

TABLE OF CONTENTS

	<u>Page</u>
1. Contract Period	1
2. Contract Review	1
3. Contract Manager	1
3.1 Designated Contract Manager	1
3.2 Contract Manager Name.....	1
3.3 Department's Contract Manager.....	1
3.4 W-2 Contract Agency's Contract Manager	2
4. W-2 Administrator	2
5. Notices Relating to Termination, Breach, Noncompliance, or Failure Penalty	2
6. Captions.....	2
7. Performance Measures	2
7.1 Performance Standards.....	2
7.2 Incentive Earnings	2
8. Compliance with Policies for W-2 and Related Programs.....	3
8.1 Compliance with All Contract Terms and Conditions	3
8.2 Program Management	3
8.3 Financial and Administrative Management and Operations	3
9. Policy Change.....	3
9.1 Department's Policies and Procedures.....	3
9.2 New Policy Mandate	4
9.3 Adopting New Policies	4
9.4 Proposed New Policies and Procedures	4
9.5 Required Training for W-2 Contract Agency Staff	4
9.5.1 Department Directed.....	4
9.5.2 W-2 Contract Agency Role	4
9.5.3 Department Review	5
10 Funding Change	5
11. W-2 Plan to Administer W-2 and Related Programs	5
11.1 W-2 Plan Documents	5
11.2 Property of the Department.....	5
11.3 W-2 Plan Administration	5
11.4 Scope of Work.....	5
11.5 W-2 Plan Modification	5
11.5.1 W-2 Contract Agency Initiated	5
11.5.1.1 Proposed Substantive Plan Modification.....	5
11.5.1.2 Updates to the W-2 Plan	6
11.5.2 Department Initiated.....	6
11.5.2.1 Modifications - Substantive.....	6
11.5.2.2 Modifications Relating to the Contracting Process.....	6
12. Contract Interpretation	6
13. W-2 Contract Agency Structure.....	6
13.1 Duly Incorporated and Registered	6
13.2 Single Organization Unit	6
13.3 W-2 Contract Agency Director	6
13.4 Private Agency Board Oversight and Independence.....	7
14. Subcontracts.....	7
14.1 Requirements.....	7
14.2 Prior Costs	7
14.3 Compliance	7
14.4 Subcontracting by Subcontractors	7
14.5 Responsibility.....	7
14.6 Non-discrimination Against an Organization	8
14.7 Non-discrimination Against an Applicant or Participant.....	8
14.8 Fiscal and Accounting Standards	8
14.9 Subcontract Audits.....	8
14.10 Subcontractor Monitoring.....	8

15. Records.....	8
15.1 Maintenance.....	8
15.2 Availability	9
15.3 Retention.....	9
15.4 Confidentiality.....	9
15.5 Data Sharing Agreement	9
16. On-Site Visits	9
17. Records of Contract Compliance Issues, Monitoring and Corrective Action.....	9
17.1 Records of Contract Compliance Issues	9
17.2 Monitoring	10
17.2.1 Contract Compliance	10
17.2.2 Annual Reviews	10
17.2.3 Financial Monitoring.....	10
17.2.4 Use of Tester for Monitoring	10
17.2.5 Corrective Action Plan	10
17.2.6 Failure	10
17.3 Corrective Action Outside of Monitoring Reviews	10
17.3.1 Opportunity for Corrective Action Plan	10
17.3.2 Requirement	11
17.3.3 Failure	11
17.4 Payment Adjustments for Failure to Take Corrective Action.....	11
18. Failure Penalty	11
18.1 Investigation	11
18.2 Procedure.....	11
18.3 Penalty Amounts	11
19. Inability to Perform.....	12
20. Termination of Contract	12
20.1 Without Cause.....	12
20.2 Uncorrected Nonperformance	12
20.3 Substantial Noncompliance	12
20.4 Cancellation	12
20.5 Reimbursement.....	12
20.5.1 Requirement	12
20.5.2 Discretion of the Department	12
20.5.3 Determination of Closeout Payments	12
20.6 Performance Surviving Termination	12
20.7 Replacement W-2 Contract Agencies after a Contract Termination	13
20.7.1 Selection Process	13
20.7.2 Department Administration	13
21. Coordination and Cooperation.....	13
21.1 Partner or Successor Agency	13
21.2 Workforce Investment Act Coordination	13
21.3 Cooperation with Other Programs	13
21.4 Job Center Integration	13
21.5 Child Welfare Coordination.....	14
21.6 Coordination with Other Employment and Training.....	14
22. Funding Available	14
22.1 Requirements.....	14
22.2 Tribal Temporary Assistance for Needy Families Program.....	14
23. Cost Allocation Requirements	14
24. W-2 Agency Procurement Activities	14
24.1 Requirements.....	14
24.2 Equipment.....	14
25. Minority Business Enterprises	15
25.1 State Goal	15
25.2 Identification of MBE Subcontractors.....	15
25.3 Certified Minority Businesses.....	15
26. Payment.....	15
26.1 Contract Total.....	15
26.2 Advance Payments	15
26.3 Recovery of Advance Payments.....	15

