

Part One: About Re-contracting

Section One: General Information

1. Introduction

1.1 Purpose

The purpose of these Re-contracting Instructions is to provide directions for submission of Right of First Selection (RFS) Wisconsin Works (W-2) and Related Programs Plans for the period January 1, 2010 through December 31, 2011.

These Re-contracting instructions apply to RFS Agencies who intend to continue to operate the W-2 program in 2010-11. Any and all portions of the W-2 Request for Proposal apply for purposes of administering the W-2 program.

There are four types of W-2 Contract Agencies:

- Balance of State (BOS) W-2 Agencies;
- Milwaukee W-2 Eligibility and Assessment Agency;
- Milwaukee W-2 Employment Agencies; and
- Milwaukee Supplemental Security Income (SSI)/Social Security Disability Insurance (SSDI) Advocacy Agency

All four types of agencies are collectively referred to as W-2 Contract Agencies.

W-2 and Related Programs include W-2, Job Access Loans (JALs), Refugee Cash Assistance (RCA), Refugee Medical Assistance (RMA), Emergency Assistance (EA), Child Care eligibility and the optional programs of Children First and Contracted Child Care.

Any changes to the Re-contracting Instructions, including items that are pending in the Wisconsin Biennial Budget Act, will be issued as an addendum to these instructions.

1.2 W-2 Overview

W-2, from its inception, has been designed to assist with connecting eligible parents to the workforce. The past 12 years of program implementation have reinforced the importance of connecting parents to employment and providing the necessary on-going supports to keep parents working and make work pay.

W-2 Contract Agencies should provide high quality services using the following basic assumptions.

- **Work is the best way for parents to support their families.** Getting a job is the first step in the process of achieving economic stability. W-2 assists parents with preparing for, finding and maintaining consistent employment. W-2 also works with parents who are unable to work due to a disability by assisting these parents with navigating the

Supplemental Security Income and Social Security Disability Insurance application process.

- **Family income should improve when parents work.** W-2's goal is to have parents get the best possible job. W-2 also helps parents access work supports (e.g. Earned Income Tax Credit [EITC], FoodShare [FS], BadgerCare [BC], Child Support [CS] and Wisconsin Shares Child Care) that will support keeping them employed.
- **Consistent work is essential for parents to achieve economic stability.** W-2 commits to working with parents before and after they find a job. W-2 supports job retention and advancement in a variety of ways because individual progress toward independence and prosperity is a process. W-2 connects interested parents to needed education and training either before or after gaining employment, in order to help them move forward to better employment.
- **W-2 participants are parents as well as job seekers.** Working parents have multiple family and work obligations. W-2 works with parents to identify strategies to enable them to balance work and family. W-2 also assists parents who are connected to other programs or supports integrate those activities with the family's service plans.
- **Eligible parents must be willing to participate in exchange for W-2 benefits.** Parents across the state have access to individualized quality services. Parents, for their part, must participate to the best of their abilities.
- **Families benefit from participating in W-2.** W-2 assists parents with identifying their goals and locating needed resources. During each interaction, W-2 works to ensure parents understand their choices and the resulting consequences. This approach empowers parents to make informed decisions that strengthen their family. W-2 works with both custodial parents in a two-parent family and extends services to non-custodial parents when appropriate.
- **W-2 matches the needs of working parents with the needs of local employers.** W-2 Agencies operate cooperatively within the larger community. W-2 objectives are best achieved by understanding the needs of local employers and matching that need with the skills and interests of W-2 participants.

The focus of this contract is on:

- Helping applicants and participants obtain employment;
- Making sure that employment is the best job (both in pay and in benefits) the parent can find;
- Helping parents keep consistent employment and advance in the workforce; and
- Providing assistance in obtaining SSI/SSDI for those participants with multiple and severe barriers to employment

All of these services require providing individualized case management.

