

U.S. DEPARTMENT OF LABOR

Employment and Training Administration

NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY

ANNOUNCEMENT FOR:

Workforce Innovation and Opportunity Act (WIOA), Indian and Native American Program - Employment and Training Grants.

ANNOUNCEMENT TYPE: *Initial*

FUNDING OPPORTUNITY NUMBER: *FOA-ETA-18-05*

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER: *17.265*

KEY DATES: *The closing date for receipt of applications under this Announcement is May 18, 2018. We must receive applications no later than 4:00:00 p.m. Eastern Time.*

ADDRESSES: *Address mailed applications to:*

***The U.S. Department of Labor
Employment and Training Administration, Office of Grants Management
Attention: Jimmie Curtis, Grant Officer
Reference FOA-ETA-18-05
200 Constitution Avenue, NW, Room N4716
Washington, DC 20210***

For complete application and submission information, including online application instructions, please refer to Section IV.

EXECUTIVE SUMMARY:

The Employment and Training Administration (ETA), U.S. Department of Labor (DOL, or the Department, or we), announces the availability of approximately \$62 million in grant funds authorized by Section 166 of the Workforce Innovation and Opportunity Act (WIOA). As a statutory program with regulatory requirements, the Department must follow the grant application requirements at 20 CFR part 684 subpart B which can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf>

This program is intended to support employment and training activities for Indians and Native Americans throughout the United States. These activities are provided at the local level through grant awards to eligible entities detailed at 20 CFR 684.200, which can be found at: <https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf> Funds are used to help all eligible participants (including but not limited to) Indians, Alaska Natives, and Native Hawaiians with employment, financial assistance for education and training, and other supportive services necessary to achieve economic self-sufficiency. The

Department has been providing employment and training grants to the eligible entities referenced above for over 40 years under various laws including the Comprehensive Employment and Training Act (CETA), Job Training Partnership Act (JTPA), Workforce Investment Act (WIA), and Workforce Innovation and Opportunity Act (WIOA). The list of program year 2017 Section 166 grantees and their funding allocations can be found at: https://wdr.doleta.gov/directives/attach/TEGL/TEGL_23-16_Change_1_Attachment_I_Acc.pdf In order for current PY 2017 grant recipients to continue to receive funding, they must submit an application under this FOA.

I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

This Announcement solicits applications for the Indian and Native American Employment and Training Program authorized under Section 166 of WIOA. The purpose of this program is to “support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order to: (A) develop more fully the academic, occupational, and literacy skills of such individuals; (B) make such individuals more competitive in the workforce and equip them with the entrepreneurial skills necessary for successful self-employment; and (C) promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.”

B. PROGRAM AUTHORITY

Section 166 of WIOA (Pub. L. 113 -128) authorizes this program.

II. AWARD INFORMATION

A. AWARD TYPE AND AMOUNT

Funding will be provided in the form of a grant.

We expect availability of approximately \$62,000,000 to fund approximately 176 total grants. We anticipate approximately \$49,000,000 of the \$62,000,000 will be for Comprehensive Service Program (adult) activities, and the remaining \$13,000,000 will be for Supplemental Youth Services that will be awarded to those grant recipients that serve Indian, Alaska Native, and Native Hawaiian youth living on or near Indian reservations and in Oklahoma, Alaska, and Hawaii. Funding amounts will be based on a funding formula provided in the WIOA regulations at 20 CFR 684.270 and 684.440. Awards made under this Announcement are subject to the availability of Federal funds. In the event that additional funds become available, we reserve the right to use such funds to select additional grantees from applications submitted in response to this Announcement. This program is intended to serve the entire United States, and, therefore, applicants must specify the geographic areas they are applying for (e.g., state, counties, reservation, etc.) in

block 14 “Areas Affected by Project (Cities, Counties, States, etc.)” of the SF-424. Incumbent grantees should indicate “existing service area” in item no. 14 of the SF-424 if they are applying for their existing services area. Otherwise, existing grantees that are applying for new geographic areas in addition to their existing service area should indicate “existing service area” and also indicate the new geographic areas (counties, reservation areas etc.) they are applying for.

This program currently funds 176 grants with funding amounts ranging from \$14,803 to \$5,525,686 for the Comprehensive Services Program (CSP) and \$1,006 to \$2,885,909 for the Supplemental Youth Services Program (SYSP). The funding amounts vary depending on the number of Indians, Alaska Natives, and Native Hawaiians who are unemployed and/or living in poverty in a geographic service area. To get an understanding of how geographic areas relate to funding, applicants can compare the funding amounts in the link provided in the Executive Summary with the grantees’ geographic service areas located at: <https://www.doleta.gov/dinap/cfm/CensusData.cfm> For example, under the “2000 Adult Census” link, the Inter-Tribal Council of Alabama serves 63 counties in Alabama with 760 unemployed and 3,273 low-income Indians, Alaska Native, and Native Hawaiians residing in these counties combined. For this geographic service area, the Inter-Tribal Council of Alabama received \$261,106 in PY 2017 adult funding.

B. PERIOD OF PERFORMANCE

INA grant competitions are held every four years. Grantees that receive an award as a result of this competition will receive one grant award annually for four consecutive years, subject to appropriated funding, starting in PY 2018. Each annual grant award will have a 36-month period of performance. Grantees will receive a new grant with a new grant number in each of those four years contingent on the availability of funds and satisfactory progress towards achieving the goals and objectives of the grant. The anticipated start date for awardees that receive both youth and adult funding is April 1, 2018, while the anticipated start date for awardees that receive only adult funding is July 1, 2018. The period of performance detailed above includes all necessary implementation and start-up activities.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

To be eligible to apply for a WIOA Sec. 166 grant, an entity must have legal status as a government or as an agency of a government, private non-profit corporation, or a consortium whose members all qualify as one of these entities. Per 20 CFR 684.200(f), these entities include:

- Federally recognized Indian tribes;
- Tribal organizations, as defined in 25 U.S.C. 450b;
- Alaska Native-controlled organizations;
- Native Hawaiian-controlled organizations;

- Indian-controlled organizations serving INAs;
- A consortium of eligible entities which meets the legal requirements for a consortium as described at 20 CFR 684.200(e);
- State-recognized tribal organizations as defined in 20 CFR 684.200(g).

In addition and in accordance with 20 CFR 684.200(b):

“A **new entity** (which is not an incumbent grantee) must have a population within the designated geographic service area, which would receive at least \$100,000 under the funding formula found at § 684.270(b), including any amounts received for supplemental youth services under the funding formula at § 684.440(a).” Notwithstanding this requirement, applications that do not meet the funding threshold may still be considered if the Grant Officer offers -- and the applicant accepts -- additional geographic areas to its application.

And in accordance with 20 CFR 684.200(c) and (d):

“**Incumbent grantees** which do not meet this dollar threshold and were receiving INA funding of less than \$100,000 as of October 18, 2016, will be grandfathered into the program and are eligible to be awarded less than \$100,000, so long as the grantees have continuously received less than \$100,000 since October 18, 2016. The Department will make an exception to the \$100,000 minimum for applicants that apply for WIOA funding through Public Law 102-477 as amended by Public Law 115-93, the Indian, Employment, Training, and Related Services demonstration program, if all resources to be consolidated under the Public Law 102- 477 plan total at least \$100,000, with at least \$20,000 derived from Sec. 166 funds. However, incumbent Public Law 102-477 grantees that were receiving INA funding of less than \$20,000 as of October 18, 2016, will be grandfathered into the program and are eligible to be awarded less than \$20,000, so long as the grantees have continuously received less than \$20,000 since October 18, 2016.”

B. FUNDING PRIORITY

As discussed in 20 CFR 684.210, Federally recognized Indian tribes, Alaska Native entities, or a consortium of such entities will have priority to receive grants under this part for those geographic service areas in which they have legal jurisdiction, such as an Indian reservation, Oklahoma Tribal Service Area (OTSA), or Alaska Native Village Service Area (ANVSA). If the Department decides not to make an award to an Indian tribe or Alaska Native entity that has legal jurisdiction over a service area, it will consult with such tribe or Alaska Native entity that has jurisdiction before selecting another entity to provide services for such areas. These priorities do not apply to service areas outside the legal jurisdiction of an Indian tribe or Alaska Native entity.

C. COST SHARING OR MATCHING

This program does not require cost sharing or matching funds. Including such funds is not one of the application screening criteria and applications that include any form of cost sharing or match will not receive additional consideration during the review process. Instead, the agency considers any resources contributed to the project beyond the funds provided by the agency as leveraged resources. Section IV.B.2 provides more information on leveraged resources.

