

**DRAFT DIRECTIVE  
COVER PAGE**

**Workforce Investment Board of Tulare County  
Contract Management Guide**

**GENERAL INSTRUCTIONS**

The attached directive is being issued in draft to give the Workforce Development Community the opportunity to review and comment prior to final issuance.

Submit any comments by email no later than **Friday, September 30, 2022**

All comments received within the comment period will be considered before issuing the final directive. Commenters will not be responded to individually. Rather, a summary of comments will be released with the final directive.

**Comments received after the specified due date will not be considered.**

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**Email:**        [MRodarte@tularewib.org](mailto:MRodarte@tularewib.org)  
Include “Draft CMG Comment” in the email subject line.

**Mail:**        Workforce Investment Board of Tulare County  
                  Attn: Mary Rodarte  
                  309 W. Main St., Ste. 120  
                  Visalia, CA 93291

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If you have any questions, contact Mary Rodarte at 559-713-5206.

# WORKFORCE INVESTMENT BOARD OF TULARE COUNTY



Workforce Investment Board  
OF TULARE COUNTY  
*Driving Economic Success*

## CONTRACT MANAGEMENT GUIDE

309 West Main, Suite 120  
Visalia, California 93291  
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Revised August 29, 2022

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Approved on: \_\_\_\_\_

By: \_\_\_\_\_

# CONTRACT ADMINISTRATION

## 1.1 ROLES AND RESPONSIBILITIES OF THE WIB CONTRACT MANAGEMENT TEAM

The primary role of the WIB Contract Management Team is to serve as the WIB representative in the negotiation, development, management, fiscal tracking, and closeout of contractual agreements with all Subrecipients. The WIB Contract Management Team will closely monitor the financial and programmatic performance of Subrecipients to ensure that high-quality services are delivered to achieve established performance outcomes. The program design structure is evaluated against the goals of the grant, the contract, and the mission of the WIB. The WIB's responsibility is to communicate its mission to all Subrecipients. The Contract Management Team and Subrecipient work together to plan, execute, and report on the management and overall attainment of objectives for the awarded funds.

The WIB Contract Management Team includes:

- Workforce Analysts – Career Services
- Workforce Program Coordinators
  - Youth Services
  - Business Services
  - Branding and Marketing
- Workforce Service Program Manager
- Deputy Director – Operations
- Deputy Director - Administration

### 1.1.1 Liaison

The WIB Contract Management Team is the link between the WIB and the Subrecipients. All questions, concerns, and requests for modifications, changes, or extensions related to contractual agreements must be communicated to the WIB Contract Management Team. The WIB Contract Management Team and the Subrecipient shall ensure that all programmatic and financial aspects of contractual agreements are reasonable and directly related.

### 1.1.2 Funding Sources Requirements Coordination

The WIB Contract Management Team will provide contract training and assist the Subrecipient in understanding how contractual provisions translate into goals and objectives. The goals and objectives are set forth by the Governor and the WIB's strategic plan. The program design and the Subrecipient's Contract have been developed to align with and support these objectives, with strategic, operational, and financial targets in mind.

### **1.1.3 Contract Status and Performance Measures**

The WIB Contract Management Team shall conduct monthly performance reviews for each assigned contract utilizing customer information entered in CalJOBS, Advanced Individual Fund Tracking, and WIOA Contract-to-Date Financial Reports. Actual performance data are compared to contract planned performance to determine progress in meeting goals and objectives. Financial budgets are compared to monthly expenditures for year-end forecasts. Low-performance results or expenditures or financial variance from the budget below 90 percent of the plan will prompt a corrective action plan(s) from the Subrecipient.

### **1.1.4 Staff Assistance Visits**

The WIB Contract Management Team will meet monthly with each Subrecipient's onsite supervisors to have meaningful discussions around performance and site-specific operations. These meetings will help WIB and Subrecipients understand trends and successful strategies, detect challenges early and identify technical assistance needs, solution-oriented training, and support.

The Subrecipient is responsible for completing the monthly Performance and Expenditure Plan (PEP) financial report utilizing the WIB's developed format. The Performance and Expenditure Plan (PEP) will be reviewed and discussed with the WIB Contract Management Team. In addition, annual reviews will be conducted by the WIB Monitoring Unit.

