

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: 07/31/2024	PREPARED BY: Gabby Torres, Cyndelle Howell
MEETING DATE REQUESTED: 8/21/2024	PRESENTED BY:
ITEM: Consent Agenda	TIME NEEDED:
SUBJECT: Benton Franklin Workforce Development Council	
FISCAL IMPACT: None	
BACKGROUND: The Benton-Franklin Workforce Development Council (BFWDC) has entered into an agreement with Career Path Services (CPS) and the Benton & Franklin County Chief Local Elected Officials (CLEOs) for the period from July 1, 2024, to June 30, 2025. During this period, CPS will serve as the OSO fiscal agent and provide various Workforce Innovation and Opportunity Act (WIOA) Title I services as outlined in their contracts. The agreement aims to ensure compliance with the BFWDC's Procurement Policy #2015-34, including establishing firewalls and internal controls to prevent conflicts of interest if the OSO also provides other WIOA services.	
RECOMMENDATION: Sign said agreement indicating the Board's receipt and review on behalf of the Boards of Benton County and Franklin County Commissioners	
COORDINATION: Benton County to sign first, then Franklin County	
ATTACHMENTS: (Documents you are submitting to the Board)	
1.	2024.07 BFWDC One-Stop Operator Firewall Resolution
2.	2025 OSO Bi-County Resolution
HANDLING/ ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list name(s) of parties that will need a pdf) Cyndelle Howell, BFWDC Admin. Coordinator	

JOINT RESOLUTION

BENTON COUNTY RESOLUTION NO. ~~2024-0530~~ FRANKLIN COUNTY RESOLUTION NO. 2024-194

BEFORE THE BOARDS OF THE COMMISSIONERS OF BENTON AND FRANKLIN COUNTIES,
WASHINGTON;

IN THE MATTER OF AUTHORIZING THE CHAIRMAN OF THE BOARD OR PRO TEM TO SIGN THE 2024 BENTON-FRANKLIN WORKFORCE DEVELOPMENT COUNCIL ONE-STOP OPERATOR FIREWALL AGREEMENT

WHEREAS, the Benton Franklin Workforce Development Council (BFWDC) has presented a local One-Stop Operator Firewall agreement between the Benton Franklin Workforce Development Council, Career Path Services, and the Benton and Franklin County Chief Local Elected Officials, for the period of July 1, 2024, through June 30, 2025; and

WHEREAS, during this period Career Path Services will act as the One-Stop Operator fiscal agent, and employ the WorkSource System Coordinator for the Benton-Franklin Workforce Consortium, as well as providing other Workforce Innovation and Opportunity Act (WIOA) Title I services, as outlined in their respective contracts; and

WHEREAS, during this period Benton Franklin Workforce Development Council will continually monitor One-Stop Operator activities and interactions with existing WIOA Title I, Wagner-Peyser, and existing One-Stop center staff, to ensure appropriate separation of duties, maintain a current, signed Conflict of Interest Agreement from the individual acting as the WorkSource System Coordinator, will maintain a current, signed Conflict of Interest Agreement from all Benton-Franklin Workforce Consortium members; and

WHEREAS, the Benton and Franklin County Boards of Commissioners have received and reviewed the proposed One-Stop Operator Firewall Agreement and certify that it complies with all required components of Training and Employment Guidance Letter WIOA 15-16: Competitive Selection of One-Stop Operators, Washington State WIOA Policy 5404: Procurement and Selection of One-Stop Operators and Services Providers, and BFWDC Local Policy 2015-34 Procurement and Selection of One-Stop Operators and Service Providers Policy; and

WHEREAS, the parties' previous One-Stop Operator Firewall agreement expired on June 30, 2024; **now, therefore**,

BE IT RESOLVED that the Chairman or Pro Tem is hereby authorized to sign said agreement indicating the Board's receipt and review on behalf of the Boards of Benton County and Franklin County Commissioners; and

BE IT FURTHER RESOLVED, the Benton and Franklin County Boards of Commissioners hereby approve the Benton-Franklin Workforce Development Council Local One-Stop Operator Firewall Agreement, with said agreement effective upon signature and expiring June 30, 2025.