D. OTHER INFORMATION

1. Application Screening Criteria

You should use the checklist below as a guide when preparing your application package to ensure that the application has met all the screening criteria. Note that this checklist is only an aid for applicants and should not be included in the application package. We urge you to use this checklist to ensure that your application contains all required items. If your application does not meet all the screening criteria, it will not move forward through the merit review process.

Application Requirement	Instructions	Complete?
The deadline submission requirements are met	Section IV.C	
Eligibility	Section III.A	
If submitted through Grants.gov, the components of the application are saved in any of the specified formats and are not corrupt. <i>(We will attempt to open the document, but will not take any additional measures in the event of problems with opening.)</i>	Section IV.C.	
Application for Federal funds request meets the minimum request amount specified in section III.A	Section III.A	
SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance	Section IV.B.1	
SF-424 includes a DUNS Number	Section IV.B.1	
SF-424A, Project Budget Information Form	Section IV.B.2	
Project Budget Narrative	Section IV.B.2	
Signed MOU(s) or Documentation of Good Faith Effort	Section IV.B.4.a	
4-Year Strategic Plan	Section V.A	

2. Number of Applications Applicants May Submit

We will consider only one application for adult funding and one application for youth funding from each organization. Applicants must submit separate SF-424s, project budgets (SF-424As and budget narratives) for the CSP and SYSP funding awards if applying for both. As explained above, grantees that receive an award as a result of this competition will receive one grant award annually for four consecutive years starting in PY 2018. Each SF-424 and budget narrative must reflect amounts commensurate with one-year's worth of grant funding. Applicants that apply for youth funding need to include a Supplemental Youth Services (SYS) narrative (as detailed later in this FOA) in their youth application submission. Youth funding is a "supplement" to the adult funding and is only awarded to applications that propose to provide supplemental employment and training and related services to low-income INA youth on or near Indian Reservations and in Oklahoma, Alaska, or Hawaii. Applicants that include these geographic areas in their application must include a narrative in their four-year strategic plan on how they intend to serve Native American youth living on or near the geographic areas indicated above. If the Department receives multiple adult funding or youth funding applications from the same organization, it will only consider the most recently received adult and the most recent youth funding application that meet the deadline. If the most recent adult or youth funding application is disqualified for any reason, the Department will not replace it with an earlier adult or youth application.

3. Eligible Participants

Participant eligibility is described in the WIOA Final Rule at 20 CFR 684.300. An individual is eligible to participate and receive services under this grant if the individual is:

- (1) An Indian, as determined by a policy of the INA program grantee. The grantee's definition must at least include anyone who is a member of a Federally recognized tribe; or
- (2) An Alaska Native, as defined in WIOA sec. 166(b)(1); or
- (3) A Native Hawaiian, as defined in WIOA sec. 166(b)(3).

The individual must also meet any one of the following:

- (1) Unemployed;
- (2) Underemployed, as defined in 20 CFR 684.130;
- (3) A low-income individual, as defined in sec. 3(36) of WIOA;
- (4) The recipient of a bona fide layoff notice which has taken effect in the last six months or will take effect in the following six-month period, who is unlikely to return to a previous industry or occupation, and who is in need of retraining for either employment with another employer or for job retention with the current employer;
- (5) An individual who is employed, but is determined by the grantee to be in need of employment and training services to obtain or retain employment that allows for self-sufficiency.

If applicable, male applicants also must register or be registered for the Selective Service.

4. **Veterans' Priority for Participants**

38 U.S.C. 4215 requires grantees to provide priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services in any job training program directly funded, in whole or in part, by DOL. The regulations implementing this priority of service are at 20 CFR Part 1010. In circumstances where a grant recipient must choose between two qualified candidates for a service, one of whom is a veteran or eligible spouse, the veterans' priority of service provisions require that the grant recipient give the veteran or eligible spouse priority of service by first providing him or her that service. To obtain priority of service, a veteran or spouse must meet the program's eligibility requirements. Grantees must comply with DOL guidance on veterans' priority. ETA's Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009) provides guidance on implementing priority of service for veterans and eligible spouses in all qualified job training programs funded in whole or in part by DOL. TEGL No. 10-09 is available at https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816

IV. APPLICATION AND SUBMISSION INFORMATION

A. HOW TO OBTAIN AN APPLICATION PACKAGE

This FOA, found at www.Grants.gov and https://www.doleta.gov/grants/find_grants.cfm, contains all of the information and links to forms needed to apply for grant funding.

B. CONTENT AND FORM OF APPLICATION SUBMISSION

Applications submitted in response to this FOA must consist of the four items listed below.

Note: Entities funded under Public Law 102-477 only need to submit One SF-424 "Application for Federal Assistance" For both the adult and youth program.

- (1) The SF-424 "Application for Federal Assistance"
- (2) Project Budget (SF-424A and Budget Narrative)"
- (3) 4-Year Strategic Plan
- (4) Attachments to the 4-Year Strategic Plan

Also, eligible applicants that are applying for supplemental youth services must submit a separate application for youth funding, which must include a SF-424, project budget (SF-424A and Budget Narrative) for the supplemental youth funding and the Supplemental Youth Services (SYS) narrative described in IV(B)(3) and V(B) below. These separate forms must be included as attachments within the same youth application on grants.gov.

You must ensure that the funding amount requested is consistent across all parts and sub-parts of the application.

(1) SF-424, “Application for Federal Assistance”

- You must complete the SF-424, “Application for Federal Assistance” (available at: https://apply07.grants.gov/apply/forms/sample/SF424_2_1-V2.1.pdf)
- In the address field, fill out the nine-digit (plus hyphen) zip code. Nine-digit zip codes can be looked up on the USPS website at <https://tools.usps.com/go/ZipLookupAction!input.action>
- The SF-424 must clearly identify the applicant and must be signed by an individual with authority to enter into a grant agreement. Upon confirmation of an award, the individual signing the SF-424 on behalf of the applicant is considered the Authorized Representative of the applicant. As stated in block 21 of the SF-424 form, the signature of the Authorized Representative on the SF-424 certifies that the organization is in compliance with the Assurances and Certifications form SF-424B (available at: <https://apply07.grants.gov/apply/forms/sample/SF424B-V1.1.pdf>) You do not need to submit the SF-424B with the application.

In addition, the applicant’s Authorized Representative’s signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the requirements at 29 CFR 37.20(a)(1) located at: https://www.ecfr.gov/cgi-bin/text-idx?SID=a3cb4311f9e4feaaf19fee28be40a280&mc=true&node=se29.1.37_120&rgn=div8

- Requirement for DUNS Number

All applicants for Federal grant and funding opportunities must have a DUNS number, and must supply their DUNS Number on the SF-424. The DUNS Number is a nine-digit identification number that uniquely identifies business entities. If you do not have a DUNS Number, you can get one for free through the D&B website: <https://fedgov.dnb.com/webform/displayHomePage.do>

Grant recipients authorized to make subawards must meet these requirements related to DUNS Numbers.

- Grant recipients must notify potential subawardees that no entity may receive a subaward from you unless the entity has provided its DUNS number to you.
- Grant recipients may not make a subaward to an entity unless the entity has provided its DUNS number to you.

(See, Appendix A to 2 CFR section 25 located at: <https://www.gpo.gov/fdsys/pkg/CFR-2014-title2-vol1/pdf/CFR-2014-title2-vol1-part25-appA.pdf>)

- **Requirement for Registration with SAM**

Applicants must register with the System for Award Management (SAM) before submitting an application. Find instructions for registering with SAM at: <https://www.sam.gov>

A recipient must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, the applicant is required to review and update the registration at least every 12 months from the date of initial registration or subsequently update its information in the SAM database to ensure it is current, accurate, and complete. For purposes of this paragraph, the applicant is the entity that meets the eligibility criteria and has the legal authority to apply and to receive the award. If an applicant has not fully complied with these requirements by the time the Grant Officer is ready to make a Federal award, the Grant Officer may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

(2) Project Budget

You must complete the SF-424A Budget Information Form (available at: <https://apply07.grants.gov/apply/forms/sample/SF424A-V1.0.pdf>) In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

Budget Narrative: The budget narrative must provide a description of costs associated with each line item on the SF-424A. It should also include a description of leveraged resources provided (as applicable) to support grant activities.

