

State of Hawaii
Department of Labor and Industrial Relations
Workforce Development Division
Employment and Training Fund Program

Addendum No. 1

October 6, 2008

To

Request for Proposals

RFP No. DLIR/WDD 2009-01

September 4, 2008

October 6, 2008

ADDENDUM NO. 1

To

REQUEST FOR PROPOSALS

RFP No. DLIR/WDD 2009-01

The Department of Labor and Industrial Relations, Workforce Development Division, Employment and Training Fund Program is issuing this addendum to RFP No. DLIR/WDD 2009-01 for the purposes of:

- Responding to questions that arose at the orientation meeting of <Date> and written questions subsequently submitted in accordance with Section 1-V, of the RFP.
- Amending the RFP.
- Final Revised Proposals

The proposal submittal deadline:

- is amended to October 19, 2008.
- is not amended.
- for Final Revised Proposals is <new date>.

Attached is (are):

- A summary of the questions raised and responses for purposes of clarification of the RFP requirements.
- Amendments to the RFP.
- Details of the request for final revised proposals.

If you have any questions, contact:

Tricia Malloy
(808) 586-8818
tmalloy@dlir.state.hi.us
830 Punchbowl Street, Room 329
Honolulu, Hawaii 96813

RFP No.DLIR/WDD 2009-01, is amended as follows:

	<i>Subsection</i>	<i>Page</i>	
Section 1, Administrative Overview			
	No changes		
Section 2, Service Specifications			
	No changes		
Section 3, Proposal Application Instructions			
	IV (A,1)	3-3	Item 1-d has been added as follows:
			<p>d. If online and/or distance learning courses are being proposed, describe the Applicant's online and/or distance learning program operations including but not limited to how the Applicant's policies, procedures, and program operations meet ETF policies for online and/or distance learning courses (See Section 5, Attachment VI, Special Conditions).</p>
			<p>The revised Page 3-3 (Dated 10/08) is enclosed. Delete the old Page 3-3 and insert the new Page 3-3 enclosed.</p>
Section 4, Proposal Evaluation			
	III (B,4)	4-3	Item 4 has been amended as follows:
			<p>4. Service Delivery</p> <p>Evaluation criteria for this section will assess the applicant's course catalog and the Matrix of Training Courses, which is included in the POS Proposal Application. The evaluation criteria will also assess factors such as geographical location, class schedule, course content, and whether tuition costs are reasonable and comparable to tuition prices of comparable courses in the area. If online and/or distance learning courses are being proposed,</p>

the applicant's demonstrated ability to meet ETF policies for online and/or distance learning courses (see Section 5, Attachment VI, Special Conditions), will also be assessed.

More consideration will be given to applicants who address the following:

- Greater variety of courses;
- More choices in class schedules;
- Convenient location;
- Training offered in more than one geographical area;
- Instructor's experience in working with target groups being served;
- Demonstrated reliability of classes being conducted even with few attendees;
- Frequency of course offerings;
- Establishment of discounted prices for tuition, e.g. 15% discount of catalogue price; and
- If online and/or distance learning courses are being proposed, an adequate accountability system to verify the trainees' online attendance is demonstrated.

The revised Page 4-3 (Dated 10/08) is enclosed. Delete the old Page 4-3 and insert the new Page 4-3 enclosed.

Section 5, Attachment VI, Special Conditions

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Items 9, c through g, regarding additional conditions for approval of distance learning, online education, and self-paced types of training are being added as follows:

- c. STATE shall not be liable for payment of no-show trainees enrolled in distance learning and/or online training courses.

- d. CONTRACTOR shall notify the trainee of the minimum operating system, internet connectivity, and/or software requirements necessary to access the online training course.
- e. CONTRACTOR shall require the trainee to complete any self-paced type of training course within thirty (30) calendar days from the date of enrollment.
- f. CONTRACTOR shall have in place a system to account for each trainee's online attendance in a format that is acceptable to ETF such as a report which logs the dates and times of the trainee's online attendance and the trainee's progress in the course during each online session. CONTRACTOR shall submit this report when invoicing the State in place of the required attendance sign-in sheets for classroom training.
- g. Notwithstanding the aforesaid, all other service specification requirements (included in Section 2 of this RFP) shall apply to any distance learning, online education, and self-paced types of courses funded by ETF.

The revised Pages 2-4 of Attachment VI, Special Conditions (Dated 10/08) are enclosed. Delete the old Pages 2-4 of the Special Conditions and insert the new Pages 2-4 enclosed.

C. Supervision and Training

The Applicant shall describe its ability to supervise, train and provide administrative direction to instructors.

D. Organization Chart

The chart shall reflect the position of each staff and line of responsibility/supervision. (Include position title, name and full time equivalency).

