SCPa WORKS
SOUTH CENTRAL WORKFORCE DEVELOPMENT BOARD
4201 CRUMS MILL ROAD, SUITE #100A
HARRISBURG, PENNSYLVANIA 17112
717.236.7936 // www.scpaworks.org

General Procurement Policy #P-32-1.23

Re:	Guidance on the procurement of WIOA-funded goods and services.
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References:	WIOA Section113-128 WIOA Section 184 WIOA Section 134 2 CFR §200 2 CFR §2900 Workforce System Policy; Financial Management, July 29, 2025 Financial Management Guide (FMG) 2026
Author:	Saranne Miller, SCPa Works Policy Manager

I. Purpose:

A. This policy provides guidance for SCPa Works' methods for the procurement of goods and services obtained within regulatory compliance of the Workforce Innovation and Opportunity Act (WIOA), and sets forth requirements that are provided to Federal grant subrecipients by the Office of Management and Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"), and the Pennsylvania Department of Labor and Industry, Bureau of Workforce Development Administration Financial Management Guide (FMG).This policy applies to WIOA Title I subrecipient SCPa Works contractors, service providers, and vendors, as referred to throughout this policy.

II. Background:

A. WIOA Section 184(a)(3)(A) requires each state, local area, and service provider receiving funding under WIOA to comply with the Uniform Guidance.

III. Equal Employment Opportunity and Discrimination:

A. SCPa Works does not and will not discriminate on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military/veteran status, in any of its activities or operations. These activities include, but are not limited to, the appointment to and termination from its Board of Directors, hiring and firing of staff, employees of all professional levels, contracted service providers, vendors, selection of volunteers, selection of vendors, RFPs, bidding for contracts, contract development, agreements of any kind, procurement, and any activities that involve the provision of services.

B. All persons directly or indirectly employed by, and served in, the SCPa Works service area must be treated equally without regard to race, color, or national origin. People, agencies, organizations, or committees may not be excluded from participating in, denied the benefits of, or discriminated against in SCPa Works programs, services, or activities of any kind. In addition, all contracted Vendors must ensure that organizational policies and practices do not have the effect of discriminating against people on the basis of race, color, gender, or national origin.

C. All employees within the SCPa Works service area are required to adhere to the SCPa Works Equal

Opportunity & Discrimination Policy #P-13-2.22.

IV. Appointment of the Equal Opportunity (EO) Officer:

A. The SCPa Works Equal Opportunity Officer will have jurisdiction over all WIOA-funded activities within the designated eight (8) county region, and will also be responsible for monitoring the activities of all entities receiving WIOA funds.
B. SCPa Works ensures that participants have read and signed civil rights forms and complaint and hearing procedures.

V. Contracting with Small and Minority Businesses, Women's Business Enterprises, and Labor Surplus Area Entities:

A. SCPa Works takes affirmative steps to ensure that minority businesses, women's business enterprises, and labor surplus firms are utilized in the procurement of goods and services when possible. (2 CFR 200.321)
    1. Best practices are in place that make a promise for SCPa Works to actively establish inclusion, diversity, equity, and accessibility within the competitive process of reviewing RFPs and identifying the best possible contractors.

VI. Americans with Disabilities Act (ADA) Continuous Improvement:

A. SCPa Works has developed an ADA Enhancement Plan that is reviewed regularly against each of the One-Stop access points and additional contractor facilities to ensure customers and employees are provided with reasonable access to services.

VII. Conflict of Interest:

A. No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs, or is about to employ, any of the parties indicated herein, has a financial or other interest in the vendor(s) selected for an award. Bidders shall disclose, in their RFP submission(s), any possible conflict of interest arising out of personal or business relationships with any of the aforementioned parties.
B. Contractors, vendors, participants, employees, and partnering agencies can refer to the SCPa Works Code of Conduct and Conflict of Interest Policy #28-11.22.

VIII. Single Audit Requirement and Resolution (2 CFR Part 200 Subpart F)

A. In accordance with federal and state statutes, SCPa Works adheres to single audit requirements that comply with an open and competitive procurement process.
B. In order to ensure maximum competition, the length of multi-year contracts with certified accountants is three (3) years and therefore, SCPa Works contracts with a certified single audit accountant every three years.
C. No multi-year contracts are extended past the three-year period without being re-bid through the normal competitive procurement process.
    1. Selection of the same audit firm for more than three consecutive years is discouraged; however, SCPa Works provides full justification for such action in the annual audit plan.
        a. SCPa Works extends this three-year contract period when no viable or qualified candidate is obtained through the following procurement process.
            i. SCPa Works utilizes the RFQ (micro purchase) process to identify a certified single audit accountant to achieve federal audit requirements.
            ii. SCPa Works enhances the RFQ process for identifying a qualified single audit service provider through the implementation of the SCPa Works RFP

evaluation and scoring process.

iii. In the unique instance that a candidate separate or different from the previous single audit service provider has not been identified, the current contract is extended.

iv. Extending the contract period is contingent on the approval the full Board and ultimately BWDA.

D. Further details on the procurement and management of a single audit service contract can be found in the SCPa Works Financial Management Policy #P-30-11.22, Section VIII.