Use the following guidance for preparing the budget narrative:

Personnel: List all staff positions by title (both current and proposed). Give the annual salary of each position, the percentage of each position's time devoted to the project, the amount of each position's salary funded by the grant, and the total personnel cost for the period of performance.

Fringe Benefits: Provide a breakdown of the amounts and percentages that comprise fringe benefit costs such as health insurance, FICA, retirement, etc.

Travel: Specify the purpose, mileage, per diem, estimated number of in-state and out-of-state trips, and other costs for each type of travel.

Equipment: Identify each item of equipment you expect to purchase which has an estimated acquisition cost of \$5,000 or more per unit (or if your capitalization level is less than \$5,000, use your capitalization level) and a useful lifetime of more than one year (see 2 CFR 200.33 for the definition of Equipment). List the quantity and unit cost per item. Items with a unit cost of less than \$5,000 are supplies, not “equipment”. In general, we do not permit the purchase of equipment during the last funded year of the grant.

Supplies: Identify categories of supplies (e.g. office supplies) in the detailed budget and list the quantity and unit cost per item. Supplies include all tangible personal property other than “equipment” (see 2 CFR 200.94 for the definition of Supplies).

Contractual: Under the Contractual line item, delineate contracts and subawards separately. Contracts are defined according to 2 CFR 200.22 as a legal instrument by which a non-Federal entity purchases property or services needed to carry out the project or program under a Federal award. A subaward, defined by 2 CFR 200.92, means an award provided by a pass-through entity to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program.

For each proposed contract and subaward, specify the purpose and estimated cost.

Construction: Construction costs are not allowed and this line must be left as zero. Minor alterations to adjust an existing space for grant activities (such as a classroom alteration) may be allowable. We do not consider this as construction and you must show the costs on other appropriate lines such as Contractual.

Other: Provide clear and specific detail, including costs, for each item so that the Department is able to determine whether the costs are necessary, reasonable and allocable. List any item, such as subsidized wages (i.e. work experience wages), stipends, or incentives, not covered elsewhere here.

Indirect Costs: If you include indirect costs in the budget, then include one of the following:

a) If you have a Negotiated Indirect Cost Rate Agreement (NICRA), provide an explanation of how the indirect costs are calculated. This explanation should include which portion of each line item, along with the associated costs, are included in your cost allocation base. Also, provide a current version of the NICRA.

or

b) If you intend to claim indirect costs using the 10 percent de minimis rate, please confirm that your organization meets the requirements as described in 2 CFR 200.414(f). Clearly state that your organization has never received a Negotiated Indirect Cost Rate Agreement (NICRA), and your organization is not one described in Appendix VII of 2 CFR 200, paragraph (D)(1)(b).

Applicants choosing to claim indirect costs using the de minimis rate must use Modified Total Direct Costs (MTDC) (see 2 CFR 200.68 below for definition) as their cost allocation base. Provide an explanation of which portion of each line item, along with the associated costs, are included in your cost allocation base. Note that there are various items not included in the calculation of MTDCs (see 2 CFR 200.68 and 2 CFR 200.75) Modified Total Direct Costs. See below the definitions to assist you in your calculation.

2 CFR 200.68 Modified Total Direct Cost (MTDC) means all direct salaries and wages, applicable fringe benefits, materials and supplies, services, travel, and up to the first \$25,000 of each subaward (regardless of the period of performance of the subawards under the award). MTDC excludes equipment, capital expenditures, charges for patient care, rental costs, tuition remission, scholarships and fellowships, participant support costs and the portion of each subaward in excess of \$25,000. Other items may only be excluded when necessary to avoid a serious inequity in the distribution of indirect costs, and with the approval of the cognizant agency for indirect costs.

You will note that participant support costs are not included in modified total direct cost. Participant support costs are defined below.

2 CFR 200.75 Participant Support Cost means direct costs for items such as stipends or subsistence allowances, travel allowances, and registration fees paid to or on behalf of

participants or trainees (but not employees) in connection with conferences, or training projects.

See Section IV.B.4.a. and Section IV.E.1 for more information. Additionally, the following link contains information regarding the negotiation of Indirect Cost Rates at DOL:
<https://www.dol.gov/oasam/boc/dcd/index.htm>

Request for Administrative Cost Rate Above 15 Percent:

Applicants requesting an increase in the administrative costs rate above 15% but not greater than 20% of the total grant award must provide a brief written justification showing the percentage of grant funds that the grantee requires for covering all its necessary administrative costs and indicating the conditions that will exist during the program year which contribute to administrative costs in excess of 15%. For further information on administrative costs and requesting an increase see IV.E.1 below.

This is a four-year grant application; however the SF-424, SF-424A, and budget narratives for both the youth and adult submissions must only include the Federal grant amounts for year one. Do not show leveraged resources on the SF-424 and SF-424A. Applicants must show only the amount being requested, and the amounts on the SF-424, SF-424A, and budget narrative must be the same. If minor inconsistencies are found between the budget amounts specified on the SF-424, SF-424A, and the budget narrative, ETA will consider the SF-424 the official funding amount requested. However, if the amount specified on the SF-424 would render the application nonresponsive, the Grant Officer will use his or her discretion to determine whether the intended funding request is within the responsive range.

(3) 4-Year Strategic Plan

A. Preparing the Four-Year Strategic Plan

The Four-Year strategic plan must demonstrate your capability to implement a Native American employment and training program. In addition, it must describe the employment and training activities and services that you will provide in your community or geographic service area. It must address all the information in sections V.A.1 through V.A.7 of this FOA, and be succinct, self-explanatory, and well organized so that reviewers can understand the plan.

The Four-Year plan is limited to 20 double-spaced, single-sided 8.5 x 11 inch pages with Times New Roman 12 point text font and one inch margins. You must number the pages in the plan beginning with page number one.

Below are the sections of the Four-Year Strategic Plan that applicants must address. This is a competitive funding announcement and applications will be rated based on the information provided in the Four-Year Strategic Plan. Section V.A provides specific information for each item listed below and assigns a maximum rating score to each item. Applicants should carefully read Section V.A and address each section thoroughly in the Four-Year Strategic Plan narrative.

- (1) Overall Service Strategy
- (2) Participants Served
- (3) Array of Services
- (4) Labor Market Demand
- (5) Employer Engagement
- (6) Partnering
- (7) Workforce System Relationships

Supplemental Youth Services (as applicable)

- (1) Participants Served
- (2) Array of Services
- (3) Cultural Identity
- (4) Partnering

(4) Attachments to the Four-Year Strategic Plan

In addition to the Four-Year Strategic Plan, you must submit required attachments listed below. All such attachments must be clearly labeled as Attachments. We exclude such attachments from the page limit. (Attachments are the only documents excluded from the page limit.)

You must not include additional materials such as resumes or general letters of support. You must submit your application in one package because documents received separately will be tracked separately and will not be attached to the application for review.

Save all files with descriptive file names of 50 characters or less and only use standard characters in file names: A-Z, a-z, 0-9, and underscore (_). File names may not include special characters (e.g. &, -, *, %, /, #), periods (.), blank spaces or accent marks, and must be unique (i.e., no other attachment may have the same file name). You may use an underscore (example: my_Attached_File.pdf) to separate a file name.

Required Attachments

a. Signed Copies of Memoranda:

20 CFR 684.330 requires that grant recipients execute a Memorandum of Understanding (MOU) with Local Workforce

Development Boards (LWDBs) over the operation of the one-stop center(s) in the Local area. Accordingly, applicants must provide documentation of MOUs with LWDBs in their geographic area or State Workforce Development Boards (SWDBs) in single-area states. Applicants that have several MOU's with several different LWDB's only need to submit an MOU with the LWDB service area where the largest number of Native Americans will receive services. If a good faith effort was made to enter into an MOU with the LWDB but is either still ongoing or was unsuccessful, you must provide documentation or explain such efforts. New applicants that have not had an opportunity to develop MOU's with LWDBs must describe how they plan to work with the local one-stops including providing any services through the local one-stops.

