



# Procurement Policy

Approval Date: September 5, 2025

## Purpose

This procurement policy provides a written code of standards of conduct governing the performance of Greater Cleveland Works employees engaged in the award and administration of contracts for products and services funded with federal and non-federal dollars. These policies are based on summaries of the prominent requirement found in CFR Part 200.

Greater Cleveland Works is responsible for the settlement of all contractual and administrative issues arising out of procurement. The following standards do not relieve Greater Cleveland Works of any contractual responsibilities under its contracts.

## Conflict of Interest Statement regarding Federal Funds

No employee, officer, board member, or agent of Greater Cleveland Works shall participate in the selection, award, or administration of contracts in which federal funds are used, if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when any employee, officer, board member or agent, any member of his/her immediate family, partner or organization in which he/she or the immediate family has a financial or other interest or with whom he/she is negotiating or has any arrangement concerning prospective employment with the firm selected for award. Greater Cleveland Works' officers, employees, board members, or agents shall neither solicit nor accept gratuities, favors, or anything of monetary value from such contractors, potential contractors, or parties to sub agreements. If any employee, officer, board member, or agent should violate this policy, his/her relationship with Greater Cleveland Works will be terminated.

## Provisions

To avoid the purchase of unnecessary or duplicate items, Greater Cleveland Works will maintain a current inventory list that is updated bi-annually.

Proposed procurement transactions will incorporate a clear and accurate description, including any technical requirements for the product(s) or service(s) to be procured. This description will not contain features, which unduly restrict competition; and may include a statement of the qualitative nature of the product, and minimum essential characteristics and standards to which it must conform to satisfy its intended use. Proposed procurement transactions will identify all requirements, which the offeror(s) must fulfill, and all other factors to be used in evaluating the proposals.

All procurement transactions will be conducted in a manner providing full and open competition consistent with federal regulations when federal funds will be used in procuring the product(s) or service(s). Specifically, Greater Cleveland Works will not:

- Place unreasonable requirements on firms in order for them to qualify to do business.
- Require unnecessary experience and/or excessive bonding.
- Specify only a brand name, unless no other description can be used to define the performance or salient requirements of the solicitation.
- Make awards to consultants that are on retainer contracts.
- Make awards to firms or affiliate companies that employ non-competitive pricing practices.
- Utilize any other arbitrary action in the procurement process.



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Procurement awards will be made only with responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement agreement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, and invitations for bids and/or requests for proposals will be excluded from competing for such solicitations. Variation from any of the foregoing will be permitted with proper documentation justifying the need for variance from policy and will require permission of the Finance Committee.

Procurement awards will be made to the offeror(s) most responsive to the solicitation and most advantageous to Greater Cleveland Works, price and other factors considered.

Greater Cleveland Works will maintain records sufficient to detail the procurement, including, but not limited to:

- Work specifications / requirements
- Rationale for the method of procurement
- Selection of contractor type
- Selection / rejection of contractor
- Basis for contract price

Any protest regarding these procurement policies or any procurement transaction must be made in writing to the Chief Executive Officer (CEO) of Greater Cleveland Works no later than the seventh (7) business day after notification of Greater Cleveland Work's intent to award. Greater Cleveland Works will review the protest, shall issue written decisions on all timely protests, and shall notify any proposer who filed an untimely protest. The Greater Cleveland Works written response shall be the protest ruling and is intended as a complete and final answer to the protest. Federal agency reviews are limited to questions or violations of appropriate laws/regulations: or violations of these protest procedures. All protests must immediately be reported to the Board of Directors upon receipt.

## Methods of Procurement

All procurement transactions will be conducted in an open and competitive manner; Greater Cleveland Works will solicit more than one source for an offer, with either a fixed price or cost reimbursement type (not allowed for construction contracts exceeding \$150,000) of contract awarded. Bids will be obtained from an adequate number of qualified sources; an established method for conducting technical evaluations of the proposals received and for selecting awardees will be used; and awards will be made to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered. Factors such as discounts, transportation costs and life cycle costs shall be used in determining the lowest bid. Factors such as previous experience with Greater Cleveland Works and/or use of Greater Cleveland Works' services may be considered.

- **Goods/Supplies**
  - **Micro-purchase: \$0.00 - \$9,999.99**  
No bids are required.
  - **Small Purchase: \$10,000 - \$19,999**  
Obtain/document price from a reasonable number of qualified sources (at least three).  
Bids must be written or documented.



