

WORKSOURCE COASTAL CONTRACT MODIFICATION FORM

Contract Number : 2017-ROSS-BS-03	Modification Number: 2017-ROSS-BS-03-01 Effective Date: September 25, 2017 CFDA No: Adult-17.258, DW-17.278, NDWG-17.277
Contractor's Name and Legal Address: Ross Innovative Employment Solutions Corp. Shawn Brenner, Chief Executive Officer 301 Orchard Street, Suite 2 St. Clair, MI 48079	Issued By: WorkSource Coastal 7216 Skidaway Road, Suite A Savannah, GA 31406

Changes herein have the following effect on federal government funds in this contract/agreement:

Title(s):

WIOA Grant Funds,
 Increased by \$197,956
 Decreased by _____

THE ABOVE IDENTIFIED CONTRACT/AGREEMENT IS MODIFIED AS FOLLOWS:

(1) The PY17 contract named above is hereby modified to be extended until August 31, 2018 and to add \$197,956 to provide Work Experience and support to individuals assisting in the clean-up and recovery efforts in Camden County. Including the additional funds, the total contract amount is \$747,956.

(2) The Contractor agrees to the following conditions of this modifications:

Contractor shall notify WorkSource Coastal/City of Savannah in writing in thirty (30) days of receipt if it cannot comply or meet any or all of the obligations placed upon it by the terms of the affected contract and its modification(s).

Workforce Coastal/City of Savannah shall make reasonable efforts to provide technical assistance upon Contractor's request; however, such efforts shall not release the Contractor from meeting its contractual obligations under this Agreement and /or modification(s).

Contractor understands that the inability to comply with the above shall be cause for termination procedures if said issue(s) remain unresolved through this modification process as described in the original contract.

Contractor also understands that Workforce Coastal/City of Savannah may cancel this Agreement by giving thirty (30) day written notice to Contractor as outlined in the original contract.

The contractor understands that Rob Hernandez, City Manager, City of Savannah or her designee authorizes any and all payments including those issued to the participants or clients made as a result of properly submitted invoices in accordance with the approved budget. This process will continue until the Contractor is officially informed in writing of any changes to the Contract Administrator or the Receiver and Disburser of the funds covered within this modification.

EXCEPT AS HEREBY MODIFIED, ALL TERMS AND CONDITIONS OF SAID CONTRACT/AGREEMENT AS HERETOFORE MODIFIED, REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT. THIS MODIFICATION IS ENTERED INTO PURSUANT TO THE AUTHORITY OF:

Ross Innovative Employment Solutions Corp. Signature:	WorkSource Coastal Signature:
Typed Name: Shawn Brenner	Typed Name: Mike Tucker
Title: Chief Executive Officer	Title: Executive Director
Coastal Workforce Development Board Signature:	City of Savannah Signature:
Typed Name: Michael King	Typed Name: Rob Hernandez
Title: Board Chair	Title: City Manager

**WORKSOURCE COASTAL
GEORGIA WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)**

STATEMENT OF WORK

National Dislocated Worker Grant (NDWG)

Ross Employment Solutions will receive up to \$197,956 to pay for temporary workers and associated costs. These workers will provide assistance in the clean-up and recovery efforts, as well as human services staff to assist Camden County community members in need affected by the storm of September 8, 2017 under the National Dislocated Worker Grant (NDWG).

WorkSource Coastal has provided Ross Innovative Employment Solutions with a budget for the costs of services related to clean-up and recovery efforts. This budget is incorporated by reference and all costs must be tracked in accordance with the approved budget. Ross IES must obtain prior written approval from WorkSource Coastal to move any portion of the grant award total from one budget category to another.

NDWG funds may only be used to provide temporary employment on projects for the clean-up, demolition, repair, renovation, and reconstruction of destroyed public structures, facilities and lands within affected communities. Relatedly, funds may be used toward the rental of equipment associated with the clean-up as outlined on p. 17 of TEGL 2-15 which requires that equipment must be used at eligible worksites where eligible Disaster DWG participants are employed to support clean up and recovery activities.

Participant wages, supportive service costs, and equipment-related costs are only eligible for NDWG reimbursement at locations where valid worksite agreements have been executed.

Funds may be used to provide temporary employment in humanitarian assistance jobs (e.g. distribution of food, clothing, shelter and other types of humanitarian assistance for disaster victims). In addition, these funds may be used to perform work on homes of disadvantaged individuals who are eligible for the Federally- funded Weatherization program, with priority to services of the elderly and individuals with disabilities.

Funds can also be used to provide appropriate safety gear for workers cleaning and repairing public property. In addition, the funds may also be used to hire staff from public and non-profit agencies helping in the relief effort, to include public assistance agencies, as well as counselors to help grieving and traumatized and also training counselors.

Ross IES must ensure that the job duration of the temporary workers do not exceed 12 months or 2,080 hours.