Requested Attachments

We request the following attachments, but their omission will not cause us to screen out the application. Furthermore, if the omission of the attachment will impact scoring, the description of the attachment will note such an impact.

a. Indirect Cost Rate Agreement:

If you are requesting indirect costs based on a NICRA approved by your Federal Cognizant Agency, then attach the most recently approved Agreement. (For more information, see Section IV.B.2. and Section IV.E.1.) This attachment does not impact scoring of the application.

b. Abstract:

Please submit an up to two-page abstract summarizing the proposed project, including, but not limited to, the scope of the project and proposed outcomes. The abstract should include the applicant's name, project title, a description of the area to be served, the funding level requested, and the estimated number of participants to be served. When estimating the number of participants to be served, the average cost per participant shall not exceed \$5,000. This is calculated by dividing the amount indicated on item 18.g of the SF-424 by the estimated number of participants. The abstract must also include the estimated number of participants who will be employed in the fourth quarter after exit and the total median earnings of participants in the second quarter after exit.

c. Waiver Requests

WIOA sec. 166(i)(3) permits waivers of any statutory or regulatory requirement of Title I of WIOA that are inconsistent with the specific needs of the INA program grantee (except for the areas cited in § 684.920). While a waiver may be requested at any time during a four-year grant award cycle, the Department encourages grantees to request waivers of the performance indicators at the beginning of a four-year grant award cycle, in the Four-Year Strategic Plan, and approved waivers will apply for the duration of the Four-Year Plan.

If you wish to request a waiver of performance indicators, then please submit it with the four-year strategic plan. (However, as noted above, a waiver may be requested at any time during a four-year grant award cycle.) The Department plans to provide additional information about waiver requests for the WIOA Sec. 166 program.

C. SUBMISSION DATE, TIMES, PROCESS AND ADDRESSES

We will accept applications under this Announcement until May 18, 2018. We must receive your application either electronically on <https://www.grants.gov> or in hard copy by mail or in hard copy by hand delivery (*including overnight delivery*) **no later than 4:00:00 p.m. Eastern Time on the closing date.**

Applicants are encouraged to submit their application before the closing date to ensure that the risk of late receipt of the application is minimized. We will not review applications received after 4:00:00 p.m. Eastern Time on the closing date.

Applicants submitting applications in hard copy by mail or overnight delivery must submit a “copy-ready” version free of bindings, staples or protruding tabs to ease in the reproduction of the application by DOL. Applicants submitting applications in hard copy must also include in the hard copy submission an identical electronic copy of the application on compact disc (CD) or flash drive. If we identify discrepancies between the hard copy submission and CD/flash drive copy, we will consider the application on the CD/flash drive as the official submission for evaluation purposes. Failure to provide identical applications in hardcopy and CD/flash drive format may have an impact on the overall evaluation.

If an application is physically submitted by both hard copy and through <https://www.grants.gov>, a letter must accompany the hard-copy application stating which application to review. If no letter accompanies the hard copy, we will review the copy submitted through <https://www.grants.gov>

We will grant no exceptions to the mailing and delivery requirements set forth in this notice. Further, we will not accept documents submitted separately from the application, before or after the deadline, as part of the application.

Address mailed applications to the
U.S. Department of Labor
Employment and Training Administration
Office of Grants Management
Attention: Jimmie Curtis, Grant Officer
Reference FOA-ETA-18-05
200 Constitution Avenue, NW, Room N4716
Washington, DC 20210

Please note that mail decontamination procedures may delay mail delivery in the Washington DC area. We will receive hand-delivered applications at the above address at the **3rd Street Visitor Entrance**. All overnight delivery submissions will be considered to be hand-delivered and must be received at the designated place by the specified closing date and time.

Applicants submitting applications through Grants.gov must ensure successful submission at <https://www.grants.gov> **no later than 4:00:00 p.m. Eastern Time on the closing date**. Grants.gov will subsequently validate the application.

We describe the submission and validation process in more detail below. The process can be complicated and time-consuming therefore you are strongly advised to initiate the process as soon as possible and to plan for time to resolve technical problems. Note that validation does not mean that your application has been accepted as complete or has been accepted for review. Rather, grants.gov only verifies the submission of certain parts of an application.

a. How to Register to Apply through Grants.gov

Read through the registration process carefully before registering. These steps may take as much as **four weeks** to complete, and this time should be factored into plans for timely electronic submission in order to avoid unexpected delays that could result in the rejection of an application.

Applicants must follow the online instructions for registration at <https://www.grants.gov/web/grants/applicants/organization-registration.html> We recommend that you prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last minute searches for required information and save time.

An application submitted through Grants.gov constitutes a submission as an electronically signed application. The registration and account creation with Grants.gov, with E-Biz POC approval, establishes an Agency Organizational Representative (AOR). When an application is submitted through Grants.gov, the name of the AOR that submitted the application is inserted into the signature line of the application, serving as the electronic signature. The EBiz POC must authorize the individual who is able to make legally binding

commitments on behalf of your organization as the AOR; this step is often missed and it is crucial for valid submissions.

b. How to Submit an Application to DOL via Grants.gov

Grants.gov applicants can apply online using Workspace. Workspace is a shared, online environment where members of a grant team may simultaneously access and edit different webforms within an application. For a complete workspace overview, refer to: <https://www.grants.gov/web/grants/applicants/workspace-overview.html>

For access to complete instructions on how to apply for opportunities, refer to: <https://www.grants.gov/web/grants/applicants/apply-for-grants.html>

When a registered applicant submits an application with Grants.gov, an electronic time stamp is generated within the system when the application is successfully received by Grants.gov. Grants.gov will send the applicant AOR an email acknowledgement of receipt and a tracking number (GRANTXXXXXXXX) with the successful transmission of the application, serving as proof of their timely submission. The applicant will receive two email messages to provide the status of the application's progress through the system.

- The first email will contain a tracking number and will confirm receipt of the application by Grants.gov.
- The second email will indicate the application has either been successfully validated or has been rejected due to errors.

Grants.gov will **reject applications if the applicant's registration in SAM is expired. Only applications that have been successfully submitted by the deadline and later successfully validated will be considered.** It is your sole responsibility to ensure a timely submission. While it is not required that an application be successfully validated before the deadline for submission, it is prudent to reserve time before the deadline in case it is necessary to resubmit an application that has not been successfully validated. Therefore, enough time should be allotted for submission (24-48 hours) and, if applicable, additional time to address errors and receive validation upon resubmission (an additional two business days for each ensuing submission). It is important to note that if enough time is not allotted and a rejection notice is received after the due date and time, DOL will not consider the application.

To ensure consideration, the components of the application must be saved as .doc, .docx, .xls, .xlsx, .rtf or .pdf files. If submitted in any other format, the applicant bears the risk that compatibility or other issues will prevent DOL from considering the application. We will attempt to open the document, but will not take any additional measures in the event of problems with opening.

We strongly advise applicants to use the various tools and documents, including FAQs, which are available on the "Applicant Resources" page at <https://www.grants.gov/web/grants/applicants/applicant-faqs.html>

We encourage new prospective applicants to view the online tutorial, “Grant Applications 101: A Plain English Guide to ETA Competitive Grants,” available through WorkforceGPS at: <https://strategies.workforcegps.org/resources/2014/08/11/16/32/applying-for-eta-competitive-grants-a-web-based-toolkit-for-prospective-applicants-438?p=1>

To receive updated information about critical issues, new tips for users and other time sensitive updates as information is available, you may subscribe to “Grants.gov Updates” at <https://www.grants.gov/web/grants/manage-subscriptions.html>

If you encounter a problem with Grants.gov and do not find an answer in any of the other resources,

- **call** 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or
- **email** support@grants.gov

The Grants.gov Contact Center is open 24 hours a day, seven days a week. However, it is closed on Federal holidays. If you are experiencing difficulties with your submission, it is best to call the Grants.gov Support Center and get a ticket number.

Late Applications

For applications submitted on Grants.gov, we will consider only applications successfully submitted no later than 4:00:00 p.m. Eastern Time on the closing date and then successfully validated. You take a significant risk by waiting to the last day to submit through Grants.gov.

We will not consider any hard copy application received after the exact date and time specified for receipt at the office designated in this notice, unless we receive it before awards are made, it was properly addressed, and it was: (a) sent by U.S. Postal Service mail, postmarked not later than the fifth calendar day before the date specified for receipt of applications (e.g., an application required to be received by the 20th of the month must be postmarked by the 15th of that month); or (b) sent by professional overnight delivery service to the addressee not later than one working day before the date specified for receipt of applications. “Postmarked” means a printed, stamped or otherwise placed impression (exclusive of a postage meter machine impression) that is readily identifiable, without further action, as having been supplied or affixed on the date of mailing by an employee of the U.S. Postal Service. Therefore, you should request the postal clerk to place a legible hand cancellation “bull’s eye” postmark on both the receipt and the package. Failure to adhere to these instructions will be a basis for a determination that the application was not filed timely and will not be considered. Evidence of timely submission by a professional overnight delivery service must be demonstrated by equally reliable evidence created by the delivery service provider indicating the time and place of receipt.

