

SAN DIEGO WORKFORCE PARTNERSHIP, INC.
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OPERATIONS ISSUANCE

OPERATIONS ISSUANCE NO. 2013-12

DATE: June 14, 2013

TO: One-Stop Career Center Operators
Adult and Youth Program Service Providers

FROM: Emilia Gabriele
Vice President of Finance and Administration

SUBJECT: REVISION TO CONTRACT GENERAL PROVISIONS

PURPOSE

The purpose of this issuance is to inform One-Stop Operators and San Diego Workforce Partnership (SDWP) Service Providers of revisions to the Contract General Provisions that will apply to contracts and/or contract modifications, that take affect on or after July 1, 2013. This version replaces the version issued as Operations Issuance 2012-11, Revised General Provisions, distributed on June 28, 2012 that is contained in all 2012-2013 contracts.

BACKGROUND

As a result of direction provided in the Employment Development Department (EDD) Directive, WSD12-10, Procurement, issued on November 30, 2012, the Contract General Provisions have been updated to include additional required contract clauses. The Directive specifies that each agreement funded by the Department of Labor (DOL) Employment and Training Administration (ETA) grant programs must contain the specific clauses referred to in the Directive, section, "Required Contract Clauses." The Directive can be accessed at: http://www.edd.ca.gov/Jobs_and_Training/pubs/wsd12-10.pdf.

The Contract general provisions referred to in this Operations Issuance are the terms and conditions applied to all SDWP contracts, excluding Health and Human Services, Bridge to Employment contracts, which have their own Contract General Provisions. The general provisions ensure all local, EDD, DOL and other federal requirements, including updates, are included, and in some cases, clarified.

Throughout the document references to public law, code of federal regulations (CFR), DOL Training and Employment Guidance Letters (TEGL), etc. have been revised to agree with updates and amendments. In addition, the following revisions have been made to specific sections/provisions:

- 1.0 Terms and Definitions – Reference to Workforce Partnership has changed to SDWP;
- 2.0 Lobbying Restrictions- included reference to Byrd Anti-Lobbying Amendment (31 U.S.C. 1352) at 2.5;
- 3.0 Equal Opportunity and Nondiscrimination- At 3.4 (b)(6) was updated to include 29 C.F.R. 33;
- 5.0 Clean Air and Clean Water Acts title was changed to Federal Acts;
- 5.0 Federal Acts - Energy Policy Conservation Act was added and included at 5.3;
- 5.0 Federal Acts - Copeland Anti-Kickback Act was added and included at 5.4;
- 14.0 Work Standards (Applicable Only To Program Participants) – Contract Work Hours and Safety Standards Act was added at 14.15;
- 20.0 Insurance (Not Applicable to Local governmental Entities) - Addressee contact was updated at 20.3;
- 29.0 Procurement and Purchases - Requirements for all procurements and purchases as stated in EDD Directive 12-10, Procurement, are added at 29.2;
- 29.0 Procurement and Purchases – Contractors must perform cost or price analysis with every procurement action, including contract modifications has been added at 29.3;
- 29.0 Procurement and Purchases – Provisions have been renumbered at 29.4 and 29.5;
- 30.0 Maintenance of Records/ Access to Records – Reference to citation 29 CFR 95.33 was included for clarification at 30.1;
- 32.0 Patent Right and Intellectual Property - Language has been updated to include reference to the term “rights in data.”

Please be sure to review the Contract General Provisions thoroughly and ensure your staff is aware of the additional requirements that are contained in this document.

If you have any questions about this issuance, please contact your program specialist at (619) 228 - 2900.

Attachment

A. Revised Contract General Provisions

cc: SDWP Internal Distribution List
Health and Human Services Bridge to Employment Service Providers
Mayer Hoffman McCann P.C.