

U.S. DEPARTMENT OF LABOR
Employment and Training Administration

**NOTICE OF AVAILABILITY OF FUNDS AND FUNDING OPPORTUNITY
ANNOUNCEMENT FOR:**

**The National Farmworker Jobs Program (NFJP) Career Services and Training Grants
Reopening for Select Service Areas**

ANNOUNCEMENT TYPE: *Reopening*

FUNDING OPPORTUNITY NUMBER: *FOA-ETA-20-08-A*

CATALOG OF FEDERAL DOMESTIC ASSISTANCE (CFDA) NUMBER: *17.264*

KEY DATES: *The closing date for receipt of applications under this Announcement is
XX. 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: Mr. Charles L. Cox, Grant Officer
Reference FOA-ETA-20-08-A
200 Constitution Avenue, NW, Room N4673
Washington, D.C. 20210*

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

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EXECUTIVE SUMMARY

On April 14, 2020 the Employment and Training Administration (ETA), U.S. Department of Labor (DOL, or the Department, or we), announced the availability of approximately \$91,351,000 in grant funds authorized by the Workforce Innovation and Opportunity Act (WIOA) Section 167 for Migrant and Seasonal Farmworker Programs, also known as the National Farmworker Jobs Program (NFJP). Of the approximately \$91,351,000 available for NFJP grants, the Department intended to award approximately \$85,229,000 for Career Services and Training Grants to fund an estimated 52 grants. However, for the April 2020 Funding Opportunity Announcement (FOA) (FOA-ETA-20-08) the Department did not receive competitive applications for certain NFJP service areas. With this new FOA (FOA-ETA-20-08-A), the Department intends to award approximately \$3,555,619 for an estimated six to eight NFJP Career Services and Training grants in Connecticut and Rhode Island (a combined service area), Hawaii, New Hampshire, Massachusetts, Maine, and key counties in the Central Coast, South Coast, and desert agricultural regions of California.

Under this FOA, DOL will award Career Services and Training grants through a competitive process to organizations providing career services, training services, youth services, related assistance services, and housing assistance to eligible migrant and seasonal farmworkers and their dependents only in the service areas specified above. Through the provision of these services, grantees will work toward the goals of NFJP: to help farmworkers and their dependents acquire necessary skills to either stabilize or advance in their agricultural jobs or obtain employment in new industries or occupations. See Section VI.B.4.b – *Special Program Requirements* for information on performance measures. Section 167(a) of WIOA requires a grant competition every four years for NFJP. These awards will have a 43-month period of performance, partially funding Program Year (PY) 2020 with a period of performance start date of March 1, 2021. Subsequent funding for PYs 2021-2023 will be renewable annually based on annual Departmental application requirements and subject to the availability of funds (periods of performance in these subsequent program years will run from July 1 through September 30 of the following year).

The Department allocates funds for Career Services and Training Grants through an administrative formula. The formula was developed for the purpose of distributing funds geographically by state service area, on the basis of each state service area's relative share of persons eligible for the program.¹

I. FUNDING OPPORTUNITY DESCRIPTION

A. PROGRAM PURPOSE

This Announcement solicits applications for NFJP Career Services and Training grants through a competitive process to organizations providing services to eligible migrant and seasonal

¹ Additional information on the formula used for Program Year 2020 NFJP Grantee Allotments is available in the following Federal Register Notice: <https://www.federalregister.gov/documents/2020/04/29/2020-09060/employment-and-training-administration-eta-program-year-2020-workforce-innovation-and-opportunity> at 85 FR 23866 (April 29, 2020).

farmworkers and their dependents in Connecticut and Rhode Island (a combined service area), Hawaii, New Hampshire, Massachusetts, Maine, and key counties in the Central Coast, South Coast, and desert agricultural regions of California. The purpose of this program is to counter chronic unemployment and underemployment experienced by migrant and seasonal farmworkers and their dependents who depend primarily on jobs in agricultural labor performed across the country. NFJP assists eligible Migrant and Seasonal Farmworkers, including youth and adults, and their dependents, to receive career services, training services, housing assistance services, youth services, and other related assistance services, including emergency services, that help stabilize their current agriculture jobs as well as acquire new skills they need to start careers that provide higher wages and year-round employment. To support better economic outcomes for farmworkers, NFJP also works to meet a critical need for safe and sanitary permanent and temporary housing. Grant activities are described in 20 CFR 685.330, 685.340, 685.350, 685.360, 685.370, and 685.380. Part 685 – National Farmworker Jobs Program Under Title I of WIOA is available at <https://www.ecfr.gov/cgi-bin/text-idx?SID=f3ada9b1cf5de8a5f3e6dfcf7609ca8a&mc=true&node=pt20.4.685&rgn=div5>.

Additional information about services provided under NFJP are available at <https://www.doleta.gov/Farmworker/>.

NFJP grantees awarded under this announcement must actively partner with the State Monitor Advocates and nearby American Job Centers to deliver comprehensive, work-based learning services and create pathways that lead to better economic outcomes for migrant and seasonal farmworkers and their dependents. NFJP grantees are required one-stop partners and subject to the provisions relating to such partners. If not previously established, grantees are expected to enter into a Memorandum of Understanding (MOU) with the local Workforce Development Board, within the first six months of receiving an award, which establishes the respective responsibilities for providing access to NFJP services through the One-stop delivery system. Additional information about MOU with the local Workforce Development Board and Infrastructure Funding is available in the Training and Employment Guidance Letter (TEGL) 17-16: https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=4968.

Career Services and Training Grants

Migrant and seasonal farmworkers face unique challenges due to the nature of their work, and often experience wage theft, heat-related illness, exposure to pesticide, inferior housing, transportation barriers, limited access to health care, discrimination, and other abuses. Additionally, farmworkers may experience other barriers to employment that are listed under WIOA Section 3(24), which includes low-income individuals, individuals with a disability, older individuals, sex-offenders, homeless individuals, youth who are in or have aged out of the foster care system, and individuals who are English-language learners. Through this grant, eligible participants will receive quality career services and training opportunities within their local communities that lead to industry-recognized credentials in agriculture or other sectors, and ultimately better earnings and quality of life. Grantees will provide services through a case management approach emphasizing customer choice and ensure that all services are focused on

customers' needs. The Department expects grantees to develop new, and utilize existing, partnerships with the local workforce network, including but not limited to community colleges and training institutions, and provide work-based learning opportunities, including opportunities to enter apprenticeship that accomplish the Department's performance goals.

WIOA emphasizes the role of employers in successful workforce development strategies. Grantees will actively develop and sustain strong employer relationships that lead to win-win outcomes for both participants and employers. Grantees will partner with employers to build knowledge of industries, inform program design, generate resources, and broaden their reach within the workforce development network.

See 20 CFR part 685 for more information on basic components of NFJP service delivery approach, career services, youth services, and training services.

B. PROGRAM AUTHORITY

The Workforce Innovation and Opportunity Act (WIOA) Section 167 authorizes this program. The Further Consolidated Appropriations Act, 2020, Public Law 116-94, appropriated funding for this program.

II. AWARD INFORMATION

A. AWARD TYPE AND AMOUNT

Funding will be provided in the form of a grant.