The Department expects organizations funded under the 2010-11 W-2 Contract to provide services that are strengths-based, family-centered and consistent with parents' interests and goals. The agency must also focus on ensuring that parents work cooperatively with W-2 Contract Agency staff to participate in assigned activities. This focus will identify and build on the strengths and skills of parents and families and ensure agency and parent accountability that result in successful outcomes for families. All services must be provided in a culturally and linguistically competent manner and be accessible for qualified refugees, former refugees and others with limited English proficiency.

Improved Outcomes for all W-2 Agencies:

- Updated performance standards focusing on successful outcomes for participants;
- New rating scale for performance standards which encourages agencies to meet and exceed performance benchmarks;
- The ability to use performance standards ratings obtained in the 2010-11 Contract as additional points in the agency's 2012 W-2 proposal;
- New Incentive Pool with additional program funding for any agency that meets or exceeds identified performance standards;
- Increased emphasis on efficient provision of services through the encouragement of the expansion of consortia for balance of state geographic areas with few W-2 paid and unpaid participants;
- The ability to have balance of state consortia for the 2010-11 Contract cross Workforce Development Areas; and
- Child Care eligibility will remain as a related program however; there will be a separate allocation for Balance of State Agencies. In Milwaukee, child care eligibility funding will be contracted directly to the Department of Health Services.

1.3 Service Integration, Coordination and Cooperation

To meet each family's needs, the Department requires each W-2 Contract Agency to integrate services through coordination and cooperation with the public workforce system, the child welfare system, and with other workforce support service providers.

Service integration is intended to ensure that W-2 Contract Agencies and other service providers are working together with families to identify services and develop plans that are consistent and that move the family toward economic stability. This may be accomplished through a variety of co-case management strategies with families involved in multiple programs.

1.3.1 Service Integration and the Public Workforce System

The W-2 Contract Agency is required to co-locate W-2 employment and training services and staff in a Job Center when a Comprehensive Job Center exists within the W-2 service delivery area (and when co-location is not cost prohibitive to the W-2 Contract Agency). When co-location is not possible, the W-2 Contract Agency

is required to be connected to the Job Center system through its affiliated sites.

The Department requires the contract agency to demonstrate integration of services with:

- a) The Job Center system.
- b) Employment and Training Services, such as:
 - Job Service programs;
 - FoodShare Employment and Training (FSET) programs;
 - Refugee Employment and Training providers, and other services provided by Voluntary Resettlement Agencies (VOLAG) and Mutual Assistance Associations (MAA);
 - Workforce Development Boards and services provided through the Workforce Investment Act (WIA) Programs, including Youth, Adult and Dislocated Work Programs;
 - Adult literacy providers;
 - Adult job training administered by the Technical Colleges;
 - Regional Industry Skills Education (RISE) Partnership for Wisconsin;
 - Vocational rehabilitation administered by the Department of Workforce Development's Division of Vocational Rehabilitation (DVR);
 - Veteran's Employment and Training;
 - Job Center Employer Relations Teams;
 - Community Action Program (CAP) Agencies; and
 - Other local and regional business associations, community based organizations, and economic development programs

1.3.2 Service Integration with Other Workforce Support Service Providers

The Department requires W-2 Contract Agencies to coordinate delivery of W-2 and Related Programs and demonstrate integrated services with other workforce support service providers including:

- a) County/Tribal administered programs:
 - FoodShare;
 - BadgerCare Plus and Medicaid;
 - Child Support; and
 - Child Care administration
- b) CAP Agencies.
- c) Refugee Employment and Training programs, such as VOLAG's, and MAA's that provide job readiness and post employment services.

- d) Other workforce support services that provide additional support focused on ensuring success in the workforce:
- Federal EITC and Wisconsin Earned Income Credit programs;
 - Adult literacy services;
 - Transportation services;
 - Housing services;
 - Domestic violence services;
 - Mental Health services, including refugee mental health programs;
 - AODA services;
 - Emergency services; and
 - Other services including volunteer organizations

1.3.3 Service Integration and Child Welfare Services

The Department requires W-2 Contract Agencies to coordinate delivery of W-2 and Related Programs and demonstrate integration of services with the local Child Welfare Agency and any local child abuse and neglect prevention services. Coordination of services with the local Child Welfare Agency must be provided for families currently receiving services from both programs and families who have received services from both programs during the past three months. For families receiving services from both programs in the past three months, service receipt need not be simultaneous.