IV. Service Delivery

A. Training Services

1. Catalog Courses

- a. For EACH geographical location in which training is offered, identify the types of program areas and courses offered by completing the Matrix of Training Courses provided at the end of this section. Applicants who have provided ETF training under Agreement #2007-01 and have made modifications to any courses listed in their existing Training Matrix should note the changes in the new matrix format provided at the end of this section.
- b. Provide a description and prerequisites (if applicable) of each course.
- c. Describe how these courses are advertised and how courses are made available to the general public for enrollment. This may be addressed by referencing information in brochures, catalogues, or other material that should be attached. References should clearly state the publication, the page number, and section heading.
- d. If online and/or distance learning courses are being proposed, describe the Applicant's online and/or distance learning program operations including but not limited to how the Applicant's policies, procedures, and program operations meet ETF policies for online and/or distance learning courses (See Section 5, Attachment VI, Special Conditions).

2. Examinations

- a. Indicate whether examinations for specialized courses that lead to national or State certification will be offered.
- b. If yes, identify the certification examinations and the type of State or nationally recognized certification that may be obtained. Also identify whether examinations are offered separately or as part of a comprehensive curriculum.

3. Personnel: Program Organization and Staffing (10 Points)

The State will evaluate the applicant's overall staffing approach to the service that shall include:

- Minimum qualifications (including experience) for staff assigned to the program.
- Demonstrated ability to provide instructional services.
- Organizational Chart (Staffing of the proposed organization for the overall training activity and tasks).

4. Service Delivery (50 Points)

Evaluation criteria for this section will assess the applicant's course catalog and the Matrix of Training Courses, which is included in the POS Proposal Application. The evaluation criteria will also assess factors such as geographical location, class schedule, course content, and whether tuition costs are reasonable and comparable to tuition prices of comparable courses in the area. [If online and/or distance learning courses are being proposed, the applicant's demonstrated ability to meet ETF policies for online and/or distance learning courses \(see Section 5, Attachment VI, Special Conditions\), will also be assessed.](#)

More consideration will be given to applicants who address the following:

- Greater variety of courses;
- More choices in class schedules;
- Convenient location;
- Training offered in more than one geographical area;
- Instructor's experience in working with target groups being served;
- Demonstrated reliability of classes being conducted even with few attendees;
- Frequency of course offerings;
- Establishment of discounted prices for tuition, e.g. 15% discount of catalogue price; and
- [If online and/or distance learning courses are being proposed, an adequate accountability system to verify the trainees' online attendance is demonstrated.](#)

5. Financial (10 Points)

Reasonableness of tuition price and adequacy of accounting system will be evaluated.

C. Phase 3 - Recommendation for Award

Each notice of award shall contain a statement of findings and decision for the award or non-award of the contract to each applicant.

**Section 5
Attachment VI**

SPECIAL CONDITIONS

The following conditions will be imposed contractually and are made a part of this RFP:

- 1) Any modifications, alterations, amendments, changes, or extensions of any term, provision, or condition of the Agreement under RFP NO. DLIR/WDD 2009-01 or any request regarding advertising notices and/or other promotional activities must be submitted in writing to STATE for approval and submitted to:

Ms. Elaine Young
Administrator
Workforce Development Division
Employment and Training Fund Program
830 Punchbowl Street, Room 329
Honolulu, Hawaii 96813

- 2) Government employees at federal, State, and county levels are not eligible for ETF - funded training.
- 3) Pursuant to Section 383-128, Hawaii Revised Statutes, employers are required to contribute 50 per cent of the ETF assistance provided by DLIR for training. ETF's assistance has a tuition cap not to exceed \$500 per course (or price per unit), tax inclusive; therefore, the DLIR will pay up to, but not exceed, \$250 per course; if applicable, tax inclusive. The vendor shall be responsible for collecting directly from the employer the other 50 per cent of the training cost and any balance thereof that exceeds the \$500 cap, including tax, without liability to DLIR. ETF will not pay the cost of books, tools, and auxiliary and support services.
- 4) ETF does not fund first aid training or cardiopulmonary respiration (CPR) training (Note: train-the-trainer courses in these subjects may be allowable).
- 5) ETF funds cannot be used for education and training programs conducted out of state. The funding can be used for intrastate, non-credit tuition costs; it shall not be used for travel expenses.
- 6) ETF cannot be used to fund training that supplants or duplicates existing training activities (e.g. in-house training programs) or training that is required by federal, state, or county statutes unless approved by the Director. The definition of supplanting varies, but primarily can be defined as to substitute or subsidizes ETF resources for activities normally provided by the employer.

