

APPENDIX B
WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA)
ELIGIBLE TRAINING PROVIDER LIST (ETPL)
ADMINISTRATION STATEMENT OF WORK

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WORKFORCE INNOVATION AND OPPORTUNITYACT (WIOA)
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STATEMENT OF WORK (SOW)

1.0 SCOPE OF WORK

- 1.1 The Workforce Innovation and Opportunity Act (WIOA) requires states to establish a list of providers who are eligible to receive WIOA funds for training services provided to adults and dislocated workers, and to establish separate procedures for the Eligible Training Provider List (ETPL): initial eligibility and subsequent eligibility and a local eligible training provider list. State of California Employment Development Department Directive, WSD21-03, ETPL Policy and Procedures (see Appendix C, SOW Exhibits, Attachment 1) further describes the policies and procedures for establishment of a list of eligible training providers. It is a system for capturing and implementing the regional approach to the procurement of WIOA training vendors. Training providers/programs listed on the ETPL must apply, through the CalJOBS website, following the instructions provided on CalJOBS ETPL Module Guide Card, to a local board to offer training programs. All new and existing training providers are required to register their institution and programs in CalJOBS. Workforce Development, Aging and Community Services (COUNTY) seeks a Subrecipient that will assist the County with the administration of the local ETPL. This Statement of Work outlines the tasks needed to administer the Los Angeles County ETPL.

2.0 ADDITION/DELETION OF FACILITIES, SPECIFIC TASKS AND/OR WORK HOURS

- 2.1 Subrecipient is prohibited from modifying or terminating services, forms, procedures, protocols, or revising hours of service delivery without the written consent of County. Subrecipient shall request permission at least thirty (30) days in advance and obtain written consent of County, and shall comply with Sample Subaward, (Subparagraph 9.9., Modifications).
- 2.2 All changes must be made in accordance with subparagraph 8.1 (Amendments of the Sample Subaward).

3.0 QUALITY CONTROL

- 3.1 Subrecipient shall establish and utilize a comprehensive Quality Control Plan to assure the County a consistently high level of service throughout the term of the Sample Subaward. The Plan shall be submitted to the County Compliance Monitor (CCM) for review. The plan shall include, but may not be limited to the following:
 - 3.1.1 Method of monitoring to ensure that Sample Subaward requirements are being met;
 - 3.1.2 A record of all inspections conducted by the Subrecipient, any corrective action taken, the time a problem was first identified, a clear description of the problem, and the time elapsed between identification and completed corrective action, shall be provided to the County upon request.

4.0 QUALITY ASSURANCE PLAN

- 4.1 County shall evaluate Subrecipient's performance under this Sample Subaward using the quality assurance procedures as defined in Sample Subaward, Subparagraph 8.15, County's Quality Assurance Plan, and as specified below.
- 4.2 **ESTABLISHMENT AND MAINTENANCE OF QUALITY ASSURANCE PLAN**
 - 4.2.1 Subrecipient shall establish and maintain a Quality Assurance Plan (QAP) to assure the requirements of this Sample Subaward are met. A copy must be provided to County Compliance Manager (CCM) on the Sample Subaward start date and as changes occur. The original QAP and any revisions thereto, shall include, but not be limited to, the following:
 - 4.2.1.1 Methods used to ensure that the quality of service performed fully meets the performance requirements set forth in this Statement of Work. Subrecipient shall include methods for identifying and preventing deficiencies in the quality of Service performed before the level of performance becomes unacceptable including a reporting protocol notifying the CCM of any identified performance requirement issues within 24 hours of discovery.
 - 4.2.1.2 Methods for ensuring uninterrupted service to County in the event of a strike by Subrecipient employees or any other potential disruption in Services.

4.2.1.3 Subrecipient is mandated to provide virtual services to the County to avoid any disruptions caused by the COVID-19 variants and other potential interruptions.

4.2.2 Methods and frequency by which the qualifying knowledge, skills, experience, and appropriate licenses and/or credentials of professional staff are properly assured, supervised, and maintained during the life of the Sample Subaward.

4.2.2.1 Subrecipient's QAP shall include quality improvement strategies and interventions and include barriers/deficiencies/problems identified by County through County's technical assistance visits in this process.

4.2.2.2 Subrecipient shall include qualifications of monitoring staff, samples of monitoring forms and identification of related accountability reporting documents in the QAP.

4.2.2.3 Subrecipient shall designate a staff member as the Quality Assurance Liaison to work collaboratively with the County to ensure the continuous enhancement of services.