Career Services and Training Grants

We expect availability of approximately \$3,555,619 to fund approximately six to eight grants. 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. The award amounts available for each service area are listed below (note that these amounts are 1/3 of the full-year PY2020 allotment, reflecting the period of performance start date of March 1, 2021):

- Connecticut and Rhode Island, a combined service area: \$154,367;
- Hawaii: \$107,354;
- New Hampshire: \$38,530;
- Massachusetts: \$121,481;
- Maine: \$109,629; and
- California (partial state allotment): \$3,024,258.

Applicants must specify and justify their target population (adults, youth, or both) in their Project Narrative (see Section IV.B.3.a) – *Statement of Need*).

B. PERIOD OF PERFORMANCE

The period of performance for awards under this FOA will be March 1, 2021 through September 30, 2021, partially funding PY 2020. In the subsequent three program years (PY 2021 – PY 2023), this grant is renewable annually based on annual Departmental application requirements and subject to the availability of funds. After PY 2020, we anticipate that each subsequent year's award will have a period of performance of 15 months, from July 1 to September 30 of the subsequent calendar year. While ETA measures performance on a 12-month program year, the extra quarter in the period of performance will allow the grantees the flexibility to absorb minor fluctuations in spending within the four-year cycle without the need to request extensions from year to year.

Please note: Because the Department did not receive competitive applications in the service areas covered by this FOA in the initial PY 2020 competition, the current grantees in the affected service areas received funding to continue NFJP services through February 28, 2021.

III. ELIGIBILITY INFORMATION

A. ELIGIBLE APPLICANTS

Per 20 CFR 685.200, to be eligible to receive an NFJP grant, an entity must have (1) an understanding of the problems of eligible migrant and seasonal farmworkers (including their dependents); (2) a familiarity with the agricultural industries and the labor market needs of the proposed service area; and (3) the ability to demonstrate a capacity to administer and deliver effectively a diversified program of workforce investment activities (including youth workforce investment activities) and related assistance for eligible migrant and seasonal farmworkers.

The Department encourages applications from organizations who may not have received NFJP grants in the past.

Furthermore, applicants will receive priority consideration of two bonus points if the applicant (if applying as a non-intermediary organization) or at least one subgrantee (if applying as an intermediary organization) has at least one census tract in their target area designated by the Secretary of Treasury as a qualified opportunity zone; applicants will not receive additional bonus points for more than one opportunity zone sub-grantee. For more information on opportunity zones, go to <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>.

B. SERVICE AREAS

For the purposes of this announcement, Career Services and Training grant applications are being solicited only for these areas:

- o Connecticut and Rhode Island, a combined service area;
- o Hawaii;
- o New Hampshire;
- o Massachusetts;
- o Maine; and
- o California counties, which must include one or more of the following counties (but may include one or more additional counties not on this list): Mariposa, Tuolumne, Mono, Inyo, Orange, San Bernardino, Riverside, San Diego, Imperial, Los Angeles, Ventura, Santa Barbara, San Luis Obispo, Santa Clara, Santa Cruz, San Mateo, San Francisco, and Alameda.

The smallest units of service for this program are counties; for example, an applicant may elect to serve a set of counties within a state, but not specific cities or townships. Grantees will be required to provide services to all county(ies) that they identify.

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 of 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 of 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	
The application proposes to serve an eligible service area under the FOA. California applications must propose to serve one or more of the counties specified in Section III.B.	Section III.B	
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.2	
SAM Registration	Section IV.B.1	
SF-424, Application for Federal Assistance includes DUNS Number	Section IV.B.1	
SF-424A, Budget Information Form	Section IV.B.2	
Budget Narrative	Section IV.B.2	
Project Narrative	Section IV.B.3	
Project/Performance Site Location(s) Form – application needs to propose services to one of the eligible areas in Section III.B.	Section IV.a.1	
Opportunity Zone Information	Section IV.a.2	

2. Number of Applications Applicants May Submit

We will consider one application from each organization for each proposed state service area. This means an organization must submit an application for each proposed state service area in which they would like to administer a Career Services and Training Grant. For example, if an applicant wants to apply for grants in New Hampshire and Massachusetts, the applicant must submit two (2) applications.

3. Eligible Participants

c) Participants Eligible to Receive Training

The intent of this FOA is to fund projects that provide career services, training services, housing assistance services, youth services, and related assistance services to eligible migrant and seasonal farmworkers and their dependents.

Additional program eligibility information is in the TEGL 18-16:
https://wdr.doleta.gov/directives/attach/TEGL/TEGL_18-16.pdf.

(1) Career Services and Training Grants

Eligible applicants for enrollment in Career Services and Training are as follows:

- Seasonal farmworker adult;
 - Migrant farmworker adult;
 - Migrant or seasonal farmworker youth; or
 - Dependent of a migrant or seasonal farmworker;
- and
- A low-income individual who faces multiple barriers to economic self-sufficiency as defined in section 6 of TEGL 18-16.

(2) Additional Eligibility Considerations

Please note additional program participant eligibility information is available on the May 2018 Frequently Asked Questions document:

https://farmworker.workforcegps.org/resources/2018/04/30/16/18/NFJP_Program_Eligibility_FAQ_May_2018. The NFJP Eligibility Flowchart will help applicants better understand the eligibility requirements for NFJP participants, and is available at <https://farmworker.workforcegps.org/resources/2018/11/07/21/26/NFJP-Eligibility-Flowchart>.

Pursuant to WIOA Section 189(h) Enforcement of Military Selective Service Act, NFJP male participants must meet the registration requirements of the Military Selective Service Act by registering for Selective Service as required. Additional information is available in TEGL 18-16.

Please note that TEGL 18-16 and TEGL 2-14 specify DOL policy regarding NFJP eligibility for individuals granted relief under Deferred Action for Childhood Arrivals (DACA). In those guidance documents, DOL noted that an individual who has been granted relief under DACA and has employment authorization documents may be eligible to receive NFJP services (provided that the individual meets all other program eligibility requirements). As of the publication of this FOA, the U.S. Citizenship and Immigration Services (USCIS) is not accepting requests from individuals who have never before been granted deferred action under DACA; however, due to federal court orders, USCIS is accepting requests to renew a prior grant of deferred action under DACA. Further, with some exceptions noted in its guidance, USCIS is continuing to operate the DACA policy on the terms in place before DACA was rescinded on September 5, 2017 until further notice. For more information, see the USCIS DACA “Response to January 2018 Preliminary Injunction – July 17, 2019 Update”; as of the publication of this FOA, this USCIS documentation is posted here: <https://www.uscis.gov/humanitarian/deferred-action-childhood-arrivals-response-january-2018-preliminary-injunction>.

NFJP grantees must continue to follow existing DOL policy in TEGL 18-16 and TEGL 2-14 and any updated guidance DOL releases on these individuals’ eligibility for DOL-funded programs.

d) 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. This guidance applies to programs funded under WIOA. For additional information on veteran’s priority of service and WIOA, please see TEGL 19-16. TEGL 19-16 is available at https://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=3851.

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 four separate and distinct parts:

1. SF-424, “Application for Federal Assistance”;
2. Project Budget, composed of the SF-424A and Budget Narrative;
3. Project Narrative; and
4. Attachments to the Project Narrative.

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://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>).

- 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://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>). You do not need to submit the SF-424B with the application.

