

Request for Proposals

Employer of Record Services

Worksystems is seeking a qualified and experienced organization to provide Employer of Record (EOR) services for youth and adults placed in a subsidized Work Experience or Paid Work Opportunity services. The Employer of Record will manage the administrative and compliance-related aspects of employment, including payroll management, tax and regulatory compliance, hiring and offboarding, worker's compensation and pre-placements screenings, and adherence to labor regulations.



Released
October 7, 2024



Contents

Contents..... 2

Part I: Introduction..... 3

Part II: Background..... 3

Part III: Available Funding 4

Part IV: Contractor Requirements..... 5

Part V: Scope of Work 7

Part VI: Proposal Narrative Content and Evaluation Criteria..... 9

 Section F: Demonstration 11

Part VII: Proposal Review Process..... 11

Part VIII: Proposal Submission 11

Part IX: Award Notification 12

 Inquiries 12

 Withdrawal 12

 Appeals 12

 Resource Documents..... 13

Part XI: Additional Provisions and Disclaimers 14



Part I: Introduction

Worksystems is a non-profit agency that supports economic growth in the City of Portland, Multnomah, and Washington counties by pursuing and investing resources to improve the quality of the workforce. We design and coordinate workforce development programs and services delivered through a network of partners to help people acquire the skills, training, and education they need to go to work or to advance in their careers. Our partners include employers, labor groups, government, community colleges, high schools, and community-based and economic development organizations. Since 1998, Worksystems has invested over \$300 million in our community.

Worksystems is seeking competitive proposals for Employer of Record (EOR) services to support youth and adult participants enrolled in subsidized Work Experience or Paid Work Opportunity services. The Employer of Record will manage the administrative and compliance-related aspects of employment, including payroll management, tax and regulatory compliance, hiring and offboarding, worker's compensation and pre-placements screenings, and adherence to labor regulations. Additionally, we require a responsive EOR that can efficiently onboard participants, adapt to fluctuating program needs, and ensure a high level of customer service to participants, contracted Service Providers, and worksites.

Part II: Background

Work Experience (WEX) and Paid Work Opportunities (PWO) are key program offerings in Worksystems' adult and youth work readiness programming.

A WEX service provides participants with career exposure, opportunities to practice workplace skills and work ethic and, in some instances, provide a re-connection to the workforce. WEX services are intended to prepare a participant for future, unsubsidized employment, by matching participants with worksites committed to providing supportive supervision and mentorship in positions aligning with a participant's short- or long-term career goals. WEX services are considered federally- and state-funded work-training programs and participants are not subject to Unemployment Insurance or paid leave withholdings.

A PWO service is intended to match a participating worksite with a work-ready participant who is interested in and ready for placement in an entry-level employment position within a target industry. Participants in PWO placements may be subject to Unemployment Insurance and paid leave withholdings.

Participants in WEX and PWO programming are supported by Service Providers contracted through Worksystems who provide worksite development and Career Coaching throughout the duration of the WEX and PWO services. Participants in the youth programs are 16 – 24 years old, while most adult program participants are 18 years or older. Populations prioritized to receive WEX programming include individuals identifying as experiencing homelessness or housing instability, low-income, engaged or transitioning from foster care, holding a marginalized racial/ethnic identity, immigrants/refugees, people with a disability, identifying as LGBTQIA2S+ and/or justice impacted.

The demand for WEX and PWO services fluctuates with available funding, but recent trends are described below. Enrollments fluctuate throughout the year with increased enrollment for youth in Summer months.