Coordinating/integrating services with child welfare includes but is not limited to:

- Identifying joint cases;
- Integrating services so that the W-2 Employability Plan is consistent, whenever possible, with the Child Welfare family case plan;
- Participating in coordinated service team meetings; and
- Sharing relevant assessment and other information, providing joint assessments and planning, and participating in coordinated referrals to service providers for alcohol and other drug abuse (AODA), mental health and other services

1.4 W-2 and Related Programs Policies and Procedures

These Re-contracting Instructions, the W-2 and Related Programs Contracts (hereinafter referred to as the Contract), and the Department's policies and procedures define the program requirements.

The Department's policies and procedures for W-2 and Related Programs can be accessed through the following web links:

[Wisconsin Statutes](#)

[Wisconsin Administrative Code](#)

W-2 Program Manual at:

<http://dcf.wisconsin.gov/w2/manual/default.htm>

W-2 Administrative (Policy) Memos at:

<http://dcf.wisconsin.gov/memos/default.htm>

W-2 Operations (Policy) Memos at:

<http://dhs.wisconsin.gov/em/ops-memos/index.htm>

These policies are subject to change based on passage of the State Biennial Budget.

A copy of the 2006-2009 W-2 and Related Programs Contract is provided as Appendix G for your reference.

The Department of Health Services (DHS) administers Medicaid and FoodShare. Please refer to DHS for information relating to those programs.

In accordance with Wisconsin's combined application processing system for W-2, FoodShare, Medicaid and Child Care, the W-2 Contract Agencies must provide applicants the opportunity to initiate the application process for Medicaid and FoodShare in order to establish an application filing date.

The Department's financial policies for contracts and grants can be found at http://dcf.wisconsin.gov/contractsgrants/financial_policies/default.htm.

The civil rights requirements for contracts and grants can be found at http://dcf.wisconsin.gov/civil_rights/default.htm.

2. Responding to the Re-contracting Instructions

The following information is provided to assist RFS Agencies in preparing their W-2 and Related Programs Plan.

2.1 Length of Contract

The duration of this W-2 and Related Programs Contract is for a two (2) year period. The Contract Period is January 1, 2010, through December 31, 2011, and is referred to in these instructions as the 2010-11 W-2 Contract.

2.2 Funding Availability

Funding is provided by the Legislature for the two (2) year contract period. Information on funding allocations for the 2010-11 W-2 Contract is contained in Appendix A of these instructions. Funding for Child Care eligibility is not included in the W-2 Base Allocation. There is a separate allocation for Child Care eligibility. These allocations reflect preliminary funding levels and are subject to change based on passage of the State Biennial Budget.

2.3 Incentive Pool

The Incentive Pool is a Services Allocation funding stream separate from the W-2 Contract Agency base allocations. Balance of State Agencies and the Milwaukee W-2 Employment Agencies are eligible to earn Incentive Pool allocations. The Incentive Pool will contain a minimum of \$1,000,000. This funding will be awarded as budget authority in three independent allocations for W-2 Contract Agency performance during the following time periods:

- January 1, 2010 through June 30, 2010
- January 1, 2010 through December 31, 2010
- January 1, 2011 through June 30, 2011

The total Incentive Pool funding will be split equally among those three time periods. If for example the Incentive Pool is \$1,000,000, a maximum of \$333,333 will be allocated to eligible W-2 Contract Agencies for each of the three time periods.

The Incentive Pool funding will be allocated based on performance data from these time periods for the following two Required Performance Standards:

- Job Entry
- Earnings Stabilization

Eligible W-2 Contract Agencies that meet the “satisfactory” or the “exceed” measurement for one or both of these standards are eligible for Incentive Pool funding.