4.3 PERFORMANCE REQUIREMENTS OF QAP

4.3.1 If Subrecipient's QAP requirements are not met, the CCM may, in addition to all other remedies available under this Sample Subaward, telephone Subrecipient to alert Subrecipient of a deficiency; send Subrecipient a User Complaint Report (UCR), or both. Subrecipient shall respond to a telephone deficiency complaint within one (1) hour and respond to a UCR within twenty-four (24) hours of receipt.

4.3.1.1 Subrecipient shall not utilize any employee or Lower Tier Subrecipients whose work has been deemed deficient and unacceptable by the CCM.

4.3.2 Subrecipient shall report any staff changes, including separations, temporary leave (e.g. vacations) and indicate staff that will take over the functions of staff on separation or leave, and new hires to the CCM within five (5) business days of the occurrence. In addition, for new hires, Subrecipient shall include a current resume and new employee training agenda indicating areas of responsibility as part of the notification to County.

4.4 MEETINGS AND TRAINING

- 4.4.1 Subrecipient is mandated to attend all scheduled meetings and trainings called by County, or as directed by County. Subrecipient shall be given at least three (3) days advance notice of all scheduled meetings with County. Subrecipient may also be required to attend emergency meetings without the above stated advance notice when necessary.
- 4.4.2 Subrecipient shall complete a sign-in sheet for face-to-face meetings. A virtual attendance link or roll call will be taken for meetings attended virtually (e.g., Microsoft Teams, Zoom, WebEx or Skype).
- 4.4.3 Subrecipient staff is also required to regularly attend meetings, trainings or conferences that offer ways to expand knowledge of and increase efficiency in the Services provided. These meetings, trainings, or conferences may be called by County or a partner agency or may be designated by County for Subrecipient participation. Subrecipient may also choose to attend meetings inside or outside of Los Angeles County at Subrecipient's own expense that Subrecipient reasonably deems to be beneficial for the delivery of Participant Services, as well as other meetings, trainings, or conferences not designated as mandatory by County.
- 4.4.4 Subrecipient shall highlight staff accomplishments, such as, merits earned at the workplace, trained in multiple programs, conferences attended, participant success stories, and other achievements during mandated meetings directed by the County.

4.5 COUNTY OBSERVATIONS

- 4.5.1 Other County personnel, in addition to County Sample Subaward staff, may observe performance, activities, and review documents relevant to this Sample Subaward at any time during normal business hours.

5.0 DEFINITIONS

- 5.1 For a listing of Definitions for this program service, please refer to Sample Subaward, Exhibit P, Definitions.

6.0 RESPONSIBILITIES

The County's and the Subrecipient's responsibilities are as follows:

COUNTY

6.1 Personnel

The County will administer the Sample Subaward according to the Sample Subaward, Paragraph 6.0 Administration of Sample Subaward - County. Specific duties will include:

- 6.1.1 Monitoring the Subrecipient's performance in the daily operation of this Sample Subaward.
- 6.1.2 Providing direction to the Subrecipient in areas relating to policy, information and procedural requirements.
- 6.1.3 Preparing Amendments in accordance with the Sample Subaward, Paragraph 8.0, Standard Terms and Conditions, Sub-paragraph 8.1 Amendments.

6.2 Intentionally Omitted (Furnished Items)

SUBRECIPIENT

6.3 Project Manager

- 6.3.1 Subrecipient shall provide a full-time Project Manager and a designated alternate. County must have access to the Project Manager/alternate during all hours, 5 days a week. 365 days per year. Subrecipient shall provide a telephone number and e-mail where the Project Manager and the designated alternate may be reached.
- 6.3.2 Project Manager/alternate shall act as a central point of contact with the County.
- 6.3.3 Project Manager shall have three years of experience.

6.4 Personnel

- 6.4.1 Subrecipient shall assign enough employees to perform the required work.
- 6.4.2 Subrecipient shall be required to background check their employees as set forth in Subparagraph 7.5, Background and Security Investigations, of the Sample Subaward.

6.5 Intentionally Omitted (Uniforms/Identification Badges)

6.6 Materials and Equipment

- 6.6.1 The purchase of all materials/equipment to provide the needed services is the responsibility of the Subrecipient. Subrecipient shall use materials and equipment that are safe for the environment and safe for use by the employee.