In addition, subject to the provisions of the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 2000bb, the applicant’s Authorized Representative’s signature in block 21 of the SF-424 form constitutes assurance by the applicant of compliance with the following requirements in accordance with the WIOA 188 rules issued by the Department at 29 CFR 38.25 which includes the following language:

As a condition to the award of financial assistance from the Department of Labor under Title I WIOA, the grant applicant assures that it has the ability to comply fully with the nondiscrimination and equal opportunity provisions of the following laws: Section 188 of the WIOA, which, as interpreted through Departmental regulations, prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex (including pregnancy, childbirth, and related medical conditions, transgender status, and gender identity), national origin (including limited English proficiency), age, disability, political affiliation or belief, and against beneficiaries on the basis of either citizenship status or participation in any WIOA Title I—financially assisted program or activity; Title VI of the Civil Rights Act of 1964, as amended, which prohibits discrimination on the bases of race, color and national origin; Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination against qualified individuals with disabilities; The Age Discrimination Act of 1975, as amended, which prohibits discrimination on the basis of age; and Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in educational programs.

The grant applicant also assures, subject to RFRA, that as a recipient of WIOA Title I financial assistance [as defined at 29 CFR 38.4(zz)], it will comply with 29 CFR part 38 and all other regulations implementing the laws listed above. This assurance applies to the grant applicant's operation of the WIOA Title I-financially assisted program or activity, and to all agreements the grant applicant makes to carry out the WIOA Title I-financially assisted program or activity. The grant applicant understands that the United States has the right to seek judicial enforcement of this assurance. Note that the RFRA 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.

c) 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 unless the entity has provided its DUNS number.
- Grant recipients may not make a subaward to an entity unless the entity has provided its DUNS number.

(See Appendix A to 2 CFR Part 25.)

d) 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://www.grants.gov/web/grants/forms/sf-424-family.html#sortby=1>). In preparing the Budget Information Form, you must provide a concise narrative explanation to support the budget request, explained in detail below.

c) Budget Narrative

The Budget Narrative must provide a description of costs associated with each line item on the SF-424A. Leveraged resources are all resources, both cash and in-kind, in excess of this award. Valuation of leveraged resources follows the same requirements as match. Applicants are encouraged to leverage resources to increase stakeholder investment in the project and broaden the impact of the project itself.

Each category should include the total cost for the period of performance. Use the following guidance for preparing the Budget Narrative. Please note Career Services and Training Grant applicants must clearly demonstrate in their budget narrative that proposed expenditures on employment and training services equal or exceed the 70 percent minimum threshold as detailed in Section IV.E.6.

Personnel: List all staff positions by title (both current and proposed) including the roles and responsibilities. For each position give the annual salary, the percentage of time devoted to the project, and the amount of each position's salary funded by the grant.

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

Travel: For grantee staff only, specify the purpose, number of staff traveling, 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 that 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 item, quantity, and the 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 item, quantity, and the 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 activities to be provided, and the 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 we are able to determine whether the costs are necessary, reasonable, and allocable. List items, such as stipends or incentives, not covered elsewhere.

Indirect Costs: If you include an amount for indirect costs (through a Negotiated Indirect Cost Rate Agreement or De Minimis) on the SF-424A budget form, 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 2 CFR 200, Appendix VII(D)(1)(b).

Applicants choosing to claim indirect costs using the de minimis rate must use Modified Total Direct Costs (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 Modified Total Direct Costs. See the definitions below 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.

The definition of MTDC in 2 CFR 200.68 no longer allows for any sub-contracts to be included in the calculation. You will also 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. 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/agencies/oasam/centers-offices/business-operations-center/cost-determination>.

Note that the SF-424, SF-424A, and Budget Narrative must include the PY 2020 grant amount requested for the specific state service area identified in the applicant's project.

Do not show leveraged resources on the SF-424 and SF-424A. You should describe leveraged resources in the Budget Narrative.

Applicants should list the same requested federal grant amount on the SF-424, SF-424A, and Budget Narrative. 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 (and match if applicable) is within the responsive range.

3. Project Narrative

a. Statement of Need (up to 12 points)

To receive full points on the rating factors below, your narrative must fully and convincingly satisfy the specifications for each:

- Career Services and Training Grant applicants must describe in both quantitative and qualitative terms the need for assistance in the proposed service area(s), including the nature and scope of the problem, and the consequences of not addressing the need (up to 6 points).
 - Incorporate demographic data and participant/beneficiary information whenever possible.
 - Demonstrate, with a thorough description, a comprehensive understanding of employment challenges, including contributing factors, that migrant and seasonal farmworkers and their dependents experience by providing a thorough description of these challenges and contributing factors; and
 - Use agricultural data and relevant Labor Market Information data to illustrate a compelling need for NFJP services in the proposed state service area(s).
- Career Services and Training Grant applicants must address the following (up to 6 points):
 - Specify if you propose to serve eligible adult participants, youth participants, or both and provide a justification for the selected population. If you choose to serve only adults or youth, you must explain and provide supporting data that demonstrates that the targeted population(s) exists in the proposed state service area(s) and that the targeted population needs this assistance.
 - Discuss the socio-economic conditions and employment outlook of the proposed service area, including an identification of the growth or high-demand industries or occupations that you will focus on.

b. Project Design (up to 30 points)

You must propose approaches and methods for effectively serving participants, and outline a plan of action that describes the scope and detail of how the project will achieve the proposed project outputs and outcomes and include timelines for completion of key milestones.

Note that the NFJP performance measures and associated reporting requirements are specified in the Performance Goals section under the Special Program Requirements included later in this FOA. While applicants are not required to specify numerical outcome targets as part of the application, successful applicants will negotiate final performance outcome goals with the Department within the first 90 days of the period of performance (as noted in the aforementioned Performance Goals section).

Evidence-Informed Approaches and Methods (up to 10 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

Career Services and Training Grants: Evidence-Informed Approaches and Method (up to 10 points)

- Outline the customer-centered design approaches and methods that you will use for basic career services, individualized career services, and training services, and convincingly demonstrate how selected activities will lead to new or upgraded employment for participants by meeting the demands of the local area’s business needs, or lead to further education (as appropriate for the targeted population). Applicants must describe evidence to support the choice of approaches;
- Propose methods to provide training opportunities for participants that lead to the following outputs and outcomes:
 - Prepare the participant to work in in-demand industries for the communities being served;
 - Meet the hiring needs of local employers;
 - Provide the participant with an industry-recognized, stackable and portable credential, occupational or state license, apprenticeship, secondary school diploma, or associate degree; and/or
 - Lead to an agricultural employment upgrade;
- Provide evidence to show the identified approaches and methods are evidence-informed interventions;²
- Describe an effective plan to provide related assistance services, which is a short-term form of direct assistance designed to assist eligible migrant and seasonal farmworkers to retain or stabilize their agricultural employment. Grantees may not include individuals who receive only related assistance services in their WIOA performance measures as these individuals are not participants. However, consistent with the guidance in section 8

² Evidence-informed interventions bring together the best available research, professional expertise, and input from the target population to identify and deliver services that have promise to achieve positive outcomes for the target population.

of TEGL 18-16, individuals receiving related assistance services and certain other services are participants and can be included in the grantee's WIOA performance measures (see TEGL 18-16, Section 8 for more information on NFJP enrollment, https://wdr.doleta.gov/directives/attach/TEGL/TEGL_18-16_acc.pdf); and

- Thoroughly describe your experience in developing career services and training activities, including apprenticeships and work-based learning, and how you will transfer that experience to this grant (if awarded).