DATED this 13th day of August 2024
BENTON COUNTY BOARD OF COMMISSIONERS

DATED this 21 day of AUGUST 2024
FRANKLIN COUNTY BOARD OF COMMISSIONERS

DocuSigned by:
Jerome Delvin
7ED07609289E490...
Chair of the Board

[Signature]
Chair of the Board

DocuSigned by:
Michael Alvarez
D0C0F57E34674E4...
Chair Pro Tem

[Signature]
Chair Pro Tem

DocuSigned by:
Will McKay
1359B7D764E74CF...
Commissioner

[Signature]
Commissioner

Constituting the Board of
County Commissioners,
Benton County, Washington

Constituting the Board of
County Commissioners,
Franklin County, Washington

Attest:
DocuSigned by:
Amanda Pearson
34825A975E034CE...
Clerk of the Board

Attest:
[Signature]
ERISA ALVAREZ
Clerk of the Board



Benton – Franklin Workforce Development Council One-Stop Operator (OSO) Firewall Agreement

Benton-Franklin Workforce Development Council (BFWDC) enters into an agreement with Career Path Services (CPS) AND the Benton & Franklin County Chief Local Elected Officials (CLEOs), for the period of July 1, 2024, through June 30, 2025. During this period CPS will act as the OSO fiscal agent, and employ the WorkSource System Coordinator for the Benton-Franklin Workforce Consortium, as well as providing other Workforce Innovation and Opportunity Act (WIOA) Title I services, as outlined in their respective contracts.

This agreement is established to ensure compliance with the BFWDC's Procurement Policy #2015-34. If the OSO selected by the BFWDC is also a provider of other WIOA services, the service provider, in their role as the site operator, will enter into a written agreement with BFWDC and the CLEOs to demonstrate appropriate firewalls and internal controls. This requirement is designed to spell out protections against potential conflicts of interest.

The WorkSource System Coordinator will be responsible for:

- Disclosing any potential conflicts of interest arising from relationships with training service providers or other service providers;
- Organizing One-Stop operations as required by the BFWDC, and described in the selection process and any subsequent agreements with the organization;
- Facilitating integrated partnerships that seamlessly incorporate services for the common customers served by multiple program partners of WorkSource Columbia Basin (WSCB);
- Implementing operational processes in alignment with policies that reflect an integrated system;
- Assuring that appropriate referrals are made among required partners;
- Assuring that career services described in WIOA are made available at WSCB;
- Leading One-Stop Site Certification process for WSCB;
- Assuring that WSCB staff are trained, as appropriate, to increase staff knowledge;
- Promoting the services available at WSCB, including the development of marketing and outreach materials, with support from the BFWDC;
- Being knowledgeable of the mission and performance standards of all partners and facilitating cross-training among all staff;
- Operationalizing the vision of the BFWDC for WSCB, including high-quality customer service, Integrated Service Delivery, and a professional environment with up-to-date technology;
- Evaluating customer needs and satisfaction data to continually refine and improve service strategies;
- Ensuring that the BFWDC's non-program-related policies and procedures are effectively communicated and carried out at WorkSource Columbia Basin; and
- Ensuring Equal Opportunity (EO) requirements are *met*, including coordinating EO staff training and assuring EO posters and processes are in place.

The WorkSource System Coordinator MAY NOT perform any of the following functions:

- Develop, manage, or conduct the competitive procurement of service providers in which it intends to compete;
- Convene system stakeholders to assist in the development of the local plan;
- Prepare and submit local plans (as required under sec. 107 of WIOA);
- Be responsible for oversight of itself;
- Develop, manage or participate, other than a respondent, in the competitive selection process for One-Stop Operators;
- Select or terminate One-Stop Operators or WIOA Title I service providers;
- Perform monitoring functions of itself or any WIOA partners;
- Evaluate itself as a One-Stop Operator;
- Negotiate local performance accountability measures;
- Develop and/or submit a budget for activities of BFWDC; and
- Establish practices that create obstacles in providing services to individuals with barriers to employment who may require longer-term career and training services.

The Benton – Franklin Workforce Development Council shall:

- Continually monitor One-Stop Operator activities and interactions with existing WIOA Title I, Wagner-Peyser and existing One-Stop center staff, to ensure appropriate separation of duties; and
- Maintain a current, signed Conflict of Interest Agreement (Attachment A) from the individual acting as the WorkSource System Coordinator.
- Maintain a current, signed Conflict of Interest Agreement (Attachment B, Attachment C, Attachment D, Attachment E) from all Benton-Franklin Workforce Consortium members.

Career Path Services Agrees to:

- Ensure a supervision structure for the WorkSource System Coordinator that is separate from and not influenced by staff who are directly managing WIOA contracts at WorkSource Columbia Basin;
- Support the functional oversight/guidance of the WorkSource System Coordinator through the Benton-Franklin Workforce Consortium.
- Work under close guidance with BFWDC staff in all quality assurance activities;
- Recognize and support the One-Stop Operator's role in quality oversight of WSCB and the local WorkSource System; and
- Ensure the individual hired to fill the WorkSource System Coordinator role is of high integrity and accountability and has been vetted by the BFWDC.

