

**TO: Workforce Investment Board**

**DATE: 03/19/09**

**FROM: WIB Staff**

**For Action**

**For Information**

**For Discussion**

**SUBJECT: Economic Stimulus Sole Source Procurements**

**PROPOSED MOTION(S):** That the Workforce Investment Board (WIB) recommends to the Board of Supervisors that they approve sole source procurements for Adult, Dislocated Worker and Youth funds stemming from the American Recovery and Reinvestment Act of 2009 (The Recovery Act) for training, service providers and summer youth activities.

**DISCUSSION:** On February 17, 2009, the President signed the American Recovery and Reinvestment Act into law. Among numerous other programs, this Act provides funding for employment and training activities to Workforce Investment Act eligible Adult, Dislocated Worker and Youth participants.

The message from the Employment and Training Administration (ETA) is clear: "States are expected to spend Recovery Act funding quickly and effectively". This message requires local areas to explore the use of expedited procurement processes under current State and local law. The current local law allows for noncompetitive negotiation (sole source) in the event that 1) the award of a contract is infeasible under small purchase procedures; and 2) the public exigency or emergency need for the item or service does not permit a delay resulting from competitive solicitation.

The following actions have been taken to justify the sole source recommendation:

- A competitive solicitation process (RFP) has been examined. The timeline provided by the Department of Administrative Services for an expedited RFP process does not meet the timelines this funding requires.
- The RFP 6300 (current RFP for youth programs) and selected answer to the RFP was examined by staff and County Counsel to justify a stand-alone youth program by the current youth provider. The results of the examination provided no clear connection for a stand-alone summer youth component by the current youth provider.

In order to meet the goals of the President's Recovery Act, and in order to successfully begin spending, a sole source procurement is recommended for selected youth activities (14-17 year-old youth), training and service providers for youth, adult and dislocated workers.

**ATTACHMENT(S): N/A**