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PROCEDURE: Request for Proposal (RFP) Appeals

AUTHORITY: Michigan Works! Southwest, under the umbrella of the W. E. Upjohn Institute for Employment Research, Center for Workforce Innovation and Solutions, serves as the administrative and fiscal agent for workforce development plans and grants. As the designated Michigan Works! Agency, Michigan Works! Southwest is responsible for the development of local procedures as required by federal, state, and local policies.

ORDER OF PRECEDENCE: Where any part of this procedure shall be determined to conflict with any federal, state, or local policy, the federal, state, or local policy shall take precedence without affecting any other part or parts of this procedure.

EFFECTIVE DATE of UPDATE 3/1/2024

APPLICATION

All Request for Proposals (RFPs) issued by Michigan Works! Southwest for federal and/or state funded goods and services.

BACKGROUND

All procurements for goods and services will follow the Procurement and Property Management Procedures of the Michigan Works! Southwest Agency to ensure full and open competition.

Respondents to an RFP may register a grievance or protest a decision made regarding their proposal using the Grievance and Complaint Handling policy of the Michigan Works! Southwest Workforce Development Board.

PROCEDURE

I. Appeal Step One

- A. Respondents wishing to appeal the final funding decision from an RFP must submit a written request within ten (10) calendar days of the date of receipt of the determination letter.
 1. The written request should be directed to the Technical Assistance contact specified in the RFP and mailed to Michigan Works! Southwest, 300 S. Westnedge Ave., Kalamazoo, MI 49007-4630.
 - a. The request for appeal shall include a clear description of the grievance and basis for appeal.
 - b. The request shall be signed by the RFP respondent's designated leadership (director, executive director, president, etc.).
- B. Upon receipt of the written appeal, the Technical Assistance contact shall have five (5) business days to respond in writing to the appeal request.
 1. The response shall include information sufficient to address the grievance and the basis for the funding recommendation.
 - a. The response shall be directed to the designated leadership of the organization filing the appeal.
 - b. The response shall also include information about the next step in the MWA RFP Appeal Procedure.

II. Appeal Step Two

- A. If the RFP respondent is dissatisfied with the decision from Step 1 of these appeal procedures, they may appeal in writing to the Director of the Michigan Works! Southwest Agency within five (5) business days of the receipt of the decision from Step 1.
1. The request for appeal shall be directed to the MWA Director at the address listed in Step 1.
 2. The request for appeal shall include a clear description of the grievance and basis for appeal.
 3. A copy of the response from the Technical Assistance contact (Step 1) shall be included with the appeal.
 4. The request for appeal shall be signed by the RFP respondent's designated leadership.
 5. The MWA Director shall have five (5) business days from the date of receipt of the appeal request to respond in writing.
 - a. The response shall address the grievance and the basis for the funding recommendation.
 - b. The response shall be directed to the RFP respondent's designated leadership.
 6. The decision of the MWA Director shall be the final local decision.
 - a. Within thirty (30) calendar days following the receipt of the determination letter, an RFP respondent may request an informational meeting with the RFP Technical Assistance contact to discuss the strengths and weaknesses of their proposal.

III. If a response to the grievance is not received within the time period prescribed or should either party be dissatisfied with a decision made at the local level, there is opportunity for an appeal to the State of Michigan, Department of Labor and Economic Opportunity (LEO).

- A. Per the State of Michigan, Department of Labor and Economic Opportunity and its successors, Policy Issuance 22-05c1 and subsequent changes, Grievance and Complaint Policy, all appeals of local level grievance shall be submitted by certified mail, return receipt requested to: State of Michigan, Department of Labor and Economic Opportunity, Workforce Development Executive Office; PO Box 30805; Lansing, MI 48909.
1. The request shall contain the full name, address and telephone number of the appellant(s) and respondent(s), a clear and concise statement of the facts as alleged, including the pertinent dates constituting the alleged violation, the provision of the act, regulations, grant, contract, or other agreements under the act believed to have been violated, the relief requested, and the signature of the party/parties filing the grievance or the complainant's representative.
 2. Within fifteen (15) days from the date the appeal is received by LEO-WD, the parties will be contacted to submit all relevant information and documentation generated at the local level to the LEO-WD Executive Office.
 3. A written decision shall be issued by LEO-WD no later than sixty (60) days after the filing of the appeal.
 4. In general, a state level decision is final.

INQUIRIES

Questions regarding these procedures should be directed to the Michigan Works! Southwest Administrative Staff.

APPROVED BY



Jakki Bungart-Bibb

Director, Michigan Works! Southwest

REVIEW DATE(S) 3/1/2024
 3/7/2016
 1/19/2015
 3/4/2014

INITIAL EFFECTIVE DATE 8/31/2010

REFERENCES

- Workforce Development Board Policy 24 R08 and subsequent changes, “Grievance and Complaint Handling”
- Michigan Works! Southwest Procurement and Property Management Procedures, dated 11/5/2021 and subsequent changes
- Michigan Department of Labor and Economic Opportunity, Workforce Development Agency, and its successors, Policy Issuance 22-05c1, and subsequent changes - Grievance and Complaint