contract amendments. The WIB Executive Director is authorized to execute amendments on behalf of the WIB, consistent with delegated authority.

- **Delegated Signature Authority**
  The WIB has, by formal resolution, delegated authority to the Executive Director to execute contracts and contract amendments on behalf of the WIB without their prior approval when the total contract amount does not exceed the pre-approved WIB limit, unless otherwise restricted by law or WIB policy.

  All contracts or contract amendments exceeding the pre-approved Board limit do not carry automatic Executive Director signing authority and shall be submitted to the WIB for review and approval prior to execution, unless otherwise expressly authorized by the WIB.

- **Technical Assistance**
  Provision of technical assistance to subrecipients related to procurement requirements and compliance. Technical assistance may include guidance on procurement planning, appropriate procurement methods, development of solicitations, cost and price analysis, documentation requirements, and applicable federal, state, and local procurement regulations. The WIB may also provide clarification of procurement policies and assistance in addressing procurement-related findings or corrective actions identified through monitoring or oversight activities. Provision of technical assistance does not relieve subrecipients of their responsibility to conduct procurements in accordance with applicable laws, regulations, and established procurement policies.

- **Procurement Confidentiality**
  Procurement activities shall be conducted in a confidential and ethical manner. WIB staff and WIB Directors involved in procurement must not disclose advance purchasing information, proposal or evaluation criteria, negotiations with bidders, or internal deliberations related to a procurement.

Full and Open Competition

All procurement transactions conducted by the WIB, its subrecipients, and contractors shall be conducted in a manner that provides full and open competition in accordance with applicable federal requirements, including Title 2 CFR Part 200 (Uniform Guidance) and Title 2 CFR Part 2900 (DOL Exceptions).

Procurement methods shall be structured to ensure that all qualified bidders, proposers, or offerors are offered an equal opportunity to compete for an award. Procurement requirements, specifications, and evaluation criteria shall be directly related to goods or services being procured and shall not unnecessarily restrict competition.

Practices Restrictive of Competition

The following practices are considered restrictive of competition and are prohibited unless otherwise justified and permitted under applicable federal regulations. This list is not exhaustive:

1. Placing unreasonable requirements on firms or organizations in order for them to qualify to do business;
2. Requiring unnecessary experience and excessive bonding;
3. Non-competitive contracts to consultants that are on retainer contracts;
4. Non-competitive pricing practices between firms or between affiliated companies;
5. Organizational conflicts of interest;
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered, and describing the performance of other relevant requirements of the procurement and
7. Any arbitrary action in the procurement.

Competitive Solicitations and Failed Competition

Competitive procurement methods, including Requests for Proposals (RFPs), Requests for Quotes (RFQs), and Requests for Qualifications (RFQuals), shall be conducted in a manner that promotes meaningful competition.

For purposes of procurement conducted, a competition may be deemed unsuccessful when fewer than two responsive submissions are received for the same scope of work or service. The WIB's definition of a failed competition, along with their rights and options in the event of such failure, will be included in the RFP.

Procurement Documentation

For all procurement actions, including RFPs, RFQs, and/or RFQuals, the WIB and its subrecipients shall maintain documentation sufficient to detail the significant history of the procurement. Procurement records shall include the following, as applicable:

Table 1. Procurement Record Contents	
Document Type	**Description**
Procurement Method and Contract Type	Documentation supporting the selection of the procurement method and contract type.
Solicitation and Public Notice	Copies of solicitation documents, public notices, and contractor, vendor or bidders notification lists.
Pre-Award Communications	Agendas and minutes from bidders' conferences, if conducted, and written responses to all clarifying questions.
Proposals, Statements of Qualifications, and Evaluations	Copies of all proposals, quotations, or statements of qualifications received; evaluation criteria; scoring documentation; and the rationale for selection or rejection of offerors.
Award Determination	Documentation of the selected contractor's demonstrated capability and, when applicable, justification for award to an offeror that did not receive the highest score or ranking.
Negotiations	Memoranda of negotiations, as applicable.
Protests and Grievances	Copies of any protests or grievances received and documentation of their resolution.
Cost or Price Analysis	Documentation supporting the reasonableness of costs or prices.

Procurement records shall be retained and made available for monitoring, audit, and review in accordance with applicable record retention requirements. Refer to attachment A.

Contract Certifications

Debarment and Suspension

The WIB, its contractors, and its subrecipients shall not make any awards at any tier to any entity or individual that is debarred, suspended or is otherwise excluded from participating in Federal assistance programs.

All entities receiving WIOA funds shall comply with debarment requirements in accordance with

2 CFR Part 200, including certification requirements applicable to federal financial assistance. The WIB shall ensure appropriate verification of eligibility prior to award, in accordance with applicable federal requirements.

Lobbying Certification

The WIB shall require all contractors and subrecipients receiving WIOA funds at or above applicable federal thresholds to certify that no federal funds have been or will be used for lobbying activities. Lobbying certifications shall be obtained and maintained in accordance with 2 CFR Part 200 and applicable federal law.

PART II
PLANNING

A description of how employment and training needs will be met in Tulare County is included in the content of the Strategic Four-Year Local Plan. The content and time frames outlined in the Plan dictate procurement for programmatic services and identify funds available for employment and training needs. The WIB strives to provide the maximum level of services directly to the client population. The planning process will include:

1. Identification of training or services that are consistent with the Local Plan, designed to meet the needs of participants.
2. Review of labor market information for demand occupations.
3. Review of demographic information with emphasis on non-traditional employment for women.
4. Targeting hard-to-serve youth and adults.
5. Reviewing the Plan with a focus on performance, i.e. placement, wage rates, retention, skill attainment, and training needs.
6. Identification of other procurement needs, i.e. consultants, equipment, furniture, space, etc., that may be required for program operation.

The WIB shall conduct procurements at intervals of not less than once every four years.

Contract Type Selection

Selection of the contract type will be based on a combination of factors, including experience, size, and the complexity of the procurement and service delivery as described in the Statement of Work. Further, when selecting the contract type, the following will be considered:

1. **Price Competition**
   Effective price competition will provide a basis for pricing fixed price contracts.

2. **Price Analysis**
   The degree to which price analysis, with or without competition, provides a reasonable pricing standard for fixed price contracts.

3. **Cost Analysis**
   The cost estimate made by subrecipients will be considered, particularly in the absence of effective competition. The type of organization, i.e., CBO, Private for Profit, or Public Agency, is a factor in cost reimbursement contracts.

4. **Risk Assessment**
   An analysis of the risk level associated with the potential contractor or existing subrecipients.

Only cost reimbursement contracts will be used when dealing with local governmental agencies. A determination will always be made prior to issuance of a contract, and the determination will be documented in the contract file.

Preparing for a Competitive Procurement

The process for a competitive procurement includes the following:

- Prepare a Request for Proposal, Quote or Qualification (RFP, RFQ or RFQual), including response timelines, and ensuring sufficient time for all phases of the procurement process to be carried out. Establish proposal evaluation procedures.
- Issue a public notification of the procurement through an announcement in a local public medium (e.g., newspaper, social media) or media that, minimally, covers the entire service area. Provide a copy of the RFP/RFQ to any party requesting it. Issue a notification by disseminating the RFP/RFQ to entities on the current, applicable proposal list.
- Make a record (e.g., log) of all inquiries received regarding the procurement and the submission requirements. Respond in writing to all inquiries, except those that are clearly answered in the solicitation, and distribute copies of all inquiries and written responses on a timely basis to all parties to whom the solicitation has been distributed. Issue clarification updates weekly to ensure timely, accurate information is distributed to all potential bidders.
- Hold a proposers' conference after distributing the RFPs/RFQs. When such a conference is held, all parties to whom the solicitations have been distributed will be notified of the date, time, and place of the conference. This notification will be included in the RFP/RFQ itself. Document in writing each question answered at the conference and provide this information as an addendum to the solicitation package to any subsequent requesters of the RFP/RFQ.
- The date and time proposals are received will be noted in order to ensure that only proposals received by the due date and time qualify for the evaluation process.

PART III
CODE OF CONDUCT

The WIB and its staff will take every reasonable step to maintain the integrity of the procurement of goods and services using funds provided under the Workforce Innovation and Opportunity Act (WIOA). The WIB and its staff shall conduct all acquisitions in an impartial manner, free from personal, financial, or political gain. The WIB and staff will avoid all situations that may give rise to a suggestion that any decisions were influenced by prejudice, bias, special interest, or personal gain.

During the procurement of goods, training, or other services, WIB Directors and staff will not disclose proposal or procurement solicitation information, including:

- Procurement plans,
- Advance solicitation information prior to the release of the Request for Proposals (RFP),
- Proposal technical and cost/price information,
- Relative scores or standings of offerors prior to award,
- Confidential or proprietary information, or
- The disclosure of information to one or more offerors that is not made to all offerors in order to maintain confidentiality and objectivity when dealing with offerors, contractors, proposers, or subrecipients.

Furthermore, WIB Directors agree to be bound by and governed by the Standards of Conduct adopted in its bylaws and contained in this document, as well as the grant or Subgrant Agreement with the State of California that provides funds for use by the Local Workforce Development Area.

The WIB and its staff will take every reasonable step to maintain fairness and objectivity in the proposal review process. The WIB and its staff shall conduct all proposal reviews in an impartial manner, free from personal, financial, or political gain. The WIB Board of Directors and staff will avoid all situations in this process that may give rise to a suggestion that any decisions were influenced by prejudice, bias, special interest, or personal gain.

The following actions by offerors, bidders, contractors, or subrecipients, their executive or management staff, employees, and Board of Directors are strictly prohibited:

1. Payment of gratuities to agency staff or board members;
2. Receipt, solicitation, or offering of kickbacks;
3. The obtaining of or attempts thereof to obtain confidential procurement information not made available to all offerors, bidders, or proposers;
4. Improper communication with WIB staff or board members, i.e., attempts to influence procurement/funding decisions.

Conflict of interest

This section addresses the need to maintain a written code of standards of conduct governing the performance of people engaged in the award and administration of WIOA contracts and subgrants. No WIB Director shall engage in any activity, including participation in the selection of subrecipients or contractors, the award of, or administration of a contract funded with WIB/WIOA funds, if a conflict of interest, real or apparent, would be involved. A conflict of interest would arise when any of the following has a financial or other interest in the business or organization selected for the award:

1. The WIB Director;
2. Any member of the WIB Director's immediate family;
3. The Director's business partner; or
4. An organization that employs the WIB Director or is about to employ the Director.

To ensure transparency and compliance with state ethics requirements, WIB Directors, Executive Director, and Deputy Directors shall complete and file a Statement of Economic Interests (Form 700) annually in accordance with the California Political Reform Act and the applicable Conflict of Interest Code.

The officers, employees, or agents of the awarding agency will neither solicit nor accept gratuities, favors, or any monetary value from subrecipients, contractors, or other providers of services.

During the procurement process, i.e., after offers have been made or proposals have been submitted, WIB Directors or staff shall not communicate with current subrecipients or contractors, potential subrecipients or contractors regarding the procurement. This could lead to a breach of the procurement and be a cause for elimination of the prospective subrecipient, contractor, or other providers of service, which could fatally damage the integrity of the procurement process.

Additionally, in accordance with the Political Reform Act (Cal. Gov. Code § 87407) no WIB Director or staff shall make or participate in making or use their position to influence any procurement, contract, action or proceeding in which the WIB has the authority to make decisions relating to a prospective subrecipient, or proposer with whom the WIB Director or staff is negotiating or has any arrangement concerning prospective employment.

Post-Employment Conflict of Interest

In accordance with the Political Reform Act (Cal. Gov. Code § 87406.3) and county ordinances (Tulare County Ord. Code pt. I, ch. 29), former employees and members of the WIB, who were required to file Form 700 statements of economic interest during their employment or membership, shall not represent, assist, or advise a prospective contractor, subrecipient, or proposer in connection with a procurement, contract, grant, or other action or proceeding in which the WIB has the authority to make funding decisions for a period of one year following separation from employment or membership. Former employees are permanently prohibited from using confidential or non-public procurement information obtained during their employment with the WIB to provide an unfair competitive advantage to any contractor, subrecipient, or proposer.

Organizational Conflict of Interest

The WIB shall take reasonable steps to prevent organizational conflicts of interest in procurements funded under WIOA (2 CFR § 200.318(c)(2)). An organizational conflict of interest may arise when a contractor, consultant, or other entity participating in the development of specifications, procurement documents, or evaluation criteria has an unfair competitive advantage in the resulting procurement.

Entities that assist in the development of procurement documents, statements of work, or evaluation criteria may be prohibited from competing for the resulting contract unless the conflict is mitigated or waived in accordance with applicable regulations.

Contractors and subrecipients shall disclose any actual or potential organizational conflicts of interest to the WIB prior to contract award and throughout the term of the contract

Confidentiality

A seal of confidentiality must be maintained around all procurements. Offerors are required to submit sealed bids or proposals, which are securely handled and stored. People involved in any aspect of procurement must not reveal or disclose information to anyone outside the official group involved in reviewing offers and making contract award decisions.

Confidentiality also applies to other actions, before the review and award phases. No information should be disclosed to anyone about the Statement of Work, the funds available, or related data until that information is made known to all offerors, through publicizing the intent to solicit or disseminating the RFP. Information must be given to all offerors and potential offerors equally.

Voting

Each WIB Director is entitled to one vote and may participate fully in the voting process. However, a Director shall not cast a vote, participate in deliberation, or otherwise use their official position to influence any decision involving:

1. Any decision on the provision of services by that Director (or any organization that the Director represents, or
2. Any decision or matter that would result in a financial benefit to that Director, or in which the Director knows, or has reason to know, that the Director or a member of the Director's immediate family would receive a financial benefit.

Violations and Sanctions

If a violation of Part IV, Methods of Procurement, is alleged, the WIB Chair shall conduct a review or cause a review to be conducted to determine whether a violation has occurred.

If a determination is made that a violation has occurred and the procurement or a portion thereof has been tainted, the WIB will cancel the procurement or the portion impacted, and the proposal/ offeror involved will not be permitted to participate in the procurement.

Further, if it is determined that a WIB Director or WIB staff member was involved in or contributed to the violation, those individuals will not participate further in the procurement.

Other remedies may include an administrative penalty of up to $5,000 for each violation (Gov. Code 91005(b) and 91005.5) (California Political Reform Act of 1974 as amended).

Levine Act

WIB Directors who are also elected officials shall comply with the requirements of California Government Code Section 84308 (Levine Act) for all applicable procurement and contracting actions, including any required disclosures, recusals, and campaign contribution restrictions. Additional information regarding the Levine Act can be found at the California Legislative Information website.

PART IV
METHODS OF PROCUREMENT

The following methods of procurement shall be used when purchasing goods and services with Workforce Innovation and Opportunity Act (WIOA) funds. All procurement transactions must be conducted in a manner that provides full and open competition and is consistent with 2 CFR 200.319.

Procurement Type and Threshold

The appropriate procurement method is generally determined by the per-transaction value of the procurement and the type of goods or services being purchased.

Table 1. Procurement Methods and Competition Requirements

Procurement Method*	Threshold	Competition Requirement
Informal Procurement		
Micro Purchase	Not exceeding $15,000	One quote is required. Price must be determined to be reasonable. Multiple quotes are not required; however, when practicable, staff should distribute purchases equitably among qualified vendors.
Small Purchase	Exceeding $15,000 but not exceeding $350,000	Two quotes required. Price or rate quotations must be obtained from two sources. Quotes may be obtained from catalogs, price lists, or written vendor quotes.
Formal Procurement		
Competitive Sealed Bid	Exceeding $350,000	Three bids are required. Formal sealed bids obtained through a publicly advertised Invitation for Bid (IFB) from an adequate number of qualified sources. The award is made to the lowest responsive and responsible bidder.
Competitive Proposal	Exceeding $350,000	Two proposals are required. Competitive proposals obtained through a publicly advertised Request for Proposal (RFP) from an adequate number of qualified sources. The award is made to the responsible offeror whose proposal is most advantageous, considering price and other evaluation factors.

Noncompetitive Proposal (Sole Source)	Any	Procurement conducted through solicitation of a single source only when one of the five conditions under 2 CFR § 200.320(c) is met and appropriately documented.

*The type of procurement method is generally determined by the "per transaction" value of the procurement, the type of good or service being purchased.

- "Per transaction" is a single solicitation for a single item (i.e., copy machine), group of related items (i.e., office furniture), or a specified service (i.e., staff training).
- Purchases are not to be broken down into smaller components to avoid more stringent procurement requirements.

Note: A Request for Qualifications (RFQual) is a solicitation method that may be used, when appropriate, in conjunction with the applicable RFP or RFQ procurement method described in this policy. The procurement requirements remain governed by the estimated value of the procurement and the applicable procurement thresholds.

Informal Procurement Method

When the value of the procurement for property or services under a Federal award does not exceed the Simplified Acquisition Threshold (SAT), formal procurement methods are not required (2 CFR 200.320 (a)). The use of informal procurement methods to expedite the completion of its procurement and minimize the associated administrative burden and cost. The informal methods used for procurement of property or services at or below the SAT include:

a. Micro Purchase
b. Small Purchase

Micro Purchase

Not exceeding $15,000

The Micro Purchase procurement method is used when the "per transaction" value of a purchase at the *Micro-Purchase Threshold,* currently $15,000 per WISN25-17 and may be used without soliciting competitive quotations if the price is reasonable. To the extent practicable, Micro Purchase must be distributed equitably among qualified bidders.

This method requires at least one (1) documented quote. The Procurement Lead should ensure, at a minimum, the quote includes goods/services to be rendered, quantity, and price. The quote can be obtained through:

- Contact with potential contractor in writing.
- Prices from websites or internet searches.

- Prior receipts, invoices, or quotes less than twelve (12) months old.
- Hard copy catalogs and price lists should be updated at least annually.

Proper Documentation

WIB Staff are required to use Attachment C – Small Purchase and Micro Purchase Form.

Proper documentation includes the following:

1. Micro-Purchase and Small Purchase Request Form
2. Quote(s) received
3. Copy of the purchase document (i.e., sales receipt, contract, paid invoice)

Small Purchases

Exceeding $15,000 but not exceeding $350,000

The small purchase procurement method, as defined in EDD Directive WSD 17-08 may be used when the "per transaction" value of a purchase of equipment or services is at the Simplified Acquisition Threshold (currently $350,000 per WISN25-17 and FAR Subpart 2.1).