Recent WEX/PWO Participation Rates		
Year	Youth Served	Adults Served
2024 (estimated)	240	140
2023	590	172
2022	624	183
2021	464	4

Contracted Service Providers recruit and support a variety of worksites involved with WEX and PWO programming. Worksites may be non-profit, private or public organizations. Specific positions and industries vary based on participant interest and funding priorities. In recent years, positions in the following industries have been supported:

- Accommodation and Food Services
- Administrative Support
- Agriculture, Forestry, Fishing and Hunting
- Arts, Entertainment and Recreation
- Construction
- Educational Services
- Finance and Insurance
- Health Care and Social Assistance
- Information
- Company Management
- Manufacturing
- Professional, Scientific and Technical Services
- Public Administration
- Real Estate, Rental, and Leasing
- Retail
- Transportation and Warehousing
- Utilities
- Wholesale Trade

Part III: Available Funding

The Contract resulting from this RFP is anticipated to begin March 1, 2025, and run through June 30, 2026. Additional years' funding may be contracted for up to four one-year extensions through June 30, 2030, at a funding level to be determined each year based on available funds and Contractor performance. Worksystems will negotiate final budgets with the successful applicant.

Part IV: Contractor Requirements

Selected Contractor must meet the following Contractor requirements:

1. Can complete contracted work in a manner that adheres to State of Oregon wage, tax, benefit and employment laws.
2. Have staffing available to always provide necessary coverage, which may fluctuate throughout the year.
3. Ability to hire participants 16 years of age and older.
4. Ability to hire and support participants with justice-involvement/criminal background.
5. Ability to work with diverse individuals and/or groups.
6. Ability to provide invoices with individual participant level data, inclusive of participant name, Worksystems' unique participant identifier, worksite, pay rate, regular hours, overtime hours, gross hours, total wages, total stipends, indirect rate/bill rate, EOR costs, invoice total.
7. Worksystems cannot enter into Contract negotiations with an organization that is not legally established to conduct business within the State of Oregon or debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. Organizations that have active exclusion records on their Unique Entity Identifier number in the SAM at www.sam.gov may not be awarded a Contract.

Selected Contractor must maintain an active SAM registration with current information, including information on immediate and highest-level owner and subsidiaries, as well as on all predecessors that have been awarded a Federally funded Contract or grant within the last three years, if applicable, at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency or pass-through entity.

Selected Contractor must represent and warrant that it is not, nor has been, debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency. Additionally, selected Contractor must attest it has no knowledge of any proposed actions against it for its debarment, suspension, proposed debarment, declaration of ineligibility, or voluntary exclusion from participation in this transaction by any federal department or agency.

Selected Contractor must represent and warrant that it does not have an active exclusion record on its Unique Entity Identifier Number in SAM at www.sam.gov.

8. Selected Contractor is required to represent and warrant to Worksystems that they are an Independent Contractor engaged in an independently established business providing the same or similar services to the services they will provide to Worksystems; that they market their business and have clients in addition to Worksystems Inc.; and that they are solely responsible for maintaining all licenses and paying all fees and taxes required in the State of Oregon (or another state where they are located, if applicable) for the operation of such business.

Selected Contactor must meet the following criteria to qualify as an Independent Contractor under all applicable federal and state laws.

Three or more of the following:

- The undersigned business is a properly registered (and licensed, if applicable) business providing the services that I will be providing to Worksystems Inc. This means the business (whether an LLC, Corporation or Sole Proprietorship) is registered with the Oregon Secretary of State (or the state where your business is located if other than Oregon) and has satisfied any applicable local business registration requirements. For example, businesses located in Portland and/or Multnomah County must register and pay associated business taxes here: <https://www.portland.gov/revenue/business-tax>;
- The business has the necessary staff, tools and equipment needed to perform the services;
- The business bears risk of loss related to the services to be performed, as demonstrated by one or more of the following: (A) this will be a fixed price contract; (B) defective work will be corrected by the business at no additional charge; and/or (C) we warranty the services provided;
- The business maintains its own liability insurance, and all required insurance associated with the provision of services, including without limitation workers compensation insurance for all personnel, unless they are exempt (for example, owners);
- The business provides contracted services for two or more different persons, organizations, and or companies within a 12-month period, or routinely engages in business advertising, solicitation or other marketing efforts reasonably calculated to obtain new contracts to provide similar services;

OR

- Any personnel performing the services are either owners or employees, and exercises exclusive control over the work performed by its personnel;

AND

- The services will be primarily performed from an independent business location: (A) that is separate from the business or work location of Worksystems; or (B) that is in a portion of my residence and that portion is used primarily for the business.

