

	NCWorks Commission
	NCWorks Commission Policy Statement Number: CPS 02-2022
	Date: February 9, 2022
	Subject: Procurement and Contracting Policy
	From: <hr style="width: 50%; margin: auto;"/> <p style="text-align: center;">Tom B. Rabon, Jr. Chair, NCWorks Commission</p>

Purpose: To provide Local Area Workforce Development Boards (WDBs) and other subrecipients minimum standards and procedures designed to ensure the proper procurement of and contracting for services and rescind PS 21-2017.

This Commission Policy Statement (CPS) has been converted from the previous Division of Workforce Solutions (DWS) policy format, and the procedures contained herein supersede all previous policy, procedures, and guidelines.

The following updates have been made in this CPS:

Updates to Attachment 1, Procurement and Contracting Description:

- Added additional component to procurement
- Updated arm's length definition
- Provided email address for purchase request submissions
- Added language to request quotation and invitation for bid
- Revised Noncompetitive Procurement Section
- Added subrecipient and contractor language to Contracting Section
- Updated Local Area WDB references to subrecipient throughout the policy

Updates to Attachment 3, Determination of Reasonableness of Profit:

- Added instructions to questions 6 and 7

Background: Local Area WDBs and other subrecipients are required to establish and maintain procurement and contracting policies and procedures to ensure full and open competition. The attached procedures are

designed pursuant to the NC Division of Workforce Solutions Subgrant Agreement Section 3.4; North Carolina Administrative Code Title 4, Chapter 20 Section .0304(a) and (b); 20 CFR Part 652, et al., 29 CFR Part 97.36 Uniform Administrative Requirement; 29 CFR Part 95 Sections 95.40 through 95.48; and Office of Management and Budget (OMB) Uniform Guidance 2 CFR 200.

Action: Local Area WDBs and other subrecipients are required to incorporate these minimum standards into their procurement and contracting policies and procedures and submit to DWS Planners. These minimum standards apply to all funding received through the DWS. These minimum standards also apply to the procurement of property, consultants, or personal services contracts.

Effective Date: Immediately

Expiration: Indefinite

Contact: DWS Accountability Financial Monitor

Attachments:

1. Procurement and Contracting Description
2. Program Cost Analysis Guide
3. Determination of Reasonableness of Profit