IX. Definitions:

A. *Bureau of Workforce Development Administration (BWDA)* – Commonwealth of Pennsylvania, Department of Labor and Industry, Bureau of Workforce Development Administration.

B. *Conflict of interest* – Voting or participating in any decision making capacity regarding the selection, award, or administration of a contract supported by a federal grant by any employee, officer, agent, or any member of an organization that would provide direct financial gain or tangible benefit to the employee, officer, agent, or any member, a member of the person's immediate family, or to the organization that the person represents.

C. *Contract* – A legal instrument by which a subrecipient purchases property or services needed to carry out the project or program under a federal award.

D. *Contractor* – An entity that receives a contract (Uniform Guidance Section 200.1).

E. *Cost Analysis* – An element-by-element review and evaluation of the estimated or actual cost *to determine the probable cost to the contractor.*

F. *COSTARS* –The cooperative purchasing program administered by the DGS Bureau of Procurement.

G. *Department of General Services (DGS)* – the Commonwealth of Pennsylvania, Department of General Services.

H. *Disallowed Costs* –Charges to a Federal award that the Federal awarding agency or passthrough entity determines to be unallowable, in accordance with the applicable Federal statutes, regulations, or the terms and conditions of the Federal award.

I. *Equipment* – Tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or $10,000. (2 CFR 200.1)

J. *Firewall* – An established policy or procedure that acts as a barrier or protection against an undesirable influence, outcome, or authority. Firewalls can be arrangements that provide clear separation of duties and responsibilities, reporting hierarchy of managers and staff that provide clear separation between job duties and responsibilities, and conflict of interest/confidentiality/disclosure agreements for SCPa Works members.

K. *Financial Management Guide (FMG)* – The Financial Management Guide of the Commonwealth of Pennsylvania, Department of Labor and Industry, June 32, 2021, as amended.

L. *Invitation for Bid (IFB)* – A type of solicitation document used in a formal competitive bidding process, which contains a detailed statement of what the agency is attempting to purchase. An IFB is used to obtain simple, common, or routine services. Qualifying bidders compete solely on the basis of cost through a sealed bid process.

M. *Information Technology Systems* – Information technology systems means computing devices, ancillary equipment, software, firmware, and similar procedures, career and supportive services, and related resources.

N. *Labor Surplus Area Firm* – The U.S. Department of Labor maintains a listing of areas of the nation where the average unemployment rate is 20% higher than the national unemployment rate. A listing and other Information on labor surplus areas can be found at https://www.dol.gov/agencies/eta/lsa.

O. *Micro-Purchase Threshold* – The acquisition of supplies or services in which the aggregate dollar amount is less than $15,000 (or $2,000 **((this amount does not change with the previous amount))** in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, SCPa Works must distribute micro purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if SCPa Works considers the price to be reasonable.

P. *Non-Competitive Proposals* – Procurement through solicitation of a proposal from only one source. Non-competitive proposals may be used only when one or more of the following circumstances apply:
   - The item is available only from a single source;
   - The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
   - The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-federal entity; or
   - After solicitation of a number of sources, the competition is determined to be inadequate.

Q. *Pass-through Entity* – A non-federal entity that provides a subaward to a subrecipient to carry out part of a federal program.

R. *Price Analysis* – The process of examining and evaluating a proposed price without evaluating its separate cost elements and proposed profit. This process determines whether the price is fair and reasonable.

S. *Procurement* – All stages of the process of acquiring property or services, beginning with the process for determining a need for property or services and ending with contract completion and closeout.

T. *Questioned costs* – Any cost or procurement activity that is questioned by an auditor, passthrough entity, or awarding agency representative that may be disallowed based on possible violations of statutes and regulations, inadequate documentation, or having been defined as unreasonable costs.

U. *Request for Proposal (RFP)* – A formally constructed solicitation document used in negotiated acquisitions to communicate contract requirements to prospective contractors and to solicit competitive proposals or bidding for a specific commodity or service. RFPs detail SCPa Works' anticipated terms and conditions that will apply to the ultimate contractual agreements. The RFP process brings structure to the procurement decision and is meant to allow the risks and benefits to be identified up front.

V. *Request for Quote (RFQ)* – A type of solicitation document used in a formal competitive bidding process, mainly when the specifications of a product or service are clearly defined and set in place, and when price is the main or only factor in selecting the successful bidder.

W. *South Central LEO (LEO)*—A Pennsylvania nonprofit corporation comprised of each of the eight (8) counties of the South Central Workforce Development Area that collectively serves as Chief Elected Official as defined in WIOA.

X. *South Central Workforce Development Area (SWDA)* –The local workforce development area comprised of the counties of Adams, Cumberland, Dauphin, Franklin, Juniata, Lebanon, Perry, and York designated by the Governor of the Commonwealth of Pennsylvania as the South Central Workforce Development Area pursuant to Section 106 of WIOA.

Y. *Simplified Acquisition Threshold* – The dollar amount that is set by the Federal Acquisition Regulation and through which a non-Federal entity may purchase property or services using Small Purchase Procedures.

Z. *Small Purchase Procedures* – Relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than $350,000. If Small Purchase Procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

AA. *Subaward* – 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. A Subaward may be provided through a legal agreement, including a contract.