Department	Position	Wage	Benefit Calc	Per Week	18 Week Total
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	General Labor	\$11.23	1.22	\$548.02	\$9,864.36
Public Works	Project Manager	\$20.07	1.22	\$979.41	\$17,629.38
Municipal	Recov Support/Exec Ast	\$15.03	1.22	\$733.46	\$13,202.28
Municipal	Meter Tech	\$10.60	1.22	\$517.28	\$9,311.04
Economic Dev	EcDev Specialist	\$15.03	1.22	\$733.46	\$13,202.28
Economic Dev	EcDev Specialist	\$15.03	1.22	\$733.46	\$13,202.28
City Manager	Project Manager II	\$20.07	1.22	\$979.41	\$17,629.38
					\$172,955.88

Equipment Item	Cost	total
U Line Helmet	10.00 X 10	\$100.00
U Line Gloves	18.00 X 10	\$180.00
U Line Glasses	24.00 X 10	\$240.00
Shovels	20.00 X 10	\$200.00
Rake	8.00 X 10	\$80.00
Cain Saw Rent	672 (wk) X 2 X 18	\$24,000.00
Axe	20.00 X 10	\$200.00
		\$25,000.00

Human Capital	\$172,955.88
Equipment	\$25,000.00
Grabd Total	\$197,955.88

WORKSOURCE COASTAL

NDWG - SPECIFIC ASSURANCES AND REQUIREMENTS

ASSURANCES AND CERTIFICATIONS

CREATIVE COMMONS ATTRIBUTIONS LICENSE

As required at 2 CFR 2900.13, any intellectual property developed under competitive award process must be licensed under a Creative Commons Attribution 4.0 (CC BY) license, which allows subsequent users to copy, distribute, transmit and adapt the copyrighted work and requires such users to attribute the work in the manner specified by the recipient. For general information on CC BY, please visit <http://creativecommons.org/licenses/by/4.0>. Instructions for marking your work with CC BY can be found at http://wiki.creativecommons.org/Marking_your_work_with_a_CC_license.

EQUIPMENT

Recipients must receive prior approval from WFD for the purchase of any equipment as defined in the Uniform Guidance at 2 CFR 200.33. Equipment purchases must be made in accordance with 2 CFR 200.313 or 2 CFR 200.439.

This grant award does not give approval for equipment specified in a recipient's budget or statement of work unless specifically approved by WFD. If not specified above, the recipient must submit a detailed description list to the FPO for review within 90 days of the Notice of Award date. We strongly encourage recipients to submit equipment purchase requests as early as possible in the grant's period of performance with as many planned pieces of equipment as possible.

Recipients may not purchase equipment in the last funded year of performance which is defined as full program service delivery (not follow up activities), which may not be the same as the last twelve months of the period of performance. If any approved acquisition has not occurred prior to the last funded year of performance, approval for that item(s) is rescinded.

INTELLECTUAL PROPERTY RIGHTS

The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the recipient, subrecipient or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to,

the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping.

If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income must be used in accordance with the provisions of this grant award and 2 CFR 200.307.

If applicable, the following needs to be on all products developed in whole or in part with grant funds:

“This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the recipient and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it.”

PRE-AWARD

All costs incurred by the recipient prior to the start date specified in the award issued by the Department are *incurred at the recipient's own expense*.

SUPPORTIVE SERVICES AND PARTICIPANT SUPPORT COSTS

When supportive services are expressly authorized by program statute, regulation, or FOA, this award waives the prior approval requirement for participant support costs as described in 2 CFR 200.456. Costs must still meet the basic considerations at 2 CFR 200.402 – 200.411. Questions regarding supportive services and participant support costs should be directed to the FPO assigned to the grant.

GEORGIA DEPARTMENT OF ECONOMIC DEVELOPMENT, WORKFORCE DIVISION

COORDINATION WITH FEDERAL AGENCIES

Federal Emergency Management Agency (FEMA) - In accordance with WIOA Section 170 (d)(1)(A), funds made available for Disaster NDWGs “shall be used in coordination with FEMA, as applicable,... “ As a result, in order to ensure non-duplication and maintenance of effort, recipients of NDWG funding must coordinate the activities funded under this grant with those funded by and/or performed under the auspices of FEMA if FEMA has issued an appropriate declaration.

Other Federal Agencies –If another federal agency (outside of FEMA) with authority or jurisdiction over the federal response declares or otherwise recognizes an emergency or disaster that meets the definition at WIOA 170(A)(1)(B), NDWG funds made available for that disaster must be used in coordination with that agency, as applicable in order to ensure non-duplication and maintenance of effort.

The grantee must have in place a plan to recover WIOA funds which have been expended for activities or services for which other funds are available. This includes, but is not limited to: FEMA, other federal agencies, public or private insurance, donated time and construction workers employed by private for profit firms where resources are available to provide for such employment.

If additional areas are declared eligible for assistance by FEMA or another Federal agency as allowable under WIOA, you may immediately begin to provide services under this grant in those counties. However, the direct recipient must notify its Federal Project Officer in writing of the inclusion of any additional areas that have been appropriately approved by the federal agencies, and include such locations in the full application. For more information on the full application, please see the Condition of Award page included in this grant package.

