



[www.michiganworks.org](http://www.michiganworks.org)

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## Request for Proposals

**“Business Services and HR Consultation – Legal Risks and Responsibilities” Training  
August 5, 2020**

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**Due Date: Friday February 21, 2020 - 5:00 PM (EST)**

Inquiries and Proposals Should Be Directed To:

**Kimberly Way**

*Director of Training*

[training@michiganworks.org](mailto:training@michiganworks.org)

## **BACKGROUND INFORMATION**

### **Michigan Works! Association**

The Michigan Works! Association is a 501(c)(3) non-profit membership organization that supports Michigan's talent development system: Michigan Works!.

The Association connects members with resources to help them better serve employers and job seekers:

- Michigan Works! Agencies
- Michigan Works! Agency Board Chairs
- Chief Local-Elected Officials
- Associate Members
- Service Providers

Michigan Works! Association provides the following services to its members:

- Advocacy and participation in the legislative process by advancing and defending interests on behalf of the Michigan Works! System
- Convening meetings as a way for members to network and share best practices
- Events to promote the Michigan Works! System
- Staff development and technical assistance

The mission of the Michigan Works! Association is to provide leadership and services, and promote quality and excellence for the advancement of Michigan's workforce development system and its customers and professionals.

### **Michigan Works! System**

The Michigan Works! System is the first unified workforce development system in the country and an instrumental partner for developing Michigan's economic future.

Michigan Works! Agencies are unique, but share several fundamental qualities:

- Locally-responsive and demand-driven
- Governed by a Workforce Development Board comprised of private sector representatives and Local Elected Officials
- Provide access to a full range of core employment-related services to assist businesses find the skilled workers they need, and help job seekers find satisfying careers and employment opportunities.

The Michigan Works! System contributes to the state's economic vitality through the provision of workforce training and services that meet the needs of targeted business sectors and employers.

## **STATEMENT OF NEED**

The Michigan Works! Association seeks a trainer to deliver a one-day and full-day training titled “Business Services and HR Consultation – Legal Risks and Responsibilities.” The goal of this training is to talk about the legal responsibilities, challenges and opportunities of working with employers as a third-party organization or “authorized representative” involved in supplementing their HR and recruitment functions. Michigan Works! agency business services staff and other relevant partner organizations interface directly with Michigan businesses to help them obtain qualified employees and assist with the following types of activities: composition of job postings; tracking of job posting activity; initial screening and sourcing of candidates and recruitment/acquisition services; provision of space for hiring events and interviews; provision of labor market information to guide location and hiring practices; collecting relevant forms of identification for employment purposes; and various other HR-related services.

This training should address, but not be limited to the following:

- What should and should not be asked on job application forms and in interviews, including:
  - Criminal history information
  - Information regarding protected classes under EEOC laws
- What should and should not be included in position descriptions, including:
  - EEOC protections and approved language
  - Appropriate language regarding work visas/international talent
  - Inappropriate requirements
- Legal responsibilities of third party HR/recruitment staff in employer customer hiring decisions and screening; how to protect yourself in the process; and how to recognize when employer preference crosses into potential legal liability.
- Assessing risk of sourcing/recruitment activities when not the employer of record.

### **Training Location**

The Association will target the greater Lansing or Detroit/Southeast Michigan, Michigan regions for this training. Please consider both locations in your proposed budget and reflect any differences in cost regarding travel considerations to each location.

### **Target Dates**

The Association is considering August 5, 2020 for this one-day training. Please indicate in your proposal that this date will work for you/your organization.

### **Target Audiences:**

- Michigan Works! business services staff
- Michigan Works! leadership
- EO officers
- Talent partner staff that work with employers
- Staffing agency staff
- Recruiters

## **PROPOSAL PROCESS**

The purpose of this RFP is to identify potential vendors to provide services described in the Statement of Need.

## **INSTRUCTIONS ON PROPOSAL SUBMISSION**

This notice is forwarded for information and invitation only and is not to be construed as a contract, or as a commitment to contract. Award of any contract(s) is subject to the availability of funding.