BB. *Subrecipient* – A Non-Federal entity that receives a subaward from a pass-through entity to carry out part of the 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 the Federal awarding agency.

CC. *Supplies* – All tangible personal property other than equipment. A computing device is a supply if the acquisition cost is less than the lesser of the capitalization level established by the nonfederal entity for financial statement purposes or $5,000, regardless of the length of its useful life.

DD. *Uniform Guidance* -- The Federal Regulations promulgated by the Office of Management and Budget, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 CFR Part 200.

EE. *Vendor* – A contracted service provider who delivers WIOA-funded services.

FF. *Braided Funding* - Refers to the weaving together of federal, state, and private funding streams, with the development of funding strategies, to support high-quality career pathways programs with the goal of helping workers acquire in-demand skills and self-sustaining employment.

X. Pre-Award Review:

A. SCPa Works shall execute a pre-award review to determine the effectiveness of potential contractors in delivering services, which includes the following in the review:
   1. The adequacy of financial management systems to maintain effective control and accountability for all funds, property and other assets covered by a proposed contract.
   2. The maintenance of books, records, documents, accounts, and files for review, monitoring and audit, including compliance with appropriate Federal Office of Management and Budget (OMB) Circulars.
   3. The adequacy of internal program management procedures and controls to prevent fraud and abuse.
   4. The history of the vendor, including debarment, deficient conduct, and participation in any such program in the past, together with assurances that the proposed vendor is not the successor to a program which was deficient or debarred.
   5. The absence of outstanding audit deficiencies or disallowed costs.

XI. Procurement Documentation:

A. SCPa Works shall maintain comprehensive procurement records to include:
   1. Reasoning and accountability for the method of procurement;
   2. Process of selection for the contract type;
   3. Basis for contractor selection or rejection; and
   4. Basis for the contract price.

B. SCPa Works will maintain a log indicating the name and address of vendors submitting proposals for evaluation.
   1. The date of receipt of the proposal must be recorded in the log.

XII. Pre-Release Criteria & Competition:

A. SCPa Works shall provide a full and open competition for the acquisition of property and service contracts and will not issue requirements that unduly restrict competition.

B. SCPa Works shall exclude organizations and entities that pose an unfair advantage to the competitive nature of bidding for contracts. (2 CFR 200.319)

C. All SCPa Works procurement solicitations will:
   1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured in a manner that does not unduly restrict competition; and

2. Identify all requirements and additional factors to be used in evaluating bids or proposals.

D. SCPa Works shall ensure that prequalified lists of persons, firms, or products, which are used in acquiring goods and services, are current and include applicable sources that inspire maximum open and free competition.
E. SCPa Works welcomes all potential bidders and proposers in qualifying during the solicitation period.
F. SCPa Works shall avoid the following characteristics and criteria when reviewing potential contractors:
    1. Unreasonable requirements on firms or organizations in order for them to qualify to do business;
    2. Unnecessary experience and excessive bonding;
    3. Non-competitive pricing practices between firms, organizations, and affiliated companies;
    4. Non-competitive awards to consultants that are on retainer contract;
    5. Organizational Conflict of Interest;
    6. Specification of only a "brand name" product instead of allowing an "equal" product to be offered and describing the performance of other relevant requirements of the procurement;
    7. Overly restrictive specifications; and
    8. Any arbitrary action in the procurement process.

XIII. SCPa Works & WIOA Procurement Requirements:

A. The guidelines in this policy are to be recognized, understood, and utilized by all Federal funding subrecipients using WIOA funds to make a purchase within the SCPa Works service area.
B. All aspects of this policy are directly related to purchases of equipment, supplies, and services directly related to activities required for the operation and support of WIOA programming, and ultimately for the benefit of WIOA participants.
C. SCPa Works shall maintain written procurement procedures that comply with Federal and procurement laws and regulations, and include:
    1. Procedures to administer contracts and ensure that contractors and vendors perform in accordance with the terms, conditions, and specifications of all contracts.
    2. SCPa Works may designate existing partners or contracted vendors as grant subrecipients within grant applications.
    3. SCPa Works may braid additional funding streams, when awarded, into exiting existing programs provided that the vendor is identified as a subrecipient in the grant application or contract, is the successful proposer in an appropriate procurement process under this policy, or is otherwise approved as a noncompetitively procured vendor by the federal awarding agency or BWDA in writing.
        a. Braided funds may be added to existing WIOA contracts through the creation and implementation of contract addendums outlining:
            i. The braided funding strategy;
            ii. Cost allocations for each funding stream; and
            iii. Program expectations.
        b. Funds that are braided into existing WIOA contracts can be sourced from Federal, State, local, community-based, and privately funded grant awards.
    4. A board-approved Code of Conduct & Conflict of Interest Policy with clearly established firewalls for employees engaged in the award of agreements or administration to avoid any internal or external conflict of interest (SCPa Works Policy #P-28-11.22).
    5. Procedures that detail the requirement for a review of prospective SCPa Works procurements to avoid purchase of unnecessary or duplicate items.
    6. Procedures that promote the use of shared resources and common goods and services to eliminate the excess and duplicative purchases of resources, goods, and services.

a. SCPa Works will utilize Federal excess and surplus property in lieu of purchasing new material when possible.