ELIGIBILITY

Self-certification – The participant file must document participants' eligibility. Because of the circumstances surrounding the disaster, documentation of eligibility may be difficult to obtain during the initial stages. The Department is prepared to accept an individual's signed certification that they meet the eligibility criteria. The Grantee should have a system in place to verify eligibility for individuals once better data are available. If the Grantee has such a system in place, and if a participant is later found to be ineligible, the costs incurred prior to the discovery of ineligibility will not be disallowed.

Limitations on Duration of Participation -- Temporary jobs created under this grant shall be in public or private non-profit agencies. No individual shall be employed in Disaster Relief Employment for more than 12 months related to recovery from a single emergency or disaster, pursuant to WIOA Sec. 170(d)(3)(A). The Department will consider requests from a State to extend employment related to the recovery from this disaster involving the State, for up to an additional 12 months in accordance with WIOA Sec. 170(d)(3)(B).

PARTICIPANT COMPENSATION

Rate of Pay – In accordance with WIOA Section 181(a)(1)(A), generally, participants shall be compensated at the same rates, including periodic increases, as employees who are similarly situated in similar occupations by the same employer and who have similar training, experience, and skills, and such rates shall be in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law.

Overtime - Participants may work overtime (subject to regulations of the Fair Labor Standards Act with respect to level of compensation), provided that this is part of the design of the project and regular employees of the employer in question are also working overtime, subject to the limit on duration of participation for workers under this project.

EMPLOYMENT CONDITIONS

Benefits and Working Conditions - All participants shall be provided benefits and working conditions at the same level and to the same extent as other employees working a similar length of time and doing the same type of work (WIOA Sec. 181(b)(5)). (Please see item 10f, Restrictions on Health Coverage). If the employer has different policies for temporary employees than for full-time employees, these policies may apply to these participants since the jobs under this grant are classified as temporary. Health and Safety Standards - Health and safety standards established under Federal and State law otherwise applicable to working conditions of employees shall be equally applicable to working conditions of participants engaged in specified activities. To the extent that a State workers' compensation law applies, workers' compensation shall be provided to participants on the same basis as the compensation is provided to other individuals in the State in similar employment (WIOA 181(b)(4)). Where a participant is not covered under a state workers' compensation law, the participant shall be provided with adequate on-site medical and accident insurance for work-related activities.

Safety Training - In order to ensure compliance with the Occupational Safety and Health Act of 1970 and to assure safe working conditions for all temporary job participants, the Grantee must ensure that temporary job participants receive appropriate safety training. For more information, contact your servicing Occupational Safety and Health Administration (OSHA) field office. A listing of OSHA field offices is available at: <http://www.osha.gov/html/RAmap.html>.

WORK ON PRIVATE PROPERTY

Work on private property is limited to the following two circumstances:

- (1) Clean-up activities on private property may be performed by NDWG Disaster participants if workers from units of general local government are also (a) authorized to conduct such work and (b) are performing such work.
- (2) As determined by the extenuating circumstances of the disaster for which Title I funds are being provided, repair and restoration activities are authorized on the private property of **economically disadvantaged individuals**, under the following specific conditions. **In order to be authorized, all of the following conditions must be met:**
 - a. Work can only be performed on the homes of economically disadvantaged individuals who are eligible for the federally-funded Weatherization program; and
 - b. Work may be performed on private land or homes of such individuals if the non- WIOA employees of the employing unit or state or local government workers are authorized to do the same work and are in fact engaged in performing the work using non-WIOA funds; and
 - c. Work on private land or buildings is performed to remove health and safety hazards to the larger community; and
 - d. The work is limited to returning a home to a safe and habitable level -- not to make home improvements; and
 - e. Priority is given for service to the elderly and individuals with disabilities; and
 - f. WIOA funds cannot be used for the cost of materials to do repairs; and
 - g. Work must be disaster-related and not related to general home improvements authorized under the Federal Weatherization program; and
 - h. Work is coordinated with or supervised by the local agency responsible for the Federal Weatherization program.

FISH AND WILDLIFE SERVICE (FWS)

In order to ensure compliance with the National Environmental Policy Act (NEPA) and the Endangered Species Act (ESA) and to protect valuable habitats and endangered species, all disaster projects where participants will be entering or impacting natural

areas must ensure that activities are not negatively affecting endangered species or their habitats. NEPA and ESA require NDWG projects to either affirm to FWS that there are no endangered species or habitats within the project area, or to consult with FWS to mitigate negative impacts where there are endangered species or protected habitats before beginning any work in those areas. For more information, contact a local FWS field office (www.fws.gov/offices/).

HEALTH AND SAFETY STANDARDS

The LWDA must follow Health and Safety standards as outlined in WIOA Section 181 (b)(4). Additional information can be found at OSHA's website: www.osha.gov.

GOVERNING GUIDANCE

The use of funds under this National Dislocated Worker Grant (NDWG) will be governed by the provisions of the Workforce Innovation and Opportunity Act (WIOA) and its regulation, along with the project – specific policies noted in the DOL TEGL 2-15

Date of Acceptance

Authorized Signature

Title (typed)