AND

- The business otherwise qualifies as an Independent Contractor under all applicable federal and state laws.

Part V: Scope of Work

Selected Contractor will be required to perform the following services:

1. **Establishing Worksites:** Collect information needed to establish the worksite and worksite position for a participant's WEX or PWO placement.
2. **Onboarding:** Conduct virtual or onsite sessions in connection with processing of new hires to complete onboarding paperwork and educate participant about relevant rights regarding overtime, injury, harassment, etc. as required by federal, state and local laws. This includes employment authorization verification to ensure participants are eligible to work in the United States, tax documentation and information, and completion of all other necessary new hire paperwork.
3. **Screening:** Upon request, provide background checks or pre-placement drug screening for participants. The EOR will not perform background checks unless asked by Worksystems' contracted Service Provider.
4. **Payroll Processing and Delivery:** Process new hires, wage increases, transfers, and terminations. Track participant time worked. Responsible for payment of wages, including stipends or bonuses where applicable, including appropriate deductions, withholdings, and premium payments under applicable federal, state and local laws. Provide tax documentation as required by federal, state and local laws.
5. **Payment Methods:** Offer participants a choice of pay card or direct deposit. Manage pay card procurement, delivery, and replacement, as well as direct deposit set-up and testing.
6. **Taxes:** Withhold, pay and transmit payroll taxes in an amount no less than required by law.
7. **Employee Management:** Respond to day-to-day participant issues and administrator inquiries by providing coaching, guidance and legal assistance to participants and their assigned contracted Service Providers.
8. **Leave Management:** Handle administrative and medical leaves of absence. Generate paperwork, track time away from work. In collaboration with contracted Service Providers, facilitate communication between participant and worksite regarding leave and return to placement. Serve as a liaison between participant and state-operated leave assistance.
9. **Workers' Compensation:** Handle workers' compensation claims. Generate paperwork, track time away from work, facilitate communication between participants and worksites. Serve as a liaison between participant and insurance carrier.
10. **Unemployment:** Handle unemployment claims. Generate paperwork. Serve as a liaison between eligible participants and Oregon Employment Department for unemployment payments.
11. **Benefits Administration:** Coordinate benefit enrollment process, including any federal-, state- or local-mandated benefits, for eligible employees. Administer benefits for eligible participants.
12. **Recordkeeping:** Manage and maintain personnel records, including documentation tracking leaves of absences, salary increases, promotions, transfers, and terminations.
13. **Training:** Provide training resources and support to Worksystems and Worksystems' contracted Service Providers regarding EOR services and processes. This includes, but is not limited to, onboarding/hiring process, timesheet/timekeeping processes, and resource access.