This agreement is established to ensure compliance with:

- Training and Employment Guidance Letter (TEGL) WIOA 15-16: Competitive Selection of One-Stop Operators;
- Washington State WIOA Policy 5404: Procurement and Selection of One-Stop Operators and Services Providers; and
- BFWDC Local Policy 2015-34 Procurement and Selection of One-Stop Operators and Service Providers Policy.



One-Stop Operator (OSO) Firewall Agreement – Signature Page

Benton County Chief Elected Official/Pro Tem:

Name: Jerome Delvin

Title: Chair of the Board

Signature: DocuSigned by:
Jerome Delvin
7ED07600283E48E...

Date: 8/13/2024

Franklin County Chief Elected Official/Pro Tem:

Name: ROCKY MULLEN

Title: CHAIR OF THE BOARD

Signature: Rocky Mullen

Date: 8/21/2024

Benton-Franklin Workforce Development Council Chairperson:

Name: Todd Samuel, Board Chairperson

Title: Board Chairman

Signature: DocuSigned by:
Todd Samuel, Board Chairperson
D7F28D83A03E41E...

Date: 7/1/2024

Benton-Franklin Workforce Development Council Executive Director:

Name: Cynthia N. Garcia

Title: Executive Director

Signature: DocuSigned by:
Cynthia N. Garcia
75383A23743B4E9

Date: 7/1/2024

Career Path Services CEO/President:

Name: Cami Eakins

Title: CEO

Signature: DocuSigned by:
Cami Eakins
BB69D8BC1A4476

Date: 7/2/2024



One-Stop Operator (OSO) Conflict of Interest Agreement – Attachment B

WIOA requires that any real or potential conflicts of interest associated with the One-Stop Operator (Benton-Franklin Workforce Consortium members) and subrecipient are disclosed. This form provides space for disclosures to be documented. Once complete, this form will be posted on the BFWDC website to ensure public disclosure guidelines in TEGL 15-16 are met.

Disclosure

Name of the individual serving as Benton-Franklin Workforce Consortium (WIOA Title I) Member:
Camr Eakins

Name of employer: Career Path Services

Employment capacity (mark all which apply):

- Employed by agency involved with delivering WIOA services (service provider) _____
- Employed by WIOA training provider (instruction of higher education) _____
- Employed by BFWDC board member organization _____
- Employed by the BFWDC _____
- Service Provider X

Per federal law, it is required that the One-Stop Operator and subrecipient disclose any potential conflict of interest arising from the relationships between one-stop operators and training service providers or other service providers, including but not limited to career service providers. If any boxes are checked above, please explain how the real or potential conflicts of interest are mitigated and how you have worked with the BFWDC to ensure sufficient firewalls exist.

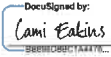
Career Path Services is also the Title-1 Service Provider for Adult, Dislocated Worker, and Youth programs. Additionally, we are the employer of record for the Workforce Consortium. The Consortium manages the role and function to ensure no conflict of interest, Additionally, there are layers of supervision and responsibility between the CEO and Service Provider management.

By signing this disclose, I hereby confirm that:

- I have received a copy of [BFWDC Policy 2015-34](#) and TEGL 15-16;
- I have read and understand the policy and TEGL;
- I agree to comply with the policy and TEGL;
- My responses to the above questions are complete and accurate to the best of my information and belief; and
- If I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with the policy or TEGL, I will notify an officer of the BFWDC immediately.



WorkSource Columbia Basin Benton-Franklin Workforce Consortium (WIOA Title I) Member
and One-Stop Operator Contract Manager:

Name: Cami Eakins _____
Title: CEO _____
Signature:  _____
Date: 7/2/2024 _____



One-Stop Operator (OSO) Conflict of Interest Agreement – Attachment C

WIOA requires that any real or potential conflicts of interest associated with the One-Stop Operator (Benton-Franklin Workforce Consortium members) and subrecipient are disclosed. This form provides space for disclosures to be documented. Once complete, this form will be posted on the BFWDC website to ensure public disclosure guidelines in TEGl 15-16 are met.