6.7 Training

- 6.7.1 Subrecipient shall provide training programs for all new employees and continuing in-service training for all employees.
- 6.7.2 Subrecipient shall provide cross-training for staff to avoid disruption of services.
- 6.7.3 Subrecipient shall provide staff development training in areas such digital and soft skills to ensure the continuous enhance of service delivery.
- 6.7.4 All employees shall be trained in their assigned tasks and in the safe handling of equipment and Protection of Personal Identifiable Information. All equipment shall be checked daily for safety. All employees must wear safety and protective gear according to OSHA standards.

6.8 Subrecipient's Office

- 6.8.1 Subrecipient shall maintain an office with a telephone and an email address in the company's name where Subrecipient conducts business. The office shall be staffed during the hours of 8:00 to 5:00, Monday through Friday, by at least one employee who can respond to inquiries and complaints which may be received about the Subrecipient's performance of the Sample Subaward. When the office is closed, an answering service shall be provided to receive calls. The Subrecipient shall answer calls received by the answering service within 24 hours of receipt of the call.
- 6.8.1 Subrecipient is required to ensure the environment of the office is customer centered, inclusive, and welcoming to all populations.

7.0 HOURS/DAY OF WORK

- 7.1 Subrecipient shall maintain an office with a telephone and an email address in the company's name where Subrecipient conducts business. The office shall be staffed during the hours of 8:00 to 5:00, Monday through Friday. In addition, subrecipient shall have staff capable of providing virtual services during the above mentioned hours of business.

8.0 WORK SCHEDULES

- 8.1 Subrecipient shall submit for review and approval a work schedule for each facility to the County Project Director within ten (10) days prior to starting work. Said work schedules shall be set on an annual calendar identifying all the required on-going maintenance tasks and task frequencies. The schedules shall list the time frames by day of the week, morning, and afternoon the tasks will be performed.
- 8.2 Subrecipient shall submit revised schedules when actual performance differs substantially from planned performance. Said revisions shall be submitted to the

County Project Manager for review and approval within 15 business days prior to scheduled time for work.

9.0 UNSCHEDULED WORK

- 9.1 The County Project Manager or his designee may authorize the Subrecipient to perform unscheduled work, including, but not limited to, repairs and replacements when the need for such work arises out of extraordinary incidents such as vandalism, acts of God, and third party negligence; or to add to, modify or refurbish existing facilities.
- 9.2 Prior to performing any unscheduled work, the Subrecipient shall prepare and submit a written description of the work with an estimate of labor and materials. If the unscheduled work exceeds the Subrecipient's estimate, the County Project Director or his designee must approve the excess cost. In any case, no unscheduled work shall commence without written authorization.
- 9.3 When a condition exists wherein there is imminent danger of injury to the public or damage to property, Subrecipient shall contact County's Project Director for approval before beginning the work. A written estimate shall be sent within twenty-four (24) hours for approval. Subrecipient shall submit an invoice to County's Project Director within 5 working days after completion of the work.
- 9.4 All unscheduled work shall commence on the established specified date. Subrecipient shall proceed diligently to complete said work within the time allotted.
- 9.5 The County reserves the right to perform unscheduled work itself or assign the work to another Subrecipient.

10.0 SPECIFIC WORK REQUIREMENTS

- 10.1 Subrecipient shall establish internal policies and procedures for accepting applications from potential training providers that meet the goals of WIOA and applicable State directives.
- 10.2 Subrecipient shall incorporate all of the data elements required for completion of the ETPL Training Provider and Program Application forms required for initial eligibility in accordance with State of California Employment Development Department WSD21-03, ETPL Policy and Procedures (Appendix C, SOW Exhibits, Attachment 1). To be listed on the ETPL, training providers must apply through the CalJOBS website to a local Board (Subrecipient) ,following the instructions provided on CalJOBS ETPL Module Guide Card (Appendix C, SOW Exhibits, Attachment 4), to offer training programs.
- 10.3 Subrecipient shall obtain a copy of the provider's Bureau of Private Postsecondary Education (BPPE) Annual Report (the Performance Fact Sheet for an individual campus does not meet this requirement) to document their

achievement of the performance criteria or validate this information through the BPPE website. Those private post-secondary education providers not subject to BPPE oversight (such as Western Association of Schools and Colleges (WASC), Junior or Senior Colleges) must provide evidence of their reported outcomes, post them on their website or otherwise make them easily accessible for public access. This accreditation can be verified at www.ajcc.org or www.wascsenior.org. Instances in which the training provider claims an exemption to BPPE (Section 94874 of the BPPE Act), the provider must apply and receive a “Verification of Exemption” before being listed on the ETPL.