### **1.1.5 Technical Assistance**

The WIB maintains a formal technical assistance (TA) program for Subrecipients to assist Subrecipients with meeting contract performance objectives and ensuring compliance with the WIB, State, and Federal policies. Financial compliance is an additional area that requires periodic training and updates.

Technical Assistance components are direct TA, TA training workshops, and WIB orientation for new Subrecipients.

#### **1.1.5.1 Direct Technical Assistance**

The WIB Contract Management Team will assess the TA needs based on previous experience, past performance, and Subrecipient needs. Based on assessment outcomes, the WIB Contract Management Team will develop TA plans that identify critical TA areas of need (e.g., eligibility, recruitment, enrollment, placement, invoice preparation, file preparation, data entry, etc.) for each Subrecipient. In addition to identifying TA needs, the WIB Contract Management Team will analyze trends to determine the root causes of recurring operational and financial issues. They will use this information to recommend system process

improvements and best practices to resolve these issues. Also, other WIB staff (i.e., Fiscal and CalJOBS) will arrange for specialized subject matter TA to be provided.

#### **1.1.5.2 Training Workshops**

The WIB staff and outside consultants will conduct workshops to improve the quality of services delivered to our customers by building the capacity of our Subrecipients. Training workshop topics range from effectively serving customers with barriers to employment, how to meet WIOA performance measures, business engagement, and other specialized topics to increase the workforce system staff's capacity to meet the needs of job seekers and businesses. Subrecipients are encouraged to participate in workshops and recommend training topics to WIB staff and the Employment Connection One-Stop Operator.

#### **1.1.5.3 New Subrecipient Staff Orientation**

The WIB staff shall orient new Subrecipient staff to WIB operations. The orientation includes training on organizational structure, documentation requirements, CalJOBS, financial management reporting, Employment Connection branding, WIB directives, statements of work, performance and expenditure plans, business services, and other applicable topics. Assistance with these topics may be requested through the WIB Contract Management Team at any time.

### **1.2 CONTRACTED AGREEMENT**

#### **1.2.1 Contracts**

Contracts are an agreement between the WIB and the Subrecipient serving participants within a specified grant-training program. A contract covers all aspects of the programmatic and fiscal performance as specified and regulated by the grant used to fund the contract.

#### **1.2.2 Contract Modifications and Amendments**

Contract modifications are used to address program or financial revisions such as budget increases and decreases, variations in the program design, changes to the scope of work, expenditure trends, changes to budget line items, and shifting of performance outcomes from one month to the other, etc.

A contract amendment is any modification to a contract that requires the authorized signature of both the Subrecipient and the WIB. Contract terms are determined during the request for proposal and negotiation process and may be

changed only through a contract amendment. The WIB Executive Director can approve certain amendments.

The WIB Contract Management Team reviews and analyzes Subrecipients' monthly budget expenditures and may make recommendations for modifying budgets to prevent overspending allocations. The WIB may recommend contract amendments for financial or programmatic reasons at any time.

### **1.2.3 Amendment Limitations**

Contract amendments cannot be used to bring a Subrecipient's programmatic or financial performance into compliance. As stated previously, Subrecipients should work with WIB staff during the negotiation phase to adequately plan their performance outcomes. A contract amendment is not a tool to administer changes due to poor planning or performance shortfalls.

Retroactive changes in programmatic or financial performance outcomes are not allowed due to the liability implications for the WIB and the Subrecipient when work is performed or reimbursed without a valid contract or amendment. Retroactive amendments may be considered when necessary to comply with a change in state or federal regulations and when approved by the WIB Board to implement specialized workforce projects.

Subrecipients must remain within budget lines for specialized workforce grants unless approved by the WIB.

### **1.2.4 Approval of Modifications and Amendments**

#### **1) WIB Executive Director Prior Approval Not Required**

Budget line variations under \$5,000 annually per budget line item, except participant costs or increases to indirect costs.

