



Los Angeles County Metropolitan Transportation Authority
Procedures for
Workforce Initiative Now – Los Angeles
January 29, 2020

PURPOSE

The Los Angeles County Metropolitan Transportation Authority’s (LACMTA or Metro) Workforce Initiative Now – Los Angeles (Program) encourages employment and training opportunities within career pathways in the transportation infrastructure industry. By harnessing LACMTA’s investments in transportation infrastructure projects, the creation of quality jobs can build the industry’s future workforce; and improve equity outcomes for priority communities within Los Angeles County and throughout the United States.

The Procedures for Workforce Initiative Now – Los Angeles (Procedures) identifies the efforts that will be required of contractors who are performing work on LACMTA transportation infrastructure projects that are covered under this Program.

OBJECTIVE

In recognition of the measurable impacts that transportation infrastructure has on local, state and national economies, LACMTA’s objective is to ensure the infrastructure transformation in Los Angeles is a pathway to improved lives and sustained communities. Workforce Initiative Now – Los Angeles (WIN-LA) is LACTMA’s commitment and its desire for its contractors to attract, hire and grow a world-class transportation workforce in administration, construction, operations, maintenance and professional services career pathways with focus on populations from “priority communities” and others. Metro is an Equal Opportunity Employer, thus participation in WIN-LA is accessible to anyone interested in a career in the transportation infrastructure industry.

APPLICATION

The following sections outline standards for application of WIN-LA for the creation of quality jobs on certain LACMTA solicitations.



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1.0 GENERAL

Vendor/Contract Management (V/CM) will administer the Program in accordance with the defined Procedures and LACMTA's acquisition policy, processes and procedures; and will work closely with all relevant Metro departments for compliance oversight.

1.1 Term of Pilot

- A. The Program applies as a pilot initiative on procurements that are covered under this Program and that are funded through local funding. The term of the pilot shall commence on April 1, 2020 and shall sunset at the discretion of LACMTA.

1.2 Term of Workforce Development

- A. Workforce development enhances local and regional economies and prosperity by focusing on preparing people to meet the needs of business and industry with consideration to quality jobs demonstrated by meeting or exceeding living wages, providing career pathways and promoting labor market relevance including other characteristics resulting from aligned workforce investments, education and economic development.

2.0 APPLICATIONS

2.1 Covered Projects

- A. Except as provided otherwise herein, the Program applies to applicable locally funded solicitations with an independent cost estimate (ICE) of \$5 million or more for the base term with a minimum contract term of 1 year and awarded by LACMTA through a competitively negotiated solicitations. The Program applies to any executed options and change orders/modifications throughout the contract term.
- B. The Program shall apply to competitively negotiated procurements for the work of persons, firms and other entities that perform planning, scheduling, geological, professional services, management and/or other work aligned to administration, operations, maintenance and any other professional services for LACMTA covered solicitations.



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2.2 Exclusions

- A. Architectural and Engineering (A&E) solicitations.
- B. Material suppliers of raw materials, manufactured products, offsite hauling or delivery by any means of material, supplies, or equipment required to any point of delivery, except an offsite prefabrication facility dedicated solely to project work.
- C. Any work with workforce covered by LACMTA's Project Labor Agreement/Construction Careers Policy.
- D. The Transit Vehicle Manufacturer (Rolling Stock) projects with workforce covered by LACTMA's United States Employment Plan (USEP) or Local Employment Plan (LEP).
- E. Federal or State funded projects including Federal Highway Administration (FHWA) projects.
- F. Work performed by or on behalf of other governmental entities and public utilities.

2.3 Modifications

- A. Any future modifications of the Program to include federal or state funded transportation projects will be in accordance with a valid and binding instruction from the U.S. Department of Transportation and the State of California.
- B. Any future modifications of the Program to incorporate procedures for other types of procurement solicitation.

2.4 Implementation

- A. All Requests for Proposals (RFP) for covered solicitations require Proposers to submit as part of its proposal a WIN-LA Plan evidencing the Prime Contractor's commitment and its Subcontractors' voluntary commitments for the creation of jobs for WIN-LA program participants throughout the term of the contract.
- B. In the event the WIN-LA Plan proposes the phasing of labor, the WIN-LA Plan shall include a schedule that describes the phasing of labor that coincides with the term of the contract.



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- C. The WIN-LA Plan shall outline a percentage commitment of the project Total Labor Wages and Benefits allocated for the creation of jobs and the employment of WIN-LA participants for the term of the contract including other criteria as outlined in Section 2.5 Evaluation and Section 2.6 Workforce Commitment.