The total Incentive Pool funds will be divided among all agencies that qualify using a formula based on each qualifying W-2 Contract Agency’s proportion of the total W-2 Services allocation for all qualifying agencies and whether the agency achieved the “satisfactory” level or the “exceed” level for each standard. W-2 Contract Agencies that exceed the standard will be awarded three times more Incentive Pool Funding than they would be eligible for if that Agency met the satisfactory level.

No agency will be eligible for more than 1/3rd of their base allocation for W-2 Services for the relevant time period. Incentive Pool earnings must be reinvested in the W-2 program during the 2010-11 contract period.

2.4 Performance Standards

The Department has established Performance Standards for each W-2 Contract Agency type. W-2 Contract Agencies are required to meet the established Performance Standards for their agency type. The Performance Standards and related information can be found in Appendix B of this RFP.

The Performance Standards for the 2010-11 Contract uses a rating scale which classifies W-2 Contract Agency performance into the following categories: exceed, satisfactory, needs improvement, and fail.

Performance Standards will not be used to establish Right of First Selection for the 2012 W-2 and Related Programs Contract. Rather, W-2 Contract Agencies will have the ability to use performance standards ratings earned in the 2010-11 Contract as additional points in the agency’s 2012 W-2 proposal.

2.5 W-2 Geographic Areas

Except for federally recognized American Indian reservations and Milwaukee County, each W-2 Contract Agency’s geographic area must include one or more counties.

Milwaukee County will have five W-2 geographic areas. A map of the Milwaukee Regions can be found in Appendix C of this RFP.

2.6 Right of First Selection (RFS)

Some items related to the RFP are included in these instructions for reference by RFS Agencies.

Appendix D of these instructions identifies the existing W-2 Contract Agencies that earned Right of First Selection (RFS) for the 2010-11 W-2 and Related Programs Contract based on their performance in the 2006-2009 Contract. These agencies do not have to compete for the geographic area(s) for which RFS was earned.

Due to significant changes to the Milwaukee W-2 Service Delivery structure included in this RFP the Department can not award RFS to any agency in Milwaukee (Wisconsin Statute Section 49.143).

To be awarded a 2010-11 W-2 and Related Programs Contract, RFS W-2 Contract Agencies must respond to the Department's Re-contracting Instructions with an RFS W-2 and Related Programs Plan which is determined to be acceptable by the Department (see Part One, Section One 2.7 for information on RFS Agencies and consortia).

The Department will not continue the RFS process for the 2012 Contract.

2.6.1 Letter of Intent to Re-contract or Relinquish RFS by RFS Agencies

The Department notified W-2 Contract Agencies in writing as to whether they had earned the right to re-contract through RFS. Agencies are required to inform the Department, in writing, whether they intend to re-contract or relinquish their contract for the 2010-11 contract period.

The Agency may either submit their Letter of Intent on their own official letterhead or use the form provided by the Department with the RFS notice. The letter or form must be signed by the W-2 Contract Agency's authorized representative and sent to Susan Longfield (see address information on the page immediately following the cover page) by July 3, 2009.

In the event that one or more agencies relinquish their RFS, Appendix D of this RFP will be updated to add geographic areas open for competition.

2.7 Consortia RFS Plans

For W-2 and Related Programs, a W-2 consortium is a combination of W-2 geographic areas. In past contracts, the geographic areas were required to be in the same Workforce Development Area (WDA). This is no longer a requirement. A W-2 consortium can now cross WDA's.

RFS Agencies with multiple contracts that have met RFS can submit one RFS Plan for all geographic areas covered by those contracts. The RFS agency must submit the Request for Consortium Formation (Form 1B). Form 1B Response Items 6-11 are not required to be completed. Letters of Agreement and Support are not required.

2.8 How to Re-Contract

The RFS Agency must complete a W-2 and Related Programs Plan, which consists of re-contracting Response Items for three sections:

- Management and Financial Accountability;
- Program Plan, with the applicable subsection for BOS; and
- Budget

Where applicable, each main point in the Response Item will be comprised of the following components:

Summary:

This is a general description of the requirements. Department policies provide more detailed information about requirements. These summary items and program policies are also contract terms and conditions.