The modified budget must be submitted within three business days via email or hard copy to the WIB Contract Management Team on the **WIB Budget Modification Form** (Attachment 1.6.1) and signed by the Subrecipient staff with signature authority.

#### **2) WIB Executive Director Prior Approval Required**

The following modifications do not require contract amendments:

- Variations over \$5,000 annually per budget line item
- Variations to any special grant funding budget line items
- Variations to any participant budget line items of any funding source

- Increases to indirect line items
- Shifting of performance outcomes from one month to another within the specified period of performance.

Prior approval must be requested and obtained in writing from the WIB in advance of the change or obligation of funds. Subrecipients must submit modification requests in writing to the WIB Executive Director. The WIB Contract Management Team will notify the Subrecipient in writing when the request is approved or denied.

### **3) WIB Executive Director Prior Approval Required**

The following modifications require contract amendments:

- Increase or decrease of any funding source of 5% or less of the Board's most recent approved total allocation.
- Any other appropriate administrative action short of contract termination.

### **4) WIB Board Prior Approval Required**

The following modifications require contract amendments:

- Change in the scope of work
- Increase or decrease of any funding source greater than 5% of the total allocation.
- Change in performance goals, such as increases in participant enrollment or enrollments in an activity.

#### **1.2.5 Subcontracts**

A Subrecipient intending to subcontract a portion of its contract must have prior written approval from the WIB. Written subcontracts for any work or services sub-assigned must be provided to the WIB with the written request for approval of the subcontract and must be kept on file by the contractor. All subcontracts must be formalized through written contracts that specify services to be provided and include itemized budgets, as well as any appropriate performance expectations. A complete copy of all subcontracts with appropriate signatures must be on file with the WIB. Subcontracts must be procured through a documented and competitive process that is consistent with WIB Procurement Policy. The Subrecipient shall monitor all subcontractors to ensure compliance. This will be an item of review during monitoring visits.

The WIB, State, and DOL shall have the right to monitor and review all subcontracts issued under this agreement with or without prior notice to the Subrecipient.



### **1.2.6 Compliance**

The Subrecipient shall document in writing that the staff working on this contract have read the contract and understand its contents, specifications, and exhibits. In addition, the Subrecipient will ensure that all staff assigned to this contract are familiar with and understand their responsibilities related to services to be performed and receive instructions on applicable sections of the WIOA Law, the Regulations, and WIB policies, procedures, and directives

The Subrecipient contract outlines the applicable financial, accounting, and reporting requirements. A review of these requirements does not limit liability in terms of compliance with governmental regulations, as contractors are responsible for following all other regulations or stipulations set forth by the grant, program, or governing agency, including 2 CFR Chapter I and Chapter II, Parts 200, 215, 220, 225, 230 and, and conform to "Generally Accepted Accounting Principles" (GAAP). The central theme of GAAP is accountability and is intended to provide minimum standards, guidelines, and policies for financial accounting and reporting.

## **1.3 PERFORMANCE REVIEW AND EVALUATION**

The WIB Contract Management Team is available to provide technical assistance and to make visits to each Subrecipient. The WIB Staff is responsible for preparing all performance evaluation reports provided to the WIB. All compliance and monitoring reports are prepared by the WIB's monitoring unit.

### **1.3.1 Monthly Performance Review**

The WIB Contract Management Team is responsible for preparing a monthly program and financial performance report for each assigned contract, including analyzing to identify deficiencies that may result in the non-performance of contractual programmatic and financial goals. Based on the Subrecipient's non-performance, the WIB Contract Management Team will provide recommendations to resolve the challenges. As a basis for this report, various data reports may be generated.

The Subrecipient is required to submit corrective action plans by the 20<sup>th</sup> day following the end of the quarter for performance and expenditures less than 90 percent of the plan for WIOA Adult, Dislocated Worker, Youth, and specialized workforce grants. Subrecipients shall refer to the contract exhibits, statements of work, and performance and expenditure plans to determine when a corrective action plan is required for each of the various performance measures.

### **1.3.2 Administrative Program Standards**

WIB Contract Management Team is responsible for effective contract administration and implementation, updating mailing list(s), processing purchase requests and contract modifications, closeout packages, and other contract-related requests.