D. INTERGOVERNMENTAL REVIEW

This funding opportunity is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

E. FUNDING RESTRICTIONS

All proposed project costs must be necessary and reasonable and in accordance with Federal guidelines. Determinations of allowable costs will be made in accordance with the Cost Principles, now found in the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), codified at 2 CFR Part 200 and at 2 CFR Part 2900 (Uniform Guidance-DOL specific). Disallowed costs are those charges to a grant that the grantor agency or its representative determines not to be allowed in accordance with the Cost Principles or other conditions contained in the grant. Applicants, whether successful or not, will not be entitled to reimbursement of pre-award costs.

1. Indirect Costs

As specified in the Uniform Guidance Cost Principles, indirect costs are those that have been incurred for common or joint objectives and cannot be readily identified with a particular final cost objective. An indirect cost rate is required when an organization operates under more than one grant or other activity, whether Federally-assisted or not. You have two options to claim reimbursement of indirect costs.

Option 1: You may use a NICRA or Cost Allocation Plan (CAP) supplied by the Federal Cognizant Agency. If you do not have a NICRA/CAP or have a pending NICRA/CAP, and in either case choose to include estimated indirect costs in your budget, at the time of award the Grant Officer will release funds in the amount of 10% of salaries and wages to support indirect costs. Within 90 days of award, you are required to submit an acceptable indirect cost proposal or CAP to your Federal Cognizant Agency to obtain a provisional indirect cost rate. (See Section IV.B.2 for more information on NICRA submission requirements.)

Option 2: Any organization that has never received a negotiated indirect cost rate, with the exceptions noted at 2 CFR 200.414(f) in the Cost Principles, may elect to charge a de minimis rate of 10% of modified total direct costs (see 2 CFR 200.68 for definition) which may be used indefinitely. If you choose this option, this methodology must be used consistently for all Federal awards until such time as you choose to negotiate for an indirect cost rate, which you may apply to do at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.) For WIOA grants, all costs charged as a result of the de minimis rate will be counted towards the administrative cost limitation specified below.

2. Administrative Costs

Limits on administrative costs for Sec. 166 grants will be negotiated with the grantee and identified in the grant award document. Awardees will automatically be allowed to charge 15 percent for administrative costs; however, applicants seeking an administrative cost limit above 15 percent must include a request for a higher rate along with justification as part of the four-year strategic plan. The maximum rate that will be approved is 20 percent.

Administrative costs under this award follow the definition in the Workforce Innovation and Opportunity Act at 20 CFR 683.215 (see also 20 CFR 684.820).

Administrative costs are for the performance of administrative functions in carrying out activities under Title I of WIOA that are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and non-personnel costs and both direct and indirect costs. Administrative costs do not need to be identified separately from program costs on the SF-424A Budget Information Form. However, they must be tracked through the recipient's accounting system. To claim any administrative costs that are also indirect costs, the applicant must obtain an Indirect Cost Rate Agreement from its Federal Cognizant Agency or be eligible to use the 10 percent de minimis rate, as specified above.

3. Salary and Bonus Limitations

None of the funds appropriated under the heading "Employment and Training" in the appropriation statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation does not apply to contractors providing goods and services as defined in the Audit Requirements of the OMB Uniform Guidance (see 2 CFR 200 Subpart F). Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs. See Public Law 113-235, Division G, Title I, section 105, and Training and Employment Guidance Letter number 05-06 for further clarification: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262

4. Intellectual Property Rights

Pursuant to 2 CFR 2900.13, to ensure that the Federal investment of DOL funds has as broad an impact as possible and to encourage innovation in the development of new learning materials, the grantee will be required to license to the public all work created with the support of the grant under a Creative Commons Attribution 4.0 (CC BY) license. Work that must be licensed under the

CC BY includes both new content created with the grant funds and modifications made to pre-existing, grantee-owned content using grant funds.

This license allows subsequent users to copy, distribute, transmit and adapt the copyrighted Work and requires such users to attribute the Work in the manner specified by the grantee. Notice of the license shall be affixed to the Work. For general information on CC BY, please visit <https://creativecommons.org/licenses/by/4.0>

Instructions for marking your work with CC BY can be found at [https://wiki.creativecommons.org/Marking your work with a CC license](https://wiki.creativecommons.org/Marking_your_work_with_a_CC_license)

Questions about CC BY as it applies to this specific funding opportunity should be submitted to the ETA Grants Management Specialist specified in Section VII.

Only work that is developed by the recipient in whole or in part with grants funds is required to be licensed under the CC BY license. Pre-existing copyrighted materials licensed to, or purchased by the grantee from third parties, including modifications of such materials, remain subject to the intellectual property rights the grantee receives under the terms of the particular license or purchase. In addition, works created by the grantee without grant funds do not fall under the CC BY license requirement.

The purpose of the CC BY licensing requirement is to ensure that materials developed with funds provided by these grants result in work that can be freely reused and improved by others. When purchasing or licensing consumable or reusable materials, the grantee is expected to respect all applicable Federal laws and regulations, including those pertaining to the copyright and accessibility provisions of the Federal Rehabilitation Act.

Separate from the CC BY license to the public, the Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish, or otherwise use, and to authorize others to use for Federal purposes: i) the copyright in all products developed under the grant, including a subaward or contract under the grant or subaward; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including, but not limited to, curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. The grantee may not use Federal funds to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work. If revenues are generated through selling products developed with grant funds, including intellectual property, DOL treats such revenues as program income. Such program income is added to the grant and must be expended for allowable grant activities.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor’s Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The U.S. Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

5. WIOA Infrastructure

Pursuant to WIOA Sec. 121(h)(2)(D)(iv) and 20 CFR 684.330(d), funding awarded under this grant is not subject to the requirement to contribute to the infrastructure costs of the one-stop delivery system unless otherwise agreed upon in a Memorandum of Understanding with the State or Local Workforce Development Board(s).

6. Use of Grant Funds for Payments to Participants

Please review 20 CFR 684.340 for the policies that govern payments to participants.

F. OTHER SUBMISSION REQUIREMENTS

Withdrawal of Applications: You may withdraw an application by written notice to the Grant Officer at any time before an award is made.

V. APPLICATION REVIEW INFORMATION

A. CRITERIA

We have instituted procedures for assessing the technical merit of applications to provide for an objective review of applications and to assist you in understanding the standards against which your application will be judged. The evaluation criteria on which your application will be rated are provided below. These criteria are based on the information required in the Four-Year Strategic Plan and reviewers will award points based on the evaluation criteria described below:

Four-Year Strategic Plan Rating Criteria for Adult funding		Points (maximum)
1. Overall Service Strategy	(See item V.A.1 below)	15
2. Participants Served	(See item V.A.2 below)	10
3. Array of Services	(See item V.A.3 below)	15
4. Labor Market Demand	(See item V.A.4 below)	15
5. Employer Engagement	(See item V.A.5 below)	10
6. Partnering	(See item V.A.6 below)	10
7. Workforce System Relationships	(See item V.A.7 below)	20
8. Budget and Budget Justification	(See item V.A.8 below)	5
TOTAL		100

1. Overall Service Strategy (up to 15 points)

The extent to which the application demonstrates an effective overall strategy to help unemployed and low-income Native Americans become economically self-sufficient or move into the middle class. Such strategies may include Career Pathways or other strategies that are customized to the unique needs of your community. The extent to which the application identifies the barriers that need to be addressed in your service area such as cultural barriers, geographic remoteness, high poverty, etc. This element should identify the challenges faced by Native Americans in your service area and provide a persuasive explanation of how you will use this grant to overcome those challenges in order to help Native Americans become economically self-sufficient or move into the middle class. The Department is especially interested in strategies that offer apprenticeship opportunities.

2. Participants Served (up to 10 points)

The extent to which the application details the number of participants you plan to serve each year and includes demographic information and client characteristics for the geographic area you are requesting to serve. The extent to which the application demonstrates effective recruitment efforts or community activities your organization will employ to engage the community. (If a service priority system has been established due to limited resources, describe the priority system.)

3. Array of Services (up to 15 points)

The extent to which the application reflects an effective and comprehensive array of employment and training services that will be provided to individuals through this grant which include the services described at 20 CFR 678.430, and 680.200.

4. Labor Market Demand (up to 15 points)

The extent to which the application's description of the labor market in the applicant's service area (e.g., largest employers in the area, types of employers etc.) is accurate and clear. The strength and effectiveness of how the proposed employment and training services you plan to provide matches the labor market needs (i.e., how does the education and training you plan to provide relate to the skills required by employers in your service area.)