7. Procedures that support SCPa Works' method of procurement, selection of agreement type, selection or rejection criteria, and the basis for the contract price.
8. Procedures that describe SCPa Works' approach to the settlement of procurement concerns, including those related to source evaluation, protests, claims, and disputes.
9. Procedures that implement the analysis of lease versus purchase alternatives to determine the most economical and practical procurement.
10. Procedures for conducting a price or cost analysis for every procurement action that exceeds the Small Purchases Threshold, which is currently set at $350,000.

D. SCPa Works shall apply the following requirements to procurement and agreements that are funded under WIOA:
1. Procurement contracts between SCPa Works and government agencies will be conducted on a cost-reimbursement basis. (20 CFR 683)
2. If a fixed-amount award from a government or nonprofit agency results in revenues in excess of the actual costs incurred, the excess revenues are considered to be SCPa Works program income. (20 CFR 683)
3. Local workforce investment plans must contain the competitive process used to award contracts funded under the WIOA and training services outside the Individual Training Account (ITA) (20 CFR 679.560[b][15]).
4. SCPa Works procurement requirements do not apply to the identification and contracting of eligible training providers, as the Commonwealth of Pennsylvania is responsible for creating, maintaining, and delivering the Pennsylvania Eligible Training Provider List (ETPL) for SCPa Works and contractor access.
   a. When services are rendered from an eligible training provider and funded through WIOA, SCPa Works will administer appropriate contractual agreements in alignment with specific WIOA programs and services.
5. SCPa Works shall initiate astute program oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of all aspects of contractual agreements.
6. SCPa Works shall maintain standards to ensure that WIOA-funded contracts are awarded to accountable service contractors that:
   a. Exhibit integrity;
   b. Comply with public policy;
   c. Produce a record of proven performance;
   d. Prove their availability of sufficient financial and technical resources; and
   e. Maintain the capacity to train highly effective workforce development teams.
7. SCPa Works shall maintain a formal agreement for services when a training provider is to deliver documentation of services in the form of a purchase order, contract, voucher, or other mechanism that provides for payment information.

XIV. Contract Provisions:

A. As a non-Federal recipient of a Federal award, SCPa Works shall include the following provisions in all contracts for procurement as described in Appendix II to 2 CFR 200:
1. Scope of work describing the good(s) and/or service(s) being procured;
2. Federal and state employer's tax identification number and nature of the company (non-profit, profit, local government);
3. Certifications, assurances, clauses, and conditions required by Federal, State, and local statutes, regulations, and policies;
4. The required contract budget;

5. State of financial, capability-certified financial statements or Single Audit report;
6. Required performance measures;
7. Reporting requirements;
8. Applicability and compliance with required statutes and regulations;
    a. Equal Employment Opportunities;
    b. Copeland Anti-Kickback Act;
    c. Davis Bacon Act;
    d. Compliance with all applicable standards, orders, or requirements issued under the Clean Air Act, Clean Water Act, and the Environmental Protection Agency regulations for contracts/grants exceeding $150,000;
    e. Mandatory standards and policies relating to energy efficiency that are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act;
    f. Patent rights;
    g. Copyrights and rights to data;
    h. Byrd Anti-Lobbying Amendment; and
    i. Debarment and suspension requirements.
9. Administrative, contractual, or legal remedies for violations, default, and/or breach of contract;
10. Termination for cause and for convenience;
11. Ownership and access to records and retention requirements;
12. Audit requirements;
13. Access by the grantee, federal, and state personnel or any of their duly authorized representatives to any books, documents, papers, and records of the contractors that are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions; and
14. Modifications to contracts.

XV. Potential Vendors (Contracted Service Providers):

A. SCPa Works has compiled and continually updates a list of potential vendors. This list consists of:
    1. Agencies that have demonstrated the ability to meet performance standards when operating WIOA programs;
    2. New agencies requesting inclusion on the vendor list; and
    3. Local public education agencies including:
        a. School districts;
        b. Vocational-technical schools;
        c. Intermediate units;
        d. Community colleges;
        e. University branch campuses and post-secondary colleges; and
        f. Universities approved by the Pennsylvania Department of Education.
    4. Agencies on the approved list of potential vendors are notified electronically of the publicly advertised solicitations which describe the RFP and indicates the availability and point of contact.
    5. Entities that notify SCPa Works of their desire to be included on the vendor list are added to the mailing list to receive notices of RFP or solicitations.
    6. SCPa Works routinely publishes notices of solicitations in local newspapers and on the SCPa Works website at www.scpaworks.org.
    7. SCPa Works may designate vendors as eligible grant subrecipients, and to designate vendors into grant applications with the intent of establishing said vendors as grant subrecipients. When designated as subrecipients, SCPa Works shall monitor and manage such subrecipients in accordance with the provisions of 2 CFR 200.331 and 332.

XVI. Methods of Procurement:

A. Micro-purchase: Less than $15,000
   1. Micro-purchases can be made without formal solicitation of competitive quotations provided that the price of the goods or services is reasonable.