The process provides for relatively simple and informal methods that are sound and appropriate for the specific type of procurement involved.

The following guidelines for small purchases will apply for:

Purchases with a total value exceeding $15,000 but not exceeding $350,000 require a minimum of two documented quotes from approved providers/contractors. Quotes may be obtained in writing form contractors, current catalogs, or published price lists. Catalogs or price lists used for this purpose must be dated within the past year. This method requires at least two documented quotes obtained through a Request for Bid (RFB).

Note: A contractor selected from Tulare County Purchasing's prequalified list may be used in lieu of the small purchase process.

A proposed small purchase or contract for an amount above the simplified procurement threshold may not be divided into several purchases or contracts for lesser amounts to circumvent the Small Purchase threshold limits.

Note: *Sole Source Justification:* If only one (1) bid is obtained, and that bidder is deemed to be responsible, then the Noncompetitive Proposal process may be used.

Proper Documentation

WIB Staff are required to use Attachment C – Small Purchase and Micro Purchase Form.

Proper documentation includes the following:

1. Micro-Purchase and Small Purchase Request Form
2. Quote(s) received
3. Sole Source Justification, *if applicable*
4. Copy of the purchase document (i.e., sales receipt, contract)
5. All providers contacted and considered, with prices offered using current catalogs, price lists, prior sales receipts, or formal quotes, depending on the purchase amount

Formal Procurement Method

When the value of the procurement for property or services under a Federal financial assistance award exceeds the SAT, formal procurement methods are required (2 CFR 200.320 (b). Formal procurement methods require following documented procedures. Formal procurement methods also require public advertising unless a non-competitive procurement can be used in accordance with 2 CFR 200.319 or paragraph (c) of 2 CFR 200.320.

The following formal methods of procurement are used for procurement of property or services above the simplified acquisition threshold, or a value below the simplified acquisition threshold, the non-Federal entity determines to be appropriate:

a. Sealed Bid
b. Competitive Proposal
c. RFQual

Competitive Sealed Bids

In this procurement method, bids are publicly solicited, and a firm-fixed-price contract (lump sum or unit price) in excess of $350,000 is awarded to the responsible bidder whose bid conforms to all material terms and conditions of the Invitation for Bid (IFB) and represents the lowest price. Competitive sealed bidding is most effective when procurement specifications clearly and adequately describe the item or service being purchased.

When competitive sealed bids are used, the following procedural requirements apply:

- Publicly solicited or advertised to an adequate number of known suppliers;
- Provide sufficient time to respond;
- Clearly state specifications, bidding processes, and dates;
- Define the quantity, timeframes, product requirements, specifications, and pertinent attachments of the good or service being purchased;
- Notify contractors of the purchase requirements and require sealed bids to be submitted to the specified physical location or electronic submission platform by the specified date and time;
- Distributed in writing (including fax or email) to qualified respondents and posted on

Subrecipient's website.

When electronic bid submission is permitted, the Procurement Lead shall ensure that the electronic submission process maintains the confidentiality, security, and integrity of sealed bids until the official public bid opening.

To promote full and open competition consistent with the nature and requirements of the procurement, a diligent effort shall be made to obtain at least three competitive sealed bids whenever possible. Bidders must be provided sufficient time to respond prior to the bid opening date. Reasonable efforts will be made to publicize the IFB to the widest practicable area of circulation.

The IFB must clearly define the goods or services being procured, including all specifications necessary for bidders to submit a responsive bid. All bids will be opened publicly at the time and place specified in the IFB.

The WIB must document and provide justification for any bids that are rejected.

The Procurement Lead is responsible for developing, maintaining, and organizing all IFB procurement documentation for future reference and for monitoring or auditing purposes.

Proper Documentation

Proper documentation includes the following:

- Independent Price Estimate
- Final Version of IFB
- Distribution list, public notice (i.e., website posting) & other methods of publication
- Bid(s) received
- Cost or Price Analysis
- Award notification letter(s)
- Non-selection notification letter(s)
- Sole Source Justification (if applicable)
- Copy of the purchase document (e.g., contract or purchase order)

Competitive Proposals (formerly called Competitive Negotiation)

Competitive Proposals is a method of soliciting proposals from an adequate number of qualified sources through a publicly announced Request for Proposal (RFP) or Request for Qualifications, as applicable, and guided by the particular solicitation issued. This method is used when conditions are not appropriate for sealed bids and when factors other than price must be considered, in accordance with 2 CFR § 200.320(b)(2). Negotiations or discussions may be conducted with more than one of the sources submitting offers, and either a fixed-price or cost-reimbursement type contract is awarded. If competitive proposals are used, the following procedural requirements will apply:

1. The solicitation of competitive offers will follow a process for advertising, evaluation, and award in accordance with the competitive standards contained in this policy. Reasonable effort will be made to publicize the solicitation to the widest practicable area of circulation.
2. To promote reasonable competition that is consistent with the nature and requirements of the procurement, proposals will be solicited from an adequate number of qualified sources. All efforts to obtain competition will be documented. The RFP will be distributed in writing (including fax or email) to qualified respondents and posted on the WIB's website.
3. The solicitation will include a clear and accurate description of the procurement requirements and must identify all significant evaluation factors and their relative importance.
4. Contractors will be notified to submit a proposal based on the requirements of the RFP to a specified location by a specified date and time for evaluation.
5. A technical evaluation of proposals received, including review by staff and/or Local Workforce Development Area committees, will be completed and documented. All proposals will be considered on their merits, and written documentation of the technical evaluations will be retained.
6. The review committee will make a recommendation identifying the proposal that best meets the requirements of the solicitation.
7. Contract awards will be made to the responsible, responsive proposer whose proposal is most advantageous to the WIB. In making an award, price and other factors will be considered and documented. A cost or price analysis must be performed in accordance with 2 CFR 200.324. Unsuccessful offerors will be notified promptly.
8. Documentation supporting the proposal evaluation and award decision will be maintained for monitoring and auditing purposes. A public notice of intent to award will be issued prior to contract execution, and unsuccessful offerors will be notified promptly.

At least two competitive bids must be received.

- If only one bid is received during a Competitive Proposal process, a written justification must be prepared documenting the limited participation. The justification should identify the firms and individuals contacted during the solicitation process and be maintained in the Master Contract File and submitted with procurement requests, if applicable. If the sole bidder is determined to be responsible, the procurement may proceed under the Noncompetitive Proposal (Sole Source) process, provided the required sole source justification is completed and retained in the procurement file.

Proper Documentation

Proper documentation includes the following:

- Final Version of RFP and, as applicable, the RFQual
- Justification for the use of the competitive proposal method
- Distribution list, public notice (i.e., website posting) & other methods of publication
- Bidders conference information
    a. Date, location, platform
    b. Presentation (if applicable)
    c. Attendance roster of conference
    d. Questions gathered prior and during conference and answers

- Proposals received
- The subrecipient's estimate of the potential purchase price
- WIB staff, WIB Board, and evaluators signed disclosure forms
- The scoring criteria and the evaluation/scoring sheets for each proposal, including determination of the responsibility of the proposer and the cost or price analysis
- Justification for the selection of the subrecipient selection
- The public notice of intent to award
- Winning Quote response letter(s)
- Losing Quote response letter(s)
- Sole Source Justification, if applicable
- Conflict of Interest Disclosure
- Certificate of Insurance (COI)
- Copy of the purchase document (i.e., sales receipt, contract)
- Copy of the award documents

Request for Qualifications (RFQual)

A RFQual is a solicitation method used to evaluate prospective contractors or subrecipients based on demonstrated qualifications, experience, technical capacity, and past performance. An RFQual may be used when qualifications are more important than price during the initial phase of the procurement process.

The use of an RFQual does not alter the procurement requirements established by this policy. All procurements utilizing an RFQual shall comply with the applicable procurement requirements based on the estimated value of the procurement.

RFQuals may be used under the following circumstances, but not limited:

- When procuring specialized or professional services where technical expertise and experience are essential.
- Identify the most qualified vendors first, with the option to request the price later.
- Establishing a prequalified pool of vendors for future procurements, including prior to

issuing a Request for Proposal (RFP) or conducting price negotiations.
- Evaluating firms based on qualifications when the scope of work or project requirements make qualifications more appropriate than price during the initial phase of the procurement process.

Proper Documentation

Proper documentation includes the following:

- Justification for the use of the RFQual solicitation method.
- Copy of RFQual.
- Public notice and distribution documentation.
- Pre-proposal conference information, including questions and answers, if applicable.
- Qualifications statements or proposals received.
- Evaluation criteria and scoring methodology.
- Individual evaluation and scoring sheets.
- Documentation supporting the selection recommendation.
- Notice of Intent to Award, if applicable.
- Award documentation or executed contract.

Non-Competitive Proposal Method

Competitive procurement is the preferred method for acquiring goods and services. However, Federal regulations recognize limited circumstances in which competition is not feasible. In those situations, the WIB may use the Noncompetitive Proposal (Sole Source) procurement method, provided the requirements of 2 CFR § 200.320(c) and this policy are satisfied.

Non-Competitive Negotiation (Sole Source)

Noncompetitive procurement (sole source) is a procurement method in which a proposal is solicited from only one responsive bid and responsible bidder, or, after soliciting multiple sources, competition is determined to be inadequate. The WIB permits noncompetitive procurement only when competitive procurement methods are infeasible and only under the conditions authorized by applicable federal regulations.

Allowable Circumstances

Noncompetitive procurement may be used only when one or more of the following conditions apply:

1. A public exigency or emergency exists that will not permit a delay resulting from competitive solicitation;
2. The goods or services are available from only a single source;
3. The procurement is expressly authorized by the State of California or the applicable federal or pass-through entity;

4. After solicitation of multiple sources, competition is determined to be inadequate; or
5. The solicitation results in no more than one responsive submission.

Noncompetitive procurement shall be minimized to the maximum extent practicable.

Cost and Justification Requirements

A cost or price analysis shall be conducted for all noncompetitive procurements. The rationale for the use of the noncompetitive method, along with the justification for the provider selection and the justification for the contractor or subrecipient selection, shall be carefully documented and retained in the procurement file.

Required documentation for noncompetitive procurement shall include, as applicable:

- Justification for the use of the noncompetitive method, including an explanation of why other procurement methods were not feasible and which allowable condition was met;
- An independent estimate of the anticipated cost.
- Copies of any solicitation documents issued, if applicable (RFQ/IFB/RFP).
- Documentation of contractor responsibility and cost or price analysis;
- Justification for selection of the contractor or provider;
- A copy of the executed award or contract.
- Noncompetitive procurement will be minimized to the extent practicable.

Exceptions from Competitive Procurement

The following program activities are excluded from competitive procurement requirements, except as noted:

<u>On-the-Job Training (OJT):</u> Competitive procurement requirements do not apply to OJT employers. Competitive procurement requirements apply only to the procurement of OJT brokering services, if applicable.

<u>Institutions of Higher Education:</u> Training services provided through individual training accounts (ITA) are excluded from competitive procurement when delivered by eligible training providers listed on the State's Eligible Training Provider List (ETPL) and when the cost falls within the applicable small purchase thresholds. Training services shall be described in the provider’s published catalog, price list, schedule, or other materials made available to the general public.

Procurement of commercially available training packages shall be conducted in accordance with applicable WIB directives governing ETPL policies and procedures.

List of Bidders

The WIB shall maintain, lists of, contractors and subrecipients, as applicable. Such lists shall be reviewed and updated annually and shall include a sufficient number of sources to ensure full and open competition.

Subrecipient versus Contractor

The classification of an entity as a subrecipient or contractor shall be determined based on the substance of the relationship, not the type of organization. An entity may function as a contractor in one context and a subrecipient in another.

In general:

- A **subrecipient** is accountable to the WIB or pass-through entity for the use of funds and is measured against the objectives of the federal award.
- A **contractor** provides goods or services within normal business operations, offers similar goods or services to many purchasers, and is not subject to programmatic compliance requirements of WIOA.

Definitions and criteria for determining subrecipient versus contractor status are provided in Chapter VII- Definitions of this manual.

Selection of Subrecipients

The primary consideration in selecting agencies or organizations to deliver services within a Workforce Development Area shall be the demonstrated effectiveness of the agency or organization in providing comparable or related services based on documented performance, the likelihood of meeting performance goals, cost-effectiveness, quality of training, and the characteristics and needs of participants.

Funds provided to the WIB under the WIOA shall not be used to duplicate facilities or services available, with or without reimbursement, from Federal, State, or local sources. An exception may be made only when it is demonstrated that alternative services or facilities would be more effective or more likely to achieve the WIB's performance goals.

Educational agencies in the WIB service area are provided the opportunity to deliver educational services that are consistent with the identified needs of participants served by the WIB. Alternative agencies or organizations may also be used if it can be shown to be as effective or more effective in providing services in enhancing a more effective or would have greater potential to enhance participants' continued occupational and career growth.

The WIB will not fund any occupational skills training program unless the level and content of skills provided in the program are in accordance with guidelines, priorities, and performance goals established by the WIB.

Proposal Evaluation

Upon receipt, proposals shall be reviewed by staff to determine if the submissions are responsive to the solicitation. This will include an assessment as to their completeness and compliance with the solicitation requirements. Responsive proposals will be distributed to the WIB Directors who are appointed to conduct reviews, ratings, and to selected Administrative staff with instructions that:

1. The number and identities of offerors shall not be disclosed during the proposal evaluation and review process.

2. Technical, cost, or price information from proposals shall not be disclosed to any individual not officially involved in the procurement, while the procurement is in progress. Disclosure of such information to competing offerors/proposers could compromise the integrity of the procurement process. Technical or proposal information that the offeror has designated as a trade secret shall not be disclosed to other offerors, even after the award is made and publicized.

3. The WIB Program Committee shall be responsible for proposal review, rating, and development of funding and service level recommendation*(s)* for submission to the WIB. Other WIB Directors may participate in this confidential process. They must do so only if they have been appointed by the WIB Chairperson, and it must be ensured that no conflict of interest exists. Representatives of agencies or organizations that have submitted proposals may be invited, at the discretion of the Committee or WIB, to answer specific questions as needed. To prevent violation of the procurement process, individuals, directors, and staff not designated by the WIB Chair are excluded.

4. After completion of the proposal review and rating the Program Committee will prepare recommendations to be submitted to the WIB for approval.

Proposals will be evaluated systematically using a standard developed and approved by the WIB as described in each specific solicitation. Evaluation criteria include, but are not limited to, program cost, past and projected performance, demonstrated administrative and fiscal capability of the organization, prior experience in delivering training or similar services, ongoing performance of a current subrecipients or a combination of these factors.

Evaluation Criteria

Potential offerors will find rating criteria published as a part of the solicitation package. The evaluation criteria should tell offerors which aspects of a proposal will be important to the WIB in selecting a subrecipient or contractor. Evaluation factors may include, but are not limited to, the following:

1. **Qualifications of Agency Personnel:**
   Education and past experience affect an individual's ability to perform professional work. The success of WIB funded programs relies on staff capacity and expertise. Consequently, this is a common factor used in the evaluation of proposals for WIB funded awards. This factor may be expressed as Key Personnel, Qualifications of Personnel, Staffing, or Staff Capability.

2. **Experience, Management and Administration:**
   Every WIB activity (e.g., enrollment, training, and job placement) has its own set of problems and pitfalls. Successful performance often requires knowledge of where those problems are likely to occur and a familiarity with ways to solve them. This applies to both individuals and organizations. Experience is often the best teacher. Thus, the organization's familiarity with the type of work to be performed can be important to success.

   In addition to determining whether an organization has performed similar work, evaluators may consider how effectively the organization has performed on comparable projects. Organizational structure and management approach may also impact the ability to accomplish program objectives. Evaluation may include the organization's proposed management structure, quality assurance and quality control procedures, communication and reporting processes, and systems for recordkeeping, supportive service payments, and reporting to the WIB.

3. **Past Performance**
   Past performance may be evaluated based on the offeror's record of performance on prior or current contracts or grants.

   For offerors who have not previously contracted with the WIB, demonstrated experience performing work similar to the requirements of the RFP will be evaluated. This review may include the offeror's relevant project history, organizational capacity, qualifications of key personnel, and past performance on comparable projects or procurements.

   For offerors who have previously contracted with the WIB, past performance under prior WIB agreements may be considered as part of the evaluation process. This review may include the offeror's ability to meet contractual obligations, comply with applicable federal, state, and local requirements, deliver services within established timelines, and effectively manage programmatic and fiscal responsibilities associated with prior WIB-funded activities.

Contract Pricing

Price Analysis

A price analysis is the process of examining and evaluating a proposed price without evaluating the estimated cost elements and proposed profit. It is used to determine whether a price is fair and reasonable and may be based on catalog or market prices of commercial products sold in substantial quantities to the general public, prices set by law or regulation, historical pricing, competition, or other relevant benchmarks, in accordance with 2 CFR § 200.324.

Price analysis includes a number of techniques:

1. Comparison of competitive price quotations or proposals.
2. Comparison of prior quotations and contracts with current quotations for the same or similar items.
3. Use of benchmarks or parametric relationships to point up apparent gross differences. Examples are: cost per placement, price per instruction hour, price per participant/training hour, etc.
4. Comparison of prices on published price lists with published market prices of commodities, together with discount or rebate schedules.
5. Comparison of proposed prices with independent cost or price estimate developed by WIB Administrative staff.

Price analysis is required for applicable procurements. When multiple competitive proposals are received for the same contract, price reasonableness may be supported through competition, and the price analysis may be limited to comparing proposals and documenting the basis for selection. If, however, there are wide ranges among proposed prices, or other factors raise questions regarding reasonableness, additional analysis must be conducted.

Cost Analysis

Cost analysis will differ from price analysis in the level of review conducted. Price analysis examines the total price as the single pricing factor under consideration, cost analysis segregates the total price into various cost elements, and these diverse component parts are individually assessed. This review includes analysis and evaluation of (1) the supporting data submitted by the offeror, (2) the cost elements, and (3) the factors the offeror considered in projecting from that data to develop the estimate of cost to perform the specified work. The method and degree of cost analysis are dependent on the facts surrounding each procurement.

Cost analysis is required when price analysis alone is not sufficient to determine that the price is fair and reasonable for a product or service. A cost analysis must be performed and documented for every cost reimbursement procurement.