14. **Collaboration and Communication:** Work collaboratively with Worksystems' contracted Service Providers to resolve hiring process delays, payroll, employment and performance issues with participants and/or worksites.
15. **Reports:** Selected Contractor will be required to provide reports on a regular basis that include a variety of participant and worksite information. This information must be provided in securely delivered reports or made available through secure access to the EOR's database system. Reports should include at a minimum:
 - a. Participant status (onboarding, active, terminated, etc.) sorted by participant, unique Worksystems identifier, worksite, contracted Service Provider and fund code.
 - b. Cumulative hours worked sorted by participant, unique Worksystems identifier, worksite, position, contracted Service Provider and fund code.
 - c. Cumulative wages earned by each participant, including itemized payroll taxes, sorted by participant, unique Worksystems identifier, worksite, Contracted Service Provider and fund code.
16. **Participant Access:** Provide methods for participants to:
 - a. Onboard with EOR
 - b. Complete and sign employment authorization documentation paperwork
 - c. Enter and update personal contact info
 - d. Select and update payment methods for payroll
 - e. Enter hours worked for approval
 - f. View and download pay stubs
 - g. View and download W2
17. **Administrative Data Access:** Provide administrative portal so Worksystems staff and authorized contracted Service Provider staff can:
 - a. Establish and enter worksite information, including Worksite Agreement, position description(s), address, worksite Supervisor, and contact details.
 - b. Assist with onboarding and offboarding participants.
 - c. Choose one Worksystems fund code to attach to each participant.
 - d. Enter Worksystems unique identifier for each participant (I-Trac ID).
 - e. Monitor participant progress with onboarding to assist and support requested start dates for participants.
 - f. Track pay delivery and distribution.
 - g. Assist participants, contracted Service Providers, and worksites with timesheet data entry and review through access to timesheet and payroll data.
 - h. Access or create reports related to participant placements.
 - i. Access training materials and request help as needed.

Part VI: Proposal Narrative Content and Evaluation Criteria

Proposals should be no longer than 10 pages, single sided. Font size of 12 point is preferred. Page limitation excludes Proposal Cover Sheet and Fee Schedule/Structure.

Section A: Scope of Work

(55 points)

Submissions must propose a plan for providing the services and support described above in **Part IV: Contractor Eligibility Requirements** and **Part V: Scope of Work**. Proposals must discuss or describe the following:

- a) Experience providing Employer of Record services.
- b) Onboarding process including *estimated timeline* for participants and associated worksites.
- c) Capacity and *estimated timeline* for providing pre- and post-placement background checks or drug screenings, when requested.
- d) Any age-related or background related hiring restrictions applied to any employee.
- e) Any job duties disallowed or requiring additional approval.
- f) Payroll processing and delivery schedule, including off-cycle payroll delivery capacity.
- g) Payment methods available to participants.
- h) Employee management process and capacity.
- i) Benefit administration policies and capacity.
- j) Leave management policies and capacity.
- k) Available training resources and support.

Section A Evaluation Criteria

- Applicant has experience providing Employer of Record services.
- Applicant's onboarding process and estimated timeline for participants and worksites are feasible and do not delay service delivery.
- Applicant's capacity and estimated timeline for background checks and screenings are feasible and do not delay service delivery.
- Applicant does not have hiring restrictions which will impact ability to serve Worksystems participants.
- Disallowed job duties described by applicant will not impact program delivery.
- Applicant adequately described their payroll processing and delivery schedule, including off-cycle payroll delivery capacity.
- Applicant has multiple payment methods available for participants including direct deposit, pay cards and paper checks.
- Applicant adequately described their employee management process and capacity.
- Applicant adequately described benefit administration policies and processes.
- Applicant's leave management policy will assist participants in accessing leave programs when eligible.
- Applicant has a variety of training resources and support available for contracted Service Providers and participants to understand how to access Employer of Record services and supports.

Section B: Data Management and Reporting

(35 points)

- a) Describe your tax withholding and transmission process.
- b) Describe procedures and processes in place to manage worker's compensation claims.
- c) Describe procedures and processes in place to manage unemployment claims.
- d) Describe your record maintenance policies.
- e) Describe your ability to fulfill reporting requirements listed in **Part V: Scope of Work, #13** above, including data systems used and Worksystems ability to access and utilize named systems.
- f) Describe systems and procedures in place to ensure participant access to Employer of Record services, including accessing timekeeping and recordkeeping systems.
- g) Describe systems and procedures in place to ensure administrative access to Employer of Record services, including accessing reports and training resources.