Planning Phase (up to 6 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

Career Services and Training Grant applicants:

- Clearly describe a plan to meet the preliminary steps: hiring key staff; securing training partners; finalizing sub-grant agreements; meeting with additional partners identified in the application; and
- Provide a detailed project timeline and narrative description of the proposed plan for accomplishing the work (the work plan) describing how the project will operate throughout the 43-month period of performance and provide a thorough explanation for how you will successfully achieve project outputs and outcomes. Include any potential barriers with a description of how you will overcome these barriers.

Outreach and Enrollment (up to 6 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

Career Services and Training Grant applicants:

- Provide an effective and feasible participant outreach plan to cover the proposed state service area and describe how you will efficiently refer individuals who are deemed ineligible to other one-stop partners or other partners, including the frequency of outreach efforts and quarterly and annual target number of contacts over the 43-month period of performance; and
- As a result of your established partnerships and outreach efforts, provide your organization's quarterly and annual targets to enroll participants over the 43-month period of performance.

Case Management (up to 8 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

Career Services and Training Grant applicants:

- Case management must begin at the time of enrollment and continue throughout the participants' participation in the program, including through the follow-up period. Identify an effective strategy for tracking participants from enrollment to placement in a job or further education;
- Identify and provide justification for the ratio of case managers to participants, including the frequency of their interactions; and
- Identify, justify, and describe the evidence-informed types of case management services and/or activities that will be provided.

c. Organizational, Administrative, and Fiscal Capacity (up to 24 points)

Scoring under this section will be based upon how well applicants address the following rating factors:

Organizational Capacity (up to 8 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

- Provide information on your organization's current mission and its relevant experience serving the targeted population for employment services;
- Identify the proposed office locations and goals for individual office locations, and include an explanation on how you will reach the targeted population in the fields and in their communities; provide a thorough description of the factors taken into consideration when making these site selections;
- Provide a staffing chart and description of the staff managing, executing, and overseeing the program and services. Describe each person's background, experience, and performance expectations. You must demonstrate that you have (or plan to hire) staff that are capable of successfully executing the primary grant management functions below:
 - Address complex challenges using the design thinking approach or other methodologies to simplify processes, improve customer experiences, amplify impact, and create meaningful change for participants;
 - Meet program requirements and program expectations;
 - Implement fiscal and administrative compliance measures;
 - Design customer-centered services and manage career planning, an objective assessment, and/or an individual employment plan for participants to identify their employment goals and objectives;
 - Develop meaningful partnerships with employers, training providers, and other community partners;
 - Conduct outreach and connect to migrant and seasonal farmworkers who live and/or work in rural communities; and
 - Support and maintain a performance management information system.
- As Title I partners, provide a comprehensive plan to enhance your entry-level, middle-level, and senior- and executive-level staff skills by providing appropriate professional

development and training opportunities that enhance your ability to provide seamless customer support, make informed decisions about program design and delivery of quality services, and connect you to tools and resources that drive performance. Describe what type of training program staff will receive to work effectively with migrant and seasonal farmworkers who experience barriers to employment and explain how participation in the professional development and training will result in helping your organization realize the program purpose and achieve positive outcomes for participants. The plan should include clear strategies they will adopt and implement to provide evidence-informed career services, training, related assistance, and housing assistance services to participants. Training topics may include but are not limited to labor market information, customer-centered design, effective outreach strategies, engaging with employers and other workforce development partners, and trauma-informed approaches, and may be delivered by in-house experts, partner programs, associations, or third-party training organizations;

Administrative and Fiscal Capacity (up to 8 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

- Describe how you will effectively collect and submit client information to existing reporting systems to meet ETA's reporting requirements, and describe how you will conduct analysis of that data to lead to improved outcomes throughout the life of the grant;
- Describe the financial reporting system that you will use to operate NFJP, how you will ensure fiscal and program integrity, and how you will generate reliable reports and data. In describing these systems, you must specify which staff positions will manage those systems, what the staff's responsibilities will be, and what training will be available to enhance staff skills in the operation of the systems described; and
- Describe a fiscal management reporting system that is sufficient to prepare financial reports and to trace funds to adequate levels of expenditures to ensure lawful spending. Demonstrate that the system has the capacity to track spending by program, and to ensure that, for those organizations with funding from more than one federal program, expenditures are allocated to the appropriate program. In addition, describe the system's capability to effectively track program income generated through activities funded by NFJP grants and to show the link between program income and those additional participants and/or services funded through program income. Describe your capacity to effectively manage related assistance services and to account for expenditures related to those services.

Partnerships (up to 8 points)

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

- Describe a strong plan to establish and maintain an MOU with the State Monitor Advocate and how this partnership will benefit its NFJP service delivery. Submit any letters of Commitment and/or MOUs between you and partner organizations and/or sub-grantees that propose to provide services to support the program model and lead to the identified outcomes;
- Describe a strong plan to establish or maintain MOU(s) with local Workforce Development Boards (WDB) and any planned goals or strategies to address challenges to negotiating these MOUs;
- Describe your plans to coordinate outreach with the State Workforce Agency to effectively recruit eligible migrant and seasonal farmworkers and their dependents;
- Describe your plans to effectively promote co-enrollment of participants in WIOA-funded programs and/or other partner programs, including those funded by the U.S. Department of Agriculture, U.S. Department of Health and Human Services, U.S. Department of Education, and U.S. Department of Housing and Urban Development;
- Describe how you will develop partnerships with at least three or more employers employment and three or more training providers and how those partnerships will lead to higher-paying, more stable employment for migrant and seasonal farmworkers, and address the business needs of the employers of the local communities.

d. Past Performance – Programmatic Capability (up to 24 points)

Organizations will receive points based on past performance data. Applicants must use the information below and provide the applicable past performance information. There are different instructions depending on your past grant experience. Applicants must use the below information to determine which instructions are applicable to their organization.

Applicants who have a current *National Farmworker Jobs Program* grant award:

Career Services and Training Grantees Past Performance (up to 24 points)

Whether applying for their current service area or a different service area, current National Farmworker Jobs Program Grantees do not need to submit any performance data. ETA will use a Career Services and Training grantee’s actual outcomes for the WIOA performance measures based on the rolling four quarters of performance data reflected in the Quarterly Performance Report for the quarter ending June 30, 2019 (PY 2018).

ETA will determine past performance scores for Career Services and Training grantees based on the extent to which the applicant’s actual results met their target for each measure for the reporting period specified above. Note that some NFJP grantees served, and had associated targets and results for, both adult and youth measures in PY 2018, while some grantees served only adults and, therefore, had targets and results only for adult measures in PY 2018. In scoring past performance for applicants proposing to serve both adults and youth under this FOA (as specified in the application’s Abstract), ETA will consider the relevant outcome data for adults, and will consider outcome data for youth if available. In scoring past

performance for applicants proposing to serve only adults under this FOA (as specified in the Application’s abstract), ETA will consider the relevant outcome data for adults only.

For Career Services and Training Grantees, ETA will score past performance on the following measures:

- Education/Employment Rate – 2nd Quarter After Exit (up to 8 points):
 - For adults, the percentage of participants in unsubsidized employment during the second quarter after exit; and
 - For youth (if applicable), the percentage of participants in education or training activities, or in unsubsidized employment during the second quarter after exit.

- Education/Employment Rate – 4th Quarter After Exit (up to 8 points):
 - For adults, the percentage of participants who are in unsubsidized employment during the fourth quarter after exit; and
 - For youth (if applicable), the percentage of participants in education or training activities, or in unsubsidized employment during the fourth quarter after exit.