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 that the data is not accurate, complete, or current.

Elements of Cost Analysis

In performing cost analysis, the assigned staff must perform discrete functions. First, they must verify the cost and pricing data submitted and evaluate the cost elements in that data. This includes judging the necessity for and reasonableness of proposed costs. It also includes evaluating the offeror's cost trends on the basis of current and historical cost or pricing data. This function also includes conducting a technical appraisal of the estimated labor, material, and other requirements proposed.

A second element of cost analysis is the comparison of costs proposed by offerors with other data. This data includes actual costs incurred by the same offeror in the past. Cost analysis can also compare the current proposed costs with previous cost estimates from the same offeror or from other offerors for the same or similar items. It is quite appropriate and helpful to compare an offeror's costs with those proposed by other offerors in the same procurement. Another important comparison that can be made is with the WIB's independent cost estimate.

A cost analysis will be performed on all contracts awarded on a sole source basis and for all contract modifications where additional funds are obligated.

After costs are identified, they are evaluated to determine the allowability of individual items. Necessity, reasonableness, allocability, application of applicable contract cost principles, and the WIOA statute and regulations are considered. The cost principles for specific types of entities can be found in 2 CFR. Subpart E – Cost Principles.

Relation of Cost Analysis and Price Analysis

While there are similarities between the two types of analysis and they often are performed together, there are distinct differences. Cost analysis focuses on what the work "should" cost a particular offeror, assuming reasonable economy and efficiency. The method necessarily involves a review of costs as they impact on the offeror's proposal.

Price analysis is not concerned with any single offeror's methods or situations. It focuses on a comparison between the amount proposed and a benchmark amount that is considered fair and reasonable for successfully accomplishing the work. Price analysis also deals with a question of what the work "should" cost - but it is in a more normative or prescriptive context. Here, it is used in the sense of, "What amount reflects a going rate for the goods or services in the market, in general?" Price analysis focuses on what the buyer should pay to ensure that reasonable value is received, as opposed to the cost analysis, which focuses on how much a proposer needs to receive to ensure that it recovers its costs and commercial agencies make a fair profit.

The WIB or subrecipients will not use a "cost plus percentage of cost" or “percentage of construction costs” method of contracting when procuring goods or services using WIOA funds in accordance with 2 CFR § 200.324.

Profit

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

1. Complexity of work to be performed;
2. The risk borne by the contractor;
3. The contractor's investment;
4. The amount of subcontracting;
5. The quality of the contractor's record of past performance;
6. Industry profit rates in the surrounding geographical area;
7. Market conditions in the surrounding geographic area.

Independent Estimate

An independent estimate shall be prepared for all procurement actions, including small purchases, prior to receipt of proposals or quotations. The independent estimate shall reflect the WIB’s assessment of the anticipated cost of the goods or services being procured and shall be used as a tool in conducting cost or price analysis.

The independent estimate shall be developed before issuance of the solicitation or, at a minimum, prior to evaluation of responses. The estimate may be based on:

- Historical pricing from prior or similar contracts;
- Current market research;
- Published pricing or catalogs;
- Contractor financial information, when available.
- Estimated labor, materials, and other direct costs associated with the procurement.

When multiple awards are anticipated, independent estimates shall be developed in advance to facilitate the valuation of pricing and to support the required cost or price analysis.

If procurement is conducted through an established pre-approved vendor list with current publicly available pricing, documentation demonstrating price reasonableness may satisfy the independent estimate requirement, provided such documentation is retained in the procurement file.

Independent estimates and supporting documentation shall be maintained as part of the procurement record in accordance with 2 CFR § 200.318(i).

PART V
Protest and Appeal Procedures

In accordance with WIOA and applicable federal regulations, including 2 CFR 200.318(k), the WIB shall maintain written procedures for handling and resolving procurement protests and funding appeals.

Right to Appeal

Each proposer responding to an RFP, RFQ, or RFQual issued by the WIB shall have an opportunity to appeal the WIB Boards funding decision, subject to the requirements set forth below.

All proposers will receive a written statement of the WIB's funding decision. Should a proposer wish to appeal the WIB's decision, they must provide written notice to the Executive Director of the WIB within five working days of the postmarked date or email receipt date of the notice of award status.

The appeal must clearly state the basis for the protest and include substantive supporting evidence.

Grounds for Appeal

Appeals shall be limited to one or more of the following grounds:

1. A clear and substantial error of facts relied upon in the decision;
2. Unfair or improper conduct in the decision-making process;
3. An illegal, improper act or violation of law or regulation; or
4. A legal basis that, if substantiated, would materially affect the funding decision.

Required Contents of Appeal

To be considered, an appeal must include:

- The full name, address, and telephone number of the appellant;
- A complete statement of the grounds for appeal, including the specific issue(s) in dispute and the legal or factual basis supporting the protest; and
- A statement of relief sought.

Appeals must clearly identify the procedural issue being contested.

Review Process

Upon receipt of a timely and complete appeal, the WIB shall convene an Appeal Review Panel composed of the WIB Chair, WIB Executive Director, members of the Program Committee, and other designees as selected by the WIB Chair.

The Appeal Review Panel may, at its discretion, request additional information or meet with the appellant. The Appeal Review Panel will issue a written determination and forward its recommendation to the full WIB.

The decision of the WIB shall be final. No further local administrative appeal shall be available.

Non-Appealable Matters

The following are not subject to appeal:

- Proposals disqualified for failure to meet the submission deadlines;
- Technical ratings or scoring determinations made by review panels or committees;
- Final funding decisions issued in accordance with this procedure are not subject to appeal.

Part VI
CONTRACTING REQUISITES

To enter into a contract or subaward with the WIB, an entity must:

1. Be legally authorized to enter into contracts and demonstrate the capability to operate the proposed program or provide the required services, including relevant organizational and staff experience.
2. For new program activities, demonstrate the ability to commence operations within 30 days of the beginning of the contract period.
3. Provide current fiscal audits and monitoring reports demonstrating the ability to properly manage and account for WIB funds.

    a. If compliance issues are identified, a corrective action plan must be approved by the WIB Executive Director prior to award.
    b. New subrecipients or contractors shall be subject to a pre-award survey risk assessment prior to funding.
4. Be an Affirmative Action/Equal Employment Opportunity (AA/EEO) employer. If selected for funding, an entity must submit its AA/EEO Plan for review prior to contract execution. Entities without an approved AA/EEO Plan may adopt the WIB's plan, if permitted.
5. When applicable, provide a certificate of insurance prior to contract execution, including:

    a. Commercial General Liability insurance with a combined limit of not less than $1,000,000;
    b. Workers' Compensation coverage as required by law; and
    c. Designation of the County of Tulare and the Workforce Investment Board as additional insureds as applicable.
6. Demonstrate good standing with applicable governmental agencies, including registration or professional licensure authorities.

Required Contract Clauses

The type of agreement entered into by grantees or subgrantees (including State and governmental grantees) may be fixed price or cost reimbursement, depending on the method of procurement and goods or services being procured.

Each agreement funded under WIOA or other Employment and Training Administration (ETA) grant programs must contain the applicable contract provisions required by 2 CFR 200, Appendix II, as appropriate to the type and dollar value of the contract. Required provisions include, as applicable:

- For all contracts in excess of the simplified acquisition threshold, administrative, contractual, or legal remedies in which contractors violate or breach contract terms. The clause must also provide for sanctions or penalties, as appropriate.

- For all contracts in excess of $10,000, provisions addressing termination for cause and termination for convenience by the non-federal entity, including the process for exercising such provisions and the basis for settlement.
- Compliance with Equal Employment Opportunity provisions identified in 41 CFR Part 60.
- Compliance with the Davis-Bacon Act (40 U.S.C. 3141-3148), as applicable, for construction contracts in excess of $2,000.
- Notice of awarding agency requirements and regulations related to reporting obligations, as applicable.
- Notice of awarding agency requirements and/or regulations related to patent rights, copyrights, and rights in data.
- Compliance with record retention requirements as specified in 2 CFR 200.334 – 200.337.
- Compliance with the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 – 3708) for contracts in excess of $100,000 that involve the employment of mechanics or laborers.
- Compliance with Rights to Inventions Made by Nonprofit Organizations and Small Business Firms under Government Grants (37 CFR Part 401) for any small business or nonprofit organization.
- Compliance with the Clean Air Act (42 U.S.C. 7401 – 7671q.) and the Federal Pollution Control Act (33 U.S.C. 1251 – 1387) for any contract in excess of $150,000.
- A provision requiring that contracts must not be issued for any entity listed on the Excluded Parties List System in the System for Award Management (SAM).
- Compliance with the Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) for contractors bidding over $100,000.
- Compliance with Section 6002 of the Solid Waste Disposal Act (42 U.S.C. § 6962) and 40 CFR Part 247, requiring procurement of EPA-designated items containing recovered materials when the value of such items purchased during the fiscal year exceeds $10,000.
- A provision that anyone who provides WIOA services must abide by the WIOA equal opportunity and nondiscrimination provisions of Section 188 and 29 CFR Part 38.
- A provision that all subrecipients of the funding must adhere to the Uniform Guidance, DOL Exceptions, and corresponding WIOA administrative requirements.

Additional Required Provisions

Grantees and subgrantees must also include additional provisions under WIOA or other ETA grant programs, as appropriate. These include provisions related to the following:

- A requirement to perform a cost or price analysis in connection with every procurement action, including contract renewals, in accordance with 2 CFR § 200.324.
- Applicability of the appropriate ETA program and administrative regulations.
- Compliance with Audit requirements is detailed in 2 CFR 200 Subpart F – Audit Requirements, as applicable.

Part VII
Use of Attachments

Attachments A–E are provided as reference tools to support procurement activities. While these forms may be used as a guide, their use is not mandatory. Staff may utilize alternative formats, provided that all required procurement standards, documentation, and regulatory requirements are met.

Attachment A – Price Analysis Form
Attachment B – Cost Analysis Form
Attachment C – Small Purchase and Micro Purchase Form (WIB use only)
Attachment D – Youth Services Budget Sheet
Attachment E – Career Services Budget Sheet

Part VIII
DEFINITIONS

<u>Allowability</u>: The determination of whether an expense can be charged to a contract, either as a direct or an indirect charge.

<u>Bilateral Modification</u>: A change in a contract that requires the agreement and signature of both parties involved.

<u>Breach of Contract</u>: Occurs when a party fails to perform a contractual duty of immediate performance.

<u>Catalog Price</u>: A price published in a catalog, price list, schedule or other form regularly maintained by a manufacturer or supplier that is published or made available for inspection by buyers. To represent a valid indicator and serve as a point of reference, the prices must be those that a substantial number of purchasers in the general public are currently paying.

<u>Contractor</u>: An entity that receives a contract as defined in 2 CFR 200.22 Contract.

<u>Cost Analysis</u>: The element-by-element examination of the estimated or actual cost of contract performance to determine the probable cost to the vendor. This is a more detailed and costly method than price analysis, both in terms of time and manpower.

<u>Cost Reimbursable</u>: (sometimes referred to as a cost reimbursement contract) A contract under which the awarding agency reimburses all reasonable, allowable, and allocable costs incurred in performing the work up to a predetermined ceiling that the awardee may not exceed (except at its own risk) without the approval of the Contracting Agency.

<u>Fixed Price Agreement</u>: An agreement under which the price and payment are contingent on delivery of the specified goods or services.

<u>Invitation For Bid (IFB)</u>: A solicitation document used in a competitive procurement process to obtain bids for goods or services at a lump sum or unit price.

<u>Market Price</u>: The price currently established in the usual and ordinary course of trade between buyers and contractors (sellers) in a transaction where the parties are free to bargain. The price must be established from sources independent of the contractor (sellers).

<u>Price Analysis:</u> The process of examining and evaluating a proposed price without evaluating its individual cost elements or proposed profit. This process determines whether the price is fair and reasonable.

<u>Procurement</u>: For purposes of this policy, the term "procurement" includes any acquisition action that obligates WIOA funds for the purchase of equipment, materials, supplies, and program or administrative services beginning with the process for determining the need and ending with contract completion and closeout. Procurements funded with non-WIOA funds will be governed by the requirements specific to federal or state granted funds or California Law for the public trust corporations, as appropriate.

<u>Program Income</u>: Income received by the subrecipient or contractor directly generated by a grant or contract supported activity, or earned only as a result of the grant or contract.

Program Income includes:

- Income from fees for services performed and from conferences;
- Income from the use or rental of real or personal property acquired with grant or subgrant funds;
- Income from the sale of commodities or items fabricated under a grant or subgrant;
- Revenues earned by a governmental or private non-profit subrecipient(s) under either a fixed-price or reimbursable award that exceed the actual costs incurred in providing services; and
- Interest income earned on advances of subgrant funds.

Program Income does not include:

- Rebates, credits, discounts, refunds, etc., or interest earned on them,
- Taxes, special assessments, levies, fines, and other such governmental revenues raised by a recipient or subrecipient;
- Income from royalties and license fees for copyrighted material patents, patent applications, trademarks, and inventions developed by a recipient or subrecipient; or
- Proceeds from the sale of property purchased with WIOA funds.

<u>Reasonableness</u>: A cost or price that does not exceed what one would expect an ordinarily competent and prudent person to charge when conducting business in a competitive environment.

<u>Request for Proposal (RFP)</u>: The solicitation document that invites offers from subrecipients or contractors for the delivery of a specific type of service. It includes a description of the product(s) or service(s) desired that enable a potential subrecipient or 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.

An RFQ is appropriate 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.

<u>Request for Quotation (RFQ)</u>: A solicitation document that is used to acquire the price(s) and pertinent information needed from a subrecipient/contractor. Since the quotation is not a formal offer, the awarding agency must reach a bilateral negotiated agreement before a binding contract exists. An RFQ differs from an RFP in that it simply asks for a price based on standard specifications that are generally known or apply industry wide.

It is appropriate to use an RFQ when:

1. A complete, adequate, and realistic specification or purchase description is available; and
2. There are at least two responsible contractors who compete effectively for the award; and
3. The procurement lends itself to a firm fixed-price contract and selection of a contractor based wholly on price that is appropriate and reflective of the nature of the products or service being purchased.

<u>Responsible Entity</u>: An entity determined to:

1. Have adequate financial resources to perform the contract or the ability to obtain such resources; be able to comply with the required or proposed delivery or performance schedule, taking into consideration all existing commercial and business commitments;
2. Have a satisfactory performance record;
3. Have a satisfactory record of integrity and business ethics;
4. Possess the needed organization, experience, accounting, operational control, and technical skills or ability to obtain them;
5. Have adequate production, construction, or technical equipment and needed facilities or the ability to obtain them; and
6. Be qualified and eligible to receive the award under applicable law and regulation.

<u>Responsive Proposal</u>: A proposal or bid that meets all requirements of the solicitation adequately, and the submitted document does not constitute a substitute or counteroffer. 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 counteroffer.

<u>Solicitation</u>: The practice of issuing or distributing an Invitation for Bid, Request for Proposal, or any other document, such as a Request for Quotation, issued by a purchasing agency for the purpose of obtaining bids, quotations, or proposals for goods or services.

<u>Subaward</u>: Means an award provided by a pass-through entity to a subrecipient for the subrecipient to contribute to the goals and objectives of the project by carrying out part of a Federal award received by the pass-through entity. It does not include payments to a contractor, beneficiary, or participant.

Subrecipient: A non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program. The Uniform Guidance provides definitions for distinguishing a subrecipient under 2 CFR 200.93 from a contractor under 2 CFR 200.1.

Unilateral Modification: A modification made and signed solely by the contracting agency in accordance with the terms and conditions of the contract.

Unilateral Right: A legal action that may be taken by the contracting agency in accordance with the terms and conditions of the contract.

PRICE ANALYSIS WORKSHEET

Proposal Number: ___________________________________
Offeror: ___________________________________

PART I: General

1. The proposed price is a catalog price: Choose an item.
   a. If yes, was price verification made: Choose an item.
   b. If yes, date of catalog or price list: Click or tap here to enter text.
2. How was verification performed:
   Click or tap here to enter text.
3. Was a discount offered: Choose an item.
4. Will a discount be sought: Choose an item.

PART II: Primary Comparison

	This Offeror	Offeror 2	Offeror 3	Offeror 4
Price per participant	$________	$________	$________	$________
Total price	$________	$________	$________	$________
Price per instruction hour	$________	$________	$________	$________
Price per participant/instruction hour	$________	$________	$________	$________

PART III: Secondary Comparison

	This Offeror	Offeror 2	Offeror 3	Offeror 4
Price per placement	$________	$________	$________	$________
Total unit price	$________	$________	$________	$________

Note: In using past contracts, ensure prices were competitive and evaluations reasonable.

PART IV – Narrative

Provide a brief narrative regarding the reasonableness of the proposed prices:

Click or tap here to enter text.

Proposed new price: $________________

Rationale:

Click or tap here to enter text.

PART V – Staff Signatures: Reviewer

Name/Title: ____________________________ Date: ________________

Signature: _____________________________

COST ANALYSIS WORKSHEET

Complete blue input cells only. Review fields and totals calculate automatically.

PART I – GENERAL

Proposal Number		**Offeror / Proposer**	

#	General Review Question	Response	Problems / Comments
1	Proposer's computations checked and verified		
2	All necessary cost elements included		
3	Proposer's supporting documentation and justification complete		

PART II – SPECIFIC COSTS

#	Cost Element	Proposed Cost	Necessary / Reasonable	Primary Basis for Judgment	Other Basis Detail	Comments / Concerns /	Flag
1	Staff Costs						
2	Fringe Benefits						
3	Materials – Training / Program						
4	Materials – Office Supplies /						
5	Facilities						
6	Staff Travel						
7	Accounting / Audits						
8	Legal Services						
9	Supportive Services						
10	Program Income / Propers						
11	Subcontracts						

12	Other (Specify)						
	Total Proposed Cost	**$0.00**					

AUTO REVIEW METRICS

	Total items marked Yes	0
	Total items marked No	0
	Items flagged for review	0
	Entered cost lines	0

PART III – PROFIT / FEE

Proposer Type	
If Non-Profit, no profit allowable	
Amount of Profit Proposed	
Total Other	$0.00
Profit as % of Total Other Costs	0.0%
Profit Determination	
Basis for Judgment	
Profit Objective to be Negotiated ($ or %)	

PART IV – CONCLUSIONS

1. Specific additional cost justifications needed

2. Recommended adjustments to specific cost elements

3. Any other comments about the cost/price proposal

PART V – SIGNATURE(S)

Prepared By		**Date**	
Reviewed By		**Date**	
Approved By		**Date**	

Workforce Investment Board of Tulare County
Micro-Purchase and Small Purchase Request

Small Purchase Procedures - Small purchase procedures may be used for the procurement of goods or services with a per transaction value that exceeds the micro-purchase threshold but does not exceed the Simplified Acquisition Threshold (SAT) (currently $350,000).