### **1.3.3 Performance Evaluation Process**

The WIB Contract Management Team and the WIB Program and Evaluation Committee are responsible for reviewing the Subrecipient's actual performance against the plan. The review may be performed annually or more frequently, when necessary, through the WIB's performance evaluation process and includes financial and programmatic components.

The Subrecipient is advised when an evaluation will be made, and evaluation data will be presented to the Program and Evaluation Committee. Based on the performance evaluation results, the Program and Evaluation Committee may recommend to the WIB to increase or decrease funding levels, terminate a contract, or renew a contract.

## **1.4 REPORTING FRAUD AND ABUSE**

### **1.4.1 Subrecipient Responsibilities**

Each Subrecipient shall establish and implement appropriate internal program management procedures to prevent fraud, abuse, and criminal activity. These procedures include a reporting process to ensure that the WIB is notified immediately (i.e., within 24 hours) of any allegations of fraud, abuse, and criminal activity committed by staff or program participants of any programs funded by the WIB. The procedures shall also include the designation of a staff member responsible for such notification.

### **1.4.2 Reporting Procedures**

The WIB's Incident Reporting directive provides detailed procedures for reporting fraud and abuse, along with a glossary of terms, for use as a guide in identifying fraud, abuse, and criminal activity.

The Incident Reporting Directive also provides information on the use of the Department of Labor and Office of the Inspector General's (DOL/OIG) Hotline to allow employees and the public to notify DOL/OIG of suspected fraud abuse or waste in DOL-funded programs. The Hotline telephone number is (800) 347-3756.

## **1.5 PURCHASE REQUESTS AND INVENTORY**

### **1.5.1 Purchase Requests**

Purchase requests with a unit price of \$3,000 or more, or an aggregate cost of \$3,000 or more, must first be approved in writing by the WIB Executive Director or designee.

Requests for purchases must contain sufficient justification to show the need for the item(s) requested and comply with the procurement requirements in the WIB Procurement Policy Manual. In addition, the Subrecipient must attach the quote(s) and the following information to the **Purchase Request Form (Attachment 1.6.2)**:

1. Name of the business and individual that provided a quote(s)
2. Business address and telephone number
3. Business web address
4. Itemized costs, total quote, the date of the quote(s)
5. Attach quote(s) obtained

The Subrecipient shall submit the WIB Purchase Request Form (Attachment 1.6.2) to the WIB Contract Management Team at least ten business days before the requested purchase date. The Contract Management Team will check requests against the line-item budget in the contract and contract. The cost must be reasonable, allowable, and necessary to operate the program within federal, state, and local policy and guidelines.

Subrecipients must submit the WIB Purchase Request Form (Attachment 1.6.2) with a unit cost of \$5,000 or more to the WIB at least 45 days before the requested purchase date to allow sufficient time for the WIB to review and submit it to EDD at least 30 days in advance of the requested purchase.

### **1.5.2 Inventory Records and Tags**

Subrecipients are responsible for complying with the WIB's Purchasing, Inventory, and Disposal Directive.

Subrecipients must maintain accurate inventory records for all property purchased. The inventory records must include a property description, purchase price, source of funds, location, disposition, and the manufacturer's serial number, model number, and inventory tag number. Items that must be tagged include televisions, projectors, laptops, computers, monitors, printers, fax machines, scanners, and any item with a purchase price of \$5,000 or more. The Subrecipient is responsible for requesting inventory tags for all appropriate items purchased.

The inventory record must contain tagged property and property that does not require an inventory tag. Items not requiring an inventory tag include desks, chairs, bookshelves, bookcases, projector screens, bulletin boards, cubicles, furniture, and office supplies other than laptops.

