

Alabama Workforce Investment System

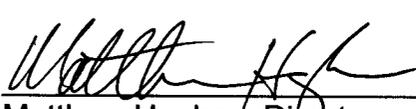
**Office of Workforce Development
401 Adams Avenue
Post Office Box 5690
Montgomery, Alabama 36103-5690**

July 25, 2009

GOVERNOR'S WORKFORCE DEVELOPMENT DIRECTIVE NO. PY2008-05, Change 2

SUBJECT: Program Year 2009 WIA Adult and Dislocated Worker Allocations

1. **Purpose.** This transmits the USDOL Grant Modification/Notice of Obligation reflecting the July 1, 2009 availability of local area PY2009 WIA Adult and Dislocated Worker formula funds. It also provides a copy of the PY 2009 WIA Program Annual Funding Agreement.
2. **Discussion.** USDOL Grant Agreement AA-18624-09-55-A-1 indicates the July 1, 2009, availability of Program Year 2009 WIA Adult and Dislocated Worker formula funds. A copy of this USDOL Grant Agreement is included as Attachment 1 to this Directive. The PY 2009 WIA Program Annual Funding Agreement (Attachment 2) outlines the terms agreed upon by the U.S. Department of Labor, Employment and Training Administration and the State of Alabama. Although this agreement is between the two entities, the terms of the agreement apply to all sub-grantees as well. Please note items 4 and 6 apply to State level funding.
3. **Action.** Please adhere to the terms of the PY 2009 WIA Program Annual Funding Agreement for all awards and ensure all sub-grantees are aware of these requirements. Please retain both Attachments for future reference.
4. **Contact.** Any questions should be referred to Jane Leatherwood, State Programs and Divisional Budget Management Section, at (334) 242-5190 or jane.leatherwood@adeca.alabama.gov.

 7/25/09

Matthew Hughes, Director
Office of Workforce Development

Attachment 1 USDOL Grant Modification/Notice of Obligation
Attachment 2 Workforce Investment Act (WIA) Program
Annual Funding Agreement – PY 2009

Grant Modification / Notice of Obligation

U. S. DEPARTMENT OF LABOR / EMPLOYMENT AND TRAINING ADMINISTRATION

GRANT MODIFICATION		No. 1		PROJECT: WIA Youth/Adult/Dislocated Workers Formula Combined	
GRANT NUMBER: AA-18624-09-55-A.1	EIN: 636000619	EFFECTIVE DATE: 07/01/2009	PAGE 1		
GRANTEE: AL DEPT OF ECONOMIC AND COMMUNITY AFFAIRS			ISSUED BY U.S. DEPARTMENT OF LABOR / ETA		
PROGRAM	YEAR / CFDA	Mod 0 CURRENT LEVEL	Mod 1 MODIFICATION	NEW LEVEL	PMS DOC #
WIA YOUTH FORMULA GRANTS - STATES 09-A200-LBDT-4123-5YF00-000	PY 09 17.259	\$9,059,768.00	\$0.00	\$9,059,768.00	AA186246E0
WIA ADULT ACTIVITIES - STATES 09-A200-LBDY-4123-SAD10-000	PY 09 17.258	\$0.00	\$1,541,630.00	\$1,541,630.00	AA186246X0
WIA DISLOCATED WORKERS - FORMULA - STATES 09-A200-LBDZ-4123-SAD20-000	PY 09 17.260	\$0.00	\$3,580,572.00	\$3,580,572.00	AA186246Z0
TOTAL FUND AVAILABILITY		\$9,059,768.00	\$5,122,202.00	\$14,181,970.00	

Except as modified, all terms and conditions of said grant /agreement remain unchanged and in full effect

Approved by


THOMAS C MARTIN

Grant Officer

Date Signed

07/02/2009

WORKFORCE INVESTMENT ACT (WIA) PROGRAM
ANNUAL FUNDING AGREEMENT– PY 2009
(Including Mod 0, initial Notice of Obligation)

Grant/Agreement No. AA-18624-09-55-A-1

(To be completed by DOL)