5. Employer Engagement (up to 15 points)

The extent to which the application clearly demonstrates how the applicant will engage employers in your service area (e.g., host job fairs, attend Chamber of Commerce meetings, etc.) and the types of services that you will provide employers.

6. Partnering (up to 15 points)

The degree to which the partnerships that your organization has (or will develop) with community organizations, educational institutions, employers, professional groups, etc., will impact the program's success and the extent to which partnering with these organizations will support the employment and training goals of this grant.

7. Workforce System Relationships (up to 10 points)

The extent to which the application describes its current relationship with the Workforce System (i.e. Local Workforce Development Boards (LWDBs) or State Workforce Development Boards (SWDBs) where the SWDB serves as the local WDB for the entire state.

Please note that if there are disagreements, differences, or other issues that currently exist with the LWDBs or SWDBs, describe the issues and how you plan to resolve them. Also, list the LWDBs in your geographic service area and identify which of these LWDB's with which you have a Memorandum of Understanding (MOU). If you do not have an MOU with a LWDB or SWDB in your area, provide the extent to which you have made a good faith effort to enter into an MOU with the LWDB/SWDB. If you have an MOU with some LWDBs but not others, please provide an explanation.

The extent to which the application describes the services they provide through the American Job Centers (AJCs) (formerly known as one-stops centers), if any, and whether they are co-located with or have staff located in an AJC.

Please note that any new applicants or existing grantees that do not have an MOU with a LWDB/SWDB must demonstrate the extent to which they are knowledgeable of the Workforce System and any formal or informal working relationships they have with the Workforce System.

8. Budget and Budget Justification (up to 5 points)

The extent to which the budget is reasonable for the first years' worth of activities outlined in the Four-Year Strategic Plan.

B. SUPPLEMENTAL YOUTH SERVICES (AS APPLICABLE TO YOUTH APPLICATIONS ONLY)

Youth funding is a “supplement” to the adult funding and is only awarded to winning applications that include Indian Reservations, Alaska Native Villages, Alaska Native Regional Corporations (ANRCs), Oklahoma Tribal Statistical Areas (OTSAAs), or the State of Hawaii as part of their application. Applicants that include these geographic areas in their application must provide a Supplemental Youth Services (SYS) narrative in their Four-Year Strategic Plan that addresses the items indicated in the table below.

Rating Criteria for Supplemental Youth Narrative (if applicable)		Points (maximum)
1. Youth Participants Served	(See item V.B.1 below)	N/A
2. Array of Youth Services	(See item V.B.2 below)	N/A
3. Cultural Identity	(See item V.B.3 below)	N/A
4. Partnering with Educational Institutions and Providers	(See item V.B.4 below)	N/A
5. Budget and Budget Justification	(See item V.B.5 below)	N/A

1. Youth Participants Served

The extent to which the application provides the number of youth to be served in the SYS program and addresses strategies for recruiting and retaining most-in-need and/or at-risk-youth in your program.

2. Array of Services

The extent to which the application describes the array of services the applicant intends to provide to youth participants. One illustrative example would be how the application describes strategies to reduce dropout rates and improve access to post-secondary education. The Department is especially interested in models that offer pre-apprenticeship and youth apprenticeship opportunities.

3. Cultural Identity

The extent to which the application encourages culturally relevant youth activities, such as any interaction with educational providers that academically prepare students to successfully move into post-secondary education and succeed in the workplace while maintaining or promoting cultural identity.

4. **Partnering with Education Institutions and Providers**

The extent to which the application describes how the applicant will partner with educational providers to academically prepare students to successfully move into post-secondary education.

5. **Budget and Budget Justification**

The extent to which the budget is reasonable for the first years' worth of activities outlined in the SYS narrative.

C. REVIEW AND SELECTION PROCESS

1. **Merit Review and Selection Process**

A technical merit review panel will carefully evaluate applications' Four-Year Strategic Plans against the rating criteria in section V.A. to determine the merit of applications. Up to 100 points may be awarded to an applicant, depending on the quality of the responses provided. The final scores (which may include the mathematical normalization of review panels) will serve as the primary basis for selection of applications for funding. The panel results are advisory in nature and not binding on the Grant Officer. The Grant Officer reserves the right to make selections based solely on the final scores or to take into consideration other relevant factors when applicable. Such factors may include the geographic distribution of funds and/or other relevant factors. The Grant Officer may also consider any information that comes to his/her attention.

The government may elect to award the grant(s) with or without discussions with the applicant. Should a grant be awarded without discussions, the award will be based on the applicant's signature on the SF-424, including electronic signature via E-Authentication on: <https://www.grants.gov>, which constitutes a binding offer by the applicant.

2. **Risk Review Process**

Prior to making an award, ETA will review information available through its own records and any OMB-designated repository of government-wide eligibility qualification or financial integrity information, such as Federal Awardee Performance and Integrity Information System (FAPIS), Dun and Bradstreet, and "Do Not Pay." Additionally, ETA will comply with the requirements of 2 CFR Part 180 codified by DOL at 29 CFR Part 98 [Government-wide Debarment and Suspension (Non-procurement)]. This risk evaluation may incorporate results of the evaluation of the applicant's eligibility (application screening) or the quality of its application (merit review). If ETA determines that an award will be made, special conditions that correspond to the degree of risk assessed may be applied to the award. Criteria to be evaluated include:

(1) Financial stability;

- (2) Quality of management systems and ability to meet the management standards prescribed in 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at <https://www.federalregister.gov/documents/2017/05/17/2017-09909/>)
- (3) History of performance. The applicant's record in managing awards, cooperative agreements, or procurement awards, if it is a prior recipient of such Federal awards, including timeliness of compliance with applicable reporting requirements and, if applicable, the extent to which any previously awarded amounts will be expended prior to future awards;
- (4) Reports and findings from audits performed under Subpart F – Audit Requirements of the Uniform Grant Guidance or the reports and findings of any other available audits and monitoring reports containing findings, issues of non-compliance or questioned costs;
- (5) The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on recipients.

NOTE: As part of the Employment & Training Administration's Risk Review process, The Grant Officer will determine:

- If the applicant had any restriction on spending for any ETA grant due to adverse monitoring findings ; or
- If the applicant received a High Risk determination in accordance with Training and Employment Guidance Letter (TEGL) 23-15.

Depending on the severity of the findings and whether the findings were resolved, the Grant Officer may at his/her discretion elect to not fund the applicant for a grant award regardless of the applicant's score in the competition.

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

All award notifications will be posted on the ETA Homepage (<https://www.doleta.gov>) Applicants selected for award will be contacted directly before the grant's execution. Non-selected applicants will be notified by mail or email and may request a written debriefing on the significant weaknesses of their application.

Selection of an organization as a recipient does not constitute approval of the grant application as submitted. Before the actual grant is awarded, we may enter into negotiations about such items as program components, staffing and funding levels, and administrative systems in place to support grant implementation. If the negotiations do not result in a mutually acceptable submission, the Grant Officer reserves the right to

terminate the negotiations and decline to fund the application. We reserve the right to not fund any application related to this FOA.

B. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

1. Administrative Program Requirements

All grantees will be subject to all applicable Federal laws, regulations—including 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and the terms and conditions of the award. The grant(s) awarded under this FOA will be subject to the following administrative standards and provisions:

- a. Non-Profit Organizations, Educational Institutions, For-profit entities and State, Local and Indian Tribal Governments – 2 CFR Part 200 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards) and 2 CFR 2900 (DOL’s Supplement to 2 CFR Part 200)
- b. All recipients must comply with the applicable provisions of the Workforce Innovation and Opportunity Act (WIOA), Public Law No. 113-328, 128 Stat. 1425 (codified as amended at 29 U.S.C. 3101 et seq.). Note that section 186(a) of WIOA allows unsuccessful applicants to file administrative appeals.
- c. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Government-Wide Requirements for Drug-Free Workplace (Financial Assistance)), 29 CFR Part 98 (Government-Wide Debarment and Suspension, and Drug-Free Workplace requirements), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- d. 29 CFR Part 2, subpart D—Equal Treatment in Department of Labor Programs for Religious Organizations; Protection of Religious Liberty of Department of Labor Social Service Providers and Beneficiaries.
- e. 29 CFR Part 31—Nondiscrimination in Federally Assisted Programs of the Department of Labor—Effectuation of Title VI of the Civil Rights Act of 1964.
- f. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.
- g. 29 CFR Part 35— Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- h. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- i. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- j. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- k. General Terms and Conditions of Award—See the following link:
<https://www.doleta.gov/grants/pdf/17StandTermsConds.pdf>