Response Items:

This is a list of items to which the RFS Agency must respond. The Department will use the responses to assess the quality of the agency's plan to provide W-2 services to applicants and participants and the agency's management and financial accountability for the administration of W-2 and Related Programs.

The RFS Agency must complete all required Response Items and attach all required documents provided as forms to these instructions.

After reviewing the RFS Plan responses, the Department may require changes prior to approving the RFS Plan as the W-2 and Related Programs Plan.

Scenarios:

Part Two, Section Two includes a Scenario section. Agencies are asked to select one scenario from each of the four topic areas relevant to their agency type – Access, Ongoing Case Management, Social Security Issues, and Post Employment Services – and respond in writing to their selected scenarios' "Describe..." statement or "How..." question. The scenario responses should address the case management techniques, processes and activities the agency would use that would most meet the individual participant's situation.

3. Anticipated Timetable

Listed below are specific and estimated dates and times of actions related to this contract. The actions with specific dates must be completed as indicated unless otherwise changed by the Department. In the event that the Department finds it necessary to change any of the specific dates and times in the timeline listed below, it will do so by issuing an addendum to these instructions. There may or may not be an addendum issued for changes in the estimated dates and times.

W-2 Re-Contracting and RFP Timeline	
Item Activity	Date
Announce Final RFS Agencies	06/19/09
Notification to RFS Agencies seeking a Letter of Intent to Contract	06/19/09
RFP Issued	06/19/09
Re-contracting Instructions Issued to RFS Agencies	06/26/09
Bidders Conference	
Balance of State	6/30/09
Milwaukee Eligibility and Assessment Agency	7/1/09
Milwaukee W-2 Employment Agency and Milwaukee SSI/SSDI Advocacy Agency	7/1/09
RFS Agencies Letter of Intent to Re-contract Due	07/03/09
Proposals Due	07/31/09 by 4:00 p.m. (Central Time)
Oral Presentations	TBD (Early to Mid Aug)
Notice of Intent to Award Contracts	09/04/09
Announcement of Additional Competitive Geographic Areas	07/10/09
RFS Agency Plans Due	08/21/09
Contracts Issued	10/01/09
Signed Contracts Due	10/31/09
Contract Effective Date	01/01/10

4. Communication and Conferences

4.1 Electronic Communications

Questions and answers on the Re-contracting Instructions will be published the RFS Re-Contracting website at:

<http://dcf.wisconsin.gov/w2/rfs/20062009/default.htm>

It is the RFS Agency's responsibility to read the materials posted on this website, including all questions and answers posted as clarifications to these instructions.

4.2 Proposer/Re-contracting Conference

The following conference will be held in order to respond to questions and to provide any needed additional instruction:

- BOS Proposer/RFS Re-contracting – June 30, 2009 from 10:00 – 12:00 at the Department of Revenue, Events Room at 2135 Rimrock Road, Madison, WI 53703;
- Additional details on this conference will be available on <http://dcf.wisconsin.gov/w2/rfs/2010/default.htm>

The Department recommends that all Proposer Agencies attend the entire Proposer Agency conference that pertains to its proposal(s). RFS Agencies are encouraged to attend as well for responses to Re-contracting Instructions.

4.3 RFS Plan Organization and Submission Requirements

4.3.1 General Instructions

The evaluation of RFS Plans and the ensuing contract will be based on the information submitted in the RFS Agency's plan. Elaborate plans (e.g., expensive artwork) beyond that sufficient to present a complete and effective plan, are neither necessary nor desired.

4.3.2 Submission of RFS Plans

RFS Plans must be delivered to:

Department of Children and Families

ATTN: Susan Longfield

201 East Washington Avenue

Madison, Wisconsin 53708-8916

The RFS Plan is due to the Department by Friday, August 21, 2009.

If delivering it in person, hand deliver the plan to DCF at 201 East Washington Avenue, at the **second floor reception desk**, Madison, Wisconsin 53708-8916.