Procurements within this range require price or rate quotations from an adequate number of qualified sources, with a minimum of two documented quotes required by WIB policy. Quotes may be obtained from catalogs, published price lists, or written responses from vendors. Catalogs or price lists must be dated within the past 12 months.

A contractor on the WIB's prequalified list or Tulare County Purchasing's prequalified list may be used in lieu of obtaining multiple quotes, provided the price is determined to be reasonable.

Procurements may not be artificially divided into multiple transactions to avoid competition requirements or to remain below the Simplified Acquisition Threshold.

Micro-Purchase Procedures – Micro-purchase procedures may be used for the procurement of goods or services with a per-transaction value of $15,000 or less. These purchases may be awarded without soliciting competitive quotations if the price is determined to be reasonable, and, to the extent practicable, must be distributed equitably among qualified suppliers.

---

1. **Describe the goods or services being purchased, including the quantity and any additional criteria used to determine the procurement decision.**

2. **Please attach the price(s) offered from current catalogs, price lists, websites, prior sales receipts (from within the last year), or quotes for all providers contacted/considered.**

3. **Price Determination (Complete appropriate section based on selected procurement procedure).**

☐ **Micro-Purchase** ($15,000 and under)– Use this section to enter all quotes obtained. Only one price quote is required.

Firm Name	Price Quote	Selected Contractor(x)
1.	$	☐
2.	$	☐
3.	$	☐

☐ **Small Purchase ($15,001 - $350,000)** - Use this section to compare price quotations obtained from an adequate number of qualified sources (at least two) in accordance with **Small Purchase Procedures**.

Firm Name	Price Quote	Selected Contractor (x)
1.	$	☐
2.	$	☐
3.	$	☐

4. Why was the contractor selected, including how the contractor met any additional criteria?

5. Indicate recommended funding source(s) if known.

Funding Source(s)	1.	2.	3.

Staff Name ____________ Staff Signature ____________ Date ________

Supervisor Approval ________________________ Date ________

Executive Director Approval ________________________ Date ________

ADULT PROGRAM BUDGET SHEET

Agency Name:		**Contract No.:**	
Contract Term:		**Activity Name:**	
Mod Number:			

LINE ITEM	PROGRAM COSTS	TOTAL	% OF WIOA PROGRAM	NON WIOA RESOURCE
STAFF COSTS				
1	Salaries			
2	Fringe Benefits			
3	**SUB-TOTAL STAFF COSTS**	**0**		
OPERATING COSTS				
4	Advertising			
5	Building Maintenance			
6	Building Rent			
7	Conference			
8	Duplicating/Printing			
9	Equipment Maintenance			
10	Equipment Purchases			
11	Equipment Rental			
12	Instructional Supplies			
13	Insurance			
14	Office Supplies			
15	Telephone			
16	Vehicle Expense			

17	Other Operating Expenses			
18	**SUB-TOTAL OPERATING COSTS**	**0**		
19	**TOTAL STAFF & OPERATING COSTS**	**0**		
PARTICIPANT COSTS				
20	Participant Wages (Work Exp. & Intern.)			
21	Support Services			
22	Other Participant Program Costs			
23	OJT Employer Reimbursement			
24	**SUB-TOTAL PARTICIPANT COSTS**	**0**		
25	**TOTAL CONTRACT AMOUNT**	**0**		

Note: All program costs must be identified in the format above at proposal submission. Any services or equipment not identified will not be considered.

THIS BUDGET WAS PREPARED:

Prepared Method:		**Program Name:**	
Software Version:			
BY:			
Name:		**Title:**	
Date:			

YOUTH BUDGET COVER SHEET

Contract Term:		**Program Name:**	
Mod Number:			

		PROGRAM COSTS				
LINE ITEM	**BUDGET CATEGORY**	**IN SCHOOL PROGRAM**	**OUT OF SCHOOL PRG.**	**TOTAL**	**% OF GT**	**NON-WIOA RESOURCE**
STAFF COSTS						
1	Salaries			-		
2	Fringe Benefits			-		
3	**SUB-TOTAL STAFF COSTS**	**-**	**-**	**-**		**-**
OPERATING COSTS						
4	Advertising			-		
5	Building Maintenance			-		
6	Building Rent			-		
7	Conference			-		
8	Duplicating / Printing			-		
9	Equipment Maintenance			-		
10	Equipment Purchases			-		
11	Equipment Rental			-		
12	Instructional Supplies			-		
13	Insurance			-		
14	Office Supplies			-		
15	Telephone			-		
16	Vehicle Expense			-		

17	Other Operating Expenses			-		
18	**SUB-TOTAL OPERATING COSTS**	**-**	**-**	**-**		**-**
19	**TOTAL STAFF / OTHER OPERATING COSTS (Line 3 + 18)**	**-**	**-**	**-**		**-**
PARTICIPANT COSTS						
20	Participant Wages (Work Exp, Intern)			-		
21	Support Services			-		
22	Other Participant Program Costs			-		
23	OJT Employer Reimbursement			-		
24	**SUB-TOTAL PARTICIPANT COSTS**	**-**	**-**	**-**		**-**
25	**GRAND TOTAL (GT) (Line 19 + 24)**	**-**	**-**	**-**		**-**

Note: All program costs must be identified in the format above at the time of proposal submission. Any services or equipment not identified will not be considered during the contract year.

OSY % of GT:

THIS BUDGET WAS PREPARED:

Prepared Method:

Program Name:

Software Version:

BY:

Name:

Title:

Phone:

Date:

INTEROFFICE MEMORANDUM

TO: **David McMunn, Deputy Director of Administration**

FROM: **Anabel Rodriguez, Compliance & Information Systems Coordinator**

DATE: **September 1, 2026**

SUBJECT: **Workforce Investment Board Monitoring Procedures Manual**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Approve the updated Workforce Investment Board Monitoring Procedures Manual, contingent upon completion of the 30-day comment period without receipt of comments that require substantial changes.
Summary	The Monitoring Procedures Manual was last updated in 2019. Since that time, state and local monitoring requirements and the Workforce Investment Board (WIB) monitoring processes have changed. The manual must be reviewed and updated to reflect current requirements and practices. The Monitoring Procedures Manual has been updated to align with current state and local monitoring requirements and to reflect the WIB's current monitoring processes. The revisions incorporate requirements established through Employment Development Department Employment Development Department (EDD) Workforce Services Directive (WSD) 24-11, Oversight and Monitoring Standards for Substate Entities, and WIB Directive TUL 25-03, Oversight and Monitoring Standards for Subrecipients. The updated manual also provides clearer guidance for carrying out and documenting the Workforce Investment Board's monitoring activities. The updated Monitoring Procedures Manual is currently undergoing a 30-day public comment period, which will conclude on September 25, 2026. Because the comment period will not conclude before the September 16, 2026, Board meeting, staff requests approval contingent upon the comment period closing without comments that require substantial changes to the procedures presented to the Board. Staff will review and address any comments received through September 25, 2026, as appropriate. If staff receive comments that require substantial changes to the

	procedures, the revised Monitoring Procedures Manual will return to the Board for consideration and approval.
Fiscal Impact	No fiscal impact to the agency.
Alternative(s)	No alternatives available.
Involvement of Other Stakeholder(s)	None
Attachment(s)	Workforce Investment Board Monitoring Procedures Manual

MONITORING PROCEDURES MANUAL

WIB

Workforce Investment Board

OF TULARE COUNTY

Driving Economic Success

Workforce Investment Board of Tulare County
309 West Main, Suite 120, Visalia, Ca 93291

Revised September 2026

Table of Contents

Purpose

The Monitoring Procedures Manual establishes the Workforce Investment Board of Tulare County's (WIB) policies and standards for overseeing and monitoring contracted operations and other WIB-operated programs. It incorporates applicable WIB Directives by reference, including the *Oversight and Monitoring Standards for Subrecipient s* and *Oversight and Monitoring for Nondiscrimination and EO Procedures*. These procedures are intended to ensure compliance with State and Federal requirements related to program oversight, evaluation, and monitoring.

References

- Workforce Innovation and Opportunity Act (WIOA) sec. 188 and 20 CFR part 38
- WIOA Section 683.410(a)
- Title 2 Code of Federal Regulations (CFR) part 200: General Administration
- Title 2 CFR part 200.327: Contract Provisions
- Title 2 CFR 200.328: Financial Reporting
- Title 2 CFR 200.330: Reporting on Real Property
- Title 2 CFR 200.331: Subrecipient and Contractor Determinations
- Title 2 CFR part 2900: Uniform Administrative Requirements, Cost Principles, and Audit Requirements For Federal Awards
- Title 20 CFR Part 200
- Title 20 CFR Sections 678.400, 679.430, 680.100-.970, 681.100-.710, 683.410(a), 683.410(6)
- Office of Management and Budget Circulars (OMB) A-21, A-87, A-122, A-133
- California Unemployment Insurance Code (CUIC), Division 1, Unemployment and Disability Compensation, Part 1, Unemployment Compensation code (100-2129)
- Workforce Services Directive (WSD): Standards for Oversight and Instruction for Substate Monitoring
- WSD: Oversight & Monitoring of Nondiscrimination and Equal Opportunity Procedures
- Workforce Service Information Notices (WSIN) 25-17 - Federal Adjustment of Dollar Amounts and Rates
- WIB Contract Management Guide
- WIB Fiscal Policy Manual
- WIB Procurement Policy Manual
- Workforce Investment Board of Tulare County - Contracts with Subrecipient s
- WIB Directives (Audit Resolution, Audit Requirement, Debt Collection, Nondiscrimination and Equal Opportunity Procedures, Risk Assessment, Standards for Oversight and Instructions for Monitoring)

Introduction

The WIB is responsible for providing policy guidance, oversight, and monitoring of activities under the Local Workforce Development Area (LWDA) in partnership with the unit(s) of general local government within its LWDA.

The WIB is authorized to conduct regular oversight and monitoring of Workforce Innovation and Opportunity Act (WIOA) and WIB-funded programs, including those operated by subrecipients and contractors. This authority is granted under WIOA regulations and is implemented in accordance with state and local policies and WIB-established procedures. The WIB is also responsible for overseeing special programs as needed.

To effectively carry out these responsibilities, the WIB is authorized to access any information necessary to evaluate the operations and effectiveness of funded programs. Subrecipients are required to provide the WIB with full access to all relevant documentation and data to support proper evaluation and monitoring.

As the administrative entity, the WIB is responsible for the allocation of funds and for ensuring the eligibility of individuals enrolled in its programs. The WIB also has the authority to take corrective action against its subcontractors, subgrantees, and other recipients to eliminate program abuse and prevent any misuse of funds. The WIB may delegate eligibility determination responsibilities to appropriate entities, provided that reasonable safeguards are in place. This includes provisions for reimbursement of costs incurred due to erroneous determinations made with insufficient care, as long as such arrangements are specified in the approved local plan.

In accordance with standards established by the Governor, the WIB has developed specific monitoring and oversight policies for LWDA performance, as outlined in the local plan. The WIB may also perform independent oversight of activities under the local plan, regardless of any agreements with the Chief Elected Official(s) (CEO) of the LWDA.

The WIB and Tulare County Board of Supervisors (TCBOS) may conduct such oversight independently or jointly or delegate these responsibilities to an appropriate entity by mutual agreement.

Policy

As the administrative entity, the WIB is responsible for monitoring and overseeing its contracted subrecipients and programs operated on its behalf. In accordance with state and federal regulations, the WIB maintains that submission of a Single Audit report does not replace or fulfill the requirement for oversight or monitoring reviews for any subrecipient, contractor, One-Stop Operator, or training provider.

Subrecipients must submit Single Audit reports annually; however, the WIB will continue to conduct its own monitoring and oversight activities in compliance with WIOA, Public Law No. 113-128, codified at 29 U.S.C. §§ 3164, 3174, 3241, and 3254, and current WIB Directives.

The Monitoring Unit Will:

1. Conduct annual monitoring of all subrecipients, contractors, eligible training providers, and/or WIB internal services units. These monitoring activities will include at least a one-year review of the agency's financial and program operations related to its contracts with the WIB. The monitoring process will also include reviewing other award requirements, such as Equal Employment and Training Opportunity (EEO) compliance, Americans with Disabilities Act of 1990 (ADA) compliance, and any other relevant compliance authority.

2. Identify whether outcomes are within the confines of the subrecipient 's contract. The Monitoring Unit will ensure that programs comply with applicable Federal and State regulations and the contracts between the subrecipients and the WIB.

3. Ensure fiscal accountability by verifying that WIOA funds are used for allowable and budgeted activities, maintaining accurate fiscal records, and establishing an adequate audit trail.

4. Ensure that subrecipients and the WIB comply with program limitations established by WIOA laws, regulations, and local policies. The monitoring process will include, but is not limited to, a review of the following:
   a. Purpose and Structure of Title I of WIOA: 20 CFR 675.100 and 20 CFR Section 675.200
   b. Definitions applicable across WIOA regulations: 20 CFR 675.300
   c. Procurement and Selection of One-Stop Operator and Subrecipients: 20 CFR Part 678 Subpart D, Section 107(10)(E), 20 CFR 679.570, and 20 CFR 200.318-326
   d. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards: 20 CFR Part 200
   e. WIOA Training Services – Adult, Dislocated Worker, and Youth Activities: 20 CFR Part 680-681 and WIOA Sec. 134(c)(3)(A) regarding eligibility for training services:
      - WIOA Eligibility Determination: 20 CFR 677.150(a) and current WIB Directive
      - Basic and Individualized Career Services: WIOA Sec. 134 and 20 CFR 678.430
      - Eligibility for Training Services: WIOA 134 Sec.(c)(3)(A), WIOA Sec. 3(24)(I), and 20 CFR Part 680
      - Training must comply with WIOA 181(a)(1)(A) and §683.275 for wage and labor standards. Worker protection requirements are outlined in WIOA Sections 181(a)(1)(A) and (B), (b)(2)-(5), and 188

- Individual PELL Grant Reimbursement: WIOA Sec. 134C(c)(s)(B)(ii) and §680.230(c)
- On-the-Job Training (OJT): WIOA Section (3)(44), WIOA 194(4), Section 134(c)(H), and §680.700-740
- Individual Training Accounts (ITA)
- Consumer Choice Requirements: WIOA Sec. 122(d) and 20 CFR Section 680.340

f. Local Conditions and Prohibition of Displacement:

- Training only for in-demand occupations: WIOA Section 134(c)(3)
- Prioritizing individuals most in need and those with barriers to employment: WIOA Sec. 3(24) and 20 CFR 680.320(b)
- No displacement of current workers or infringement of promotions: 20 CFR 683.270
- No impairment of union contracts: WIOA Section 181(a)(2)(B) and 20 CFR 680.850
- Non-discrimination compliance: WIOA Sec. 188 and 29 CFR Part 38, prohibiting discrimination based on race, color, religion, sex (including limited English proficiency), age, disability, political affiliation or belief, citizenship status, or participation in a WIOA Title I financially assisted program or activity.

g. Prohibitions of Activities:

- Prohibition of political activity: WIOA Sec. 195 and 20 CFR 683.200
- Prohibition of union organizing: 20 CFR 680.850
- Prohibition of sectarian activities: WIOA Section 188(a)(3)
- Prohibition of relocating establishments that cause layoffs: 20 CFR 683.260

If potential fraud, abuse, conflict of interest, or nepotism is suspected during monitoring, the Monitoring Unit will follow the reporting and escalation procedures outlined in Part II of this guide.

Jennie C. Bautista
Executive Director

PART I
General Information

All monitoring activities will be conducted under the guidance of the WIB Executive Director or Deputy Director of Administration. Unless otherwise directed, all correspondence related to the intent, conduct, and closing of monitoring activities—before, during, and after reviews—will be issued under the signature of the WIB Monitoring Coordinator. The WIB Organizational Chart defines the lines of responsibility to be followed during the routine execution of the Monitoring Unit's duties. Monitoring Unit staff will adhere to the current WIB Nepotism and Conflict of Interest policy when initiating monitoring activities. This provision does not restrict direct communication between staff as part of regular work processes.

Purpose of the Monitoring Guide

This monitoring guide outlines the operating procedures for the WIB Monitoring Unit, including detailed descriptions of monitoring elements and their role in the administration of WIOA funds in Tulare County.

The WIB has established the following requirements regarding the frequency and conditions of monitoring:

I. Monitoring Frequency

A. All subrecipients, regional award subrecipients, and training providers will be monitored at least once per program year.

B. Each review will include both fiscal and programmatic assessments to ensure compliance with WIOA Section 184, Title 20 CFR 683.410, and 2 CFR Part 200 (including Sections 200.327, 200.328, 200.330, and 200.331), as well as department exceptions outlined in 2 CFR Part 2900.

C. Monitoring will follow a standardized review process, resulting in detailed written reports that clearly document area of concerns (AOC), findings, required corrective actions, and deadlines for their resolution. All WIOA and WIB-funded training service contractors will be monitored annually, encompassing at least one year of activity to ensure the entire grant period is reviewed. This is in accordance with 2 CFR Part 200.303 and 20 CFR Part 683.410. Programs that span multiple contract years but have less than six months of activity in any single program year will not be required to undergo monitoring during that year. However, the Monitoring Unit retains the discretion to conduct reviews of such programs as needed. An annual Monitoring Schedule will be developed specifying the types of reviews to be conducted, indicating whether the focus will be compliance, fiscal, programmatic, or a combination thereof.

D. Systematic follow-up will be performed to verify completion of all required corrective actions.

E. All written reports and documentation related to monitoring and oversight will be available for review by Federal and State officials, pursuant to Title 2 CFR Section 683.400(d).