2.5 Evaluation

- A. RFP Evaluation Criteria for covered solicitations shall include a WIN-LA Plan evaluation criterion that will be weighted with a maximum score of two percent (2%) and incorporated with the other Proposal Evaluation Factors.
- B. Proposers' WIN-LA Plan will receive a maximum score of 2% for proposals with a demonstrated workforce commitment of 10% or more of the project Total Labor Wages and Benefits allocated for the creation of jobs and the employment of WIN-LA participants; and specific commitment for creating employment opportunities through identification of job classifications, number of full-time equivalent (FTE) positions and employment term.
- C. Proposers' WIN-LA Plan will earn a maximum score of 1% for proposals with a demonstrated workforce commitment less than 10% of the project Total Labor Wages and Benefits allocated for the creation of jobs and the employment of WIN-LA participants; and specific commitment for creating employment opportunities through identification of job classifications, number of FTE positions and employment term.
- D. Proposers' WIN-LA Plan must specify a percent greater than zero of a demonstrated workforce commitment to receive a WIN-LA Program evaluation score.
- E. The Proposers' WIN-LA Plan shall include an approach in providing career development, work-based training and/or post-employment support services.
- F. The WIN-LA Plan will be reviewed, evaluated, and approved by LACMTA WIN-LA Program staff responsible for administering the Program.



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2.6 Workforce Commitment

A. WIN-LA Plan Requirements

- 1) The Proposer's WIN-LA Plan shall describe its approach for the creation of jobs within any of the following career pathways: administration, construction, operations, maintenance and/or professional services.
- 2) The workforce commitment is demonstrated by Total Labor Wages and Benefits allocated for the creation of jobs and employment of WIN-LA participants; through the identification of job classifications, number of FTE positions and the employment term of at least one year.
- 3) The workforce commitment is supported by the Proposer's approach in providing career development, work-based training and/or post-employment support services.
- 4) Upon award, LACMTA reserves the right to request the Prime Contractor to modify, revise and update its WIN-LA Plan, as requested.

2.7 WIN-LA Program Participants

- A. The outreach and inclusion of priority populations is foundational to WIN-LA and the capacity to build the future workforce and talent pipeline for the transportation infrastructure industry.
- B. As defined by LACMTA, priority population for the purpose of WIN-LA shall meet any of the following categories: 1.) individuals in economically disadvantaged areas (zip codes where median household annual income is less than \$40,000); 2.) single custodial parent; 3.) receiving public assistance; 4.) lacking GED or high school diploma; 5.) criminal record or history with the criminal justice system; 6.) chronically unemployed; 7.) emancipated from foster care; 8.) veteran and/or others as defined. The program also focuses on the outreach and inclusion of women and community college students.
- C. Economically Disadvantaged Area means a zip code that includes a census tract, or portion thereof, in which the median annual household income is less than \$40,000 per year, as measured and reported by the U.S. Census Bureau in the 2010 U.S. Census and as updated upon the U.S. Census Bureau issuing updated



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Median Annual Household Income data by census tract in American Community Survey. Metro shall at its discretion update the zip code list based on updated census data.

- D. WIN-LA program participant recruitment is through a collaborative effort with LACMTA and the Los Angeles Regional Workforce Development Board Consortium.
- E. The Prime Contractor, in coordination with the LACMTA Program staff, will host at least one career/job fair event post contract award with consideration to the WIN-LA hiring/recruitment schedule.
- F. The Prime Contractor/Subcontractors shall conduct the outreach and recruitment of WIN-LA participants in coordination with designated America Job Centers of California (AJCC)/WorkSource Centers serving as WIN-LA Career Service Centers.

3.0 CONTRACT TERMS & CONDITIONS

V/CM Policy and Administration will develop Special Conditions specifically for the negotiated procurements for covered solicitations. The assigned Contracting Officer will ensure the Special Conditions are included in the RFP and final executed Contract that defines the commitments and obligations of WIN-LA. The WIN-LA Special Conditions shall include:

- 1) The Contractor and participating Subcontractor's commitment for Total Wages and Benefits to be paid to WIN-LA program participants; the number of FTE positions and the time duration of employment.
- 2) The obligation of the Contractor and participating Subcontractors to apply a Generally Accepted Accounting Principles (GAAP) to segregate wages and benefits by project to confirm and validate the value of Total Wages and Benefits that may be applied.
- 3) The obligation for Contractor and participating Subcontractors to submit monthly reports that summarize progress made for meeting the commitment for Total Labor Wages and Benefits including FTE commitments and workforce elements such as career development, work-based training and/or post-employment support services.