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- **Sealed Bids: \$20,000 or more**  
Bids are publicly solicited. Cost or price analysis for purchases more than the Simplified Acquisition threshold (\$250,000).
- **Services**
  - **Micro-purchase: \$0.00 - \$9,999.99**  
No quotes are required.
  - **Small Purchase: \$10,000 – \$249,999**  
Obtain/document rate quotations from a reasonable number of qualified sources (at least three). Quotes must be written or documented.
  - **Competitive Proposals (Formal RFPs): \$250,000 or more**  
Conducted with more than one source submitting an offer. Cost or price analysis for purchases more than the Simplified Acquisition Threshold (\$250,000).
  - Greater Cleveland Works can competitively procure services at any amount should they so choose.
- **Non-competitive proposals**
  - Appropriate only when:
    - Available from a single source (sole source)
    - Public Emergency
    - After soliciting from several sources, competition is deemed inadequate

## **Procurement of the OhioMeansJobs Center Operator**

The OhioMeansJobs center operator (Operator) is the entity that will be selected by Greater Cleveland Works to operate the OhioMeansJobs Center and to coordinate the activities of the local partners and service providers. Per section 121(d) of WIOA and 20 C.F.R. 678.605, local WDBs must select operators through a competitive process that complies with: requirements and restrictions for Operators and Operator selection in WIOA and the WIOA Final Rules; federal, state and local procurement rules, policies and procedures; and state ethics laws and the local area code of conduct. WIOA does not allow for the “designation” or “certification” of any entity as an Operator without a competitive process. The competitive process for the selection of Operator will be conducted at least once every four years using the procurement by competitive proposal method.

Under 20 C.F.R. 678.620, at a minimum, the Operator must coordinate the service delivery of local partners and service providers. Greater Cleveland Works has the authority to define the Operator role and to assign additional responsibilities as appropriate, per WIOA.

## **Eligible Entities**

Per Workforce Innovation and Opportunity Act Policy Letter (WIOAPL) No. 15-18.1, Local Workforce Development Area Governance, a local Workforce Development Board may not fulfill the Operator role. The Operator may be a public, private or non-profit entity or a consortium of entities (located in the local workforce area). An entity that is a local partner may serve as the Operator, however, if a partner is serving as part of a consortium, the consortium must include at least three local partner entities. Elementary and secondary schools are not eligible to be certified as Operators, with the exception of nontraditional public secondary schools and area career and technical education schools.



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Types of entities that may be eligible to serve as Operators include:

- Institution of higher education
- State Wagner-Peyser employment agency
- Community-based organization, non-profit organization, or intermediary
- Private, for-profit entity
- Government agency
- Other interested organization or entity capable of fulfilling the role of the Operator, which may include a local chamber of commerce, business, or labor organization

## Operator Restrictions

Under 20 C.F.R. 678.620, the Operator may not:

- Convene system stakeholders to assist in the development of the local WIOA plan.
- Prepare and submit local WIOA plans.
- Be responsible for oversight of itself.
- Manage or significantly participate in the competitive selection process for an Operator.
- Select or terminate Operators, or providers of career or youth services.
- Negotiate local performance accountability measures.
- Develop or submit a budget for activities of the local board.

## Oversight

Greater Cleveland Works will serve both an advisory and active role with the Operator. The roles and responsibilities of the Operator will be detailed in the contract with Operator. These responsibilities include, but are not limited to:

- Level of authority and discretion of the Operator for administrative and operational functions
- Level of involvement in systemic activities such as outreach, service delivery, training local partner staff, monitoring, performance tracking, solicitation of customer feedback, policy recommendations, etc.
- Terms of the local Memorandum of Understanding as negotiated by Greater Cleveland Works
- Fiscal or budget-related responsibilities assigned to the Operator by Greater Cleveland Works
- OhioMeansJobs center facilities such as furniture/equipment purchases, inventory management, technology resources (website, software, testing sites, etc.), insurance, accessibility, safety and security
- Reporting requirements

If an Operator will be assigned to provide career services, WIOA Final Rules have clarified that Operator and service provider are two separate roles and should be treated as such. Greater Cleveland Works will take measures to prevent any conflicts of interest in accordance with 20 C.F.R. 679.430, WIOAPL 15-18.1, and the conflict of interest provisions outlined in this policy. If an Operator will also be a service provider, the solicitation and the resulting contract will specify how the Operator will fulfill dual roles with each role clearly defined and a clear description of how monitoring and oversight will be conducted for both roles.