F. Monitoring records will be retained for a minimum of three years from the date of submission of the final expenditure report. If litigation, claims, audits, or other actions involving the records are initiated before the end of the three-year retention period, the records must be retained until all such matters are resolved or until the three-year period concludes, whichever is later (2 CFR Section 200.333).

G. The WIB Monitoring Procedures Guide outlines the specific procedures, tools, and methodologies used for monitoring activities.

II. Types of Monitoring

A. Compliance Monitoring

The purpose of compliance monitoring is to ensure that the requirements of executed agreements, contracts, or other governing documents are met, and that all applicable local, State, and Federal policies and regulations are followed. The Monitoring Unit is responsible for monitoring all program activities, services, administrative functions, and management practices supported by WIOA and/or WIB funds to verify legal, fiscal, administrative, and programmatic compliance.

This includes reviewing program administration and management practices and ensuring adherence to WIOA Section 188, 20 CFR Section 683.285, and all applicable nondiscrimination and equal opportunity requirements and procedures. Compliance monitoring serves to identify potential risks, prevent noncompliance, and uphold the overall integrity of funded programs.

B. Plan vs. Actual Monitoring (Performance and Expenditures)

The purpose of plan-versus-actual monitoring is to assess the extent to which program performance and financial activity align with established goals and contractual expectations. The results of plan-versus-actual monitoring analyses will help assess progress toward goals and objectives while identifying existing or emerging problems.

C. Unannounced Monitoring

Unannounced monitoring is used to directly observe service delivery, interview staff, and review program and fiscal documentation in real time. These visits may occur during active monitoring periods or can be conducted at the discretion of the Monitoring Unit.

Unannounced visits may involve subrecipients, contractors, One-Stop Operators, and training providers. Additional interviews and data reviews may be requested to further assess operational integrity.

The Department of Labor (DOL), Office of Inspector General, EDD, and the WIB reserve the right to access, monitor, and evaluate any and all activities under the agreement, and to audit associated records, documentation, and materials at any time.

D. Eligible Training Provider List (ETPL) Monitoring

ETPL monitoring aims to verify that participants received WIOA services as claimed by the subrecipient and training provider (e.g., validating participant data, conducting participant interviews, and conducting third-party verification).

As part of the monitoring process, the WIB will also assess ADA compliance to ensure that training providers offer accessible facilities, services, and materials in accordance with the ADA and Section 504 of the Rehabilitation Act. This will include on-site observations, staff interviews, and a review of policies and practices related to accessibility, accommodation, and equal opportunity.

E. Procurement Monitoring

Procurement monitoring ensures that goods and services are obtained efficiently, cost-effectively, and reasonably, in compliance with federal statutes and executive orders. This applies to subrecipients, contractors, and all WIB-related agreements and/or contracts.

The Monitoring Unit reviews contractor agreements to confirm adherence to procurement requirements, including terms, conditions, and deliverables, and compliance with Federal, State, and local regulations and directives. This process ensure integrity, transparency, and proper stewardship of public funds.

F. Fiscal Monitoring

Fiscal monitoring is conducted to ensure that financial operations are performed in compliance with 2 CFR Parts 200 and 2900. The Monitoring Unit evaluates subrecipient adherence to applicable Federal and State laws and regulations, local WIB fiscal policies, and internal controls governing the use of funds. Monitoring includes a review of financial records, procurement procedures, cost allocation methodologies, expenditure documentation, and general fiscal practices to confirm that funds are used in allowable, allocable, and budgeted ways. This supports financial accountability, transparency, and program sustainability.

G. Programmatic Monitoring

Programmatic monitoring assesses the quality, effectiveness, and compliance of services delivered to participants. This review process may include desk audits, on-site monitoring, surveys, and data analysis.

The goal is to identify potential barriers to program success, determine the root causes of service delivery issues, and ensure that participants receive meaningful, high-quality services. The WIB program unit uses the results to implement corrective actions and to provide technical assistance. This supports continuous improvement and successful program outcomes.

H. Internal monitoring

Internal monitoring evaluates WIB-conducted administrative and operational activities that are not outsourced to subrecipients. This includes internal processes such as fiscal administration, procurement, operational services, and overall program oversight.

The Monitoring Unit ensures these internal functions meet the same compliance standards as external operations and align with all applicable federal, state, and local requirements. Internal monitoring promotes accountability, identifies risks, and supports ongoing process improvement within the organization.

III. Monitoring Areas for Emphasis

The following areas for emphasis provide a structured framework for monitoring activities to ensure compliance with applicable regulations and promote best practices. This list is not exhaustive and may be expanded upon or adjusted based on specific monitoring circumstances or changes to regulatory requirements. The Monitoring Unit may include additional review areas as needed.

A. Participant Eligibility

The Monitoring Unit will verify the subrecipient ’s maintain systems and processes for participant eligibility determination that comply with all applicable regulations, including those under WIOA, non-WIOA programs, local WIB Directives, and Statements of Work (SOWs). This includes:

- Accurate and complete eligibility determinations
- Proper documentation collection and maintenance
- Alignment with federal, state, and local eligibility verification standards.

B. Participant Assessments

Monitoring will confirm that each participant receives a comprehensive assessment, which must include the following components:

- An Objective Assessment (OA) summary of the participant's skills and qualifications.
- An Individual Employment Plan (IEP) that includes:
    - Assessment-based recommendations
    - Short- and long-term goals
    - Assessment results
    - Documentation of periodic reviews and updates

Progress toward IEP goals and any adjustments must be consistently recorded to reflect evolving participant needs.

C. Review of Participant Progress, Training Quality, and Satisfaction

Monitoring will include an evaluation of participant progress, training quality, and participant satisfaction. This involves:

- Review training completion and outcomes
- Confirm credential attainment and measurable skills gain (MSGs)
- Collecting participant feedback to assess the relevance, accessibility, and effectiveness of training and services.

D. Equal Opportunity and Nondiscrimination Procedures

The Monitoring Unit will verify compliance with Nondiscrimination and Equal Opportunity (EO) provisions as outlined in:

- WIOA Section 188
- 29 CFR Part 38
- 20 CFR Section 683.285
- *Current WIB Oversight and Monitoring of Nondiscrimination and EO Procedures*.

Subrecipient s must ensure nondiscrimination on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, or political affiliation or belief, or, for beneficiaries, applicants, and participants only on the basis of citizenship status or participation in a WIOA Title I financially assisted program or activity.

E. Procurement Practices

Procurement monitoring will ensure that subrecipients adhere to procurement requirements under:

- WIB Procurement Policy Manual
- 2 CFR Part 200

- DOL exceptions under Title 2 CFR Part 2900

Monitoring will include the evaluation of:

- Compliance with competitive procurement thresholds
- Conflicts of interest safeguards
- Prohibition of political and sectarian activities
- Proper property management
- Documentation of procurement activities (contracts, bids, justification for awards)
- Compliance with contract modifications/amendments requirements

Encouragement of small and minority-owned business participation when applicable.

F. Conflict of Interest and Nepotism

The Monitoring Unit will verify compliance with the subrecipient ’s internal conflict of interest and nepotism policies and the current WIB Directive *Nepotism Policy and Procedures*.

As part of the review, the Monitoring Unit will verify that:

- Undue Influence: Services provided to family members are handled in a manner that prevents undue influence or preferential treatment in eligibility determinations, service decisions, or the use of WIOA funds.
- Conflicts of Interest: Potential or actual conflicts of interest are appropriately identified, documented, and addressed in accordance with applicable policies and procedures.

G. Financial Management

The Monitoring Unit will assess the subrecipient ’s financial management to ensure that appropriate financial systems, internal controls, and firewalls are in place and operate in adherence to applicable federal and state regulations. All financial systems must align with the *WIB Fiscal Policy Manual*, *WIB Procurement Policy Manual*, and all other relevant policies and procedures.

Financial Management Systems

The review of financial management systems may identify areas of concern related to fiscal accountability and regulatory compliance. Deficiencies in financial management can impact an organization's ability to accurately report financial activity and fulfill oversight requirements. To ensure compliance with financial management standards, the Monitoring Unit will evaluate, but is not limited to, the following components:

- Reconciliation of bank and accounting records
- Allowability and categorization of costs

- Proper classification of expenditures
- Idle property identification and tracking
- Allocation methods used for expenditures
- Equity in the allocation of costs to WIOA and other WIB funding sources
- Existence and implementation of written financial procedures
- Documentation supporting all financial transactions
- Existence of a written cost allocation plan or approved indirect cost rate

Internal Control and Firewalls

The internal control review evaluates the systems and processes in place to ensure financial and operational integrity. Weaknesses in internal controls may increase the risk of error, fraud, or misuse of funds. The Monitoring Unit will review the following internal control areas to assess the effectiveness of safeguards and ensure compliance with applicable regulations:

- Cash payment systems
- Job descriptions and actual duties
- Excess cash on hand
- Authorization and approval procedures
- Clear audit trails for all financial activities
- Inventory and asset management
- Reconciliation of cash balances
- Separation of duties and staff role clarity
- Timesheet documentation and accuracy

Additional financial management systems may be reviewed if the Monitoring Unit identifies potential areas of concern. All costs must be allowable and determined in accordance with 2 CFR Parts 200 and 2900, *Allowable Costs and Prior Written Approval* (TUL 17-04 or most recent directive), and other relevant federal, state, and local regulations. Unallowable or unsupported costs may be deemed disallowed. In such cases, the WIB may invoke the WIB Debt Collection procedures. If significant issues are found, subrecipients may be placed on a reimbursement-only status, requiring submissions of supporting documentation before payment.

H. Risk Management

The current WIB Directive *Risk Assessment* outlines procedures for determining a subrecipient ’s risk of non-compliance. The WIB will evaluate each subrecipient ’s risk of noncompliance with Federal statutes, regulations, and the terms and conditions of the subaward for the purpose of determining the appropriate level of subrecipient monitoring. This evaluation must consider the following factors:

- The subrecipient ’s prior experience with the same or similar subawards
- The results of previous audits, including Single Audit findings, and whether similar subawards were audited as major programs
- Whether the subrecipient has new personnel or new or substantially changed systems
- The extent and results of any federal agency monitoring, particularly if the subrecipient also receives direct federal awards

If the subrecipient is deemed to be high-risk, special conditions and restrictions associated with the high-risk condition may be included in the award and subjected to an additional level of oversight and monitoring needed to ensure compliance and effective performance. Detailed information regarding risk assessment can be found in the current WIB Directive *Risk Assessment* (TUL 24-06).

PART II
Procedures and Methodologies

This section outlines the steps for programmatic and fiscal monitoring, whether conducted separately or jointly. While some flexibility may be applied based on specific circumstances, the following stages generally apply:

- Initiation of Monitoring
- Entrance Meeting
- Participant File Selection
- Monitoring Review
- Presentation of Observations (findings and/or areas of concern (AoC)
- Exit Meeting
- Issuance of Draft Monitoring Report (DMR)
- Issuance of Final Monitoring Report (FMR)

While this section outlines the typical steps, deviations from this process may occur based on the specific needs or circumstances of the monitoring. Each step will be explained in this section; however, it will not include every specific detail required for monitors to complete each step.

When monitoring an internal program or project, the WIB Internal Team will be treated as a subrecipient and is subject to the same standards and procedures as an external subrecipient.

I. Initiation of Monitoring

Monitoring begins formally with the issuance of the Monitoring Intent Letter, signed by the WIB Monitoring Coordinator or designee. This letter serves as the official notification that a review is scheduled and outlines the scope of the review, timeline, and expectations. The Monitoring Intent Letter will be sent to the agency being reviewed at least two weeks prior to the monitoring review start date. The letter will be addressed to the contract awardee's designated contact person, as identified on the subrecipient 's contract cover page. If the letter needs to be directed to a different individual, this request must be submitted in writing to the WIB.

A. <u>Monitoring Intent Letter – Key Components</u>

The letter may include the following:

- **Monitoring Overview**
  - Program(s) being reviewed
  - Review dates
  - Purpose of the monitoring
- **Contracts and Monitoring Period**
  - Contract number(s)
  - Period under review (e.g., July 1, 2023 – December 31, 2024)

- **Legal Authority**
  - Oversight requirement under WIOA Section 107(d)(8)
  - Reference to applicable federal, state, and local regulations
- **Monitoring Process Overview**
  - Description of what will be reviewed (e.g., participant files, fiscal expenditures, performance)
- **Extensions**
  - Statement indicating the review period may be extended if significant issues arise
- **Contact Information**
  - Name, title, and contact details of the assigned monitor
- **Required Documentation**
  - List of documents to be submitted prior to the monitoring review
- **CC Recipients**
  - Internal WIB staff and relevant subrecipient personnel

B. <u>Subrecipient Availability Requirements</u>

The Monitoring Intent Letter may also outline subrecipient expectations and preparatory requirements, including:

- **Participant Files**
  - A randomized sample of participant files must be made available, including service documentation
- **Performance and Expenditures Data**
  - Current performance metrics and fiscal data will be reviewed for alignment with contractual goals
- **Surveys/Completion Instruments**
  - Staff or participant surveys or other tools may be required before or during monitoring
- **Staff Availability**
  - Relevant program and fiscal staff must be available for interviews
- **Programmatic Plans**
  - Any operational or programmatic plans should be available for review

II. Hosting an Entrance Meeting

A. <u>Entrance Meeting with Subrecipients</u>

The Monitoring Unit will contact the appropriate subrecipient representative, along with relevant staff identified by the WIB Program Unit, to schedule an entrance meeting. The Monitoring Unit will propose dates and times that accommodate their team's availability and send them to the subrecipient for confirmation. Once a mutually agreed-upon date is set, the Monitoring Unit will send either a virtual meeting link or the in-person meeting location via email.

The Monitoring Unit reserves the right to request either an in-person or virtual meeting, based on what is most effective for both parties while minimizing disruption to subrecipient staff.

Prior to the meeting, the Monitoring Unit will prepare an entrance meeting and share it with the subrecipient, which will be made available to the subrecipient during the meeting and emailed after the meeting.

The agenda will outline:

- The general scope of the monitoring.
- The monitoring start date and monitoring period.
- A projected timeline for the review.
- The number of participant files selected for review.
- The date, time, location, and attendees of the meeting.

Note: *The agenda serves as a quick reference to the monitoring overview but does not represent the full scope of the review.*

During the entrance meeting, the Monitoring Unit will review the scope and purpose of the monitoring and may request additional information. This discussion may include:

- The programs are being reviewed.
- An overview of the required documentation that must be available at the monitoring site to complete the review.
- Staff involved in the contract activities under review.
- Program participants at training sites.
- The subrecipient's designated point of contact.

Subrecipients will have the opportunity to ask questions or share comments during the meeting.

B. Pre-Entrance Meeting for Internal WIB Staff

The Monitoring Unit will host an internal entrance meeting with the respective WIB teams overseeing the monitored grant or program. This meeting will be scheduled based on staff availability.

Prior to the meeting, the Monitoring Unit will prepare an agenda, which will be shared with internal staff and emailed after the meeting. The agenda will include:

- The general scope of the monitoring.
- The monitoring start date and period.
- A projected timeline for the review.

- The number of participant files selected for review.

Note: *The agenda serves as a reference guide and is not a complete list of review items.*

During the entrance meeting, the Monitoring Unit will provide a brief description of the scope and purpose of the monitoring and may request additional information, including:

- Program challenges and strengths observed throughout the program year
- The internal point of contact for monitoring questions
- Any technical assistance provided to subrecipients
- Deviations from the original statement of work or contract modifications

Note: *For reviews of internal programs or projects, the Monitoring Unit does not hold a pre-meeting with staff before the official entrance meeting.*

III. Participant File Selection

A. File Selection Process

Prior to the start of monitoring, the MIS Administrator (or designee) will generate enrollment reports from the CalJOBS system for the applicable program or grant. The Monitoring Unit will calculate a sample size based on the total number of individuals enrolled during the monitoring period, in accordance with the Monitori*ng Sample Size* section of this guide.

Once the sample size is determined, the MIS Administrator will provide the CalJOBS reports to the Monitoring Unit. The Monitoring Analyst will then randomly select participant files.

The finalized participant list will be emailed to the subrecipient staff prior to the start of the monitoring. However, the Monitoring Analyst will not review any participant files until the official start date of the monitoring, as stated in the monitoring intent letter.

IV. Monitoring Review

A. Desk Review

The desk review represents the first phase of the monitoring process and is typically conducted through CalJOBS. However, it may be conducted on-site depending on the location and availability of the required file documents. During this phase, the Monitoring Unit reviews documentation submitted by the subrecipient in response to the Monitoring Intent Letter, as well as internal data and records already maintained by CalJOBS.

The desk review officially begins on the start date identified in the Monitoring Intent Letter. As part of the desk review, activities conducted by the Monitoring Unit may include, but are not limited to, the following:

i. **Program Requirements and Performance:** Reviewing program contracts, scopes of work, performance objectives, and other applicable requirements to assess compliance with WIOA requirements and alignment with local goals
ii. **Participant Data:** Analyzing participant data, including enrollments, eligibility, measurable skill gains (MSGs), credential attainment, employment outcomes, and other program-related data.
iii. **Fiscal Documentation:** Evaluating fiscal documentation, such as budget-to-actual reports, expenditure summaries, payroll records, and cost allocation plans.
iv. **Policies and Procedures:** Reviewing organizational policies and procedures for WIOA compliance and internal controls.
v. **Risk Identification:** Identifying potential risk based on prior performance, earlier monitoring findings, or inconsistencies in documentation.

Subrecipients may be contacted during this phase to clarify discrepancies or provide additional documentation. The results of the desk review help define the scope and depth of the subsequent on-site review.

B. <u>On-Site Review</u>

The on-site review follows the desk review and allows the Monitoring Unit to verify compliance in person and observe real-time operations. This phase includes direct staff interaction, documentation review, and observation of service delivery, where applicable.

Typically, on-site reviews are conducted once per program year, though the frequency may vary based on the subrecipient's risk level, funding, or prior performance history.

Key on-site review activities include:

- Interviewing staff, participants, and employers.
- Observing program operations (e.g., intake, case management practices, training).
- Reviewing participant files to verify eligibility determination, documentation accuracy, service tracking, and case notes (as applicable).
- Verifying source fiscal documentation (e.g., invoices, receipts, time sheets, procurement records).
- Reviewing inventory records to confirm proper use and tracking of WIB-funded assets.
- Evaluating data systems and quality control practices.
- Assessing compliance with EEO policies, accessibility requirements, and grievance procedures.