## **1.6 ATTACHMENTS**

1.6.1 WIB Budget Modification Form

1.6.2 WIB Purchase Request Form



Workforce Investment Board of Tulare County  
Budget Modification Form

Requested By: \_\_\_\_\_  
 Service Area: \_\_\_\_\_  
 Contract Number: \_\_\_\_\_  
 PEP Modification:  Yes  No

Name: \_\_\_\_\_ Budget Modification Request   
 Phone: \_\_\_\_\_  
 Effective Date: \_\_\_\_\_ Informational, modified budget

Budget Line	Grant (Adult, DW, YOUTH, Other)	Current Budget Line	Proposed Budget Change	Adjusted Amount	Decrease or Increase
Personnel Costs	DW	\$ -	\$ -	\$ -	Decrease
Equipment Purchases & Leases	DW			\$ -	Decrease
Facilities Infrastructure Costs	DW			\$ -	Decrease
Professional Services	DW			\$ -	Decrease
Supplies Costs	DW			\$ -	Decrease
Staff Travel & Training Costs	DW			\$ -	Decrease
Participant Costs	DW			\$ -	Decrease
Supportive Services	DW			\$ -	Decrease
Indirect Costs	DW			\$ -	Decrease
Other Costs	DW			\$ -	Decrease
<b>Total Costs</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	
Personnel Costs	Youth	\$ -	\$ -	\$ -	Decrease
Equipment Purchases & Leases	Youth			\$ -	Decrease
Facilities Infrastructure Costs	Youth			\$ -	Decrease
Professional Services	Youth			\$ -	Decrease
Supplies Costs	Youth			\$ -	Decrease
Staff Travel & Training Costs	Youth			\$ -	Decrease
Participant Costs	Youth			\$ -	Decrease
Supportive Services	Youth			\$ -	Decrease
Indirect Costs	Youth			\$ -	Decrease
Other Costs	Youth			\$ -	Decrease
<b>Total Costs</b>		<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	

Description of request:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

FOR WIB USE ONLY

Staff Recommendation  Yes  No Reviewer Signature \_\_\_\_\_

Reviewer Comments \_\_\_\_\_

WIB Executive Director or Designee signature \_\_\_\_\_ Title \_\_\_\_\_ Date \_\_\_\_\_

**ATTACHMENTS:**

Request Budget Modification - \$5,000 annually per budget line - Submit the following documents:

1. Letter - Request for Modification, addressed to Adam Peck, Executive Director
2. Budget Modification Form
3. Proposed Budget
4. Budget Narrative

Informational Modified Budget

Request not required: Under \$5,000 annually per budget line - Submit the following documents:

1. Budget Modification Form
2. Proposed Budget
3. Budget Narrative



## Workforce Investment Board of Tulare County Purchase Request Form Submission Process



This form is to be used by Subrecipient for all purchases of property and materials with a unit price of \$3,000 or more, or an aggregate cost of \$3,000 or more.

It is not necessary to use this form for building rent, utilities, etc., as these items are covered by the line item budget that has already been approved through the negotiation process and is included in the contract.

Purchase of property (materials and non-expendable goods) with a unit price of \$3,000 or more, or an aggregate cost of \$3,000 or more, must first be approved in writing by the WIB Executive Director or designee. If the amount requested is over \$10,000, a minimum of two bids are required for procurement and must be attached to the Purchase Request Form. The Subrecipient must put in writing the name of the business submitting the bid, name of the individual with whom they spoke, business address and telephone number, itemized costs, total bid, and the date on which the conversation occurred. This information must be attached to the Purchase Request Form when submitted to the Workforce Investment Board (WIB).

The Subrecipient shall submit the Purchase Request Form to the appropriate WIB Staff for review. Forms should be submitted at least ten days in advance of the requested purchase date.

**Purchase Justification:** Requests for purchases must contain sufficient justification to show the need for the item(s) requested. Include specific information as to who will use the property, what grant will benefit from it and location it will be housed.

When making a recommendation, the staff will check requests against the line item budget contained in the contract, contract negotiation agreements, reasonable, allowable and necessary costs as determined by federal, state and local policy. The form is then submitted to the WIB Executive Director or designee for approval.

When the property is obtained, be sure to place WIB Inventory tags on all appropriate items. Please be sure to follow all WIB procurement guidance as outlined in the Contract Management Guide and the WIB's Procurement Policy Manual.

Once signed, the Purchase Request Form is routed as such: original in the WIB contract file, copy to Subrecipient, copy to WIB Fiscal Unit and copy to Program Staff.