Offerors may submit their proposals (**Section I, II and III**) electronically or via hardcopy and will be accepted through **Friday February 21, 2020 at 5:00PM (EST)**.

**Electronic proposals** must be submitted in PDF format only to [training@michiganworks.org](mailto:training@michiganworks.org)  
**Hardcopy proposals** may be delivered in person or via mail service delivery and must include one original and one copy of the completed proposal. Any differences between the original or copies liability of the bidder:

Michigan Works! Association  
Attn: Kimberly Way  
2500 Kerry Street, Suite 210  
Lansing, Michigan 48912

## **Inquiries**

To ensure the Association maintains an open competition process, inquiries regarding this RFP must be in writing and sent to Kimberly Way, Director of Training at [training@michiganworks.org](mailto:training@michiganworks.org). Inquiries will be accepted through **Thursday February 13<sup>th</sup> at 5:00PM (EST)**. Inquiries and responses will be posted at <http://www.michiganworks.org/rfps-rfq> by **Friday, February 14<sup>th</sup> at 5:00 PM (EST)**.

**NOTE:** Expensive bindings, color displays, or packaging are *not necessary* or desired. Emphasis should be based on conformity to the instructions and requirements of this RFP.

## **Conditions of Proposal**

All costs incurred in the preparation of a proposal will be the responsibility of the Offeror and will not be reimbursed by Michigan Works! Association. Michigan Works! Association reserves the right to make an award without further discussion of the proposals submitted.

## **General Information/Right to Reject:**

This RFP does not commit the Michigan Works! Association to award a contract, to pay any costs incurred in the preparation of a proposal to this request, or to procure or contract for services or supplies. The Association may award a contract, based on offers received, without discussion of such offers. Accordingly, each offer should be submitted on the most favorable terms from a price and technical standpoint. The Association reserves the right to accept or reject any or all proposals received as a result of this request, if it is in the best interest of the Michigan Works! Association. The Association may require the offerors selected to participate in negotiations and to submit such cost, technical, or other revisions of their proposals as a result of negotiations. The Association is not liable for any costs incurred by the bidder prior to the signing of a contract and/or written authorization from the Association to proceed with the service.

The Michigan Works! Association encourages small businesses, minority-owned firms and women-owned business enterprises to submit a proposal, and to indicate as such on the cover sheet.

**Administrative Requirements**

The selected vendor must sign and return all contracts to Michigan Works! Association within ten (10) days of the receipt of the contract.

All invoices and supporting documentation must be submitted within thirty (30) days of the contract end date. Failure to do so may result in non-payment.

**Disclaimer**

Michigan Works! Association assumes no responsibility or liability for costs incurred by the proposer prior to the effective date of any contract resulting from this RFP. The bidder may be required to obtain licenses, liability insurance (including bonding of staff responsible for financial transactions) comply with the Americans with Disabilities Act and maintain Equal Opportunity Employment between the bidder and its employees.

**Notification of Award**

Proposals will be reviewed with notification of acceptance or refusal within four weeks of submission.

## EVALUATION

### **Proposal Evaluation Criteria**

All proposals will be reviewed and rated by a Michigan Works! Association review team. Incomplete proposals or proposals that fail to follow the submission guidelines will not be considered for review.

Proposals may be judged non-responsive and removed from further consideration if any of the following occur:

1. The proposal is not received timely in accordance with the terms of this RFP.
2. The proposal does not follow the specified format.
3. The proposal is not adequate to form a judgment by the reviewers.

For simplicity, please prepare your proposal with this outline:

- I. Your recommended training plan/description with bulleted training objectives
  - a. What materials will be made available to the trainees – who will prepare materials (copy) and any specific preparation requirements.
- II. Pricing for a one-day training. Separate fees for trainer, materials, travel, etc.
  - a. Include all training supports that you may need (laptop, projector, microphones, flip chart paper, etc.)