RFS Plans should not be submitted, in whole or in part, by FAX or e-mail.

The outside cover of the package containing the proposal is to be marked:

RFS PLAN TO ADMINISTER WISCONSIN WORKS

DCF-ME-3002

RFS Agency's Name and Address

RFS Agency's Contact name, address and phone number

Geographic Area (s)

Plan Due Date

Plans must be prepared in accordance with the requirements set forth in these instructions. An area may be a W-2 geographic area, or a consortium that has met RFS.

- If submitting a plan to administer W-2 in more than one W-2 geographic area, the RFS Agency is encouraged to submit a consortium proposal.

- A plan for a consortium must be submitted by the Lead Agency for the consortium.

The original and **three** (3) copies [four (4) total sets] of the plan for each area, under sealed cover in one package, must be received by the Department by the dates and times listed in these instructions (see Part One, Section One, 3, Anticipated Timetable). The original must be clearly identified as the original.

4.3.3 RFS Plan Organization and Format

4.3.3.1 The original and all three (3) copies must be typewritten and submitted on plain 8.5 by 11 inch white paper bound securely. The Department requires that plans be printed two sided to reduce waste and the costs associated with freight and storage. The maximum number of pages for a W-2 and Related Programs plans including Management and Financial Accountability and the Program Plan and all attachments is one hundred (100) pages. The minimum font size is eleven (11) points. All forms and financial statements required under these instructions Part Two, Section One, 1.7 are a separate submittal and are not included as part of the one hundred (100) page limit.

The RFS Agency's name must appear on each page of the plan. Each page must be numbered. RFS Agencies should include information in their plan that is as complete as possible.

RFS Plans are to be organized with the Response Items headings, subheadings and alpha and numeric delineations in the same order and sequence as these instructions. Each heading and subheading should be separated by tabs or otherwise clearly marked. The responses are to be numbered/lettered exactly as they are in these instructions. The Re-contracting Instruction sections that must be submitted (unless identified in the Response Items as optional) are:

- Part Two, Section One: Management and Financial Accountability, Response Items;
- Part Two, Section Two: Program Plan, Response Items, as appropriate for BOS; and
- Part Two, Section Three: Budget

4.3.3.2 Failure by a RFS Agency to meet Re-contracting requirements, in whole or in part may result in the rejection of the plan at the sole discretion of the Department.

4.4 Deviations and Exceptions

Deviations and exceptions from these instructions, terms, conditions, or specifications may be considered but not necessarily agreed to by the Department, provided they are described fully, on the RFS Agency's letterhead, signed, and attached to the plan. In the absence of any deviation and exception approved by the Department, the plan shall be accepted in strict compliance with all terms, conditions, and specifications and the RFS Agency shall be held liable.

4.5 Withdrawal of RFS Plan

Plans may be withdrawn by written request. Plans also may be withdrawn in person by the RFS Agency or the authorized representative, providing that his/her identity is made known and he/she signs a receipt for the plan.

4.6 Incurring Costs

Time and other costs of preparing an RFS Plan are allowable W-2 and Related Programs Contract expenses, as this action is required by the Department.

4.7 News Releases

Reference to or use of the State of Wisconsin, any of its departments, agencies or other subunits, or any state official or employee for commercial promotion is prohibited. News releases initiated by the RFS Agency pertaining to this contracting process shall not be made without prior approval of the Administrator of DFES. Release of broadcast e-mails pertaining to this procurement shall not be made without prior written authorization of DFES.

4.8 Proprietary Information

Any restrictions on the use of data or other information contained within a plan must be clearly stated in the plan itself. Proprietary information submitted in response to a request will be handled in accordance with applicable State of Wisconsin procurement regulations and the Wisconsin public records law. Proprietary restrictions normally are not accepted. However, when accepted, it is the RFS Agency's responsibility to defend the determination in the event of an appeal or litigation.

Data contained in a RFS Plan, all documentation provided therein, and innovations developed as a result of the contracted commodities or services cannot be copyrighted or patented. All data, documentation, and innovations become the property of the State of Wisconsin.