- 10.5 Subrecipient shall ensure that all new and existing training providers register their institution and programs in CalJOBS. Subrecipient shall ensure that the data supplied by providers for ETPL eligibility is complete, accurate and current, and that providers meet the state’s minimum performance standards.
- 10.6 Subrecipient shall enter into agreements with approved training providers on County’s behalf, that include provisions requiring providers to maintain sufficient participant records, as defined in the WIOA Final Regulations or County Directive(s), and to make these records available for monitoring or audit by either the County or the State. Additionally, all records shall be held in accordance with the Record Retention requirements outlined in the Sample Subaward Paragraph 8.38, Record Retention, Inspection and Audit Settlement.
- 10.7 Subrecipient shall establish initial eligibility of training vendors for inclusion on the ETPL on behalf of County in accordance with State of California Employment Development Department Directive WSD21-03, ETPL Policy and Procedures (Appendix C, SOW Exhibits, Attachment 1).
- 10.8 Prior to approving post-secondary training providers registering programs on the ETPL, Subrecipient must ensure that provider is accredited by the Accrediting Commission for Schools (ACS) Western Association of Schools and Colleges (WASC); the WASC Senior College and University Commission (SCUC); and has received an “Approval to Operate” form the BPPE; or has current verification of Exemption by BPPE,; or are deemed exempt per California Education Code (CEC) Section 94874 ([Law section \(ca.gov\)](http://law.ca.gov))
- 10.9 Through its application processes for the Regional Training Vendor Directory (RTVD), the Public Training Vendor Directory (PTVD), or the Community-Based Organization Training Vendor Directory (CTVD), the Subrecipient shall evaluate new applicant vendors and determine eligibility and facilitate the registration on the Intrastate Training Resources and Information Network (I-TRAIN) via South Bay WIB
- 10.10 Subrecipient shall certify the applicants and recommend their inclusion in the appropriate training category.
- 10.11 Subrecipient shall approve initial eligibility applications and subsequent eligibility applications within 30 days of receipt and will report and explain any failure to

process and approve applications within that span of time as a separate item in each quarterly report to the County.

- 10.12 To determine continued eligibility of each provider, Subrecipient shall verify provider performance annually, utilizing BPPE, CalJOBS, California Community College, Adult Education, Local Board, and/or other appropriate data sources (including BPPE Exempt Provider Program Performance Report) and be published annually in an EDD Information Notice.
- 10.13 If Subrecipient denies a provider's initial application for listing on the ETPL, Subrecipient must within thirty (30) days or receipt of the application, inform the provider in writing and include the reason(s) for the denial and complete information on the local appeal process.
- 10.14 If it is determined that an eligible provider substantially violated any WIOA requirements, the Subrecipient, working with EDD, shall terminate the eligibility of the provider for at least two (2) years, or take other action, as deemed appropriate by County or EDD.
- 10.15 Subrecipient shall establish a comprehensive appeal process, in accordance with WSD21-03, ETPL Policy and Procedures (Statement of Work Exhibits, Exhibit 3), which shall be submitted to County for approval.
- 10.16 Subrecipient shall transmit the information of the recommended vendors for inclusion in the State ETPL, in accordance with State of California Employment Development Department Directive WSD21-03, ETPL Policy and Procedures (Appendix C, SOW Exhibits, Attachment 1) on behalf of the County.
- 10.17 Subrecipient shall be responsible for maintaining the approved vendors in the local ETPL, and collaborate with South Bay WIB for necessary updates and change on I-TRAIN
- 10.18 Subrecipient shall monitor each current training provider once every twelve (12) months and determine eligibility of the provider to continue as an approved vendor.
- 10.19 Subrecipient shall be responsible for investigating complaints made against a training provider, making recommendations, documenting the actions taken and evaluating the resolution of the complaint.
- 10.20 Subrecipient shall include a letter of commitment from an approved pre-apprenticeship or apprenticeship program and meet the application policies and procedures required for the type of program (e.g., community college, private post-secondary, adult education provider, etc.).
- 10.21 Subrecipient shall have Memorandum of Understanding (MOUs) with Community College Districts in their planning region to identify and list Career Technical Education (CTE) programs resulting in industry-recognized certificates on ETPL. Methods to identify "industry-recognized certificates or degrees" can include

consultation with industry experts and employers, review of state- or industry-mandated licenses or certificates, or consultation with industry advisory groups. In addition, subrecipient shall determine the eligibility of virtual and hybrid training programs leading to an industry-recognized credential and certificate offered by the local community colleges, adult education institutions, and other public and private training providers, and facilitate the registration of such programs on ETPL as described in WSD21-03, ETPL Policy and Procedures.