- Median Earnings – 2nd Quarter After Exit (up to 8 points):
 - Median earnings of participants who are in unsubsidized employment during the second quarter after exit.

New Applicants – Applicants who do not have a current *National Farmworker Jobs Program* grant award are required to use the following:

Applicants who do not have a current NFJP award must provide the past performance information below for a federally- and/or non-federally-funded assistance agreement that is similar in size, scope, and relevance to the proposed project and was completed within the last five years of the closing date of this Announcement. The information must be provided in a Past Performance Chart as an attachment to the Project Narrative.

Past Performance Chart

The Past Performance Chart must include the following information:

- Grantor name and contact information
- Project information/grant objectives
- Performance goals and spending rate analysis

Below is a sample format for the Past Performance Chart. For non-ETA grants, the chart must be signed by the grantor or a letter must be provided from the grantor verifying the past performance data. This letter must be on grantor letterhead and contain contact information for the grantor.

The Past Performance Chart must include the overall objectives of the grant, population served, funding amount and grantor contact information. The chart must detail three significant performance goals and the outcomes of those goals in order to demonstrate if and how the applicant successfully completed and managed the agreement.

Applicants must use performance indicators most similar to the following:

- i. employment/education placement;
- ii. degree/certificate attainment;
- iii. literacy/numeracy gains; or
- iv. retention in education or employment.

ETA views the above indicators as the most critical to demonstrating that the applicant’s past success in a similar program has prepared its organization to succeed in operating an NFJP project. Applicants may substitute a different indicator if the substituted indicator is applicable to the outcomes required in this FOA.

In the chart, applicants must identify the total number of participants enrolled in the program and the performance outcome for each metric, displayed as both a fraction (e.g., the numerator equal to the number of program participants who achieved the identified indicator and the denominator equal to the total program participants eligible for the identified indicator) and a percentage. For example, if using the employment placement measure, the performance metric description might be as follows: Participants who were placed into unsubsidized jobs within one year of program completion divided by all participants that have this performance goal within the past year.

Applicants will receive points based on past performance demonstrated in the performance chart. The performance chart must clearly identify the indicators being used and must include a definition for how the outcome is calculated (e.g. the numerator and denominator for the outcome). DOL reserves the right to disqualify indicators that are determined not to be sufficiently similar to the indicators above and award zero points for non-qualifying indicators.

Below is a sample format for the Past Performance Chart:

Name of Previous Grantor Organization:
Grantor Contact – Name, Title, E-mail Address, and Telephone Number:
Project Title and Grant Number:
Project Period of Performance:
Number of Participants Enrolled:
Population Served:

Past Performance Goals and Actual Achievement				
Metric	Performance Indicator (Goal)	Performance Outcome	Performance Outcome / Performance Goal	Percentage Rate of Actual Achievement
<i>Example: placement into unsubsidized jobs within one year of program completion</i>	60	58	58/60	97 percent

For new applicants, ETA will score past performance based on the extent to which the applicant’s actual results met their target for each of the three measures identified on the past performance chart. Each measure is worth up to 8 points, for a total of 24 points.

e. Budget and Budget Narrative (up to 10 points)

The Budget and Budget Narrative will be used to evaluate this section. Please see Section IV.B.2 for information on the requirements. The Budget and Budget Narrative do not count against the page limit requirements for the Project Narrative.

To receive full points on this rating factor, your narrative must fully and convincingly satisfy the specifications below:

- Demonstrate, through your Budget Narrative, that the proposed expenditures align with your application’s proposed project activities, key outcomes, deliverables, and performance and whether key personnel (*please note the “Organizational Capacity” criteria above*) have adequate time devoted to the project to achieve project results; and
- Describe, in the Budget Narrative, costs associated with each line item on the SF-424A. The Budget Narrative must meet the requirements in Section IV.B.2, and must align with the totals on the SF-424A.

4. Attachments to the Project Narrative

In addition to the Project Narrative, you must submit attachments. All attachments must be clearly labeled. We will exclude only those attachments listed below from the page limit. The Budget and Budget Justification do not count against the page limit requirements for the Project Narrative.

You must not include additional materials such as resumés 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 fewer and use only 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 (e.g., no other attachment may have the same file name). You may use an underscore (example: My_Attached_File.pdf) to separate a file name.

a. Required Attachments

We require the Project/Performance Site Location(s) Form. Omission of the Project/Performance Site Location(s) Form and the Opportunity Zone Information will result in your application being screened out and not reviewed.

Project/Performance Site Location(s) Form

You must submit a Project/Performance Site Location(s) Form available at <http://apply07.grants.gov/apply/FormLinks?family=15>). This form is in the grants.gov application package. Please note that this is a standard form used for many programs and has a check box for applying as an individual. Applicants must identify the state service area, including state(s) and the count(ies), that they plan to provide services to under the “Additional Location(s)” section of the form. Disregard this box on the form as individuals are not eligible to apply for this Announcement; and

Opportunity Zone Information (2 bonus points)

You must provide the census tract number in your target area, or sub-grantee’s target area, designated as a qualified opportunity zone, if applicable. See Section V.B. Priority Consideration.

b. Requested Attachments

Abstract

You should 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 must include the following:

- the applicant’s name;
- the project title;
- a description of the area to be served;
- the number of participants to be served;
- whether the application proposes to serve adults, or adults and youth;
- the funding level requested;
- the total cost per participant;
- whether the applicant has received (a) NFJP grant funds, (b) ETA grant funds other than NFJP grant funds, or (c) other federal grant funds only; and
- a brief summary of the proposed project, including, but not limited to, the scope of the project and proposed outcomes.

Past Performance Documentation (for new applicants who do not have a current NFJP grant):

This attachment must include both the Chart of Past Performance and the Grantor Verification Letter (if the chart is not signed by the Grantor). See Section IV.B.3.d for which applicants are to submit this documentation and additional instructions.

When submitting in grants.gov, these documents must be uploaded as an attachment to the application package and specifically labeled “Past Performance.”

Letters of Commitment or MOUs

Submit signed and dated **Letters of Commitment** or **Memoranda of Understanding** between the applicant and partner organizations and/or sub-grantees that propose to provide services to support the program model and lead to the identified outcomes. See Section IV.B.3.

When submitting in grants.gov, these letters must be uploaded as an attachment to the application package and specifically labeled “Letters of Commitment.”

Indirect Cost Rate Agreement

If you are requesting indirect costs based on a Negotiated Indirect Cost Rate Agreement 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.

When submitting in grants.gov, this document must be uploaded as an attachment to the application package and specifically labeled “NICRA.”

Financial System Assessment Information

All applicants are requested to submit Funding Opportunity Announcement Financial System Assessment Information. See Section V.B.2 for a sample template and additional instructions. This attachment does not impact the scoring of the application.

C. SUBMISSION DATE, TIME, PROCESS, AND ADDRESS

We must receive your application by XX. You must submit 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 minimize the risk of late receipt. We will not review applications received after 4:00:00 p.m. Eastern Time on the closing date. We will not accept applications sent by e-mail, telegram, or facsimile (FAX).

1. Hardcopy Submission

All applications submitted in hardcopy by mail or hand delivery (including overnight delivery) must be received at the designated place by the specified closing date and time. Applicants submitting applications in hard copy by mail or hand 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 submitted both by 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: Mr. Charles L. Cox, Grant Officer
Reference FOA-ETA-20-08-A
200 Constitution Avenue, NW, Room N4716
Washington, D.C. 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.