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- 4) The obligation for Contractor and participating Subcontractors to grant LACMTA the right to review and audit Contractor and Subcontractor records, books and/or GAAP to confirm and validate program commitments.
- 5) The obligation for Contractor and Subcontractor to provide documentation proving that new hired workers are WIN-LA Program participants.
- 6) The right for LACMTA to impose special assessments equal to the remaining unpaid balance of the committed percentage of Total Labor Wages and Benefits due to the Contractor's failure to meet the Contract commitment for Total Wages and Benefits. The assessed amount to be withheld by LACMTA shall be commensurate to the value of the Contractor's underperformance; and at the discretion of LACMTA the assessment may be withheld from the Prime Contractor's retention.

4.0 REPORTING & MONITORING (Post Award)

LACMTA WIN-LA Program staff shall provide compliance monitoring of WIN-LA in accordance with the Contract obligations defined in the Contract Terms and Conditions.

4.1 Compliance Review

- A. LACMTA WIN-LA Program staff shall provide compliance monitoring of WIN-LA to include:
 - 1) LACMTA WIN-LA Program staff shall attend the Pre-Proposal Meeting to provide an overview of WIN-LA to potential proposers.
 - 2) LACMTA WIN-LA Program staff shall conduct a kick-off meeting with the Prime Contractor and participating Subcontractors within at least 30 days post contract award.
 - 3) LACMTA WIN-LA Program staff shall review and monitor Prime Contractor's and participating Subcontractors' WIN-LA attainment as follows:
 - a. Identify each new FTE hires job classification as listed on the WIN-LA Plan and corresponding Program Monthly Report.
 - b. Verify each position hourly pay rate as reported in the WIN-LA Plan and corresponding Program Monthly Report.
 - c. Verify WIN-LA program participant hires and ensure that the WIN-LA Certification form is submitted accordingly.



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- 4) LACMTA WIN-LA Program staff shall periodically request certified payroll records to perform sampling review of WIN-LA hire's direct rates and benefits to compare against the WIN-LA Plan and Program Monthly Report.
- 5) LACMTA WIN-LA Program staff shall assess the Proposer's WIN-LA attainment on a quarterly basis.
 - a. WIN-LA attainment will be calculated against the Total Labor Wages and Benefits commitment.
 - b. LACMTA WIN-LA Program staff shall issue a Notice of Non-Compliance to any Prime Contractor in the event of attainment shortfalls and request an explanation of the differences and corrective action plan.

4.2 Reporting

- A. LACMTA WIN-LA Program staff shall provide a WIN-LA Monthly Report template for the Prime Contractor to report WIN-LA attainment.
- B. Prime Contractors shall submit a WIN-LA Monthly Report that summarizes attainment of the Project Labor Wages and Benefits commitment including the other workforce requirements as stated in the Contract Special Provisions.
- C. Prime Contractor shall be responsible for the compliance of their Sub-Contractors' commitment as stated in the WIN-LA Plan.

5.0 ENFORCEMENT

- A. The enforcement shall be in accordance with the Contract Terms and Conditions.
- B. Before imposing Special Assessments, the Prime Contractor shall be notified by LACMTA WIN-LA Program staff of the proposed Special Assessments and served with a summary of the information upon which the Special Assessments are based.
- C. Should the project be terminated or completed before the Prime Contractor meets compliance terms, the recommendation may be made to LACMTA's Chief Vendor/Contract Management Officer to assess the Special Assessments from the Prime Contractor's retention.
- D. Should the Prime Contractor wish to appeal the Special Assessments; the Prime Contractor must request an appeal in writing within 10 calendar days of receipt of the Special Assessments before the LACMTA's Chief Vendor/Contract



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Management Office. Prior to the hearing, the Prime Contractor shall be provided a summary of the information upon which the recommendation assessment is based.

- E. At the hearing/meeting, the Prime Contractor will be allowed to provide evidence that it has made all efforts required under Section 2.6 Workforce Commitment of this Procedure to meet the WIN-LA commitments. Failure to submit a written request for an appeal within the time frame will be deemed a waiver of the right to appeal and the recommendation of the Special Assessments will be implemented.

6.0 ATTACHMENTS

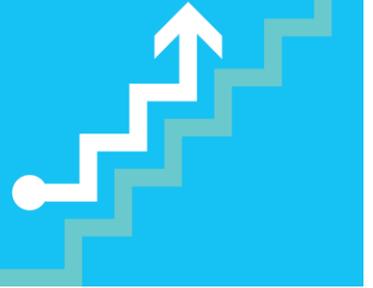
- A. WIN-LA Monthly Report Template
- B. WIN-LA Participant Referral Request Form
- C. Definition of Terms

7.0 PROCEDURE HISTORY

(insert date)

WIN-LA

WORKFORCE INITIATIVE NOW
METRO LOS ANGELES



Participant Referral Request Form

Date: _____

Name of Company:

Address:

Metro Contract No.

