

Oklahoma Employment Security Commission
Workforce Integrated Programs Division

MEMORANDUM #M-03-2009

TO: WIA Board Staff and Fiscal Agents
FROM: Richard J. Gilbertson, Director
Workforce Integrated Programs Division
DATE: March 5, 2009

SUBJECT: Questions for procuring service providers to operate a summer youth employment program

BACKGROUND: OESC has received questions regarding the procuring of service providers to operate a summer youth employment program using the stimulus funds if the grant recipient/fiscal agent will not be directly operating the program. This memorandum clarifies whether the fiscal agents need to procure or modify existing contracts. This clarification is applicable to the Youth Provider Contracts and the Adult and Dislocated Worker Service Provider Contracts.

State Procurement and Contract Policy (OETI #11-2003, Change 2 issued April 30, 2008) states:

4. Boilerplate Terms and Conditions
 - A. Contracts with vendors -- the following terms and conditions are considered by the State to be the minimum to be included in any contract between a LWIB grant recipient and a vendor or service provider (over \$25,000 in services or goods).
 2. Modification to Grants — this condition must describe the method and circumstances required for contract modifications. The minimum that is acceptable is to provide a way to change the contract in the event of federal amendments. This clause may also provide for a way to increase funds if additional funds become available to the area, such as NEG funds, reallocation of funds or any other increase of funds becoming available from USDOL.

Since OESC believes the “American Recovery and Reinvestment Act of 2009” qualifies as a Federal Amendment - existing service provider contracts that are in compliance with the above requirement may be modified to provide the summer youth employment program due to the stimulus funds Oklahoma will be receiving.

If you have any questions, please contact Donna Hewitt at (405) 557-5313.

Sincerely,

Richard Gilbertson,
WIP Director