B. Small Purchases: $15,000 to less than $350,000
   1. SCPa Works utilizes small purchase procedures for securing services, supplies, and property that does not cost more than the Simplified Acquisition Threshold, which is currently set at $350,000. (FMG p. 129)
   2. Purchases over $75,000 must be awarded through a contractual agreement and approved by the SCPa Works Board of Directors.
   3. SCPa Works ensures that when utilizing small purchase procedures, that multiple price or rate quotations are obtained from an adequate number of qualified resources, and then documented, analyzed, and accessed for the best possible price per value purchase.

C. Competitive Proposals: $350,000 and above
   1. SCPa Works shall develop RFPs when more than one source is submitting an offer to provide services that reflect a fixed-price or cost-reimbursement contract award.
      a. Purchases procured by competitive proposals must be awarded through a contractual agreement and approved by the SCPa Works Board of Directors.
      b. RFPs must be sent to all entities on the SCPa Works potential vendor list, as appropriate, and identify all evaluation factors and relative importance as related to the procurement of goods and/or services.
      c. All proposals must be considered to the maximum extent practical.
      d. Proposals must be solicited from an adequate number of qualified sources.
      e. SCPa Works awards contracts via a stringent review process of all proposals submitted in a timely manner from entities that meet the requirements specified in the RFP.
         i. SCPa Works shall ensure that each contract is awarded to the responsible entity whose proposal is most advantageous to the program, with price and other factors considered.
      f. SCPa Works shall ensure that all successful proposals reflect fair and reasonable compensation.

D. Sealed Bids: $350,000 and above
   1. This procedure is accomplished by way of publicly solicited bids resulting in a firm, fixed-priced contract that is awarded to the responsible bidder whose bid is lowest in price, and who also conforms with all material terms and conditions of the invitation for bids.
   2. Purchases procured by sealed bids must be approved by the SCPa Works Board of Directors.
   3. The sealed bidding method is the preferred method for procuring construction if the following conditions apply:
      a. A complete, adequate, and realistic specification or purchase description;
      b. Two or more responsible bidders that are willing and able to compete effectively for the business; and
      c. The procurement reflects a firm, fixed-price contract, and the selection of the successful bidder is made principally on the basis of price.
   4. If sealed bids are used, the following requirements apply:
      a. Bids must be solicited from an adequate number of known vendors, with sufficient

response time before the date set for opening the bids.

b. The invitation for bids must be publicly advertised;
c. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
d. Bids will be publicly opened at the time and place prescribed in the invitation to bid;
e. A firm, fixed-price contract award will be made in writing to the lowest responsive and responsible bidder; and
f. Any or all bids may be rejected if there are sound, documented reasons.

E. Noncompetitive Proposals:

1. SCPa Works utilizes non-competitive proposals under certain limited circumstances, with the justification for the provider selection to be properly documented and maintained.
2. Non-competitive proposals may be used only when one or more of the following circumstances apply:
   a. The good or service is available from only one source;
   b. Public exigency or emergency creates an immediate procurement need (e.g., a flood or fire requires the immediate availability of services);
   c. The federal awarding agency or BWDA authorizes the specific noncompetitive procurement in response to a formal written request for approval; or
   d. Competition is determined inadequate, usually after a sealed bid or competitive process has been used and there are insufficient bidders.
3. SCPa Works documentation of noncompetitive proposal purchases shall include:
   a. The reason for selecting the procurement method, including why procurement was infeasible under a competitive procurement method and which of the additional conditions the procurement met;
   b. The written authorization of the federal awarding agency or BWDA;
   c. The estimate of the potential purchase price;
   d. A copy of the RFQ/IFB/RFP;
   e. A determination of the responsibility of the vendor;
   f. Why the vendor was selected; and
   g. Copy of the award document.

XVII. Contract Cost and Price:

A. SCPa Works shall perform a cost or price analysis of the procurement of goods or services that are in excess of the Micro Purchases threshold.
B. SCPa Works shall negotiate profit as an element separate from the price of each contract in which there is no price competition, and in all cases where cost analysis is performed.
C. SCPa Works shall establish a fair and reasonable profit by taking into consideration the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of past performance, and industry profit rates in the surrounding geographical area for similar work.
D. Costs or prices based on estimated costs for contracts under a Federal award are allowable only to the extent that costs incurred, or cost estimates included in negotiated prices, would be allowable for SCPa Works under 2 CFR 200.400 et al. (2 CFR 200.324)
   1. The following summarizes SCPa Works' procurement principles that comply with the procurement principles of the FMG and 2 CFR Part 200:

Purchasing Authorizations & Actions Required by Value for SCPa Works

PROCUREMENT METHOD	COST LIMITS	LEVELS OF APPROVAL				ADDITIONAL REQUIREMENTS	CONTRACT/ AGREEMENT REQUIRED
		FISCAL	*CEO*	*RFP*	*BOD*		
Micro- Purchases	Less than $15,000	YES	YES	NO	NO	NONE	NO
Small Purchases	$15,000 - Less than $350,000	YES	YES	NO	Greater than $75,000	Written quotes from three (3) sources; evaluation of alternative sources based on procedure	YES
Competitive Proposals	$350,000 and above	YES	YES	YES	YES	Written quotes from three (3) vendors; evaluation of alternative vendors based on procedure.	YES
Sealed Bids	$350,000 and above	YES	YES	YES	YES	Three (3) formal written bids in response to an Invitation for Bid (IFB).	YES
Noncompetitive Proposals	Any amount	YES	YES	YES	Greater than $75,000	All bids and quotes obtained	YES