2. Electronic Submission through Grants.gov

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

The process can be complicated and time-consuming. 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 by the agency. 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 long 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 Point of Contact (POC) approval, establishes an Agency Organizational Representative (AOR). When an application is submitted through Grants.gov, the name of the AOR who submitted the application is inserted into the signature line of the application, serving as the electronic signature. The E-Biz 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 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 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, 7 days a week but 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 percent 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.4. 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 percent 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, for which you may apply at any time. (See 2 CFR 200.414(f) for more information on use of the de minimis rate.)

2. Administrative Cost Limitation

Under this FOA, an entity that receives a grant to carry out a project or program is limited to 15 percent of the amount of the grant to pay administrative costs associated with the program or project. Such costs include both personnel and non-personnel costs and both direct and indirect costs. Administrative costs as defined in 20 CFR 683.215 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). 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. For WIOA grants, all costs charged as a result of the de minimis rate will be counted towards the administrative cost limitation specified below.

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 ETA programs. See Public Law 113-235, Division G, Title I, section 105, and TEGL 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.

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 grant 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 licensing 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 standard ETA disclaimer 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

All one-stop partner programs including all programs funded under title I of WIOA are required to contribute to the infrastructure costs and certain additional costs of the one-stop delivery system in proportion to their use and relative benefits received as required in 20 CFR 678.700 and 678.760. The sharing and allocation of infrastructure costs between one-stop partners is governed by WIOA sec. 121(h), WIOA’s implementing regulations, and the federal Cost Principles contained in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards at 2 CFR part 200 (Uniform Guidance). The federal Cost Principles state that a partner’s contribution is an allowable, reasonable, necessary, and allocable cost to the program and is consistent with other legal requirements. A list of the required one-stop partner programs is available at 20 CFR 678.400.

6. Minimum spending of 70 percent on Employment and Training Services (Career Services and Training grants)

The NFJP appropriation (P.L. 116-94) specifies that, of the funds provided for Career Services and Training Grants, “not less than 70 percent shall be for employment and training services.” To ensure compliance with this provision, each successful applicant under this FOA must spend not less than 70 percent of their awarded funds on “employment and training services,” as defined below. This requirement is intended to ensure that the NFJP program primarily

addresses the employment and training needs of the target population while also allowing grantees to provide related services that are often critical to the stabilization and availability of the farm labor workforce.

For the purposes of this FOA, the term “employment and training services” means all allowable career services, training services, housing services, and youth services as explained, respectively, in 20 CFR 685.340, 350, 360, and 370, including supportive services (as defined in 20 CFR 685.110). Employment and training services does not include related assistance (as defined in 20 CFR 685.110 and further explained in 20 CFR 685.380) or administrative costs (as defined in 20 CFR 683.215).

Accordingly, grantees may spend up to 30 percent of their awarded funds on a combination of related assistance and administrative costs, further subject to the administrative cost limitation of 15 percent specified in Section IV.E.2 of this FOA.

Note: The Department recognizes that the NFJP appropriation further specifies that “... notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services.” This FOA incorporates the funding restriction specified above in order to comply with the appropriations provision cited in the first paragraph of this section; however, the Department places no further restrictions on the provision of related assistance.

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 are based on the information required in the application as described in Sections IV.B.2. (Project Budget) and IV.B.3. (Project Narrative). Reviewers will award points based on the evaluation criteria described below.

Criterion	Points (maximum)
a) Statement of Need (See Section IV.B.3.a). Statement of Need)	12 total

b) Project Design (See Section IV.B.3.b). Project Design)	30 total
1) Evidence-informed Approaches and Methods	10
2) Planning Phase	6
3) Outreach and Enrollment	6
4) Case Management	8
c) Organizational, Administrative, and Fiscal Capacity (See Section IV.B.3.c). Organizational, Administrative, and Fiscal Capacity)	24 total
1) Organizational Capacity	8
2) Administrative and Fiscal Capacity	8
3) Partnerships	8
d) Past Performance – Programmatic Capability (See Section IV.B.3.d). Past Performance – Programmatic Capability)	24 total
1) Performance Goals	24
e) Budget and Budget Narrative (See Section IV.B.2. Project Budget)	10 total
TOTAL	100
Priority Consideration: Opportunity Zone – 2 points. Model – See Section V.B. Priority Consideration	2

B. STANDARDS FOR EVALUATING THE APPLICANT’S RESPONSE TO EACH REQUIREMENT

Section IV.B.3, Project Narrative provides a detailed explanation of the information an application must include (e.g., a comprehensive work plan for the whole period of performance with feasible and realistic dates). Reviewers will rate each “rating factor” based on how fully and convincingly the applicant responds. For each “rating factor” under each “criterion,” panelists will determine whether the applicant thoroughly meets, partially meets, minimally meets or fails to meet the “rating factor,” unless otherwise noted in Section IV.B.3, based on the definitions below:

Standard Rating	Definition	12 Points Total	10 Points Total	8 Points Total	6 Points Total
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Thoroughly Meets	The application thoroughly responds to the rating factor and fully and convincingly satisfies all of the stated specifications.	12 Points	10 Points	8 Points	6 Points
Partially Meets	The application responds incompletely to the rating factor or the application convincingly satisfies some, but not all, of the stated specifications.	9-11 Points	7-9 Points	5-7 Points	4-5 Points
Minimally Meets	The application responds to the rating factor but does not convincingly satisfy any of the stated specifications.	6-8 Points	4-6 Points	2-4 Points	1-3 Points
Fails to Meet	The application does not respond to the rating factor or specifications.	0 Points	0 Points	0 Points	0 Points

In order to receive the maximum points for each rating factor, applicants must provide a response to the requirement that fully describes the proposed program design and demonstrates the quality of approach, rather than simply re-stating a commitment to perform prescribed activities. In other words, applicants must describe why their proposal is the best strategy and how they will implement it, rather than that the strategy contains elements that conform to the requirements of

this FOA. Please note, past performance measures will be scored using a separate rubric. See Past Performance – Programmatic Capability in Section IV.B.3 for additional instructions.

Priority Consideration – Designated Qualified Opportunity Zone (2 bonus points)

Applicants may receive 2 points for this category.

Applicants that demonstrate at least one census tract (if applying as a non intermediary) or at least one sub-grantee (if applying as an intermediary) has at least one census tract in their target area designated by the Secretary of Treasury as a qualified opportunity zone. Designated opportunity zone census tracts can be found at <https://www.irs.gov/pub/irs-drop/n-18-48.pdf>. Applicants will receive 2 bonus points priority consideration if at least one census tract in their target area is listed in this document. Please be aware the IRS list provides the full 11-digit census tract number. Use the example below to identify your census tract number:

06|067|001101

- 06 – identifies California
- 067 – identifies Sacramento County within California, and
- 001101 – identifies Census Tract 11.01 within Sacramento County.

C. REVIEW AND SELECTION PROCESS

1. Merit Review and Selection Process

A technical merit review panel will carefully evaluate applications against the selection criteria to determine the merit of applications. These criteria are based on the policy goals, priorities, and emphases set forth in this FOA. 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 consider any information that comes to their attention.

This is the second time that ETA has solicited grant proposals for these funds and service delivery areas. Not granting funds for the service areas, either because ETA receives no eligible applications in response to this announcement or because ETA determines that funding the proposals received would not be in the best interest of the government, would result in real and significant disruption to program services in these areas. In the event that ETA does not make an award under this competition, ETA will follow internal Department of Labor procedures to identify options for awarding these funds, including selecting a grantee through non-competitive processes.