Section B Evaluation Criteria

- Applicants tax withholding and transmission process follows required federal and state regulations.
- Applicant has a process in place to manage worker's compensation claims.
- Applicant has a process in place to manage unemployment claims.
- Applicant has a robust record maintenance policy.
- Applicant is able to deliver required reports on a regular basis or has provided a system for Worksystems to access participant data within its systems as needed.
- Applicant has systems in place to ensure participant access to Employer of Record services, including accessing timekeeping and recordkeeping systems.
- Applicant has systems in place to ensure administrative access to Employer of Record services, including accessing reports and training resources.

Section C: Management and Staffing

(10 points)

- a) Describe the roles of staff on your team who will be implementing the Employer of Record services. Include FTE you anticipate and key duties for each position. Include staffing for leveraged components of the program that will not be funded by this award.
- b) Participant support needs will fluctuate throughout the year. Discuss your organization's overall staffing and management structure and the extent to which this adequately supports program operations.

Section C Evaluation Criteria

- Discussion of staffing clearly describes program oversight and staff responsibilities.
- Evidence that staffing is sufficient to support all required program design components.

Section D: Fee Schedule/Structure

(30 points)

- a) A completed Fee Schedule/Structure must be included in the response. The structure should clearly demonstrate participant wage rates, federal taxes, state taxes, worker’s compensation costs, any additional costs associated with participant wages, administrative costs and indirect rates. Any one-time costs associated with onboarding, background checks, or pre-employment drug screenings must also be included.
- b) The Fee Schedule/Structure is to be developed for the necessary operations costs required to manage the program being proposed.

Funding Restrictions

- Equipment or capital expenditures may not be purchased with funds for this project.

Section D Evaluation Criteria

- Costs are reasonable and staffing costs align with services described.
- Budgeted costs are consistent with the proposal and demonstrates how the funds requested are necessary and essential to accomplish the scope of services for the project.
- Proposed costs are sufficient to perform the tasks described in the narrative.
- Fee Schedule/Structure form contains no unexplained amounts for miscellaneous or contingency.
- Fee Schedule/Structure form demonstrates fiscal responsibility and reasonableness.
- Provided a complete and accurate Fee Schedule/Structure form.

Section E: Demonstration

Applicants may be required to provide a demonstration of the Applicant’s participant and worksite onboarding processes before a final funding decision is made. Requests for demonstrations will be sent to selected Applicants after submitted narrative responses and fee schedule/structures are evaluated.

Part VII: Proposal Review Process

Proposals and respondent presentations will be evaluated by a committee of representatives from Worksystems.

The funding recommendations will be made to the Worksystems’ Executive Director for final decision.

Part VIII: Proposal Submission

Worksystems must receive the proposal and all related documents marked “(Name of Applicant) Employer of Record Services” ***no later than Monday, November 25, 2024 at 12:00 noon***. The Proposal Cover Sheet must be signed by an individual authorized to represent the organization, to act on its behalf and to legally bind it in all matters related to the Request for Proposals. Submissions are to be submitted electronically.

Please submit the electronic copy of the proposal (in PDF format) and the Fee Schedule/Structure (in Excel or PDF) to rfp@worksystems.org. Worksystems will send an email confirmation to the address on the cover page acknowledging receipt.

Complete proposal packages will include the following documents:

Proposal Documents	Format
Completed and signed Proposal Cover Sheet and Proposal Narrative	PDF
Fee Schedule/Structure	Excel or PDF

It is the respondent’s responsibility to ensure the submission was received. If a Worksystems confirmation email has not been received, it is the respondent’s responsibility to follow-up with another email or telephone call before 12:00 noon on November 25, 2024. Late proposals will not be considered.

Part IX: Award Notification

Provisional award results will be sent via e-mail by January 13, 2025.

Inquiries

All questions related to this solicitation are to be submitted electronically via email with the subject line “Inquiry: [Employer of Record Services]” and sent to: rfp@worksystems.org. Questions received after the solicitation has been published and before close of business November 19, 2024, will be responded to within three business days by posting in the “Questions and Answers” section for this Request for Proposals at www.worksystems.org in the News and Events section. Questions received after November 19, 2024 will not be answered.