Any material submitted by the RFS Agency in response to these instructions that the RFS Agency considers confidential and proprietary information and which qualifies as a trade secret, as provided in Section 19.36(5) of the Wisconsin Statutes, or material which can be kept confidential under the Wisconsin public records law, must be identified on the Designation of Confidential and Proprietary Information (Form 5) of these instructions (see Part Two, Section One, 1.12). Cost plan prices cannot be held confidential.

5. RFS Plan Review

5.1 Preliminary RFS Plan Review

The plans will first be reviewed to determine if minimum submission requirements are met. Minimum submission requirements include factors such as timely submittal, signature requirements, completion of RFS Plan Sections and Forms, including submission of the \$50.00 filing fee and submission of audit data.

5.2 Detailed RFS Plan Review

Plans will be reviewed by teams and modifications will be requested in accordance with the review findings. Proposed budgets will be compared to the Program Plan and evaluated for reasonability and correlation to planned services.

5.3 Minority Business Preference

The state is committed to the promotion of minority business in the State's purchasing program. Authority for this program is found in Section 15.107(2), 16.75(4), 16.755 and 540.036 of the Wisconsin Statute.

RFS Agencies are encouraged to purchase services and supplies from minority businesses certified by the Wisconsin Department of Commerce, Bureau of Minority Business Development. Details about this program may be found at: <http://vendornet.state.wi.us/vendornet/vguide/mbe.asp>

5.4 Awards and Final Offers

The Department reserves the right to accept or reject any or all RFS Plans, to waive any technicality in any plan submitted, and to accept any part of a plan as deemed to be in the best interests of the State of Wisconsin.

The Department Secretary shall make the final decision on the contract award for each W-2 Contract Agency. The Department reserves the right to reject any or all plans and adjust the terms of a plan, including the award amount and W-2 and Related Program activities, with a RFS Agency prior to entering into a contract. If contracting cannot be concluded successfully with the selected RFS Agency for a geographic area, the Department may contract with another successful proposer under the RFP, or, the Department may, at its option, if it is in the best interest of the Department and geographic area to be served, contract with a Proposer Agency selected under the RFP or an RFS Agency to provide services for an open geographic area.

If no acceptable provider in a geographic area is selected, the Department will administer or arrange for the administration of the W-2 program for that geographic area.

If, for any reason, a contract is terminated at any time during the Contract Period, the Department reserves the right to contract for the balance of the Contract Period with any acceptable proposer that has met the minimum RFP response standards, or with any existing contractor serving another geographic area.

5.5 Notice of Intent to Award

All RFS Agencies who respond to these instructions will be notified in writing of the Department's intent to award the contract(s) as a result of these instructions. The Notice of Intent to Award Contracts will be mailed to the contact named on each plan.

5.6 Required Pre-contract Phone Conference

Any RFS Agency that receives an award as a result of this process (or authorized designees) will be required to participate in a pre-contract phone conference with the Department. The purpose of this conference will be to review RFS Agency opportunities and obligations under the Contract and answer RFS Agency questions prior to final signing of the Contract. The Department will issue instructions and draft the agenda for the phone conference. The Department reserves the right to withdraw any RFS Agency's award for failure to participate in this phone conference.

RFS Agencies may be excused from this requirement through prior arrangement with the DFES Administrator. The Department also recognizes uncontrollable factors such as sudden illness, family emergencies, and natural disasters may cause an agency to miss the phone conference even though the agency had every intention of participating. In such occurrences, the Department will not unreasonably apply the failure to participate provision of this Section.

Due to conference call capacity limitations, no more than one representative per W-2 Contract Agency may call in to the conference. (Note: Any number of representatives may participate if the W-2 Contract Agency can make a group connection to the Department's conference line.)

5.7 Public Records Access

It is the intention of the Department to maintain an open and public process in the solicitation, submission, review, and approval of procurement activities. However, for purposes of these instructions, there will be no public inspection prior to issuance of the Notice of Intent to Award the Contract.