### **Rating Criteria (Out of 100 points):**

- 25 Background and Experience – evaluation of training experience, references, experience in relevant field, training delivery, etc.
- 35 Content - Quality and completeness of content, materials, delivery method and proposed agenda.
- 10 Accuracy and Completeness of Proposal
- 30 Cost – your costs will be evaluated against all other proposers. Points will be assigned in decreasing 5 point increments from lowest to highest costs.
  
- 100 Total Points Awarded

**SECTION I – PROPOSAL COVER PAGE**

Michigan Works! Association

**“Business Services and HR Consultation – Legal Risks and Responsibilities” Training  
August 5, 2020**

<b>Applicant Organization</b>		<b>Federal ID Number/ SSN</b>	
<b>Street Address</b>			
<b>City</b>	<b>State</b>	<b>Zip Code</b>	
<b>Printed Name</b>		<b>Title of Applicant’s Authorized</b>	
<b>Telephone Number</b>		<b>Fax Number</b>	
<b>E-mail Address</b>		<b>Web site</b>	
<b>Small Business</b>	<b>Female -Owned</b>		<b>Minority-Owned</b>
<b><i>Certification</i></b>			
I certify that:			
a) I have been authorized to submit and sign this proposal on behalf of the submitting organization;			
b) the quote is accurate and true to the best of my knowledge, the costs are reasonable and necessary for the proposed service;			
c) the proposed costs do not duplicate other funds already available, or which may become available, to pay the projected costs;			
d) my organization will implement the services in compliance with the stipulations and guidelines set forth by Michigan Works! Association; and,			
e) the organization that I represent is an equal opportunity employer/provider.			
_____		_____	
Authorized Signature		Date	

## **SECTION II – QUALIFICATIONS / PROPOSAL COMPONENTS**

Complete the following information and submit *two copies* with the signed Proposal Cover Page (**Section I**). Complete responses are required for each section. All proposals must include the following:

### **A. Organizational Background**

Provide a brief description (100 words or less) of your organization.

### **B. Experience/Qualifications**

Include a brief description of the experience of the organization and the individual(s) who would deliver the proposed workshop, with particular emphasis on experience relevant to the Statement of Need.

### **C. Agenda**

Please include a draft training agenda and a suggested list of training materials (handouts, etc.). *Note: Do not provide the actual materials, only identification of materials that will be provided.*

### **D. Budget**

Please include costs broken out by:

- Total cost for training
- Pre- or post-training preparation
- Trainer travel / lodging (if necessary)
- Training materials
- Number of trainers (cost per)
- Other relevant costs

### **E. References**

Please attach references including names, organization, and contact information for three (3) clients who can provide insights regarding skills, qualification and delivery of requested training services.

### SECTION III - TERMS

If awarded, the applicant hereby certifies and assures that it will fully comply with the following federal regulations (if applicable to your organization):

#### **Certification and Other Terms/Conditions**

- The signing individual certifies that he/she is authorized to contract on behalf of the organization offering this proposal.
- The signing individual certifies that the prices in this proposal have been arrived at independently, without consultation, communication, or agreements made for the purpose of restricting competition.
- When delivering services under an approved contract, the contractor shall work under the broad supervision of Michigan Works! Association Professional Development Coordinator.
- The signing individual certifies that there has been no attempt by him/her or anyone in their organization to discourage any potential applicant from submitting a proposal.
- The signing individual certifies that he/she has read and understands all of the information in this Request for Proposals.
- The signing individual certifies that his/her organization, and any individuals to be assigned to the project, does not have a record of substandard work and has not been debarred or suspended from doing work with any federal, state, or local government.
- Michigan Works! Association reserves the right to negotiate a best and final offer with applicant selected.
- Payments shall be made on a cost reimbursement basis (no advances). Invoices shall detail expenses based on the line items in the proposal budget. Generally, Michigan Works! Association will pay invoices within 30 days of receipt, unless questions arise as to the appropriateness of an expense.
- All information received by the contractor during the course of the contract period is considered confidential and shall be protected to the utmost ability of the contractor.
- The contract awarded under this RFP shall be subject to and interpreted under the laws and jurisdiction of the State of Michigan.

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

*(Signed certification/conditions to be returned with the proposal)*