CFDA # 17.258 WIA Adult Program

CFDA #17.259 WIA Youth Activities

CFDA #17.260 WIA Dislocated Workers

1. **Parties:** Pursuant to the Governor/Secretary Agreement provided for at 20 CFR 667.110 and 20 CFR 667.105, this grant agreement is entered into between the U.S. Department of Labor, Employment and Training Administration (Grantor) and the **STATE/COMMONWEALTH of ALABAMA** (Grantee).
2. **Grant Funds:** This grant agreement applies to funds appropriated for **Program Year (PY) 2009** for WIA Title I State formula-funded Youth, Adult and Dislocated Worker programs. Thus, it includes the Fiscal Year 2010 Advance funds to be appropriated for PY 2009.
3. **Applicable Authority:** Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Investment Act (*as presently in effect and as may become effective during the terms of this Agreement*); the applicable approved State WIA plan including approved modifications and amendments to the plan, and any waiver plan approved under 20 CFR 661.420 or Workforce Flexibility (Workflex) plan approved under 20 CFR 661.430; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIA Section 136; and the applicable provisions in the appropriations act(s).
4. **Grant Period:** This period of availability of funds is effective April 1, 2009 for Youth funds (July 1, 2009 for Adult and Dislocated Worker funds) through June 30, 2012.
5. **Notice of Obligation:** Funds shall be obligated and allocated via a Notice of Obligation (NOO) grant modification. Obligations and costs may not exceed the amount obligated by the NOO modification unless otherwise modified by the Grantor. Upon execution of this agreement, the "Modification 0" supplement to the agreement will serve as the initial PY 2009, Notice of Obligation. Funds are obligated for the amount indicated in the "Modification 0" document in accordance with the Grantee's PY 2009 allotment levels. The Federal obligation level will be amended by the Grant Officer to increase (or adjust) amounts available to the Grantee as funds become available for obligation and additional Notice of Obligation (or Deobligation) grant modifications are required and issued.
6. **Electronic Fund Transfers:** Cash payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).
7. **Certifications and Assurances:** The following are incorporated by reference and attachment and are a part of this agreement:

- CERTIFICATION REGARDING LOBBYING
(29 CFR Part 93)

- DRUG-FREE WORKPLACE REQUIREMENTS CERTIFICATION
(29 CFR Part 98)
- NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
(29 CFR Part 37)
- CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-- PRIMARY COVERED TRANSACTIONS
(29 CFR Part 98)
- STANDARD FORM 424B (STANDARD ASSURANCES (NON CONSTRUCTION PROGRAMS))

- 8. Veterans' Priority Provisions:** This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority Provisions established by the Jobs for Veterans Act (38 USC 4215).
- 9. Buy American Notice Requirement:** It is the sense of Congress that, to the greatest extent practicable, all equipment and products purchased with funds made available under the Workforce Investment Act should be American made. See WIA Section 505—Buy American Requirements.
- 10. Salary and Bonus Limitations:** In compliance with Public Law 111-8, none of the funds appropriated in the Act under the heading 'Employment and Training' shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Training and Employment Guidance Letter number 5-06 for further clarification.
- 11. 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 grantee, subgrantee 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 licensing fee associated with such copyrighted material, although they may be used to pay costs for obtaining a copy which are 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 is added to the grant and must be expended for allowable grant activities.

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

This workforce solution was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The solution was created by the grantee 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 solution is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner."

12. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement on behalf of their respective agencies indicated below.

GRANTEE:
(State/Commonwealth)

ALABAMA
Agency Name
Alabama Department of Economic and
Community Affairs
Mailing Address
401 Adams Avenue/P.O. Box 5690

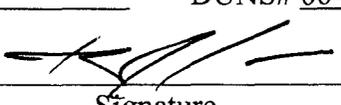
TAX EIN# 63-6000619

PMS EIN# 1636000619F9
(If known)
PMS PIN ACCT# 3J00

Montgomery, Alabama 36103-5690

DUNS# 06-262-0624

BY Bill Johnson



3/30/05

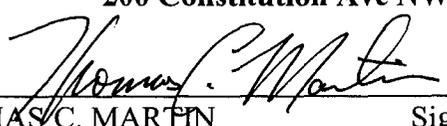
Governor/Authorized Signatory
(Print name)

Signature

Date

Title ADECA Director Email Address bill.johnson@adeca.alabama.gov

**FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
200 Constitution Ave NW; Room N-4673; Washington, DC 20210**



5/13/09

THOMAS C. MARTIN
Grant Officer

Signature

Date