The government may elect to award the grant(s) with or without discussion with the applicant. Should a grant be awarded without discussion, 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 various sources, including 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 (FAPIIS), Dun and Bradstreet, and "Do Not Pay." Additionally, ETA will comply with the requirements of 2 CFR Part 180 codified at 2 CFR Part 2998 (Non-procurement Debarment and Suspension). 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 the following:

- i. Financial stability;
- ii. Quality of management systems and ability to meet the management standards prescribed in the Uniform Grant Guidance;
- iii. 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;
- iv. 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;
- v. The applicant's ability to effectively implement statutory, regulatory, and other requirements imposed on recipients.

NOTE: As part of ETA's Risk Review process, the Grant Officer will determine the following:

- 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 TEGL 23-15.

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

All applicants are requested to submit the following information as an attachment to their application (suggested template below) for ETA to assess the applicant's Financial System. This information will be taken into account as one component of ETA's Risk Review Process. Applicants may use the suggested template or answer the questions in a separate attachment. It

is unlikely that an organization will be able to manage a federal grant without the following system/processes in place. Applicants are expected to have these in place before applying for a grant with ETA.

U.S. DEPARTMENT OF LABOR –EMPLOYMENT AND TRAINING ADMINISTRATION (ETA) FUNDING OPPORTUNITY ANNOUNCEMENT: FINANCIAL SYSTEM ASSESSMENT		
SECTION A: PURPOSE		
<p>The financial responsibility of grantees must be such that the grantee can properly discharge the public trust which accompanies the authority to expend public funds. Adequate administrative and financial systems including the accounting systems should meet the following criteria as contained in 2 CFR 200 and 2 CFR 2900.</p> <p>(1) Accounting records should provide information needed to adequately identify the receipt of funds under each grant awarded and the expenditure of funds for each grant.</p> <p>(2) Entries in accounting records should refer to subsidiary records and/or documentation which support the entry and which can be readily located.</p> <p>(3) The accounting system should provide accurate and current financial reporting information.</p> <p>(4) The accounting system should be integrated with an adequate system of internal controls to safeguard the funds and assets covered, check the accuracy and reliability of accounting data, promote operational efficiency, and encourage adherence to prescribed management policies.</p>		
SECTION B: GENERAL		
1. Complete the following items:		
a. When was the organization founded/incorporated (<i>month, day, year</i>)	b. Principal officers	Titles
c. Employer Identification Number:		
d. Number of Employees Full Time: Part Time:		
2. Is the organization or institution affiliated with any other organization: Yes No If yes, please provide details as to the nature of the company (for profit, nonprofit, LLC, etc) and if it provides services or products to the organization in relation to this grant.		3. Total Sales/Revenues in most recent accounting period. (<i>12 months</i>) \$
SECTION C: ACCOUNTING SYSTEM		
1. Has any Government Agency rendered an official written opinion concerning the adequacy of the accounting system for the collection, identification, and allocation of costs under federal contracts/grants? Yes No		
a. If yes, provide name, and address of Agency performing review:	b. Attach a copy of the latest review and any subsequent correspondence, clearance documents, etc.	
	Note: If review occurred within the past three years, omit questions 2-8 of this Section and Section D.	
2. Which of the following best describes the accounting system:	State administered	Internally Developed Web-based
3. Does the accounting system identify the receipt and expenditure of program funds separately for each contract/grant?	Yes No Not Sure	
4. Does the accounting system provide for the recording of expenditures for each grant/contract by the component project and budget cost categories shown in the approved budget?	Yes No Not Sure	

5. Are time distribution records maintained for an employee when his/her effort can be specifically identified to a particular cost objective?	Yes	No	Not Sure
6. If the organization proposes an overhead rate, does the accounting system provide for the segregation of direct and indirect expenses?	Yes	No	Not Sure
7. Does the organization have an approved indirect cost rate or cost allocation plan? If so, who approved it (Federal Cognizant Agency or a Pass-through Entity)? What are the effective dates?	Yes	No	Not Sure
8. Does the accounting/financial system include budgetary controls to preclude incurring obligations in excess of the following: a. Total funds available for a grant? b. Total funds available for a budget cost category (e.g., Personnel, Travel, etc)?	Yes	No	Not Sure
9. Does the organization or institution have an internal control structure that would provide reasonable assurance that the grant funds, assets, and systems are safeguarded?	Yes	No	Not Sure

SECTION D: FINANCIAL STABILITY

1. Is there any legal matter or an ongoing financial concern that may impact the organization's ability to manage and administer the grant?
Yes No
If yes, please explain briefly.

SECTION E: FINANCIAL STATEMENTS
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1. Did an independent certified public accountant (CPA) ever examine the financial statements? Yes No

2. If an independent CPA review was performed please attach a copy of their latest report and any management letters issued.
Enclosed N / A

3. If an independent CPA was engaged to perform a review and no report was issued, please provide details and an explanation below:

SECTION F: ADDITIONAL INFORMATION
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1. Use this space for any additional information (*indicate section and item numbers if a continuation*)

VI. AWARD ADMINISTRATION INFORMATION

A. AWARD NOTICES

All award notifications will be posted on the ETA Homepage at <https://www.dol.gov/agencies/eta/>. 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 not to 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 and regulations, including the OMB Uniform Guidance, 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.

- i. 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).
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.) and the applicable provisions of the regulations at 20 CFR 675 et. Seq. Note that 20 CFR part 683 (Administrative Provisions) allows unsuccessful applicants to file administrative appeals.
- ii. All entities must comply with 29 CFR Part 93 (New Restrictions on Lobbying), 29 CFR Part 94 (Governmentwide Requirements for Drug-Free Workplace (Financial Assistance)), 2 CFR Part 180 (OMB Guidance to Agencies on Government-wide Debarment and Suspension (Non-procurement)), and, where applicable, 2 CFR Part 200 (Audit Requirements).
- iii. 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.
- iv. 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.
- v. 29 CFR Part 32—Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance.

- vi. 29 CFR Part 35—Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance from the Department of Labor.
- vii. 29 CFR Part 36—Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance.
- viii. 29 CFR Part 38 – Implementation of the Nondiscrimination and Equal Opportunity Provisions of the Workforce Innovation and Opportunity Act.
- ix. 29 CFR Parts 29 and 30—Labor Standards for the Registration of Apprenticeship Programs, and Equal Employment Opportunity in Apprenticeship and Training, as applicable.
- x. The Department of Labor will follow the procedures outlined in the Department’s Freedom of Information Act (FOIA) regulations (29 CFR Part 70). If DOL receives a FOIA request for your application, the procedures in DOL’s FOIA regulations for responding to requests for commercial/business information submitted to the government will be followed, as well as all FOIA exemptions and procedures. See generally 5 U.S.C. § 552; 29 CFR Part 70.
- xi. Standard Grant Terms and Conditions of Award—see the following link: <https://www.doleta.gov/grants/resources.cfm>.

2. **Other Legal Requirements**

c) Religious Activities

The Department notes that the Religious Freedom Restoration Act (RFRA), 42 U.S.C. § 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.

d) 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).

e) 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, and the Strengthening Transparency and Accountability in Federal Spending Act of 2008), as follows.

- Except for those excepted from the Transparency Act under sub-paragraphs 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 <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.

