



COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF SOCIAL SERVICES  
WORKFORCE DEVELOPMENT BOARD

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**POLICY NO:** 20-19  
**TO:** Service Providers  
**FROM:** Department of Social Services  
**EFFECTIVE:** January 01, 2020  
**SUBJECT:** Procurement Policy

**REFERENCES:**

- **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, at 2 CFR Part 200** (Uniform Guidance - sections 200.317 to 200.325)
- The guidance contained in the **Workforce Innovations and Opportunity Act** statute and its regulation at 20 CFR Parts 675 through 688 (also known as the Final Rule)
- The Department of Labor's **Comprehensive Financial Management Technical Assistance Guide Part II (TAG)**

**PURPOSE:**

This policy provides guidance to staff and service providers regarding procurement requirements while using WIOA funds.

**POLICY:**

This policy adopts the **PROCUREMENT OF EQUIPMENT AND RELATED SERVICES** Directive as issued by the State of California's Employment Development Department (EDD). The current Directive is labeled as WSD17-08 and dated March 14, 2018. As EDD amends its procurement policies, this policy adopts the amended guidance.

When and if San Luis Obispo (SLO) County wishes to create more stringent requirements than those in the EDD Directive, or develop policy that differs from the EDD Directive, those exceptions will be noted as addendums to this policy.

The EDD policy does authorize non-federal entities to take advantage of existing economies of scale and systemwide purchasing expertise (see basic tenet (e) below). Specifically, for SLO county departments, this policy authorizes the use of the SLO General Services

Purchasing Handbook as a viable solution for purchasing. Nothing regarding this election precludes the county from abiding from all the requirements contained in the EDD Directive.

### **BACKGROUND:**

After review of the procurement guidance detailed in the references below, it is the decision of the board that the procurement standards for the Workforce Innovations and Opportunity Act programs in San Luis Obispo County will follow the guidance as provided in the EDD Directive.

Below are the resources reviewed:

- a) **Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, at 2 CFR Part 200** (Uniform Guidance - sections 200.317 to 200.325)
- b) The guidance contained in the **Workforce Innovations and Opportunity Act** statute and its regulation at 20 CFR Parts 675 through 688 (also known as the Final Rule)
- c) The Department of Labor's **Comprehensive Financial Management Technical Assistance Guide** Part II (TAG)

The principle contained in the above sources reiterate the same general rules and guidance. As time evolved, and the Office of Management and Budget (OMB) consolidated the Uniform Guidance, and as lower tier entities such as the State EDD added minor and more restrictive requirements, the iteration as issued by EDD is the current minimum standards for WIOA procurement.

Rather than literally duplicate the EDD Directive and risk miss interpretations, San Luis Obispo makes an affirmative election to make the EDD Directive the WIOA policy. Accordingly, all subrecipients and contractors using WIOA funding, will abide by the rules as contained in the EDD Directive.

This policy does not dictate process or procedures. This is important to note because the EDD Directive (and higher tier guidance from OMB and DOL) requires that non-federal entities **must** develop their own documented procurement procedures. The burden of proof for documenting need, reasonableness of price, and methods of procurement must be documented and made available to EDD and DOL oversight.

However, those processes/procedures will not be articulated in this policy. Alternatively, process and procedures are the responsibility of the users of WIOA funds.

There are some basic procurement tenets that should be noted. A non-federal entity must:

- a) Use its own documented procurement procedures that reflect applicable law and regulations.
- b) Maintain oversight to ensure performance and delivery
- c) Maintain written standards of conduct to avoid conflicts of interest
- d) Avoid purchasing duplicative or unnecessary items
- e) Create greater economy and efficiency (using centralized/intergovernmental purchasing)