Guidelines for Identifying When a Contract is Required*

NO Contract Required	A single delivery of goods or service	Most Purchases Under $3,000	Not Project/Program Related	No Performance Outcomes	Goods or services less than $600 (in total by project or projects)
Contract Required	Multiple Deliveries	Most Purchases Over $3,000	Related to a Project/Program	Performance Outcomes Required	Goods or services more than $600 (in total by project or projects)

** These are general guidelines to use when procuring goods and services on behalf of SCPa Works to determine if a contract is required. In order to properly evaluate if a purchase requires a contract, multiple criteria may be considered in making a determination.*

XVIII. Subrecipient and Contractor Determinations for WIOA Adult and Dislocated Workers:

A. Within every contractual agreement for the disbursement of Federal program funds, SCPa Works will clearly identify the party receiving the funds by indicating the party's status as a subrecipient or a contractor.

B. SCPa Works will ensure that judgment is used to accurately classify each contract as a subaward or a contract.
C. SCPa Works shall properly classify eligible providers as subrecipients. (2 CFR 200.331)
D. SCPa Works shall maintain comprehensive oversight and monitoring of WIOA Adult and Dislocated Worker programmatic operations and administration.

XIX. Selection of Eligible Program Providers of Youth Workforce Investment Activities:

A. SCPa Works shall select WIOA Youth Workforce Investment Activities ("Youth Program") service providers based on a competitive procurement process in alignment with Federal, State, and local laws, regulations, and guidelines.
B. Proposals submitted in response to RFPs, along with staff rating sheets and recommendations, will be forwarded to the Youth Committee, or such other panel that may be created by SCPA Works for RFP evaluation, for review and selection.
C. The Youth Committee or other applicable panel recommendations will then be submitted to the Executive Committee for review and recommendation to the SCPa Works Board of Directors for final approval.
D. All Youth Program contracts shall be ratified by the LEO.
E. SCPa Works shall consider the capacity of potential providers to meet performance accountability measures based on primary indicators of performance for Youth Workforce Investment Activities as set forth in WIOA Sections 102 and 116.
F. SCPa Works shall maintain comprehensive oversight and monitoring of WIOA Youth programmatic operations and administration.

XX. Selection of One-Stop Operators:

A. SCPa Works shall designate and certify a One-Stop Operator who exhibits the following eligibility criteria:
    1. Uniform evaluation of proposals submitted through a competitive process; and
    2. Demonstrated effectiveness as indicated through past practice and documentation within competitive proposals.
B. Selected One-Stop Operators contracted to provide services under SCPa Works WIOA funding are required to:
    1. Disclose actual and potential conflicts of interest that may arise from relationships between the One-Stop Operator with individual SCPa Works training service providers and other service providers;
    2. Avoid the establishment of practices that create disincentives to providing services to individuals with barriers to employment who may require longer-term services, such as intensive employment, training, and education services; and
    3. Comply with all State and Federal statutes, regulations, and procurement policies relating to the calculation and use of profits.

XXI. Post-Award Administration:

A. SCPa Works shall apply active diligence to oversight and monitoring of all aspects of contract performance, administration, and operations of WIOA-funded activities.
    1. Monitoring and oversight shall include the review of participant files, online system of record review, One-Stop activities, fiscal activities, performance measures, and all additional components of contracted service provider activities.
B. SCPa Works shall provide technical assistance to contractors and subrecipients as required and upon request.
C. SCPa Works shall provide programmatic monitoring, performance analysis, and regular review of documentation and monthly reports.

XXII. Delivery of Services:

A. SCPa Works acknowledges that career services, as described in WIOA Section 134(b), for eligible adult and dislocated workers, shall be provided through the One-Stop delivery system to ensure that Adult and Dislocated Worker Career Services are provided:
   1. Directly through One-Stop centers identified pursuant to WIOA Section 121(d), or
   2. Through contracts with contracted service providers, approved by the SCPa Works Board of Directors.

XXIII. Provision of Training Services:

A. Training services for WIOA-eligible Adults, Dislocated Workers, and Out-of-School Youth participants shall be provided by SCPa Works through the administration of an ITA contract signed by all parties, including the contracted service provider and the program participant.
B. Training services provided with the SCWDA that are funded by WIOA must be directly linked to an in-demand industry sector or high-priority occupation.
C. All ITA prerequisites and contractual requirements, as indicated in the SCPa Works ITA Policy #P-17-2.22, must be fulfilled by all parties to the contract prior to contract approval,
D. The ITA contract is a pay-for-performance contract.

XXIV. On-the-Job Training Contractual Provision of Services:

A. On-the-Job Training (OJT) contracts cover a variety of services provided to WIOA-eligible Adults, Dislocated Workers, and Out-of-School Youth.
B. All OJT contract requirements must be fulfilled prior payment.
C. All parties to the OJT contract must collectively achieve the prerequisites to training and contractual requirements, as stated in the SCPa Works OJT Policy #P-15-2.22, prior to contract approval by SCPa Works.

