



**SPECIAL WORKFORCE DEVELOPMENT  
BOARD MEETING  
AGENDA PACKET**

Wednesday, July 12, 2017  
8:30 a.m. – 10:30 a.m.

Goodwill Central Coast  
249 10<sup>th</sup> Street, Marina, CA

## NOTICE TO THE PUBLIC

Good afternoon, my name is Erik Cushman and, in my capacity as Chair of the Workforce Development Board, I welcome you to the Special Workforce Development Board meeting of July 12, 2017.

Members of the public who wish to address the Committee should identify themselves and state their name for the record. You should complete a blue Comment Card located near the door, prior to making comments, and hand to any Workforce Development Board staff member.

Copies of the agenda have been placed on the table near the door for your convenience.

The procedure for this meeting is as follows:

- The Committee Secretary will verify quorum; the Chair will read the opening remarks.
- Members of the public wishing to make a comment will then be given two (2) minutes each to comment.
- Workforce Development Board staff and/or Board Members will present recommendations for each action item on the agenda.
- Board members may ask questions of Workforce Development Board Staff and other Board Members.
- The Board may take action on any item designated as an action item.
- Workforce Development Board members may only discuss items listed on the Agenda pursuant to the "Brown Act."



1441 Schilling Place, North  
Salinas, CA 93901

(831) 796-6434  
[www.montereycountywdb.org](http://www.montereycountywdb.org)

**WDB Members:**

*Erik Cushman,*  
WDB & Executive Chair

*Mary Ann Leffel,*  
WDB 1<sup>st</sup> Vice Chair

*Paula Calvetti,*  
WDB 2<sup>nd</sup> Vice Chair

Al Davis  
Andy Hartmann  
Brian Turlington  
Cesar Lara  
Cresencio Diaz  
Harbhajan "Harvey" Dadwal  
Jay Donato  
Kimberly Schnader  
Larry Silva  
Mary Adams  
Mimi Laurent  
Salvador Muñoz  
Sandy Chamberlain  
Sherry Farson  
Steve MacArthur  
Dr. Walter Tribley  
Wendy Brickman  
Dr. Willard Clark Lewallen  
Yuko Duckworth

## Special Monterey County Workforce Development Board

Goodwill Central Coast, 249 10<sup>th</sup> Street  
Marina, CA 93933

**Wednesday, July 12, 2017; 8:30 a.m.**

### AGENDA

<b>CALL TO ORDER/INTRODUCTIONS:</b> <b>CHANGES TO AGENDA:</b> <b>PUBLIC COMMENT: (Limited to 2 minutes)</b>	Erik Cushman, <i>Chair</i>
<b>1. ACTION:</b> Bid Protest Filed by Employees of the Monterey County Economic Development Department – Office for Employment Training: Consider and decide on the MCWDB Executive Committee's recommendation to affirm the award of South County Youth Services to Turning Point of Central California, Monterey County.	Erik Cushman
<b>ADJOURNMENT:</b>	Erik Cushman
Documents related to agenda items that are distributed to the WDB less than 72 hours prior to the meeting shall be available for public inspection at 1441 Schilling Place, North, Salinas, CA or visit our website at <a href="http://www.montereycountywdb.org">www.montereycountywdb.org</a> . Documents distributed to the WDB at the meeting by County staff will be available at the meeting; documents distributed to the WDB by members of the public shall be made available after the meeting. <b>ALTERNATE AGENDA FORMATS:</b> If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Secretary to the WDB at (831)796-6434.	

# MEMORANDUM

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**TO:** WORKFORCE DEVELOPMENT BOARD

**FROM:** ERIK CUSHMAN, CHAIR, WORKFORCE DEVELOPMENT BOARD

**SUBJECT:** BID PROTEST FILED BY EMPLOYEES OF THE MONTEREY COUNTY ECONOMIC DEVELOPMENT DEPARTMENT – OFFICE FOR EMPLOYMENT TRAINING: CONSIDER AND DECIDE ON THE MCWDB EXECUTIVE COMMITTEE’S RECOMMENDATION TO AFFIRM THE AWARD OF SOUTH COUNTY YOUTH SERVICES TO TURNING POINT OF CENTRAL CALIFORNIA, MONTEREY COUNTY

**DATE:** JULY 12, 2017

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Consider and decide on the MCWDB Executive Committee’s recommendation to affirm the award of South County Youth Services to Turning Point of Central California, Monterey County.

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**From:** Dee Jimenez <Dee.Jimenez@seiu521.org>  
**Sent:** Friday, June 16, 2017 10:09 AM  
**Subject:** Notice of Bid Protest on RFP #10617 - WDB Youth Services  
**Attachments:** Bid Protest on RFP #10617 - Youth Services - 6.16.17.pdf

Please take notice of attached Bid Protest on Youth Services RFP # 10617 on behalf of interested parties.