Job Title:

Contact Person:

Phone Number:

Location:(if different from company address):

Fax:

Email:

Number of Positions Available:

Job Description and Skills Required: (attach a separate sheet if needed)

Salary or Starting Pay:

Hours Per Week:

Resume Required?

Yes No

Minimum Education Requirements:

Other Requirements:

FOR WIN-LA STAFF USE ONLY

Date Posted: _____

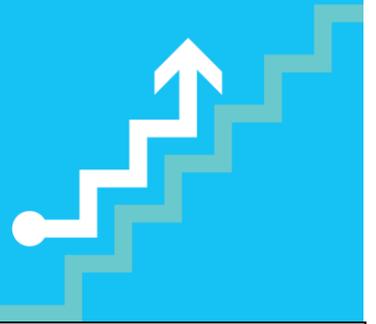


Metro

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WIN-LA

WORKFORCE INITIATIVE NOW
METRO LOS ANGELES



Participant Hired: _____ Date Hired: _____

DRAFT



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DEFINITION OF TERMS

America's Job Centers of California (AJCC)

America's Job Centers of California also known as WorkSource Centers) have been selected to serve as WIN-LA Career Service Centers. WIN-LA Career Service Centers serve as the location each participant will attend orientation, will complete an assessment, enroll in WIN-LA, meet with their Career Coach and receive career development support services. Metro has partnered with 11 AJCCs/WorkSource Centers to serve as WIN-LA Career Service Centers.

Career Development

Contractor's commitment to providing employed WIN-LA participants with relevant industry experience and/or education to promote career opportunity.

Career/Job Fair

Platform for employer host WIN-LA participants, providing information on the company, service being performed for Metro and career opportunities.

Career Service Center

WIN-LA Career Service Centers serve as the location each participant will attend orientation, complete an assessment, enroll in WIN-LA, meet with their Career Coach and receive career development support services. Metro has partnered with 11 AJCCs/WorkSource Centers to serve as WIN-LA Career Service Centers.

Diversity & Economic Opportunity Department (DEOD)

Metro department tasks with the strategic oversight, management and implementation of the WIN-LA program. DEOD is part of the Vendor/Contract Management (V/CM) department.

Job Fair

See Career/Job Fair

Job Ready

A WIN-LA key milestone. Being deemed "job ready" indicates that the participant has fulfilled the milestones and assigned tasks in his/her individualized Career Pathway Plan, and is ready to advance to job search.

Los Angeles Regional Workforce Development Board Consortium

Association of the seven Workforce Development Boards (WDB) serving Los Angeles County. WDB host America's Job Centers of California which serve as WIN-LA Career Service Centers. These WDBs are: Foothill Workforce Development Board, Los Angeles City Workforce Development Board, Los Angeles County Workforce Development Board, Pacific Gateway Workforce Development Board, South Bay Workforce Development Board, Southeast Los Angeles County Workforce Development Board (SELACO), Verdugo Workforce Development Board.

Post-Employment Support Services

Contractor's commitment to providing employed WIN-LA participants with access to resources in support of personal and professional success.

Priority Communities

WIN-LA increases opportunities for LA County residents by inclusion of priority populations from historically underrepresented communities that have met challenges, and/or have traditionally been identified as having a disadvantage and/or barriers to employment. These communities include, but are not limited to: veterans, homeless, single custodial parents, individuals with history with the criminal justice system, emancipated foster youth, individuals receiving public assistance, and individuals lacking GED/HS diploma.

Transportation Workforce Readiness Training

The Transportation Workforce Readiness Training is a mandatory four- to -five-day course that will provide WIN-LA participants with basic knowledge of the transportation industry, career options and employment skills. All participants enrolled in WIN-LA will participate in a Transportation Workforce Readiness Training that will be delivered by a designated community college.

Workforce Initiative Now – Los Angeles (WIN-LA)

Workforce Initiative Now – Los Angeles is Metro’s commitment to attract, hire and grow a world-class transportation workforce from the communities of Los Angeles County.

WIN-LA Plan

Document submitted by proposer/contractor that evidences commitment to the creation of jobs for WIN-LA program participants throughout the term of the contract, if awarded.

Work-Based Training

Contractor’s commitment to providing employed WIN-LA participants with relevant industry training. Training is delivered at place of work.

WorkSource Center

See America’s Job Centers of California (AJCC)

Vendor/Contract Management (V/CM)

Vendor/Contract Management is a Metro department that provides acquisition, supply chain, and small business development solutions.