XXV. Actions to Correct Contracts:

A. Contracts awarded by SCPa Works shall be reviewed on an annual basis by the SCPa Works Compliance Department.
B. When SCPa Works identifies a contract that is not in compliance, the following shall be implemented by SCPa Works:
   1. All parties to the contract shall be notified of the noncompliance.
   2. The funder of the contract shall be notified of the noncompliance.
   3. If required, the vendor shall be issued a request for re-payment of disallowed costs.
   4. SCPa Works shall implement corrective action as required, up to and including termination of the contract if the noncompliance is not resolved.

XXVI. Procurement of Goods and Equipment:

A. SCPa Works shall adhere to the policies of the FMG pertaining to the purchases of goods and equipment. Accordingly, SCPa Works procedures for procurement of goods or equipment are as follows:
   1. If the goods or equipment is listed with COSTARS, the goods or equipment are to be purchased from the approved vendor at the price set forth in COSTARS.
   2. If equipment is over $10,000 per unit, BWDA must approve the purchase.
   3. If the goods or equipment is not listed on COSTARS and the price is below $10,000 per unit or in the aggregate, SCPa Works can purchase the goods or equipment directly from a qualified vendor if the price is reasonable.
   4. If the goods or equipment is not listed on COSTARS and the price is over $10,000 per unit or in the aggregate, but less than $350,000 SCPa Works will:
      a. Obtain three (3) competitive bids from qualified vendors; and

b. Obtain approval to purchase equipment from BWDA if the price exceeds $10,000.

XXVII. Purchase Order Issuance & Approval:

A. All goods and equipment purchases over $10,000 must be listed on a Purchase Order.
   1. All Purchase Orders must be reviewed by the fiscal department funds availability and approved by the SCPa Works Chief Executive Officer.

XXVIII. Department of Human Services (DHS) RFPs:

A. In addition to the RFP procedures of SCPa Works, proposals for programs utilizing DHS funding, along with staff evaluation information and recommendations, shall be forwarded to the DPW-LMC for review and action.
B. Upon concurrence by the LMC, SCPa Works shall negotiate a contract with the successful vendor for approval by the SCPa Works Board of Directors.

XXIX. Record Retention:

A. Except as otherwise may be required by the FMG, the Uniform Guidance, the Federal funding agency, or BWDA, SCPa Works shall retain records for a period of at least six (6) years from the end of the contracted period.
B. SCPa Works shall retain records beyond the prescribed period in the case of litigation or other claim involving the grant or agreement covered by the records, in the event that SCPa Works is notified in writing by the Federal awarding agency or BWDA to extend the retention period, or if required pursuant to an audit of SCPa Works.
   1. In these instances, SCPa Works shall ensure that records are retained until the litigation, audit, or claim has been finally resolved, or the directive has been rescinded.
C. SCPa Works shall maintain procurement records that include the following minimum content and information:
   1. Identification of procured goods or services and supporting information of the need for procurement
   2. Proof of publication of RFPs and IFBs
   3. Identification of potential providers
   4. The RFPs or IFBs as applicable
   5. A summary of all bidders' or proposers' conferences listing attendees, questions presented, and responses thereto
   6. Responses to RFPs or IFBs as applicable
   7. Evaluations of proposals and bids, and requests by proposers or bidders for additional information
   8. Related correspondence
   9. Letters of status determination
   10. Recommendations by staff
   11. Determinations and awards
D. SCPa Works shall maintain a closeout contract file that includes official notices of when contracts have completed the closeout cycle to include releases of liabilities, records, and payments, and the transfer of financial and participant records where applicable.

E. **Return of Records.** In the event of the termination of the relationship with a contractor por subrecipient, SCPa Works shall remain responsible for the maintenance and retention of the records of any contractor or subrecipient unable to retain the records.

XXX. Award Notification and Contract Negotiations:

A. All proposers or bidders will be notified in writing of their approval or rejection as soon as possible.

B. Upon notification of approval, SCPa Works will commence contract negotiations with the successful proposer or bidder to establish technical requirements, schedules, participant requirements, costs, terms, reports, payments, etc.
C. No contractor activity will begin until a contract has been fully negotiated and executed by all parties.

XXXI. Certification:

A. All contracts shall contain certifications by the contractor or subrecipient regarding the Federal Lobbying Act, Debarment, tax liabilities or delinquent obligations, suspension and ineligibility, concurrence of the collective bargaining agent, and grievance policy for trainees/participants, and all other applicable provisions and certifications provided in 2 CFR 200, Appendix II.
B. SCPa Works contractors and subrecipients must follow all Federal guidelines regarding personally identifiable information, and must read, sign, and maintain compliance with the SCPa Works Personally Identifiable Information Policy #P-3-2.22.