- 7) ETF funds cannot be used to pay for conferences. A class size shall not exceed a total of 50 participants; this includes both ETF funded and non-funded participants. Non-compliance of this provision may result in suspension or termination of the contract award by the DLIR upon written notification.
- 8) ETF funds cannot be used to pay tuition for correspondence courses.
- 9) Distance learning, online education, or self-paced type of training are allowable under the following conditions:
 - a. The CONTRACTOR holds all licenses, certificates, permits and accreditations required under applicable federal, state, and county laws, ordinances, codes and rules to provide the training services being offered, including good business standing with the State Department of Commerce and Consumer Affairs; and,
 - b. The CONTRACTOR shall be accredited or licensed as follows and shall provide a copy showing evidence of accreditation or licensure:
 - i. Post Secondary degree-granting schools shall be accredited by an accreditation body recognized by the U.S. Department of Education;
 - ii. Professional or Vocational licensing schools shall be registered as a school with the appropriate board under the State Department of Commerce and Consumer Affairs; or
 - iii. Private schools that do not meet criteria described in items 2a and 2b above shall be licensed by the State Department of Education (DOE), except as exempted by State statute.
 - c. STATE shall not be liable for payment of no-show trainees enrolled in distance learning and/or online training courses.
 - d. CONTRACTOR shall notify the trainee of the minimum operating system, internet connectivity, and/or software requirements necessary to access the online training course.
 - e. CONTRACTOR shall require the trainee to complete any self-paced type of training course within thirty (30) calendar days from the date of enrollment.
 - f. CONTRACTOR shall have in place a system to account for each trainee's online attendance in a format that is acceptable to ETF such as a report which logs the dates and times of the trainee's online attendance and the trainee's progress in the course during each online session. CONTRACTOR shall submit this report when invoicing the State in place of the required attendance sign-in sheets for classroom training.

g. Notwithstanding the aforesaid, all other service specification requirements (included in Section 2 of this RFP) shall apply to any distance learning, online education, and self-paced types of courses funded by ETF.

- 10) ETF does not fund credit courses leading to an academic degree (e.g. Certificate of Achievement, Associate of Arts, Baccalaureate, Masters, or higher level degree).
- 11) ETF may provide funding assistance for a one-time only payment of licensing and professional certification tests (not license or fees) if the employee completed occupationally related ETF-funded training within the last 12 months.
- 12) ETF does not fund any training that is restricted to a single employer. Up to 65 percent of training spaces shall be made available to employers and/or employees from other companies. The ETF approved training must be publicized to the general public at least two weeks prior to the start of training and be open to employees of other companies. These openings must be available at least five State working days prior to the start of the training.
- 13) ETF may fund entrepreneurial types of courses.
- 14) ETF does not fund the training for volunteers.
- 15) The "Special Conditions" and "General Conditions" shall be made a part of the Agreement under this RFP. In the event the "General Conditions" are in conflict with the Scope of Services of the Agreement, the terms set forth in the Scope of Services of the Agreement shall control. In the event the "Special Conditions," or the "General Conditions," are in conflict with the Scope of Services of the Agreement, the terms set forth in the "Special Conditions" shall control.
- 16) Assignments. At the time the Agreement under this RFP is executed, any sale or transfer of stock will be considered an assignment under the Agreement and the PROVIDER will be expected to comply with all applicable provisions of this RFP and the terms set forth in the Agreement including, but not limited to, the compensation and payment schedule of the Agreement and paragraph 3.2 of the General Conditions which shall be incorporated into the Agreement to read as follows:

"Subcontracts and Assignments. The PROVIDER may assign or subcontract any of the PROVIDER'S duties, obligations, or interests under this Contract but only if (i) the PROVIDER obtains the prior written consent of the STATE, and (ii) the PROVIDER 'S assignee or subcontractor submits to the STATE a tax clearance certificate from the Director of Taxation, State of Hawaii, and the Internal Revenue Service showing that all delinquent taxes, if any, levied or accrued under state law against the PROVIDER'S assignee or subcontract have been paid. Additionally, no assignment by the PROVIDER of the PROVIDER'S right to compensation under this Contract shall be effective unless and until the

assignment is approved by the Comptroller of the State of Hawaii, as provided in section 40-58, HRS.”

- 17) Paragraphs 3.4.4 and 4.1.3 of the General Conditions shall be incorporated into the Agreement as follows:
 - 3.4.4 The PROVIDER shall obtain a general excise tax license from the Department of Taxation, State of Hawai'i, in accordance with section 237-9, HRS, and shall comply with all requirements thereof. PROVIDER shall obtain a tax clearance certificate from the Director of Taxation, State of Hawaii, and the Internal Revenue Service, showing that all delinquent taxes, if any, levied or accrued under state law against PROVIDER have been paid and submit the same to the STATE prior to commencing any performance under this Contract. The PROVIDER shall also be solely responsible for meeting all requirements necessary to obtain the tax clearance certificate required for final payment under sections 103-53, HRS, and these General Conditions.
 - 4.1.3 Tax clearance. The STATE may, at its discretion, require the PROVIDER to submit to the STATE, prior to the STATE's approval of any modification, alteration, amendment, change, or extension of any term, provision, or condition of this Contract, a tax clearance from the Director of Taxation, State of Hawaii, and the Internal Revenue Service, showing that all delinquent taxes, if any, levied or accrued under state and federal law against the PROVIDER have been paid.
- 18) For the purposes of this RFP and Agreement, item # 16 of this Exhibit, Special Conditions and Paragraphs 3.4.4 and 4.1.3 of the General Conditions do not apply to STATE agencies.