2. Other Legal Requirements:

a) Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. Section 2000bb, applies to all Federal law and its implementation. If an applicant organization is a faith-based organization that makes hiring decisions on the basis of religious belief, it may be entitled to receive Federal financial assistance under this grant solicitation and maintain that hiring practice. If a faith-based organization is awarded a grant, the organization will be provided with more information.

b) Lobbying or Fundraising the U.S. Government with Federal Funds

In accordance with Section 18 of the Lobbying Disclosure Act of 1995 (Public Law 104-65) (2 U.S.C. 1611), non-profit entities incorporated under Internal Revenue Service Code Section 501(c) (4) that engage in lobbying activities are not eligible to receive Federal funds and grants. No activity, including awareness-raising and advocacy activities, may include fundraising for, or lobbying of, U.S. Federal, State or Local Governments (see 2 CFR 200.450 for more information).

c) Transparency Act Requirements

You must ensure that you have the necessary processes and systems in place to comply with the reporting requirements of the Federal Funding Accountability and Transparency Act of 2006 (Pub. Law 109-282, as amended by section 6202 of Pub. Law 110-252) (Transparency Act), as follows:

- Except for those excepted from the Transparency Act under subparagraphs 1, 2, and 3 below, you must ensure that you have the necessary processes and systems in place to comply with the subaward and executive total compensation reporting requirements of the Transparency Act, should they receive funding.
- Upon award, you will receive detailed information on the reporting requirements of the Transparency Act, as described in 2 CFR Part 170, Appendix A, which can be found at the following website:
<https://edocket.access.gpo.gov/2010/pdf/2010-22705.pdf>

The following types of awards are not subject to the Federal Funding Accountability and Transparency Act:

- (1) Federal awards to individuals who apply for or receive Federal awards as natural persons (i.e., unrelated to any business or non-profit organization he or she may own or operate in his or her name);

- (2) Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- (3) Federal awards, if the required reporting would disclose classified information.

d) Safeguarding Data Including Personally Identifiable Information (PII)

Applicants submitting applications in response to this FOA must recognize that confidentiality of PII and other sensitive data is of paramount importance to the Department of Labor and must be observed except where disclosure is allowed by the prior written approval of the Grant Officer or by court order. By submitting an application, you are assuring that all data exchanges conducted through or during the course of performance of this grant will be conducted in a manner consistent with applicable Federal law and TEGL NO. 39-11 (issued June 28, 2012). All such activity conducted by ETA and/or recipient/s will be performed in a manner consistent with applicable state and Federal laws.

By submitting a grant application, you agree to take all necessary steps to protect such confidentiality by complying with the following provisions that are applicable in governing their handling of confidential information:

1. You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.
2. To ensure that such PII is not transmitted to unauthorized users, all PII and other sensitive data transmitted via e-mail or stored on CDs, DVDs, thumb drives, etc., must be encrypted using a Federal Information Processing Standards (FIPS) 140-2 compliant and National Institute of Standards and Technology (NIST) validated cryptographic module. You must not e-mail unencrypted sensitive PII to any entity, including ETA or contractors.
3. You must take the steps necessary to ensure the privacy of all PII obtained from participants and/or other individuals and to protect such information from unauthorized disclosure. You must maintain such PII in accordance with the ETA standards for information security described in TEGL NO. 39-11 and any updates to such standards we provide to you. Grantees who wish to obtain more information on data security should contact their Federal Project Officer.
4. You must ensure that any PII used during the performance of your grant has been obtained in conformity with applicable Federal and state laws governing the confidentiality of information.

5. You further acknowledge that all PII data obtained through your ETA grant must be stored in an area that is physically safe from access by unauthorized persons at all times and the data will be processed using recipient issued equipment, managed information technology (IT) services, and designated locations approved by ETA. Accessing, processing, and storing of ETA grant PII data on personally owned equipment, at off-site locations e.g., employee's home, and non-recipient managed IT services, e.g., Yahoo mail, is strictly prohibited unless approved by ETA.
6. Your employees and other personnel who will have access to sensitive/confidential/proprietary/private data must be advised of the confidential nature of the information, the safeguards required to protect the information, and that there are civil and criminal sanctions for noncompliance with such safeguards that are contained in Federal and state laws.
7. You must have policies and procedures in place under which your employees and other personnel, before being granted access to PII, acknowledge their understanding of the confidential nature of the data and the safeguards with which they must comply in their handling of such data as well as the fact that they may be liable to civil and criminal sanctions for improper disclosure.
8. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
9. Access to any PII created by the ETA grant must be restricted to only those employees of the grant recipient who need it in their official capacity to perform duties in connection with the scope of work in the grant agreement.
10. All PII data must be processed in a manner that will protect the confidentiality of the records/documents and is designed to prevent unauthorized persons from retrieving such records by computer, remote terminal or any other means. Data may be downloaded to, or maintained on, mobile or portable devices only if the data are encrypted using NIST validated software products based on FIPS 140-2 encryption. In addition, wage data may only be accessed from secure locations.
11. PII data obtained by the recipient through a request from ETA must not be disclosed to anyone but the individual requestor except as permitted by the Grant Officer or by court order.
12. You must permit ETA to make onsite inspections during regular business hours for the purpose of conducting audits and/or conducting other investigations to assure that you are complying with the confidentiality requirements described above. In accordance with this responsibility, you must make

records applicable to this Agreement available to authorized persons for the purpose of inspection, review, and/or audit.

13. You must retain data received from ETA only for the period of time required to use it for assessment and other purposes, or to satisfy applicable Federal records retention requirements, if any. Thereafter, you agree that all data will be destroyed, including the degaussing of magnetic tape files and deletion of electronic data.

e) Record Retention

You must follow Federal guidelines on record retention, which require you to maintain all records pertaining to grant activities for a period of at least three years from the date of submission of the final expenditure report. See 2 CFR 200.333-.337 for more specific information, including information about the start of the record retention period for awards that are renewed quarterly or annually, and when the records must be retained for more than three years.

f) Use of Contracts and Subawards

You must abide by the following definitions of contract, contractor, subaward, and subrecipient:

Contract: Contract means a legal instrument by which a non-Federal entity (defined as a state, local government, Indian tribe, institution of higher education (IHE), nonprofit organization, for-profit entity, foreign public entity, or a foreign organization that carries out a Federal award as a recipient or subrecipient) purchases property or services needed to carry out the project or program under a Federal award. The term as used in this FOA does not include a legal instrument, even if the non-Federal entity considers it a contract, when the substance of the transaction meets the definition of a Federal award or subaward (see definition of Subaward below).

Contractor: Contractor means an entity that receives a contract as defined above in Contract.

Subaward: Subaward means an award provided by a pass-through entity (defined as a non-Federal entity that provides a subaward to a subrecipient to carry out part of a Federal program) to a subrecipient for the subrecipient to carry out part of a Federal award received by the pass-through entity. It does not include payments to a contractor or payments to an individual that is a beneficiary of a Federal program. A subaward may be provided through any form of legal agreement, including an agreement that the pass-through entity considers a contract.

Subrecipient: Subrecipient means a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal

program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency.

You must follow the provisions at 2 CFR 200.330-.332 regarding subrecipient monitoring and management. Also see 2 CFR 200.308(c)(6) regarding prior approval requirements for subawards. When awarding subawards, you are required to comply with provisions on government-wide suspension and debarment found at 2 CFR Part 180 and codified by DOL at 29 CFR Part 98.

g) Closeout of Grant Award

Any entity that receives an award under this Announcement must close its grant with ETA at the end of the final year of the grant. Information about this process may be found in ETA's Grant Closeout FAQ located at: <https://www.doleta.gov/grants/docs/GCFAQ.pdf>

3. Other Administrative Standards and Provisions

Except as specifically provided in this FOA, our acceptance of an application and an award of Federal funds to sponsor any programs(s) does not provide a waiver of any grant requirements and/or procedures. For example, the OMB Uniform Guidance requires that an entity's procurement procedures ensure that all procurement transactions are conducted, as much as practical, to provide full and open competition. If an application identifies a specific entity to provide goods or services, the award does not provide the justification or basis to sole source the procurement, i.e., avoid competition.