XXXII. Protests, Disputes, and Claims:

A. All protests, disputes, and claims arising from procurements shall be resolved as follows:
    1. Within ten (10) business days of receipt of the notice of rejection, the unsuccessful proposer or bidder (as applicable, the "Appellant") must submit a letter to SCPa Works detailing the basis of the appeal that includes supporting documentation.
    2. Upon receipt of the appeal, SCPa Works will schedule a meeting with the Appellant to attempt to informally resolve the appeal.
    3. In the event that the appeal cannot be resolved informally, a hearing before the SCPa Works Executive Committee shall be scheduled within ten (10) days of the meeting set forth in Subparagraph 2.
    4. Both SCPa Works and the Appellant shall be entitled to present evidence in the form of testimony and documents at the hearing to support their positions, and to be represented.
    5. A final decision will be issued by the SCPa Works Executive Committee within thirty (30) days of the hearing.
    6. The Appellant shall have thirty (30) calendar days from the date of the decision of the SCPa Works Executive Committee to file an appeal with BWDA.
B. Grievance Procedures:
    1. SCPa Works shall follow established grievance procedures in accordance with the following policies:
        a. SCPa Works Training Provider Grievance Policy #P-10-6.22
        b. SCPa Works Program Participant Grievance Policy #P-11-10.22
    2. Disputes arising out of procurement conducted by SCPa Works shall be resolved in accordance with the procedures set forth in Article XXXI.

XXXIII. Stevens Amendment:

A. WIOA programs administered by SCPa Works are federally supported by the U.S. Department of Labor in the amounts set forth in the current Consolidated Appropriations Act enacted annually by the U.S. Congress.
B. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, SCPa Works shall clearly state:
    1. The percentage of the total costs of the program or project which will be financed with Federal money;
    2. The dollar amount of Federal funds for the project or program; and
    3. The percentage and dollar amount of the total costs of the project or program that will be

financed by non-governmental sources.

XXXIV. Buy American Requirements:

A. No Federal funds may be expended by SCPa Works or any contractor or subrecipient unless it has agreed to comply with Sections 8301 through 8303 of the Buy American Act, 41 U.S.C. 8301-8305.

B. In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds made available under WIOA or under the Wagner-Peyser Act, SCPa Works shall use such funds to purchase only American-made equipment and products. (WIOA Section 502)

XXXV. Summary of Changes: This policy shall be reviewed annually.

Date of Change:	Changed by:	Summary of Change(s):	Effective Date
01/26/2023	Saranne Miller	Completed edits as per Hillary Lyle, SCPa Works Director of Strategic Initiatives.	02/04/2023
7/18/2023	Saranne Miller	Page 5-6: Added braided funding strategy content Page 8: Added pre-award vendor designation	11/09/2023
11/1/2023	Katie Lentz	Accepted track changes from legal counsel Methods of Procurement: Corrected threshold amounts Fixed formatting, spacing and page breaks SCPa Works & WIOA Procurement Requirements: Added "or contracts"	11/09/2023
09/09/2025	Saranne Miller	1. Section VIII – added section as per state compliance and in adherence to 2 CFR 200 Subpart F to reflect that SCPa Works commits to the audit requirement of conducting a single or program-specific audit in accordance with the provisions of the CFR. In addition, this section describes the completion of a single audit once every two years using a contracted certified public accountant. Narrative for this new section was adopted from the Commonwealth FMG, page 107, and 2 CFR Part 200 Subpart F. 2. Section XXXII - Added Grievance Procedures	11.06.2025
03.25.2026	Saranne Miller	Reviewed for updates. Updated the FMG reference to reflect the 2026 edition of the PA DLI FMG. Board approval is not necessary.	03.25.2026

05.21.2026	Saranne Miller	**Definition Changes: Section IX(I)** 1) Section IX(I), under "*Equipment,"* the dollar amount has been revised to "$10,000" 2) Section IX(O), under *"Micro-Purchase Threshold,"* the dollar amount has been revised to "less than $10,000" 3) Section IX(Z), under *"Small Purchase Procedures,"* the dollar amount has been changed to "more than $350,000" 4) Section IX(CC), under *"Supplies,"* the dollar amount has been revised to "$10,000" contingent on the alignment of the same change in the SCPa Works Financial Management Policy **Expenditure Maximum Change** 5) Section XII(C)(10) has been revised "$350,000" 6) Section XIV(A)(8)(d) has been revised, based on updates through the Clean Air Act, Clean Water Act, and the Environmental Protection Agency regulations, to "$150,000" 7) Section XVI(A) has been revised to "Less than $15,000" 8) Section XVI(B) has been revised to "$15,000 to less than $350,000" 9) Section XVI(B)(1) has be revised to "set at $350,000 10) Section XVI(B)(2) will be revised to "$75,000" based on the recommendation of the Financial Director and contingent on the revision of the SCPa Works Financial Management Policy to reflect the same dollar amount requiring a contractual agreement and approval from the full Board. 11) Section XVI(C) has been revised to "$350,000 and above" 12) Section XVI(D) has been revised to "$350,000 and above" 13) Section XVII collectively reflects and aligns with all revisions completed in section XVI, as listed above 14) Section XXVI(A)(2) has been revised to "$10,000" 15) Section XXVI(A)(3) has been revised to "below $10,000" contingent on the revision of the SCPa Works Financial Management Policy. 16) Section XXVI(A)(4) has been revised to "over $10,000" and "but less than $350,000" 17) Section XXVI(A)(4)(b) has been revised to "$10,000" 18) Section XXVII(A) has been revised to "$10,000" contingent on the revision of the SCPa Works Financial Management Policy **General Revision** 19) Section XXIII(C) has been revised to remove narrative due to an irrelevant process that is not in place. The full Board does not approve ITAs.	TBD