26.4	Expenditure Report	15
26.4.1	Initial Due Date	15
26.4.2	Timely Reimbursement	15
26.4.3	Incomplete Reporting	16
26.4.4	Final Due Date	16
26.5	Funding Adjustments with the Base Allocation	16
26.6	Benefits Paid	16
26.7	Final Expense Reporting	16
26.8	Submitted Expenses	16
26.8.1	Allowable Expenses	16
26.8.2	Adjustments to Expenditure Reports	16
26.8.3	Method for Reporting Expenses	17
26.8.4	Consistent with Cost Allocation	17
26.8.5	Unauthorized Costs	17
26.8.6	Informational Reporting	17
26.8.6.1	Selected Costs	17
26.8.6.2	Accruals	17
26.8.7	Spending Caps for Selected W-2 Costs	17
26.9	Administration Costs	18
26.10	Payment Adjustments	18
26.10.1	Adjustments with Corrective Action Opportunity	18
26.10.2	Adjustments without Corrective Action Opportunity	18
26.10.3	Federal Recovery	18
26.11	Early Spending with Approved Transition Plan	18
26.12	W-2 Contract Agency Employee Compensation	18
27.	Audit and Audit Liabilities	19
27.1	Annual Audit	19
27.2	State or Federal Auditors	19
27.3	State or Federal Audit Exceptions	19
27.4	Resolution of Federal Audit Exceptions	19
28.	Civil Rights Compliance Plan (Federal)	19
29.1	Submittal	19
29.2	Combined Plan	19
29.	Language Access Plan	19
30.	Nondiscrimination/Affirmative Action (State)	19
30.1	W-2 Contract Agency Agreement	19
30.2	Written Plan	20
30.3	Posting of Notice	20
30.4	Failure to Comply	20
30.5	W-2 Participants	20
30.6	Combined Plan	20
31.	Health and Safety	20
31.1	Health and Safety Requirements	20
31.2	Pro-Children Act of 1994	20
32.	Open Records Law and Confidentiality	20
33.	Reference to the State of Wisconsin	21
34.	Proprietary Information	21
34.1	Requirements	21
34.2	State Property	21
35.	Duty to Disclose Potential Claims	21
35.1	Statement	21
35.2	Continuing Duty to Disclose	21
36.	Indemnification	21
37.	Insurance Responsibility	21
37.1	Worker's Compensation	21
37.2	Other Insurance	22
37.3	Bonding	22
38.	W-2 Contract Agency Tax Delinquency	22
39.	Copyright and Publication Rights	22
39.1	Legal Rights	22
39.2	Data Gathering Instrument	22

40. Disclosure of Independence and Relationship	22
40.1 No Relationship	22
40.2 Department Regulation, Funding or Adverse Interests	23
41. Dual Employment	23
42. Conflict of Interest	23
43. Independent Capacity	23
44. Contract Administration	23
45. American Indian Tribe - Lobbying	23
46. Applicable Law	23
47. Severability	23
48. Assignment	23
49. Time is of the Essence	23
50. Waiver	24
51. Employment	24
52. Disclosure	24
52.1 Appropriate Disclosure Requirements	24
52.2 Separate Disclosure Requirements	24
53. Disputes	24
53.1 Exclusive Method	24
53.2 Chief Legal Counsel	24
53.3 Timing of Complaint	24
53.4 Other Remedy	24
54. Documents and Changes Incorporated into the Contract	24
54.1 Forms Incorporated into the Contract	24
54.2 Changes in Incorporated Documents	25
54.2.1 Material Changes	25
54.2.2 Agency Identification Form	25
54.3 Documents Incorporated into the Contract	26
54.3.1 Appendices	26
54.3.2 Other Documents	26
55. Office of Management and Budget (OMB) Circulars	26
56. Contracting Process of Subsequent Contracts	26

Appendices and Attachments to the Contract:

Appendix A: Allocations for the 2006-2007 Period of the 2006-2009 Contract

Appendix B: Performance Standards

Appendix C: Incentive Information Map

Appendix D: Spending Caps

Appendix E: Definitions and Acronyms

Appendix F: Monthly Outcome Measures

Attachment A: Advance Payment Options for the 2006-2007 Period of the 2006-2009 Contract

Attachment B: DWD/DWS Worker's Compensation Coverage Applications