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## **Procurement of the Career Services Provider**

Per section 107(d)(10)(C) of WIOA, Greater Cleveland Works has the responsibility to identify eligible providers of career services for the WIOA Title I Adult and Dislocated Worker programs.

Although career service providers meet the definition of a subrecipients and do not require a competitive process to be selected, it is the policy of Greater Cleveland Works to competitively procure the provider(s) for adult and dislocated worker career services. The competitive process for the selection of the career services provider will be conducted at least once every four years using the procurement by competitive proposal method.

## **Procurement of the CCMEP Provider**

Per 20 C.F.R. 679.370(l)(1), it is the responsibility of Greater Cleveland Works to select the provider(s) of youth workforce investment activities. The Comprehensive Case Management and Employment Program (CCMEP) is Ohio's WIOA youth program.

Greater Cleveland Works contracts to youth service providers to carry out some or all of the youth workforce investment activities on a competitive basis. It is expected that Greater Cleveland Works will contract with youth service providers to provide the activities and program elements which youth service providers are best positioned to offer. The length of youth service provider contracts shall be for no more than 4 years, including any extensions. The competitive process for the selection of the CCMEP provider will be conducted at least once every four years using the procurement by competitive proposal method. The selection process will be planned to maximize competition and conducted on a local area-wide basis.

Greater Cleveland Works shall not delegate its procurement responsibility and will retain its authority and responsibility for the selection, oversight, and evaluation of the procured services. Furthermore, Greater Cleveland Works will collaborate with the CCMEP lead agency in designing procured youth services and activities. Greater Cleveland Works will also partner with the CCMEP lead agency to jointly procure youth program providers for CCMEP, unless the CCMEP lead agency wishes to bid to become a provider of WIOA youth-funded services. If a joint procurement is conducted, the Greater Cleveland Works must take the lead in all aspects of the procurement process.

## **Greater Cleveland Works Decisions Regarding Procurement of Youth Program Services**

Greater Cleveland Works must conduct and document all the following steps:

1. Consult with the CEO and review procurement policies and procedures or develop procurement policies and procedures specific to youth program provider selection
2. Decide whether to allow the CCMEP lead agency to conduct certain, allowable activities and services
3. Coordinate with CCMEP lead agency, if the CCMEP lead agency is not planning to bid on the youth program provider proposal
4. Choose the WIOA population to be served: only out-of-school youth or both in-school youth and out-of-school youth
5. Decide the youth workforce investment activities to be procured: if the youth provider will conduct all activities or just certain activities



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6. Choose a service delivery methodology:
  - a) Area-wide youth provider;
  - b) Center-based youth provider; or
  - c) Service-based service provider
7. Decide the procurement method: procurement by competitive sealed bids, procurement by competitive proposals; or procurement by noncompetitive proposals.

## **Documentation**

Greater Cleveland Works will maintain documentation of the selection process from planning through selection and the execution of a contract for the OhioMeansJobs Center Operator, Career Services Provider and CCMEP Provider. Documentation must include:

1. A written description of the procurement method chosen and the factors that were considered.
2. Copies of local procurement policies and procedures.
3. A copy of any conflict of interest policies and procedures.
4. Copies of any multi-functional agreements.
5. A copy of the local area code of conduct.
6. Documentation of the roles and responsibilities to be assigned to the Operator and/or provider of career services, including a description of how Greater Cleveland Works determined which roles to assign.
7. Documentation of a cost and/or price analysis.
8. A copy of the timeline.
9. A copy of the solicitation (or, if applicable, a copy of the documentation to support sole source selection).
10. A copy of all questions and responses from the Q&A process.
11. Copies of all proposals submitted.
12. Copies of the scoring or proposal review documents.
13. Copies of the award/denial letters.
14. A copy of the resulting contract.

## **Timeline**

Prior to planning the Operator, provider of career services, and youth program provider selection process, Greater Cleveland Works will develop a timeline of a duration sufficient for a fair and open competitive process as well as negotiation and execution of a contract with the selected Operator and/or services provider. Timelines will include:

1. Time for selection process planning
2. Development and approval of the solicitation
3. The date the solicitation will be released to the public
4. A question-and-answer period for prospective vendors
5. A final deadline for proposal submission
6. A time for proposal review and scoring
7. A date for notice of award/denial
8. A protest period
9. Initiation of the contract process
10. Estimated date of contract execution
11. Date for performance to begin under the contract.