

Executive Summary

Workforce Services Policy –

Workforce Services (Property Management) – WIOA

1. What is the purpose of the policy?

The purpose of this policy is to clearly define requirements for grantees, subgrantees, and service providers in relation to equipment procurement, equipment management, real property purchases and leases. States are required to have a property management policy in place per Federal regulations.

2. What are the notable guidelines covered in this policy?

Notable guidelines in this policy explain:

- How Workforce Innovation Opportunity Act (WIOA) funds may not be utilized for the purchase of real property.
- How to report stolen or damaged property to the proper authorities and what documentation is required to accompany the Report of the Survey.
- How the subgrantee or contractor is to maintain inventory records.
- Purchase considerations a subgrantee or contractor must consider before soliciting WIOA funds.
- Exceptions to the rule that bar WIOA funds from being spent on construction costs.
- Allowable means by which money can be spent on maintenance, operation, and repair of facilities.

3. What defines a conflict of interest? Which parties could be perceived as being involved in conflicts of interest?

By soliciting or accepting gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub agreements the grantee or sub grantee has engaged in a conflict of interest.

Parties who must avoid solicitation or acceptance of gratuities, favors, or anything of monetary value include:

- Officers (which for the purpose of this policy includes Workforce Board Members).
- Members of an Officer's immediate family (e.g. spouses, children, parents, grandparents, in-laws, nieces, nephews, or cousins).
- An organization which employs, or is about to employ any of the above, has a financial or other interest in the firm selected for the award.

4. What standards are in place for maintenance of existing inventory?

Inventory of property purchased with WIOA funds must be recorded in a system inventory on a minimum of a quarterly basis. This record keeping also applies to property transferred from Workforce Investment Act (WIA), Job Training Placement Act (JTPA), or Comprehensive Economic and Trade Agreement (CETA). These reviews must be conducted regularly, be well documented, and include updates in status.

5. What is the most important limitation to consider before using WIOA funds?

WIOA cost categories may not be shifted or WIOA funds may not be used to overcome fund deficiencies or avoid restrictions in other Federal grants. In addition, WIOA funds will not be awarded to any party that is debarred, suspended or otherwise excluded from eligibility for participation in Federal assistance programs.

6. What are three (3) standards grantees must consider before procuring goods and services?

1. Grantees and subgrantees must use their own procurement procedures which reflect applicable State and local laws and regulations, provided that the procurements conform to applicable Federal laws and the standards identified in this section.

2. Grantees and subgrantees must maintain a contract administration system which ensures that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

3. Grantees and subgrantees must maintain a written code of standards of conduct governing the performance of their employees engaged in the selection of,

awarding of and administration of contracts. No employee, officer or agent of the grantee or subgrantee shall participate in any way (including discussion, review and/or voting) in the selection, or in the awarding of or administration of a contract supported by Federal or State funds if a conflict of interest, real or apparent, would be involved.

7. What are guidelines LWDBs need to consider before using WIOA funds for goods and services?

- Is the purchase reasonable?
- Is this purchase needed?
- Have the best products been selected?
- What procurement method was used?
- Was a lease option considered in lieu of the purchase?
- Does the State already provide the item, service or soft-ware being considered for rent, purchase or for subscription?
- Can the purchaser show that the purchase and item is allowable under the applicable Federal award?