Findings and AoCs from both the desk and on-site review will be documented and may appear in the Draft or Final Monitoring Report.

C. Record Sampling and Tool Completion

During both the desk and on-site review phases, the Monitoring Unit uses standardized record sampling procedures to ensure a representative and risk-informed evaluation of subrecipient operations. Sampling is conducted across multiple areas, including but not limited to:

- Participant files: Eligibility documentation, Individual Employment Plans (IEPs), case management records, service tracking, and outcome verification.
- Fiscal documents: General ledgers, invoices, payroll, procurement files.
- Administrative and compliance records: Policies and procedures, Equal Opportunity (EO) documentation, insurance, and inventory logs.

For each sample, the Monitoring Unit completes a corresponding review worksheet or checklist. These tools document findings, follow-up needs, and compliance outcomes, and are customized to address programmatic, fiscal, and administrative areas. All completed tools are retained as part of the official monitoring file and support the development of final reports.

D. Working Document Retention

At the conclusion of the review, all working papers and supporting documents are securely stored in the Monitoring Unit's designated drive. Documents are categorized by program and may not be stored in a single folder.

Documents retained may include, but are not limited to:

- Completed participant and fiscal review worksheets
- Interview notes and observations
- Copies of reviewed documents (if applicable)
- Interim monitoring correspondence and letters

Records are maintained per federal and state retention guidelines, as well as internal WIB policies. These records serve to:

- Support the development of monitoring reports and findings
- Address inquiries from auditors or state reviewers
- Inform future monitoring cycles and risk assessments

Maintaining organized and complete documentation ensures transparency, accountability, and continuity in the monitoring process.

V. Completion of Desk and On-Site Reviews

After completing both desk and on-site reviews, the Monitoring Unit will begin preparing and presenting monitoring observations. If potential AoCs or findings are identified, the WIB will initiate the process of presenting these observations to the subrecipient. If no issues are identified, the Monitoring Unit will proceed directly to scheduling the exit meeting.

Upon completion of the reviews, the list of observations will be reviewed by the WIB Monitoring Unit Program Coordinator or their designee. Significant issues may be escalated for discussion with the Deputy Director of Administration and/or the Executive Director to determine appropriate next steps.

A. <u>Pre-exit Meeting</u>

The Monitoring Unit will host an internal pre-exit meeting with the respective WIB units overseeing the monitored grant, program, or task. The meeting will be scheduled based on staff availability.

Before the meeting, the Monitoring Unit will:

- Provide an outline of identified observations (AoCs and potential findings).
- Request that the respective WIB units prepare a list of unmet performance and expenditure measures for the specific performance and expenditure review period.

During the meeting, the Monitoring Unit will:

- Present observations identified during the reviews.
- Ask clarifying questions regarding program guidance and procedures.
- Collaborate with the WIB unit to validate or eliminate certain observations.
- Discuss necessary corrective actions, and potential technical assistance.

Input from WIB staff will be considered, but the final decision on the observations included in the monitoring report lies with the WIB Monitoring Program Coordinator, the Deputy Director of Administration.

Note: *An internal pre-exit meeting may be omitted if there are no significant observations to discuss or if scheduling constraints do not allow it. This pre-exit meeting will also be omitted during internal monitoring.*

B. <u>Presenting the Observations to Subrecipients</u>

The Monitoring Unit will email the list of observations to the appropriate subrecipient representatives, allowing them to submit clarifications or additional information prior to the exit meeting. These responses will be reviewed to determine whether each observation should be classified as an AoC or a finding. If the subrecipient's response adequately resolves an observation, the Monitoring Unit may remove it at its discretion. Finalized observation will be included in the DMR.

C. Reporting Suspected Fraud or Abuse

If the assigned monitor suspects potential fraud or abuse, the monitoring process will be immediately suspended. The issue will be reported to the Monitor's supervisor and the WIB Executive Director.

The WIB Executive Director will then notify:

- The subrecipient
- The Chair of the WIB Board

The Executive Director will determine whether an Incident Report should be submitted, in accordance with the most recent WIB Directive *Incident Reporting*.

VI. Exit Meeting with Subrecipients

A. Scheduling Exit Meetings

When observations are shared with the subrecipient, the Monitoring Unit will propose dates for the exit meeting. Once scheduled, the Monitoring Unit will provide meeting details (in-person or virtual) The format (in-person or virtual) will be determined based on what best accommodates both parties and minimizing disruption to the subrecipient 's operation. The subrecipient is expected to include key staff in the meeting, such as program managers, fiscal, or other relevant personnel.

During the meeting, the Monitoring Unit will:

- Provide a brief overview of the review.
- Address any common AoC's or potential findings
- Offer limited technical assistance, if appropriate.
- Answer additional questions from the subrecipient
- Outline the next steps, including timelines for follow-up.

This is the final opportunity for the subrecipient to offer verbal clarification before the DMR is issued.

A pre-exit meeting with internal WIB teams may be scheduled as needed to provide an overview of observations identified during the monitoring review that have not yet been addressed. The meeting will occur prior to the exit meeting with the subrecipient and issuance of the monitoring report.

VII. Issuing the Draft Monitoring Report (DMR)

If observations were identified, the Monitoring Unit will issue a DMR to the subrecipient within 30 days of the exit meeting. If no issues were identified, the Monitoring Unit will proceed directly to issuing a Final Monitoring Report (FMR).

A. <u>DMR Requirements</u>

The DMR will include:

- Objective, scope, and methodology of the review.
- Observations clearly categorized as AoC or finding.
- Required corrective actions, where applicable.

Each AoC or finding will outline:

- The unmet criterion (regulation, directive, contract clause).
- The condition identified.
- The cause of the issue.
- The potential or actual effect if unaddressed.

The DMR will be reviewed by the Monitoring Program Coordinator and Deputy Director of Administration.

B. <u>Internal DMR Reviews</u>

DMRs will be reviewed internally before issuance. Observations will be categorized based on the organized by monitoring area (e.g., Participant File Review, Fiscal Review, EO Compliance, etc.)

Final discretion over the DMR's content lies with the WIB Monitoring Program Coordinator, Deputy Director of Administration, and/or Executive Director.

Once the Deputy Director of Administration has approved, the DMR will be signed and distributed to:

- The respective subrecipient.
- Relevant internal and external stakeholders as applicable.

The letter will be retained in accordance with WIB document retention policies.

The DMR will be shared with relevant WIB units through an informal email process to communicate the results of the review.

C. <u>Following DMR Issuance</u>

If areas of concern or findings were identified in the DMR:

- The Subrecipient will be have 20 working days from the DMR date to respond in writing.
- If no response is received, the DMR will be finalized and issued as the Final Monitoring Report (FMR).

If corrective actions are identified in the DMR or FMR, they will be pursued until all issues are resolved. Unresolved findings may remain open and be addressed in future monitoring reviews.

VIII. Issuing the Final Monitoring Report (FMR)

A. FMR Issued Without a DMR

If no observations are identified during the monitoring review, the FMR must still be issued. It must include all required elements outlined in the DMR requirements, such as a clear summary of the objectives, scope, and methodology of the review.

Following the exit meeting, the Monitoring Unit has 30 days to issue the FMR. The report will include the final determination of the monitoring outcome, and a summary of the monitoring process. Final discretion over the FMR's content with the WIB Monitoring Program Coordinator, Deputy Director of Administration, and/or Executive Director.

Once approved, the FMR will be signed by the WIB Monitoring Coordinator or designee and issued to the respective subrecipient. It will be retained in accordance with WIB document retention policies. This issuance serves as a formal closure of the monitoring review.

The final report may also be shared with relevant WIB units through an informal email process to communicate the results of the review. WIB staff receiving the DMR are expected to prepare guidance or resources and deliver targeted technical assistance in response to the report as applicable.

B. FMR Issued following a DMR

When DMR has been issued due to identified observations, subrecipients have 20 working days to submit a written response. Upon receiving the response, the Monitoring Unit has 30 days to issue the FMR.

The FMR will include:

- The original observation(s),
- The subrecipient 's response,
- Relevant Citations,
- The WIB's resolution, and
- A summary of the monitoring closure.

The Monitoring Unit will prepare the FMR for review by the WIB Monitoring Coordinator and Deputy Director of Administration. Once approved, an FMR will be signed and issued by the WIB Monitoring Coordinator or designee and transmitted to the subrecipient. The report will be retained in accordance with WIB document retention policies.

The FMR will include:

- The original observation(s),
- The subrecipient 's response,
- Relevant Citations,
- The WIB's resolution, and
- A summary of the monitoring closure.

If the subrecipient’s response is deemed sufficient and all issues are resolved, no further action is required. The issuance of the FMR will serve as a formal closure of the monitoring review.

Where appropriate, findings or concerns may remain open pending follow-up by the Monitoring Unit. These items will be revisited through a follow-up visit or in subsequent monitoring activities, as determined appropriate.

In cases where findings or concerns remain open, the FMR will indicate that further follow-up is needed. These items will be re-evaluated in subsequent monitoring reviews or follow-up visits, as appropriate.

If the subrecipient fails to respond to the DMR within the designated timeframe, the DMR will be finalized and issued as the FMR. This action serves as formal closure of the review.

The FMR may also be circulated to relevant WIB units for awareness and follow-up guidance, typically through an informal email process. WIB staff receiving the DMR are expected to prepare guidance or resources and deliver targeted technical assistance in response to the report.

C. Inadequate Subrecipient Response to DMR

If the subrecipient 's response to the DMR is determined to be inadequate, an FMR will be issued detailing the required corrective actions. The FMR will also indicate whether the monitoring review is considered open or closed. If the review remains open, it signifies that additional corrective actions or policy changes are necessary. The subrecipient must resolve these issues before the monitoring review can be formally closed.

The subrecipient will have five working days from the issuance of the FMR to do one of the following:

- Submit a written appeal following WIB Directive *Audit Resolution* (TUL 22-09) if they believe the findings are inaccurate or unjust.
- Submit a written corrective action plan, outlining how the issues will be resolved; or
- Request an extension if more time is needed to complete the corrective actions.

Any corrective actions implemented will be reviewed in future monitoring activities. Once the Monitoring Unit reviews and verifies the corrective measures, the resolution will be documented and retained in the official monitoring file. At that point, the monitoring review will then be considered closed.

PART III
Monitoring Files and Filing Responsibilities

Clear documentation and organized recordkeeping are vital for maintaining the integrity and transparency of the monitoring process. The Monitoring Unit is responsible for keeping complete and accurate records of all monitoring activities, ensuring they are readily available for internal review, audits, state and federal oversight, and compliance with applicable regulations.

I. Monitoring Schedule

The Monitoring Schedule is a centralized tracking tool used to monitor the progress of all reviews conducted by the Monitoring Unit. It includes essential data such as the subrecipient name, contract number, review type, coverage period, review date, assigned monitor, report status, and corrective action follow-up. This schedule is created at the start of each program year, reviewed and updated quarterly, and must adhere to the Oversight and Monitoring Standards issued in EDD directives.

Note: The schedule's name may vary based on the terminology used in EDD guidance, but must still include all required elements.

II. Monitoring Log

The Monitoring Log documents all compliance issues identified during reviews, including observations and their classification as Areas of Concern (AoCs) or Findings, corrective actions, and resolution status. Housed in the designated monitoring drive and maintained by the Monitoring Unit, this log offers a real-time snapshot of ongoing and completed monitoring issues. Each record includes the Subrecipient 's name, contract number, issue type (programmatic or fiscal), a concise issue summary, and the current status (open, closed, or pending). The Monitoring Unit must ensure that this log is kept up to date and readily available for oversight and audit purposes.

III. Audit Log

The Audit Log tracks subrecipient audits comply with audit resolution requirements. This file contains audit reports, auditor findings and opinions, and the progress or completion of required corrective actions. Maintaining this log helps support oversight, ensures timely resolution of audit issues, and identifies potential trends that may indicate future risk. The Monitoring Unit is responsible for keeping this log current and accessible.

IV. Monitoring Documentation

All documents generated through monitoring activities must be submitted to WIB clerical staff for proper storage and retention. Documents can be kept in digital or hard copy form, depending on the filing method established by the Monitoring Unit Coordinator. Required documents must be stored in the following designated locations:

A. <u>Master Contract File (for each Subrecipient):</u>
- Monitoring Intent Letter
- Draft Monitoring report
- Subrecipient responses
- Final Monitoring report
- Corrective Action Plan (if applicable)
- Related Correspondence (e.g., clarification requests, extension requests)

B. <u>WIB In-House Monitoring File (Internal Reviews):</u>
- Monitoring Intent Letter
- Draft monitoring Report
- Subrecipient Responses
- Final monitoring Report
- Corrective Action Plan (if applicable)
- Related correspondence (e.g., clarification requests, extension requests)
- Any supporting correspondence or documentation tied to internal oversight reviews

PART IV
Other Responsibilities

It is the Monitoring Unit's responsibility to ensure that all documentation is complete, properly labeled, and filed in a timely and secure manner, consistent with internal procedures and oversight requirements.

I. Role in State EDD Compliance Review Division Visits

The Monitoring Unit plays a key support role in preparing for Compliance Review Office (CRO) visits conducted by the State Employment Development Department (EDD). To ensure readiness, the following responsibilities may apply:

A. <u>WIB Directives Filing</u>

Designated WIB staff are responsible for filing and publishing all WIB Directives related to compliance, oversight, and operations on the WIB website. This task is designated by WIB leadership.

B. <u>Monitoring Guide Responses</u>

The WIB Deputy Director of Administration is responsible for assigning, reviewing, and responding to applicable sections of the monitoring guides distributed by the CRO. These guides cover areas such as oversight, internal controls, fiscal and program monitoring, and policy compliance. Coordination with relevant departments is essential to ensure accuracy and completeness.

C. <u>Document Retention and Support Materials</u>

All completed CRO Monitoring Guides and related development documentation must be retained in the appropriate WIB General Files. The Monitoring Unit is responsible for submitting all monitoring-related documentation, including participant files and supporting materials relevant to program and fiscal monitoring activities.

II. Role in Risk Assessment Process

The WIB Monitoring Unit is responsible for conducting an annual risk assessment of subrecipients to evaluate their capacity to manage WIOA funds responsibly. The process includes requesting relevant documentation and evaluating risk indicators such as past monitoring results, fiscal systems, staff turnover, and prior audit findings.

Results of the assessment are shared with the WIB Program and Evaluation Committee and used to inform decisions on awarding or re-awarding agreements. Risk assessments and related logs (e.g., Monitoring and Audit Logs) may also be submitted to support funding decisions during procurement. The results help determine the level and frequency of future monitoring. Refer to the latest WIB Directive on risk assessment for specific procedures.

III. Role in the Safeguard of Personally Identifiable Information (PII)

The WIB Monitoring Unit is responsible for ensuring that all WIB staff and subrecipients understand their responsibilities for protecting participant privacy. Subrecipients must implement reasonable safeguards to protect PII and any other sensitive information in accordance with applicable laws and guidance, including:

- Uniform Guidance Section 200.303(e)
- TEGL 39–11
- WIB Directive TUL 19-03 (Use and Confidentiality of PII)

All monitoring and data-handling practices must prioritize confidentiality and security to maintain the trust of program participants and meet federal and state requirements.

Administrative Operational Guidance

Timekeeping Procedures for Monitoring Staff

To ensure proper time allocation and compliance with cost allocation requirements, Monitoring Unit staff must:

- Record time spent on programmatic monitoring under the relevant funding source (e.g., Adult, Dislocated Worker, Youth, NDWG).
- Record time spent on WIB administrative activities under the "Administrative" category.

Staff with questions regarding time allocation or coding should consult the Monitoring Unit Supervisor or the WIB Deputy Director of Administration.

PART V
Monitoring Resources

Sample Size

Selecting an appropriate sample size is essential to ensure monitoring reviews are representative and reliable. Sample sizes should generally range between 5% and 25% of the total population. A smaller percentage may suffice for large populations, while smaller populations may require a proportionally larger sample. Minimum sample size thresholds are outlined below:

Population Size	Minimum Sample Size
10 and under	50% of population
11 – 100	20 % of population
101 – 500	15% of population
501 – 1000	10% of population
1001 or more	5% of population

Additional Considerations for Adjusting Sample Size

Sample sizes should be increased above the minimum thresholds in certain circumstances, including:

- **Low Program Enrollment**: Up to 100% sampling may be appropriate when enrollment is low, to ensure sufficient data for review.
- **Complex Eligibility Requirements**: Programs with complex eligibility rules may require larger samples to verify compliance.
- **Potential Irregularities**: If there are concerns about ineligible enrollments, increase the sample size.
- **Probationary Subrecipients**: New or provisional subrecipients should be reviewed with a larger sample.
- **High-Risk Classification**: subrecipients designated as high-risk require a more extensive review.
- **Lack of Direct Oversight**: If key functions are conducted without direct WIB supervision, expand the sample.

All participant files selected for review must be chosen at random to avoid bias and ensure the integrity of the monitoring process.

Monitoring Tools

Monitoring review tools are used to promote consistency and assist Monitoring Unit staff in conducting and documenting monitoring activities. The tools are maintained separately from this guide and are not incorporated as attachments. They may be modified or updated without notice based on monitoring needs or changes in applicable requirements.

Monitoring review tools may be provided to subrecipients upon request.

PART VI
Definitions

Area of Concern (AoC): If an effectiveness indicator is not met and the reviewer believes that it may possibly result in a finding at some later point if not addressed, an area of concern or observation is identified. Areas of concern or observation are not specific compliance violations but may negatively impact the program or could lead to a finding in the future. A corrective action may not be specified or required for an area of concern or observation, but may include suggestions for improvement.

Audit Log: A tracking tool used to document subrecipient audits, including audit reports, auditor findings and opinions, and the progress or completion of required corrective actions. The Audit Log supports oversight, timely resolution of audit issues, and identification of potential trends that may indicate future risk.

Contractor: An entity that receives a contract as defined in Uniform Guidance Section 200.1.

Corrective Action: Action required to address and resolve an identified monitoring issue. Corrective actions may include changes to practices, procedures, documentation, or policies and are pursued until the applicable issue has been resolved.