- Federal awards to individuals who apply for or receive federal awards as natural persons (e.g., unrelated to any business or non-profit organization he or she may own or operate in his or her name);
- Federal awards to entities that had a gross income, from all sources, of less than \$300,000 in the entities' previous tax year; and
- Federal awards, if the required reporting would disclose classified information.

f) 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 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:

- i. You must ensure that PII and sensitive data developed, obtained, or otherwise associated with DOL/ETA funded grants is securely transmitted.
- ii. 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 and contractors.
- iii. 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.

- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. You must not extract information from data supplied by ETA for any purpose not stated in the grant agreement.
- ix. 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.
- x. 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 be accessed only from secure locations.
- xi. 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.
- xii. 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.
- xiii. 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.

g) Record Retention

You must follow federal guidelines on record retention, which require that you 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.

h) 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 or local government, Indian tribe, institution of higher education (IHE), non-profit 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 at 2 CFR Part 2998.

i) 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

c) ETA 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 evaluation contractor on participants, employers, and funding; (2) provide access to program operating personnel, participants, and operational and financial records, and any other relevant documents to calculate program costs and benefits; and (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.

d) Performance Goals

Please note that successful applicants will be held to outcomes negotiated, and failure to meet those 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.

WIOA Section 116(b)(2)(A) and 20 CFR 685.400 establish six primary indicators of performance used to determine the effectiveness of NFJP grantees providing career services

and training. The indicators of performance for Career Services and Training grantees are highlighted below.

Please note although it is not required, the Department encourages applicants to develop additional performance indicators and include them in the Project Narrative. If including additional performance indicators, applicants must describe how the indicator(s) will support program outcomes.

Within the first 90 days of the period of performance, the Department will negotiate final performance outcomes for each selected grantee and incorporate them into every new NFJP grant agreement.

Additional information on these performance indicators is described in the Training and Employment Guidance Letter (TEGL) 14-18: Aligning Performance Accountability Reporting, Definitions and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor. TEGL 14-18 is located at https://wdr.doleta.gov/directives/attach/TEGL/TEGL_14-18.pdf.

a. Career Services and Training Grants

Career Services and Training grantees will submit qualitative data through the Joint Quarterly Narrative Performance Report (QNR), Form ETA 9179 and quantitative data through DOL's Workforce Integrated Performance System (WIPS) using the DOL-Only Participant Individual Record Layout (PIRL), Form ETA 9172. Grantees utilizing the QNR (ETA-9179) will provide a detailed account of all activities undertaken during the quarter including in-depth information on accomplishments, promising approaches, progress toward performance outcomes, and upcoming grant activities. Further, the DOL-Only PIRL (ETA includes all of the elements necessary for calculating the WIOA primary indicators of performance and specifies other elements that are required to be reported to the Department. PIRL, ETA-9172 is located here: https://www.doleta.gov/performance/pfdocs/ETA_9172_DOL_PIRL_1.18.18.pdf.

QNR, ETA-9179 is located here:

<https://performancereporting.workforcegps.org/resources/2018/08/13/20/59/Quarterly-Narrative-Report-ETA-9179>.

NFJP Adult Measures:

- Employment Rate – 2nd Quarter After Exit: Percentage of participants in unsubsidized employment during the second quarter after exit;
- Employment Rate – 4th Quarter After Exit: Percentage of participants who are in unsubsidized employment during the fourth quarter after exit;
- Median Earnings – 2nd Quarter After Exit: Median earnings of participants who are in unsubsidized employment during the second quarter after exit;
- Credential Attainment: Percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training)

who attain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent during participation in or within one year after exit. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;

- Measurable Skill Gains: Percentage of 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, defined as documented academic, technical, occupational, or other forms of progress, towards such a credential or employment; and
- Effectiveness in Serving Employers: Percentage of participants who exit and are employed with the same employer in the second and fourth quarters after exit.

NEJP Youth Measures:

- Education and Employment Rate – 2nd Quarter After Exit: Percentage of participants who are in education or training activities, or in unsubsidized employment, during the second quarter after exit;
- Education and Employment Rate – 4th Quarter After Exit: Percentage of participants who are in education or training activities, or in unsubsidized employment, during the fourth quarter after exit from the program;
- Median Earnings – 2nd Quarter After Exit: Median earnings of participants who are in unsubsidized employment during the second quarter after exit;
- Credential Attainment: The percentage of those participants enrolled in an education or training program (excluding those in on-the-job training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma, or its recognized equivalent, during participation in or within one year after exit from the program. A participant who has attained a secondary school diploma or its recognized equivalent is included in the percentage of participants who have attained a secondary school diploma or its recognized equivalent only if the participant also is employed or is enrolled in an education or training program leading to a recognized postsecondary credential within one year after exit from the program;
- Measurable Skill Gains: 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, defined as documented academic, technical, occupational, or other forms of progress, toward such a credential or employment; and
- Effectiveness in Serving Employers: Percentage of participants who exit and are employed with the same employer in the second and fourth quarters after exit.

Please note, additional information on Adult and Youth indicators of performance is available in TEGE 14-18, Attachment 7: National Farmworker Jobs Program.

NFJP applies a program-specific definition of reportable individual and participant and does not follow the definition applied to WIOA core programs. As stated in TEGl 18-16, a “reportable individual” for NFJP is an individual who receives only related assistance services that (1) do not require significant involvement or grantee staff time; and (2) do not require a career assessment by grantee staff of an individual’s skills, education, or career objectives. Further, an NFJP participant must complete the following requirements: eligibility determination, career assessment, and receipt of at least one of the five program elements (e.g., career services, training services, housing services, youth services, and/or certain related assistance services). Career Services and Training grantees will track and report the number of individuals receiving only related assistance services through WIPS.

- Individuals receiving only related assistance services do not count in the performance calculations and are allowable under the statute; and
- While the Department does not limit the numbers of participants receiving related assistance services only, Career Services and Training grant applicants must describe in detail how they will maximize the number of eligible participants receiving career services, training services, and youth services to realize the program’s purpose.

C. 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 subaward 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 TEGl 02-16 and our webpage at https://www.doleta.gov/grants/financial_reporting.cfm.

2. Quarterly Performance Reports

The grantee must submit a quarterly performance report within 45 days after the end of each calendar-year quarter. The report must include quarterly information on interim indicators and performance goals. The last quarterly progress report will serve as the grant’s Final Performance Report. This report must provide both quarterly and cumulative information on the grant performance. Submission requirements will be provided to grantees upon award. We will also provide you with 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 Jeannette Flowers, Grants Management Specialist, Office of Grants Management, at (202) 693-3322. Applicants should e-mail all technical questions to Flowers.Jeannette@dol.gov and must specifically reference FOA-ETA-20-08-A, and along with question(s), include a contact name, fax, and phone number. This Announcement is available on the ETA website 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. These include the CareerOneStop 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 (formerly known as One-Stop Career 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 on workforce resources gathered through consultations with federal agency partners, industry stakeholders, educators, and local practitioners, and made available 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 DOL’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 July 31, 2022.

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, D.C. 20210. Comments may also be emailed to DOL_PRA_PUBLIC@dol.gov.

PLEASE DO NOT RETURN YOUR GRANT APPLICATION TO THIS ADDRESS. SEND ONLY 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 XX, 2020, in Washington, D.C. by:

Charles L. Cox

Grant Officer, Employment and Training Administration