4. Special Program Requirements

a) DOL Evaluation

As a condition of grant award, grantees are required to participate in an evaluation if undertaken by DOL. The evaluation may include an implementation assessment across grantees, an impact and/or outcomes analysis of all or selected sites within or across grantees, and a benefit/cost analysis or assessment of return on investment. Conducting an impact analysis could involve random assignment (which involves random assignment of eligible participants into a treatment group that would receive program services or enhanced program services, or into control group(s) that would receive no program services or program services that are not enhanced). We may require applicants to collect data elements to aid the evaluation. As a part of the evaluation, as a condition of award, grantees must agree to: (1) make records available to the evaluator on: participants, employers, and funding; (2) provide access to program operating personnel, participants, and operational and financial

records, and any other pertaining documents to calculate program costs and benefits; (3) in the case of an impact analysis, facilitate the assignment by lottery of participants to program services (including the possible increased recruitment of potential participants); and, (4) follow evaluation procedures as specified by the evaluation contractor under the direction of DOL.

b) Performance Indicators

The performance goals for this program are the statutorily required performance indicators described in Section 116(b)(2)(A) of WIOA and are provided below. Applicants will be held to performance outcomes for this grant and failure to meet outcomes may result in technical assistance or other intervention by ETA, and may also have a significant impact on decisions about future grants with ETA.

Performance indicators for the CSP (adult) program are:

- The percentage of program participants who are in unsubsidized employment during the second quarter after exit from the program;
- The percentage of program participants who are in unsubsidized employment during the fourth quarter after exit from the program;
- The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
- The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within one year after exit from the program;
- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and
- Effectiveness in Serving Employers: The percentage of program participants who exit and are employed with the same employer in the second and fourth quarters after exit.

Performance indicators for the SYSP (youth) program are:

- The percentage of program participants who are in education or training activities, or in unsubsidized employment, during the second quarter after exit from the program;

- The percentage of program participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program;
- The median earnings of program participants who are in unsubsidized employment during the second quarter after exit from the program;
- The percentage of program participants who obtain a recognized postsecondary credential, or a secondary school diploma or its recognized equivalent (subject to clause (iii)), during participation in or within one year after exit from the program;
- The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains toward such a credential or employment; and
- Effectiveness in Serving Employers: The percentage of program participants who exit and are employed with the same employer in the second and fourth quarters after exit.

C. WAIVERS TO PERFORMANCE INDICATORS

Information about requesting a waiver to WIOA statutory or regulatory requirements is provided at 20 CFR 684.910. Applicants may request a waiver to any provision of Title I of WIOA except for the provisions listed in 20 CFR 684.920. During the implementation of WIOA, the Department received numerous public comments to the performance indicators provisions. In response to these comments, the Department indicated that it would consult with the Native American Employment and Training Council (NAETC) to develop a waiver process that would allow INA grantees to waive the youth indicators and that it would consider waivers to the adult indicators on a case by case basis. The Department further indicated that it envisioned that grantees would request waivers to the youth performance indicators at the beginning of a four-year grant award cycle. 81 Fed. Reg. 56216.

D. REPORTING

You must meet DOL reporting requirements. Specifically, you must submit the reports and documents listed below to DOL electronically:

1. Quarterly Financial Reports

A Quarterly Financial Status Report (ETA 9130) is required until such time as all funds have been expended or the grant period has expired. Quarterly reports are due 45 days after the end of each calendar year quarter. On the final Financial Status Report, you must include any sub-award amounts so we can calculate final indirect costs, if applicable. You must use DOL's Online Electronic Reporting System and information and instructions will be provided to grantees. For other

guidance on ETA's financial reporting, reference Training and Employment Guidance Letter (TEGL) 02-16 and on our webpage at https://www.doleta.gov/grants/financial_reporting.cfm

2. Quarterly Performance Reports

You must submit a quarterly progress report within 45 days after the end of each calendar year quarter. The report must include quarterly information on grant activities, performance goals (see performance goals specified in VI.B.4.b above), and milestones. The fourth quarter cumulative report for the quarter ending June 30th of each year will serve as the grant's annual performance report. We will also provide you with additional guidance about the data and other information that is required to be collected and reported on either a regular basis or special request basis.

VII. AGENCY CONTACTS

For further information about this FOA, please contact Marc Purvis, Grants Management Specialist, Office of Grants Management, at (202) 693-3204. Applicants should e-mail all technical questions to Purvis.Marc@dol.gov and must specifically reference FOA-ETA-18-05, and along with question(s), include a contact name, fax and phone number. This Announcement is available on the ETA Web site at: <https://www.doleta.gov/grants> and at <https://www.grants.gov>

VIII. OTHER INFORMATION

A. WEB-BASED RESOURCES

DOL maintains a number of web-based resources that may be of assistance to applicants. For example, the Career One-Stop portal (<https://www.careeronestop.org>), which provides national and state career information on occupations; the Occupational Information Network (O*NET) Online (<https://online.onetcenter.org>) which provides occupational competency profiles; and America's Service Locator (<https://www.servicelocator.org>), which provides a directory of our nation's American Job Centers.

B. INDUSTRY COMPETENCY MODELS AND CAREER CLUSTERS

ETA supports an Industry Competency Model Initiative to promote an understanding of the skill sets and competencies that are essential to an educated and skilled workforce. A competency model is a collection of competencies that, taken together, define successful performance in a particular work setting. Competency models serve as a starting point for the design and implementation of workforce and talent development programs. To learn about the industry-validated models visit the Competency Model

Clearinghouse (CMC) at: <https://www.careeronestop.org/CompetencyModel> The CMC site also provides tools to build or customize industry models, as well as tools to build career ladders and career lattices for specific regional economies.

C. WORKFORCEGPS RESOURCES

We encourage you to view the information gathered through the conference calls with Federal agency partners, industry stakeholders, educators, and local practitioners. The information on resources identified can be found on WorkforceGPS at: <https://workforcegps.org>

We encourage you to view the online tutorial, "Grant Applications 101: A Plain English Guide to ETA Competitive Grants," available through WorkforceGPS at: <https://strategies.workforcegps.org/resources/2014/08/11/16/32/applying-for-eta-competitive-grants-a-web-based-toolkit-for-prospective-applicants-438?p=1>

We created Workforce System Strategies to make it easier for the public workforce system and its partners to identify effective strategies and support improved customer outcomes. The collection highlights strategies informed by a wide range of evidence such as experimental studies and implementation evaluations, as well as supporting resources such as toolkits. We encourage you to review these resources by visiting: <https://strategies.workforcegps.org>

We created a technical assistance portal at: <https://www.workforcegps.org/resources/browse?id=B8DD0AA1ECFB4B2282D6CD30C7248790> that contains online training and resources for fiscal and administrative issues. Online trainings available include, but are not limited to, Introduction to Grant Applications and Forms, Indirect Costs, Cost Principles, and Accrual Accounting.

D. SKILLSCOMMONS RESOURCES

SkillsCommons (<https://www.skillscommons.org>) offers an online library of curriculum and related training resources to obtain industry-recognized credentials in manufacturing, IT, healthcare, energy, and other industries. The website contains thousands of Open Educational Resources (OER) for job-driven workforce development which were produced by grantees funded through the US Department of Labor's Trade Adjustment Assistance Community College and Career Training (TAACCCT) program. Community colleges and other training providers across the nation can reuse, revise, redistribute, and reorganize the OER on SkillsCommons for institutional, industry, and individual use.

IX. OMB INFORMATION COLLECTION

OMB Information Collection No 1225-0086, Expires May 31, 2019.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. Public reporting burden for this collection of information is estimated to average 20 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Send comments about the burden estimated or any other aspect of this collection of information, including suggestions for reducing this burden, to the U.S. Department of Labor, to the attention of the Departmental Clearance Officer, 200 Constitution Avenue NW, Room N1301, Washington, DC 20210. Comments may also be emailed to DOL_PRA_PUBLIC@dol.gov.

PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. ONLY SEND COMMENTS ABOUT THE BURDEN CAUSED BY THE COLLECTION OF INFORMATION TO THIS ADDRESS. SEND YOUR GRANT APPLICATION TO THE SPONSORING AGENCY AS SPECIFIED EARLIER IN THIS ANNOUNCEMENT.

This information is being collected for the purpose of awarding a grant. DOL will use the information collected through this "Funding Opportunity Announcement" to ensure that grants are awarded to the applicants best suited to perform the functions of the grant. This information is required to be considered for this grant.

Signed April 18, 2018 in Washington, D.C. by:
Jimmie Curtis
Grant Officer, Employment and Training Administration