Thank You

**Yadira C Jimenez**  
Administrative Assistant  
SEIU Local 521  
334 Monterey Street  
Salinas, CA 93901  
(831) 784-2562



**SERVICE EMPLOYEES  
INTERNATIONAL UNION  
CTW-CLC**

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Bakersfield, CA 93301

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5228 E. Pine Avenue  
Fresno, CA 93727

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**HANFORD**

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**SANTA CRUZ**

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Santa Cruz, CA 95060

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1811 W. Sunnyside Avenue  
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[www.seiu521.org](http://www.seiu521.org)



June 15, 2017

**VIA EMAIL AND HAND DELIVERY**  
Monterey County Workforce Development Board

**Re: RFP # 10617 for Monterey County Workforce Development  
Board/Turning Point of Central California**

Dear Board Members:

This protest is filed on behalf of, Maria Castillo, Alex Soltero, Sophia Plascencia, Jazmin Hinojosa, Elvia Lopez, Maria Gamotan, Allen Ogletree, Kathy Gonzales, Dave Fowler, Carlos Martinez, Harry Gamotan, Brenda Ramirez, Ashley Wooster, Bernie Clavo, Angelina Meza and Santa Rios who are members of Service Employees International Union Local 521, who support and include those who stand to lose their jobs because of the Board's June 7, 2017 decision to accept the May 12, 2017 proposal submitted by Turning Point of Central California ("Turning Point") in response to the above referenced Request for Proposals ("RFP"). The undersigned members respectfully urge the Board to reconsider its decision because the proposal submitted by Turning Point is not responsive to the RFP.

The RFP clearly provides:

Bidders must indicate on the Proposal Cover Page whether they are interested in service the North County (Districts 2, 4 and 5) or South County (Districts 1 and 3) and will be asked to propose a location (Appendix C) for meeting and delivering services to youth participants. Services can be provided at the Salinas location (LaGuardia One Stop), or the Marina or Greenfield satellite locations or at the bidder's own facilities so long as the bidder's facility or facilities are situated in the Districts it proposes to serve. (RFP, § 2.3).

In RFP Addendum #2, a question was posed as to whether, under section 2.3 of the RFP, it would be acceptable for a contractor to provide services at their own facility as long as a the contractor provides transportation as needed. The response was:

Yes, the Contractor can provide services at their own location, but they will need to have a presence at the One Stops/AJCC in either North or South County ... specifically in the area that they are interested in providing services. (Addendum #2, Question 2).

Turning Point's response to the RFP indicates it proposes to serve South County at its own facility at 701 Old Stage Road in Salinas. The RFP requires that the bidder's facilities be "situated in the Districts it proposes to serve." Turning

Point's facilities are in North County. Turning Point's bid is not responsive to the RFP in that its facility is not located in the District it proposes to serve.

The response to the question regarding section 2.3 in Addendum #2 does not resolve the problem. The response does not indicate that it would be appropriate for a facility in the North County to be used to provide services for South County. Even if that was the intent, Turning Point's response is deficient. There is nothing in the response regarding Turning Point providing transportation to and from its facility. Transportation is not mentioned in the budget narrative and does not appear to be a line item in the proposed budget.

Turning Point's proposal does not establish that it will have a presence at the One Stops/AJCC in South County, and does not mention how such a presence would be established. Its budget narrative indicates funds are included for a satellite office in the City of Soledad, but there is no commitment to open that office—the need for a satellite office is to be evaluated. Turning Point provides no information with respect to establishing a presence in South County or how it intends to do that. Using the One Stop and AJCC facilities for an occasional job fair does not establish a presence in South County. Given that that higher number of participants are South County residents, the provider should have facilities in and provide services in South County rather than requiring participants to incur the time and expense of traveling to facilities outside of South County.


A bid must conform to specifications, and if it does not conform, it may not be accepted. See *Ghilotti Constr. Co. v. City of Richmond* (1996) 45 Cal.App.4th 897, 904-905. As set forth above, Turning Point's proposal does not conform to bid specifications—its facilities are not located in South County, the County it seeks to serve. There is no information in Turning Point's proposal to establish it will establish a presence in South County, or how it intends to do so, and no information as to whether it will provide transportation to its North County facility for program participants. Turning Point's proposal is non-responsive.

We recognize that inconsequential deviations from specifications can be waived. To be treated as inconsequential, the deviation must not give the bidder an unfair competitive advantage or otherwise affect the amount of bids. See *Cypress Sec., LLC v. City & County of San Francisco* (2010) 184 Cal.App.4th 1003, 1015, citing *Ghilotti*, 45 Cal.App.4th at p. 908. Turning Point's deviations are not inconsequential. The lack of facilities in South County and the lack of information about establishing a presence in South County are factors that should have been, but were not built into Turning Point's budget. The same is true for the failure to transportation costs. The failure to take into account the funds needed for a facility in South County and transportation to and from the North County facility may have permitted Turning Point to submit a lower bid than it would have if these factors were included. If these deviations were to be waived, Turning Point would receive an unfair competitive advantage over the other entities submitting proposals.

If the selection of Turning Point is approved, approximately 4 individuals stand to lose their current jobs. There is no guarantee these employees will be hired by Turning Point or will quickly find other similar employment in the County. The loss of employment will have a significant impact on County resources and services to the youth of our community due to the failure of Turning Point's bid to truly serve the areas of South County.

For all of the foregoing reasons, we respectfully urge the Board to revisit its decision to select Turning Point to provide the services outlined in the RFP, and to reject its proposal as being non-responsive.

Thank you in advance for your consideration.

Maria Castillo	Alex Soltero	Sophia Plascencia	Jazmin Hinojosa
			
Elvia Lopez	Maria Gamotan	Allen Ogletree	Kathy Gonzales
			
Dave Fowler	Carlos Martinez	Harry Gamotan	Brenda Ramirez
			
Bernie Clayo	Angelita Meza	Santa Rios	Ashley Wooster
			
		Santa Rios	
ANNA M. Banda			
			