

TEXAS WORKFORCE COMMISSION LETTER

ID/No:	WD 12-17, Change 1
Date:	August 22, 2018
Keyword:	Administration
Effective:	Immediately

To: Local Workforce Development Board Executive Directors
Commission Executive Offices
Integrated Service Area Managers

Courtney Arbour

From: Courtney Arbour, Director, Workforce Development Division

Subject: **Contract Action Requests—*Update***

PURPOSE:

To provide Local Workforce Development Boards (Boards) with guidance pertaining to Contract Action Requests (CARs) by:

- further updating the CAR form to consolidate CAR forms across workforce programs; and
- providing guidance on the submission of the CAR form.

RESCISSIONS:

WD Letter 12-17

BACKGROUND:

The CAR form provides Boards with one starting point for contract actions, such as:

- requesting additional funds;
- requesting no-cost contract extensions;
- requesting other contract modification requests (for example, renegotiating deliverables);
- voluntarily reducing funds; and
- other actions.

The CAR form applies to the Texas Workforce Commission's three-member Commission-approved allocations and distributions, including programs funded by the following:

- Workforce Innovation and Opportunity Act
- Supplemental Nutrition Assistance Program Employment and Training
- Temporary Assistance for Needy Families
- Child Care Services
- Noncustodial Parent Choices Program
- Trade Adjustment Assistance
- Employment Service

- Adult Education and Literacy
- Wagner-Peyser 7(b)
- Texas Industry Partnership
- High Demand Job Training

PROCEDURES:

FLEXIBILITY RATINGS:

No Local Flexibility (NLF): This rating indicates that Boards must comply with the federal and state laws, rules, policies, and required procedures set forth in this WD Letter and have no local flexibility in determining whether and/or how to comply. All information with an NLF rating is indicated by “must” or “shall.”

Local Flexibility (LF): This rating indicates that Boards have local flexibility in determining whether and/or how to implement guidance or recommended practices set forth in this WD Letter. All information with an LF rating is indicated by “may” or “recommend.”

NLF: When submitting a CAR form, Boards must:

- complete the appropriate sections of the CAR form; and
- e-mail the completed CAR form to CAR@twc.state.tx.us.

Boards will receive an e-mail acknowledging receipt of the CAR form from their assigned contract manager by the next business day. Board requests will be approved or denied within 14 days of receipt of the CAR form, unless additional information or negotiation is required. The effective date of the contract amendment will be set no earlier than two weeks after management approval.

NLF: Boards are no longer required to submit a CAR form for transfer designation requests. Instead, Boards must submit a written request electronically to CAR@twc.state.tx.us, which must include the grant award number, the amount, and a justification for the action requested.

NLF: To modify or amend a nonallocated grant awarded in response to a request for application or request for proposal, Boards must use the updated CAR form (Attachment 1).

INQUIRIES:

Send inquiries regarding this WD Letter to wfpolicyclarifications@twc.state.tx.us.

ATTACHMENTS:

Attachment 1: Contract Action Request Form

Attachment 2: Revisions to WD Letter 12-17 Shown in Track Changes

Attachment 3: Revisions to Contract Action Request Form Shown in Track Changes

REFERENCES:

Workforce Innovation and Opportunity Act §133(b)(4)

Workforce Innovation and Opportunity Act §166(h)(2)(i)(3)(A)

Wagner-Peyser Act (20 CFR Part 652)

Trade Adjustment Assistance for Workers under the Trade Act of 1974, Title II, Chapter
2, Subchapters B and D
Texas Labor Code §302.002(b), Chapters 306 and 307
Texas Workforce Commission General Administration Rules, Chapter 800, Subchapter B