Corrective Action Plan (CAP): A list of specific steps that subrecipients must take within a stated period to achieve compliance

Desk Review: The first phase of the monitoring review, typically conducted through CalJOBS but which may be conducted on-site depending on the location and availability of required documentation. The review may include documentation submitted in response to the Monitoring Intent Letter; contracts and scopes of work; participant, performance, and fiscal data; organizational policies and procedures; and other records relevant to the scope of the monitoring.

Draft Monitoring Report (DMR): The report issued following the monitoring review when observations have been identified. The DMR documents the objective, scope, and methodology of the review; observations categorized as AoCs or findings; applicable criteria and conditions; and required corrective actions, where applicable.

Final Monitoring Report (FMR): The final report issued to document the outcome of a monitoring review. When a DMR was issued, the FMR may include the original observations, the subrecipient 's response, relevant citations, the WIB's resolution, and a summary of the monitoring closure. The FMR may identify issues that remain open and require additional follow-up.

Finding: A violation of a specific compliance requirement contained in laws, regulations, local, federal, or state policies, DOL Exceptions, grant terms and conditions, Employment and Training Administration (ETA) policy guidance, including TEGLs, and/or the grant agreements that require specific corrective action. Findings are also known as, but not limited to, noncompliance issues, questioned costs, and/or disallowed costs.

Follow-up: Additional monitoring activity conducted to verify corrective measures or evaluate issues that remain open. Follow-up may occur through an additional review, follow-up visit, or subsequent monitoring activity, as appropriate.

Monitoring Intent Letter: The formal notification that a monitoring review is scheduled. The letter identifies information such as the scope of the review, monitoring period, timeline, expectations, and documentation that may be required.

Monitoring Log: A tracking tool used to document compliance issues identified during monitoring reviews, including observations, findings, AoCs, corrective actions, and resolution status. The log provides a current record of ongoing and completed monitoring issues.

Monitoring Period/Period Under Review: The period of program, participant, fiscal, performance, or other activity examined as part of the monitoring review.

Monitoring Review: The monitoring review is an oversight activity that may lead to opportunities for technical assistance and/or corrective action. For ETA's purpose, a monitoring review is a process used to measure progress, identify areas of compliance, offer opportunities for technical assistance to help resolve non-compliance issues, and ensure that federal funds are used responsibly.

Monitoring Schedule: A centralized tracking tool used to monitor the progress of reviews conducted by the Monitoring Unit. The schedule includes information such as the subrecipient name, contract number, review type, coverage period, review date, assigned monitor, report status, and corrective action follow-up.

Monitoring Tools/Review Tools: Worksheets, checklists, attachments, or other formats used by the Monitoring Unit to support and document monitoring activities. Review tools may be modified or alternative formats may be used, provided the monitoring review adequately addresses all applicable requirements and documentation standards.

Observation: A condition, discrepancy, potential deficiency, or other matter identified during a monitoring review that requires additional review, clarification, or analysis. An observation may subsequently be classified as an AoC or finding or may be removed if clarification or additional information adequately resolves the matter.

On-Site or Field Review: The phase of monitoring conducted at the location of the activity being reviewed to verify compliance and observe operations. The review may include staff, participant, or employer interviews; observation of program operations; participant and fiscal record review; inventory review; evaluation of data systems and quality-control practices; and assessment of applicable Equal Opportunity, accessibility, and grievance procedures.

Random Sample: An unbiased selection of data or participant files selected for review to support the integrity of the monitoring process.

Requirement: The applicable criterion against which a condition is evaluated during monitoring. Requirements may be established through regulations, directives, contracts, Statements of Work, or other governing requirements applicable to the activity being reviewed.

Risk Assessment: The process used to evaluate a subrecipient 's risk of noncompliance and inform the appropriate level and frequency of monitoring. The assessment considers factors such as prior experience, audit and monitoring results, personnel or system changes, and the extent and results of other monitoring.

Subrecipient: A non-federal entity that expends federal awards received from a pass-through entity to carry out a federal program but does not include an individual that is a beneficiary of such a program. A subrecipient may also be a recipient of other federal awards directly from a federal awarding agency (Uniform Guidance Section 200.1).

Subrecipient Response: A written response submitted by the subrecipient addressing an observation identified through monitoring. The response may provide clarification, additional information or documentation, dispute an identified issue, describe corrective action taken, or provide a plan for resolving the issue.

Technical Assistance: Guidance, resources, or assistance provided in response to monitoring issues or identified needs to support corrective action, compliance, or improvement.

WIB Conclusion/Resolution: The WIB's determination regarding a subrecipient 's response to an observation included in the DMR. The determination may resolve the issue or identify additional corrective action or follow-up that is necessary. An issue may remain open pending verification or future monitoring.

WIB General Files: Files maintained at the Workforce Investment Board of Tulare County Administrative Offices for the retention of applicable monitoring, oversight, and related documentation.

INTEROFFICE MEMORANDUM

TO: **Directors**

FROM: **Jennie C. Bautista, Executive Director**

DATE: **September 4, 2026**

SUBJECT: **Workforce Investment Board of Tulare County Board of Directors Appointments**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Request	Recommend two appointments to the Workforce Investment Board of Tulare County Board of Directors in the noted categories, contingent upon approval by the Tulare County Board of Supervisors. • Kerissa Chapman, Executive Director, Tulare County Farm Bureau – Business Representative, term expiration date June 30, 2030 • Inez de Ocio, Supervisor I, Department of Rehabilitation – Title I of the Rehabilitation Act Representative, term expiration date June 30, 2028
Summary	In accordance with the Workforce Investment Board of Tulare County (WIB) Bylaws, the WIB reviews and recommends nominees to the Tulare County Board of Supervisors, which retains final appointment authority. Members appointed to fill a vacancy serve the remainder of the unexpired term. In compliance with the Workforce Innovation and Opportunity Act (WIOA) of 2014, the Tulare County Board of Supervisors will consider the appointments to the Workforce Investment Board of Tulare County Board of Directors. If recommended by the Workforce Investment Board of Directors, the appointments will be forwarded to the Tulare County Board of Supervisors for consideration at its October 6, 2026, meeting.
Fiscal Impact	No fiscal impact to the agency.
Alternative(s)	If not recommended, the positions will remain vacant, and the nomination process may be reopened in accordance with the WIB Bylaws and WIOA requirements.

Involvement of Other Stakeholder(s)	Tulare County Board of Supervisors
Attachment(s)	No attachments are included with this item at this time.

INTEROFFICE MEMORANDUM

TO: **Mary Rodarte, Workforce Services Program Manager**

FROM: **Desiree Landeros, Career Services Coordinator**

DATE: **September 9, 2026**

SUBJECT: **2023 Quality Jobs, Equity, Strategy, and Training Disaster Recovery National Dislocated Worker Grant Highlight**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Summary	On May 5, 2023, the US Department of Labor released the 2023 Quality Jobs, Equity, Strategy, and Training (QUEST) Disaster Recovery (DR) National Dislocated Worker Grant (NDWG) funding announcement. The Employment Development Department (EDD) applied for this initiative and asked the Workforce Investment Board (WIB) to submit a proposal to provide services. On January 10, 2024, the WIB took action to accept $1,000,000 to operate the project for three years, from October 1, 2023, through September 30, 2026. **Purpose** The project was designed to strengthen Tulare County's agricultural workforce by providing farmworkers, their household members, adult children, and residents of disinvested communities with access to skills development, training, and employment opportunities leading to quality jobs in agriculture and other growing industries. **Key Project Activities** The project was implemented through the following services, partnerships, and business engagement activities. • **Strategic Partnerships:** Engaged workforce, education, community and industry partners to support project design, outreach, training, and employment outcomes. • **Community and Participant Outreach:** Conducted targeted outreach to farmworker households and rural and disinvested communities. The project also established trusted community partnerships to connect individuals with services.

	• **Business Engagement:** Engaged agricultural and other regional employers through sector partnerships to identify workforce needs, career opportunities, and skills required for employment. • **Employment and Training Services:** Provided occupational skills training, career counseling, job placement assistance, and supportive services needed to help participants complete training and transition to employment. **Key Participant Services and Outcomes** Through the project, participants received individualized workforce services to support their transition into sustainable employment and career pathways. Services included occupational skills training, career counseling, job placement assistance, and supportive services to address barriers to participation and successful training completion. These activities aligned with the grant's employment and training goals. As of August 31, 2026, the project served 125 individuals, exceeding its goal of 100 participants by 25 percent. The project also exceeded its occupational skills training goal, with 72 participants receiving training compared with the goal of 70. In addition, 76 participants received supportive services and 44 obtained employment, achieving 66 percent of the project's placement goal of 67.

Key Participant Outcome	Goals	Actual	Percentage of Plan
Individuals Served	100	125	125%
Occupational Skills Training	70	72	103%
Supportive Services	64	76	119%
Job Placement	67	44	66%

Involvement of Other Stakeholder(s)	Middlestate, Tulare-Kings Ag Skills Partnership, Community Services Employment Training, and Proteus, Inc.
Attachment(s)	No attachments are included with this item at this time.

INTEROFFICE MEMORANDUM

TO: **Jennie C. Bautista, Executive Director**

FROM: **Nicola Wissler, Communications Coordinator**

DATE: **September 9, 2026**

SUBJECT: **INNOVATORS by Design Conference 2026**

Item	Comments
Agenda Date	WIB Meeting – Wednesday, September 16, 2026
Summary	The INNOVATORS by Design conference will take place on October 7, 2026, at the Visalia Convention Center from 8:00 a.m. – 2:00 p.m. The conference typically hosts 200 attendees from workforce development, education, community partners, industry partners, and civic leaders from across Tulare County and Central Valley. The conference will begin with the Workforce Investment Board (WIB) Annual Meeting, which will serve as the October Board Meeting. Following the Annual Meeting, staff will provide an overview of Program Year (PY) 25-26 and share the PY 25-26 Annual Report. This year's keynote speaker is Dr. Saul Jimenez-Sandoval, President of Fresno State University. He will be speaking about *Strengthening the Valley Together: Expanding Opportunity Through Partnership.* Following his remarks, he will be joined by Dr. Brent Calvin, President of College of the Sequoias, for a conversation about the future of education and collaboration in the South Valley. Following the keynote address, attendees will choose from eight breakout sessions. Session topics include artificial intelligence, trauma-informed care, co-designing with community, leadership resilience, and other topics. The conference will close with the INNOVATORS by Design Awards presentation. The WIB will present 10 awards to former job seeker customers, business customers, community partners, and workforce staff to highlight their successes. Each recipient will be featured in a short promotional video and will receive a plaque.

	Sponsors include the Sequoias Adult Education Consortium, College of the Sequoias, and Proteus, Inc. Tickets and tables are still available for purchase at www.tularewib.org/ibd.
Involvement of Other Stakeholder(s)	None
Attachment(s)	No attachments are included with this item at this time.

WIB
Workforce Investment Board
of Tulare County
Driving Economic Success

VOLUME 12, ISSUE 7 | July 2026

WORKFORCE DATA NEWSLETTER

an In-Depth Analysis of Labor Market Information

From July 2025 to July 2026...

UNEMPLOYMENT RATE
increased to **10.3%**

FARM JOBS
increased by **200**

LARGEST GAINS:
Local Government (Education) **| 1,700**

LABOR FORCE
Decreased by **4,300**

NON FARM JOBS
increased by **2,200**

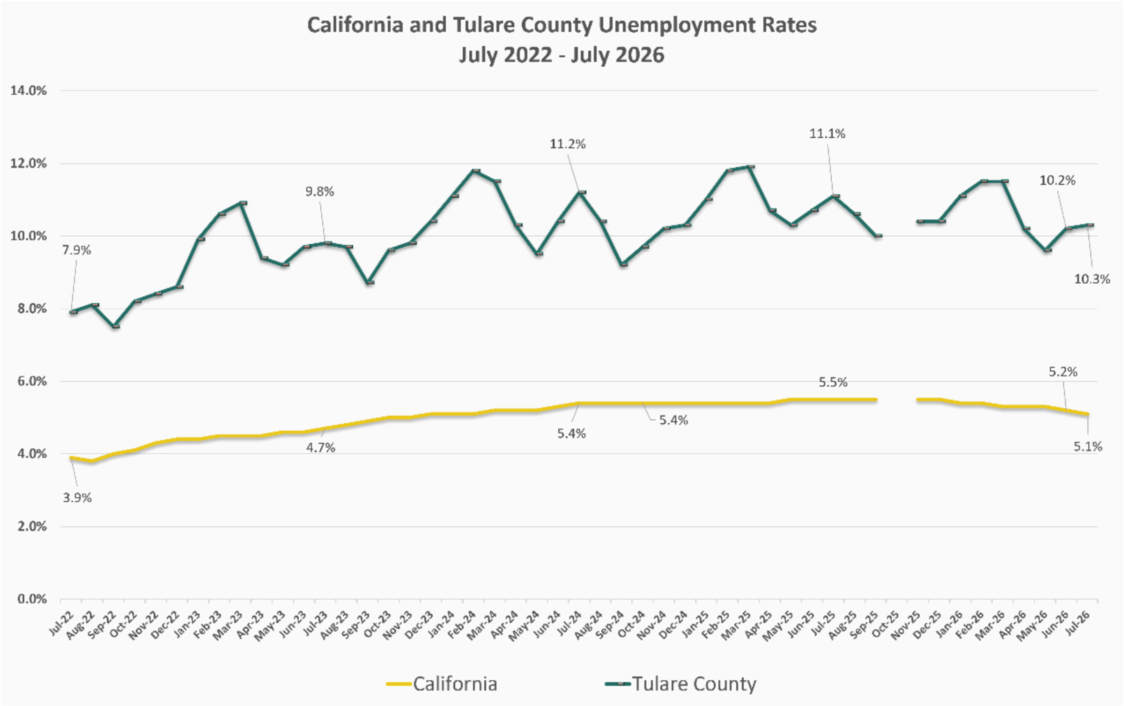
LARGEST DECLINE
Professional & Business Services | **-500**

Highlights from the recent report include:

- **From July 2025 to July 2026, the labor force decreased by an estimated 4,300 people, continuing a recent decline year-over year. Local Government (Education) showed robust gains over the last year while the overall unemployment rate increased slightly from a revised 10.2% to 10.3% year-over-year.**
- The overall labor force has declined while industry has reported an increase in jobs. This reflects a difference in survey methods that measure jobs (industry reported statistics) and people (employment statistics). This can reflect an increase of people working multiple jobs, commuting from out of the area for work in Tulare, or just a statistical aberration.

Employment in Tulare County vs. California

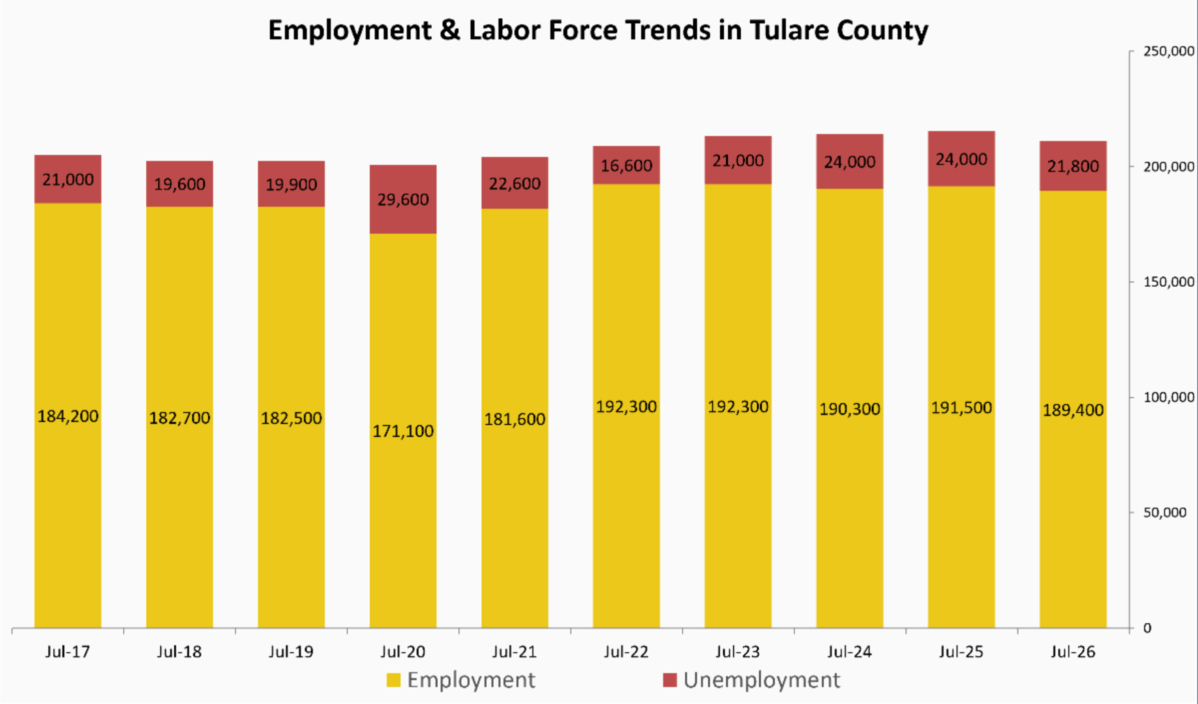
HOW DOES TULARE COUNTY'S UNEMPLOYMENT RATE CHANGE OVER TIME?



Month to month from June to July 2026, the unemployment rate increased slightly to 10.3%.

	July 2025	June 2026	July 2026	Change	
				Month	Year
Labor Force	215,500	217,400	211,200	-6,200	-4,300
Employment	191,500	195,300	189,400	-5,900	-2,100
Unemployment	24,000	22,100	21,800	-300	-2,200

The graph below shows July employment and labor force trends over the last 10 years.