Withdrawal

A submitted Request for Proposals response may be withdrawn at any time. A written request to withdraw the response must be submitted electronically to rfp@worksystems.org.

Appeals

The following process has been established to address appeals:

- The fact that a proposal was not recommended for funding is also not open to an appeal, nor is a complaint about the amount of funding granted. Proposal rating scores may not be appealed.
- The appeal must be due to what the respondent considers a flaw in the Evaluation Committee’s funding recommendation process. The appeal must be based on a violation of the process established for the solicitation.
- The appeal must be submitted in writing by January 16, 2025. Appeals must be sent to rfp@worksystems.org. All appeals are public information.
- The organization or individual filing the appeal must specify the basis of the appeal and provide an alternative the appellant would find acceptable.

During any part of the review or consideration, the appellant may be asked to clarify or amplify statements or to provide proof of claims or other statements. Any such requests must be fully responded to within the time designated by Worksystems. In the event an appellant fails to respond, the appeal will be dismissed, and no further appeal will be accepted.

Worksystems' Executive Director and Chief Operating Officer will review the appeal and issue a written response that is intended as a complete and final answer to the appeal.

Resource Documents

Resource documents for this Request for Proposals as posted on Worksystems' website with this Solicitation.

- Request for Proposal (this document)
- Submission Cover Sheet
- Fee Schedule Structure
- Sample Professional Services Agreement

Part XI: Additional Provisions and Disclaimers

- Worksystems reserves the right to waive informalities and minor irregularities in offers received.
- This Request for Proposals does not commit Worksystems to award a contract.
- Worksystems may accept any item or group of items of any offer, unless the bidder qualified its offer by specific limitations.
- Worksystems reserves the right to request additional data or oral discussion or documentation in support of written offers.
- By providing contact information for references respondents are authorizing Worksystems to contact the reference and discuss respondents' work.
- No costs will be paid to cover the expense of preparing a proposal.
- All data, material, and documentation originated and prepared by the bidder pursuant to the contract shall belong exclusively to Worksystems and be subject to disclosure under the Freedom of Information Act. Applicants are advised that most documents in the possession of Worksystems are considered public records and subject to disclosure under the State of Oregon's Public Records Law.
- Formal notification to award a contract and the actual execution of a contract are subject to the following: Receipt of anticipated funding, results of negotiations between selected respondents and Worksystems staff, and continued availability of funds.
- Proposals submitted for funding consideration must be consistent with – and if funded, operated according to – relevant federal legislation, all applicable federal regulations, State of Oregon policies, and Worksystems policies and procedures.
- Additional funds received by Worksystems may be contracted by expanding existing programs. These decisions shall be at the discretion of Worksystems.
- Worksystems may decide not to fund part or all of a proposal even though it is found to be in the competitive range if, in the opinion of Worksystems, the services proposed are not needed, or the costs are higher than Worksystems finds reasonable in relation to the overall funds available, or if past management concerns lead Worksystems to believe that the bidder has undertaken more services than it can successfully provide.
- Worksystems has a right to fund a lower-ranked proposal over a higher ranked proposal because of valid policy considerations, including but not limited to, geographical considerations, leveraging of outside resources, and target populations.
- All respondents must ensure equal opportunity for all individuals. No individual shall be excluded from participation in, denied the benefits of, or subjected to discrimination under any WIA-funded program or activity because of race, color, religion, sex, national origin, age, disability, or political affiliation or belief.
- All respondents must ensure access to individuals with disabilities pursuant to the Americans with Disabilities Act.
- Worksystems reserves the right to determine both the number and the funding levels of contracts finally awarded. Such determination will depend upon overall fund availability and other factors arising during the proposal review process. The proposal warrants that the costs quoted for services in response to the Request for Proposals are not in excess of those that would be charged any other individual for the same services performed by the bidder.