



## Workforce Innovation and Opportunity Act (WIOA) Title I Policy

Subject: **One-Stop Operator Procurement Policy**

Number/Reference: **WIOA 121(d)**

Effective Date: **6/9/2017**

Revision # **Original**

### Overview

The One-Stop Operator coordinates the service delivery of participating WorkSource Oregon (WSO) Center partners and service providers and other duties identified by Local Workforce Development Boards (WDBs) in each local area. The Workforce Innovation and Opportunity Act (WIOA) requires that Local WDBs use a competitive process for the selection of a One-Stop Operator. Competitive selection of One-Stop Operators is intended to improve the ability of Local WDBs to regularly examine performance and costs against original expectations.

### Policy Statement

Local Workforce Development Boards (WDBs) must select their One-Stop Operator through a competitive process at least once every four years (WIOA sec. 121(d)(2)(A)). The competitive process must comply with 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900. As part of that competitive process, Local WDBs are required to clearly articulate the expected role(s) and responsibilities of the One-Stop Operator (20 CFR § 678.620(a)) and include the role(s) and responsibilities in the resulting contract.

All One-Stop Operators must be in place and operating in the WSO Centers no later than July 1, 2017 (20 CFR § 678.635).

In Oregon, Local WDBs can only serve as a One-Stop Operator through a sole source process with approval of the Chief Elected Official (CEO) and the Governor after the failure of the initial competitive process to result in an entity capable of carrying out the duties of the One-Stop Operator.

### Eligible Entities

One-Stop Operators may be a single public, private, or non-profit entity or consortium of entities. However, if a consortium of entities consists of WSO Center partners, it must include a minimum of three of the required WSO Center partners listed in WIOA sec. 121(b)(1). The types of entities eligible to be a One-Stop Operator include the following (WIOA sec. 121(d)(2)(B)):

- Government agencies or governmental units such as: local or county governments, school districts, state agencies, and federal WIOA partners;
- Employment Service state agencies under the Wagner-Peyser Act, as amended by title III of WIOA;
- Educational institutions, such as: institutions of higher education, nontraditional public secondary schools such as night schools, and area career and technical education schools (however, elementary and other secondary schools are not eligible to become a One-Stop Operator); □  
Community-based organizations, nonprofit entities, or workforce intermediaries; □  
Private for-profit entities;

- Other interested organizations that are capable of carrying out the duties of the One-Stop Operator as identified in Training and Employment Guidance Letter WIOA No. 15-16, Competitive Selection of One-Stop Operators; and
- Local WDBs, if approved by the CEO and the Governor as required in WIOA sec. 107(g)(2).

As stated above, a Local WDB can serve as a One-Stop Operator, but they cannot participate in the initial competitive process. Local WDBs wanting to serve as One-Stop Operators must follow the process in Attachment A.

Local WDBs must ensure that, in carrying out WIOA programs and activities, One-Stop Operators adhere to the following (20 CFR § 678.600):

- Disclose any potential conflicts of interest arising from the relations of the One-Stop Operator with particular training service providers or other service providers in accordance with 2 CFR § 200.318.
- Do not establish practices that create disincentives to providing services to individuals with barriers to employment.
- Comply with federal regulations and procurement policies relating to the calculation and use of profits as outlined in 2 CFR § 200, including the Department of Labor specific requirements at 2 CFR part 2900.
- Adhere to any applicable firewalls or internal controls.

Local WDBs must retain extensive written documentation of the procurement process (20 CFR § 678.605(d) and 678.610(b)). Local WDBs must also make available to the public, through electronic means and open meetings, information regarding their selection of One-Stop Operators (WIOA sec. 107(e)).

### **Action(s)**

Each Local WDB will implement a competitive process to select a One-Stop Operator for their Local Area. Each Local WDB will enter into a contract with the selected One-Stop Operator and have the OneStop Operator in place by July 1, 2017 and repeat the process at least once every four years.

### **Contact**

[hecc.owi-workforce-policy@hecc.oregon.gov](mailto:hecc.owi-workforce-policy@hecc.oregon.gov)

(updated 6/15/2020)

### **Attachments/Additional Resources/References**

#### **A. Process for Local Workforce Development Boards as One-Stop Operator**

- Training and Employment Guidance Letter WIOA No. 15-16, Competitive Selection of One-Stop Operators
- Training and Employment Guidance Letter WIOA No. 16-16, One-Stop Operations Guidance for the American Job Center Network

## **Attachment A – Process for Local Workforce Development Boards as One-Stop Operator**

Upon failure of the initial competitive process to result in an entity capable of carrying out the duties of the One-Stop Operator, a Local Workforce Development Board (WDB) can serve as a One-Stop Operator with approval of the CEO and the Governor. Local WDBs wanting to serve as One-Stop Operators must:

- Submit email request to the email address under the Contact section of the Policy to begin the Governor's review and approval process.
- Submit all materials related to the initial procurement process including an analysis of the failed One-Stop Operator procurement.
- Submit sole source documentation regarding the Local WDB as One-Stop Operator.
- Submit letter indicating approval of the Local WDB as One-Stop Operator from the Local Area CEO.
- Submit description of how potential conflicts of interest will be addressed.

The Governor will make a determination within 30 days of the receipt of the materials described above. If approved, the Local WDB will become the One-Stop Operator immediately.