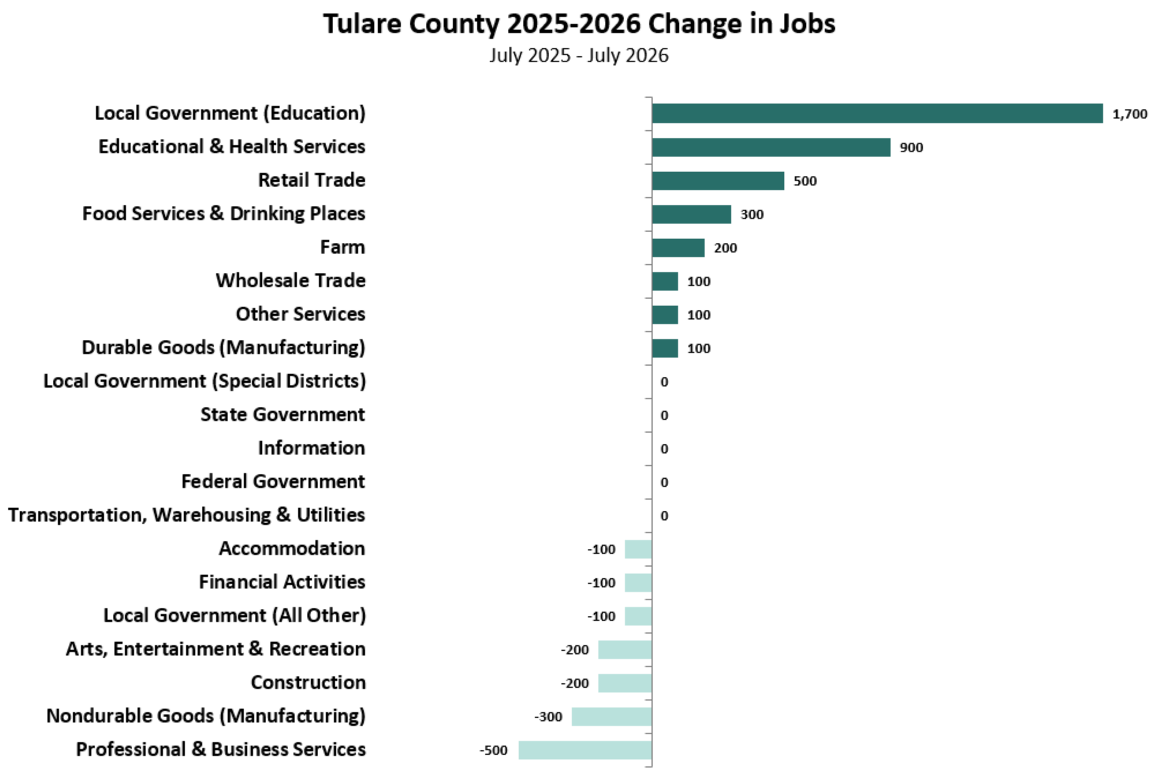
Gains + Losses | The Number of Jobs in Tulare County

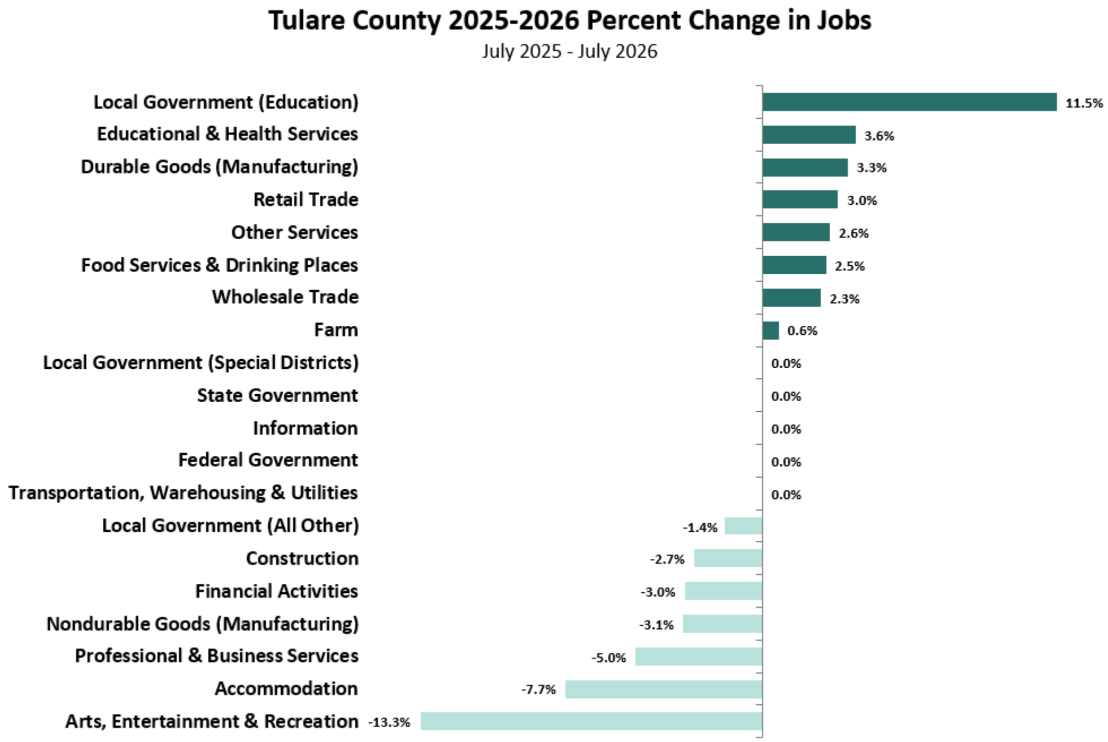
HOW MANY JOBS HAVE COME AND GONE IN THE LAST YEAR & THE LAST MONTH?

YEAR OVER YEAR | A COMPARISON

From July 2025 to July 2026,and Local Government (Education) and Educational & Health Services both showed strong gains with several others registering more modest growth.

Professional & Business Services along with Non-Durable Goods (Manufacturing) registered declines year-to-year.





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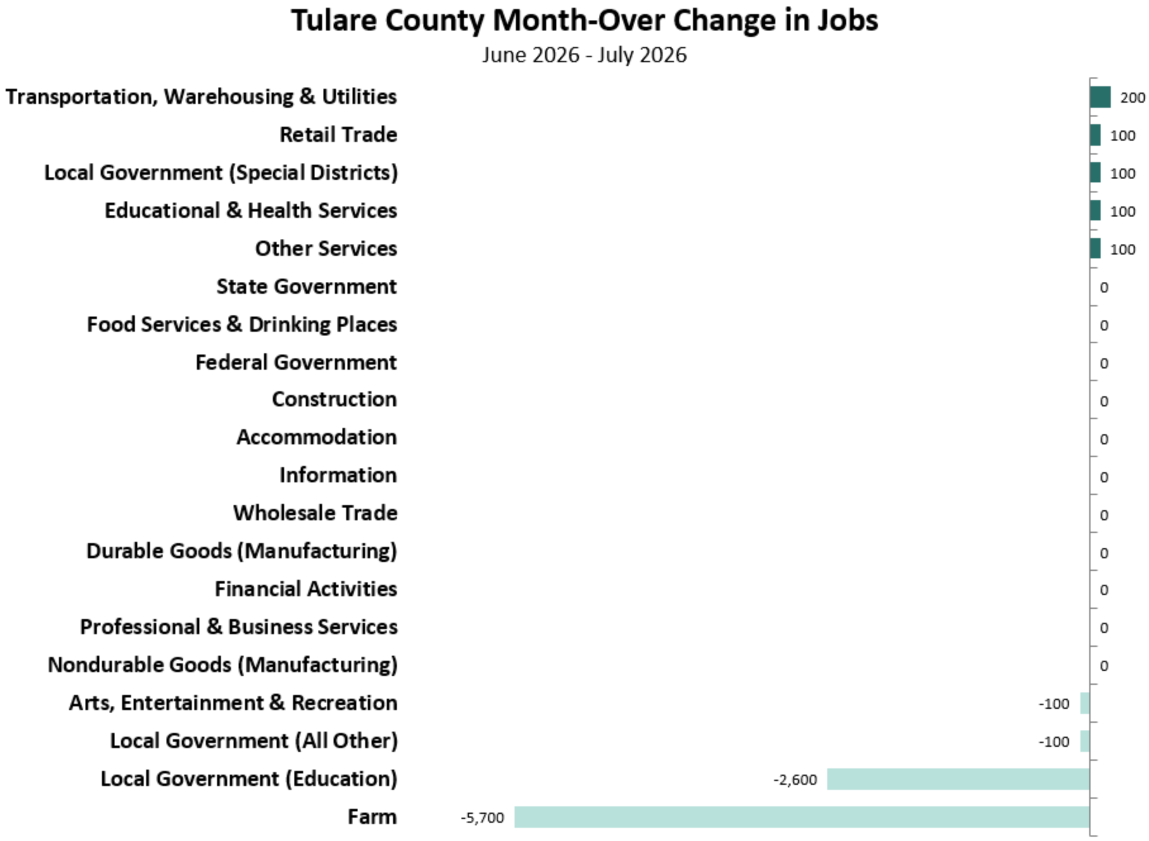
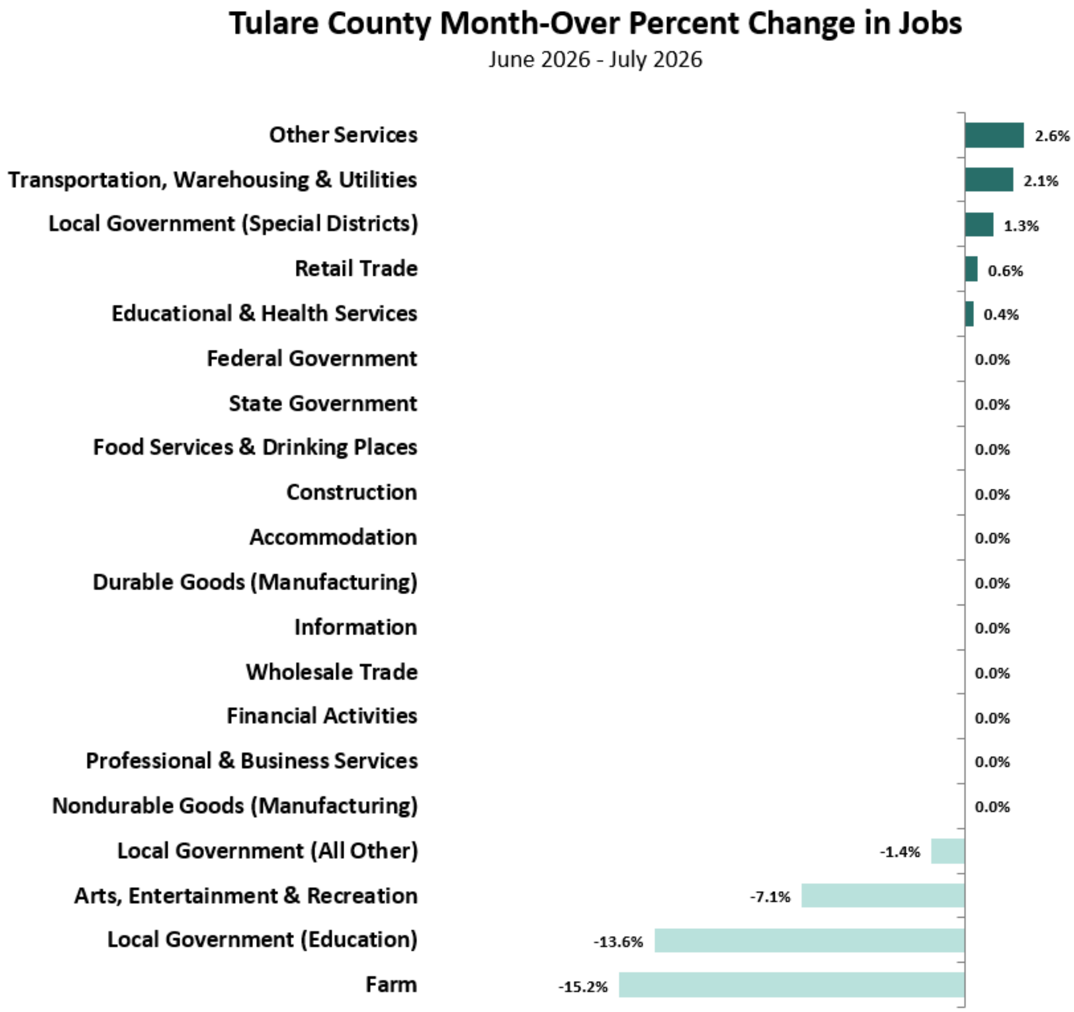
MONTH OVER MONTH | A COMPARISON

On a month to month basis, Farm jobs hiring decreased by 5,700 as well as Local Government (Education) decreased by 2,600 from June to July 2026, reflecting normal seasonal patterns. Several other industries registered small gains.





The Tulare County WIB is excited to share our new Economic Overview Dashboard located directly on our website. This interactive tool provides stakeholders, partners, and the public with up-to-date, localized data on employment trends, industry growth, unemployment rates, job postings, and wage information.

We invite you to revisit this dashboard on a regular basis as data sets will be continuously updated with fresh information and insights. If you have further questions or want additional details on all of the labor market information that the Tulare County WIB has to offer, please contact us!

The employment data referenced in this newsletter is provided by the Employment Development Department of California.

we're your data hub

The Workforce Investment Board of Tulare County strives to bring you accurate and understandable data on workforce intelligence, industry trends, and labor market insight.

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Please visit www.tularewib.org to learn more about our initiatives in Tulare County.

WIB
Workforce Investment Board
OF TULARE COUNTY
Driving Economic Success

Tulare County Workforce Snapshot

July 2026 | Key Trends in the Community

Prepared by the Workforce Investment Board of Tulare County

TULARE COUNTY UNEMPLOYMENT RATE	CALIFORNIA RATE	LABOR FORCE	EMPLOYMENT	FARM JOBS	NONFARM JOBS
10.3%	**5.3%**	**211,200**	**189,400**	**+200**	**+2,200**
Down from 11.1% one year ago		*Down 4,300 year-over-year*	*Down 2,100 year-over-year*	*Year-over-year*	*Year-over-year*

BOTTOM LINE

What You Should Know

- Tulare County's unemployment rate was 10.3% in July 2026, up slightly from the previous month, but far behind the CA rate of 5.3% seasonally adjusted
- The unemployment rate improved from last year, but the labor market remains soft because fewer residents are participating in the labor force
- Differences in how surveys count (jobs v people) can result in confusing outcomes with overall employment down but industry specific job totals up

LABOR MARKET SNAPSHOT

	July 2025	June 2026	July 2026
Labor Force	215,500	217,400	211,200
Employment	191,500	195,300	189,400
Unemployment	24,000	22,100	21,800

From June to July 2026, the unemployment rate grew from 10.2% to 10.3%

MONTH-OVER-MONTH CHANGE

(June to July 2026)

Farm	-5,700
Local Government (Education)	-2,600
Local Government (All Other)	-100
Transportation, Warehousing & Utilities	+200
Retail Trade	+100
Educational and Health Services	+100

YEAR-OVER-YEAR SECTOR CHANGE

(July 2025 to July 2026)

Largest gain: Local Government (Education)
Largest decline: Professional & Business Services

EXPLORE THE ECONOMIC OVERVIEW DASHBOARD

Scan to access up-to-date local data on employment trends, industry growth, unemployment rates, job postings, and wages.

- **www.tularewib.org/economicoverview**

Scan Me!

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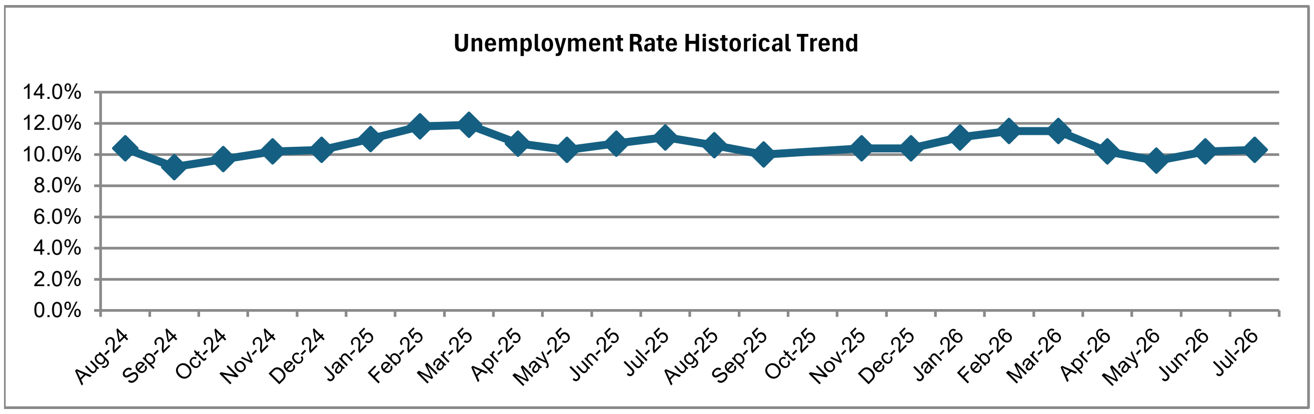
State of California
EMPLOYMENT DEVELOPMENT DEPARTMENT
Labor Market Information Division

August 21, 2026

Contact: LMID RESEARCHERS

IMMEDIATE RELEASE
VISALIA METROPOLITAN STATISTICAL AREA (MSA)
(Tulare County)

The unemployment rate in Tulare County was 10.3 percent in July 2026, up from a revised 10.2 percent in June 2026, and below the year-ago estimate of 11.1 percent. This compares with an unadjusted unemployment rate of 5.3 percent for California and 4.4 percent for the nation during the same period.



Industry	Jun-2026 Revised	Jul-2026 Prelim	Change		Jul-2025	Jul-2026 Prelim	Change
Total, All Industries	183,200	175,300	(7,900)		172,900	175,300	2,400
Total Farm	37,600	31,900	(5,700)		31,700	31,900	200
Total Nonfarm	145,600	143,400	(2,200)		141,200	143,400	2,200
Mining, Logging, and Construction	7,300	7,300	0		7,500	7,300	(200)
Manufacturing	12,500	12,500	0		12,700	12,500	(200)
Trade, Transportation, and Utilities	31,200	31,500	300		30,900	31,500	600
Information	600	600	0		600	600	0
Financial Activities	3,200	3,200	0		3,300	3,200	(100)
Professional and Business Services	9,600	9,600	0		10,100	9,600	(500)
Private Education and Health Services	25,600	25,700	100		24,800	25,700	900
Leisure and Hospitality	15,000	14,900	(100)		14,900	14,900	0
Other Services	3,800	3,900	100		3,800	3,900	100
Government	36,800	34,200	(2,600)		32,600	34,200	1,600

Notes: Data not adjusted for seasonality. Data may not add due to rounding
Labor force data are revised month to month
Additional data are available on line at www.labormarketinfo.edd.ca.gov