

Request for Proposals
Cleveland-Cuyahoga County Workforce Development Board Nonprofit Transition

Background

The Cleveland-Cuyahoga County Workforce Development Board (CCWDB) serves as the advisory body for the City of Cleveland and Cuyahoga County Department of Workforce Development. The CCWDB oversees the public workforce system – helping employers find and develop the skilled workers they need and helping jobseekers find good paying jobs and new careers. The Board currently serves 10,000 people a year –helping businesses grow, families thrive, and the region prosper. The CCWDB fulfills the functions outlined in the Federal Workforce Innovation and Opportunity Act, including providing public policy guidance and exercising oversight of local programs of workforce activities being delivered through OhioMeansJobs | Cleveland-Cuyahoga County (OMJ|CC).

Both the City of Cleveland and Cuyahoga County Councils have authorized the Mayor and County Executive respectively to terminate the existing intergovernmental agreement that governs the CCWDB and enter into a Local Governance Agreement under which a nonprofit corporation will serve as the CCWDB. This new nonprofit corporation organized under Chapter 1702 of the Ohio Revised Code will serve as the local workforce development board to act as both the fiscal and administrative agent to carry out workforce development activities for the Cleveland-Cuyahoga County Workforce Development Area.

Scope of Work

The CCWDB is seeking legal assistance to establish itself as a legally organized nonprofit corporation with tax-exempt status. The legal consultant will prepare and file Initial Articles of Incorporation (Articles) (Form 532B) with the Ohio Secretary of State's office. Additionally, the legal consultant will prepare and submit all forms and related documents necessary to obtain determination from the Internal Revenue Service (IRS) that it is a tax-exempt entity.

1. The legal consultant will be responsible for careful construction of the Articles including the required statement of purpose(s) for which the CCWDB may operate, and the inclusion of any additional provisions permitted by Chapter 1702 of the Ohio Revised Code governing nonprofit corporations.
2. The legal consultant will recommend and assist with the appointment of a statutory agent to accept service of process on behalf of the corporation.
3. The legal consultant will complete all steps necessary for the CCWDB to obtain an appropriate determination letter recognizing the CCWDB's exemption from federal income tax under section 501(a) of the Internal Revenue Code (the Code).

The legal consultant will assist the CCWDB with the needed governance documents for the new nonprofit corporation based on best practices. These governance documents will include, at a minimum, the creation of its Code of Regulations and the Local Governance Agreement, but may include other governance documents as determined necessary.

1. The legal consultant will create the Code of Regulations that governs the CCWDB's internal structure and operations, including policies for appointing directors and officers, committees, and board meetings. The Code of Regulations will be in accordance with the Workforce

Innovation and Opportunity Act of 2014 and related rules disseminated by the State of Ohio to implement the Act.

2. The legal consultant will develop the Local Governance Agreement in coordination with the Mayor of Cleveland and Cuyahoga County Executive. This agreement will be developed pursuant to the Workforce Innovation and Opportunity Act of 2014, which authorizes the execution of such an agreement to govern the relationship between the Chief Elected Officials (CEOs), the roles of the CEOs relative to the CCWDB, and the responsibilities of the CCWDB for administration and oversight of the local workforce development system.

Timeline

The CCWDB is seeking to be established as a nonprofit organization by July 1, 2024. The consultant must be prepared to commence work immediately after the execution of a Contract for Professional Services.

Submission Requirements

The Request for Proposal (RFP) response, at a minimum, should include:

- A brief introduction to the organization or individual and an expression of interest for providing legal assistance to the CCWDB.
- A description of the legal firm or individual, including information regarding its primary business, its background and history, and its organizational structure. This section should contain any additional information about the firm that the firm believes will assist in understanding the qualifications of the firm. The consultant must have considerable experience with nonprofit entity formation and governance. It is highly desirable that the consultant have a strong understanding of the Workforce Innovation and Opportunity Act of 2014.
- The proposed fee for the services including hourly rates based upon the total estimated hours to be spent to provide the services.

Electronic submissions may be sent to Laura Chalker at laura.chalker@jfs.ohio.gov with the subject line "Proposal for CCWDB Legal Assistance." Submissions are due by January 26, 2024. Firms or individuals that are likely to submit a proposal are encouraged to send a brief, non-binding email letter of intent to Laura Chalker at laura.chalker@jfs.ohio.gov by January 17, 2024. Respondents may also ask clarifying questions via this email address during the solicitation period.

A group of Workforce Development Board staff, Board members, and community members will be reviewing submitted proposals and may ask follow-up questions via email or interview prior to making a decision. All respondents will receive confirmation of receipt and any necessary follow ups, as well as notification of the decision and selection.