Disclosure

Name of individual serving as Benton-Franklin Workforce Consortium (WIOA Title II) Member:
Keri Lobdell

Name of employer: Columbia Basin College

Employment capacity (mark all which apply):

- Employed by agency involved with delivering WIOA services (service provider) _____
- Employed by WIOA training provider (instruction of higher education) _____
- Employed by BFWDC board member organization _____
- Employed by the BFWDC _____
- Service Provider _____ X

Per federal law, it is required that the One-Stop Operator and subrecipient disclose any potential conflict of interest arising from the relationships between one-stop operators and training service providers or other service providers, including but not limited to career service providers. If any boxes are checked above, please explain how the real or potential conflicts of interest are mitigated and how you have worked with the BFWDC to ensure sufficient firewalls exist.

By signing this disclose, I hereby confirm that:

- I have received a copy of [BFWDC Policy 2015-34](#) and TEGl 15-16;
- I have read and understand the policy and TEGl;





- I agree to comply with the policy and TEGL;
- My responses to the above questions are complete and accurate to the best of my information and belief; and
- If I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with the policy or TEGL, I will notify an officer of the BFWDC immediately.

**WorkSource Columbia Basin Benton-Franklin Workforce Consortium (WIOA Title II)
Member (OSO):**

Name: Keri Lobdell

Title: Dean of Library and Instructional Services

Signature: Signed by:
Keri Lobdell

Date: 7/16/2024



One-Stop Operator (OSO) Conflict of Interest Agreement – Attachment D

WIOA requires that any real or potential conflicts of interest associated with the One-Stop Operator (Benton-Franklin Workforce Consortium members) and subrecipient are disclosed. This form provides space for disclosures to be documented. Once complete, this form will be posted on the BFWDC website to ensure public disclosure guidelines in TEG 15-16 are met.

Disclosure

Name of individual serving as Benton-Franklin Workforce Consortium (WIOA Title III) Member:
John Dickson

Name of employer: Employment Security Department

Employment capacity (mark all which apply):

- Employed by agency involved with delivering WIOA services (service provider)
- Employed by WIOA training provider (instruction of higher education)
- Employed by BFWDC board member organization
- Employed by the BFWDC
- Service Provider

Per federal law, it is required that the One-Stop Operator and subrecipient disclose any potential conflict of interest arising from the relationships between one-stop operators and training service providers or other service providers, including but not limited to career service providers. If any boxes are checked above, please explain how the real or potential conflicts of interest are mitigated and how you have worked with the BFWDC to ensure sufficient firewalls exist.

As a partner in the Benton-Franklin WDC service area Employment Security Department shares in the system service delivery of basic and individualized services. In addition, agency-required program services per WIOA are delivered at WorkSource Columbia Basin. The Benton-Franklin Workforce Consortium includes active membership from 4 WIOA Titles. This composition serves as a firewall with no one organization being a determining party.

Employment Security Department is the designated employment organization on the Benton-Franklin WDC. As the designated representative, for any business matter that may present a conflict of interest abstaining from the conversation and/or vote is strictly practiced.



By signing this disclose, I hereby confirm that:

- I have received a copy of BFWDC Policy 2015-34 and TEGL 15-16;
- I have read and understand the policy and TEGL;
- I agree to comply with the policy and TEGL;
- My responses to the above questions are complete and accurate to the best of my information and belief; and
- If I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with the policy or TEGL, I will notify an officer of the BFWDC immediately.

WorkSource Columbia Basin Benton-Franklin Workforce Consortium (WIOA Title III) Member (OSO):

Name: John Dickson

Title: ESD Eastern Region Director

Signature: DocuSigned by:
John Dickson

Date: 7/2/2024

Amanda Pearson

From: Jeffrey Aultman
Sent: Monday, August 5, 2024 3:09 PM
To: Amanda Pearson
Cc: Cyndelle Ann Howell
Subject: RE: OSO Firewall Agreement

Amanda,

I approve the OSO Firewall Agreement as to form.

Kind regards,

Jeff Aultman
Assistant Chief Deputy Prosecuting Attorney, Civil Division
Benton County Prosecuting Attorney's office
7122 W. Okanogan Pl.
Suite A230
Kennewick, WA 99336
Tel: (509) 735-3591, ext. 3335
Fax: (509) 222-3705

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From: Amanda Pearson <Amanda.Pearson@co.benton.wa.us>
Sent: Monday, August 5, 2024 12:59 PM
To: Jeffrey Aultman <Jeffrey.Aultman@co.benton.wa.us>
Cc: Cyndelle Ann Howell <CHowell@bf-wdc.org>
Subject: RE: OSO Firewall Agreement

Jeff,

Email approval would be great. I will add it to the packet.

Thank you!



Amanda Pearson
Clerk to the Board
Benton County Commissioners' Office
(509)-786-5600 Ext. 3712
BentonCountyWA.gov