- 10.22 Subrecipient shall ensure that all training programs/courses result in the awarding of an industry-recognized credential, national or state certification or degree, including all industry-appropriate competencies, licensing and/or certification requirements.
- 10.23 Subrecipient shall work with the California State University (CSU) and/or University of California (UC) campuses, local community college districts, local adult education schools, regional occupational centers and labor/trade organizations that intend to offer training programs.
- 10.24 Subrecipient shall support pre-apprenticeship and apprenticeship trainings that lead to an industry-recognized credential or certificate in local ETPL. Subrecipient shall adhere to definitions of pre-apprenticeship and apprenticeship training as described in WSD21-03, ETPL Policy and Procedures, ETPL Definitions. Subrecipient shall identify Industry-Recognized Credential and Certificate training programs and facilitate its registration as a pre-apprenticeship or an apprenticeship registered with the CA Division of Apprenticeship Standards (DAS) and/or Department of Labor (DOL) as appropriate.
- 10.25 Subrecipient shall facilitate ease of use and accessibility for any training information on its website and that the training information on providers and course offerings match what is shown on ETPL in CalJOBS. Because of the purpose of the list of local eligible training providers is to support participants seeking training in making informed choices regarding providers that meet their needs, the list should be made easily available to partners, stakeholders, and those participants interested in training. It should be in a format that is searchable, user friendly, facilitates comparisons, accessible to individuals with disabilities, and easily understood by individuals seeking information and training outcomes, as well as participants in employment and training activities funded under WIOA. This is a Directive identified in the U.S. Department of Labor Training and Guidance Letter WIOA No. 41-14, Change 1, November 24, 2015 (see Appendix C, Statement of Work Exhibits Attachment 2).
- 10.26 Subrecipient shall ensure that the courses that are entered into the ETPL include appropriate information to assist participants in choosing employment and training activities. Such information must include the following, as applicable:
 - Recognized post-secondary credentials offered;
 - Provider information supplied to meet State and any other eligibility procedures;
 - Performance and cost information aligned with time periods;

- Employment rates for WIOA participants registered for a program and college;
- The number of units (credits, hours or semesters) needed to earn the credentials offered;
- Course Listings shall distinguish and align to method of instruction by CalJOBS data field “Program Type” (Classroom and Online/Classroom/Online) and CalJOBS data field “Program Format” (In-Person/Online, E-Learning, or Distance Learning/Hybrid or Blended Learning).
(<https://www.caljobs.ca.gov/vosnet/drills/program/eduprogridrill.aspx?session=progdetail&geo=0604000059%20>)

10.27 Subrecipient shall ensure that all providers submit information on performance outcomes to determine eligibility for listing and to facilitate informed customer choice.

10.28 Subrecipient shall process all requests for waiver of initial or subsequent eligibility from the County submitted by training providers for a specific program, in accordance with WSD21-03, ETPL Policy and Procedures (Appendix C, SOW Exhibits, Attachment 1).

10.29 Subrecipient shall utilize the CalJOBS system data entry screens and reports to transmit provider data to the State, ensuring that all data entered is thorough and accurately represented.

10.30 Subrecipient shall ensure that the provisions contained in EDD Directive Number WSD17-08, Procurement of Equipment and Related Services , (Appendix C, SOW Exhibits, Attachment 3), are met and complied with during the course of this Sample Subaward or Purchase Order.

10.31 Subrecipient shall submit reports to COUNTY on a quarterly basis on the last day of each quarter. An invoice for services rendered during that quarter shall accompany the reports. Due dates are September 30, 2022; December 31, 2022; March 31, 2023; and June 30, 2023. Each report must include:

10.31.1 Performance measures, such as average wage at placement for all participants in a training program.

10.31.2 Outcomes, such as:

10.31.2.1 Number of Individual Training Account (ITA) participants enrolled for each training provider;

10.31.2.2 Number of ITA participants completing each training program;

10.31.2.3 Number of placements in the occupation for which participants were trained;

10.31.2.4 A list of newly reviewed and verified applications submitted for training provider for recommended inclusion on the ETPL on behalf of the County.

10.31.2.5 A list of new approved training providers for each category on the ETPL

10.31.3 Program information such as, but not limited to, complaints filed, complaints resolved, and recommendations. Subrecipient shall review changes and forward to EDD any changes to the administrative, provider or program data elements.

10.32 Subrecipient shall provide County with a monthly Detailed Expenditure Report, and a monthly invoice in arrears for deliverables as stated in this Statement of Work, and for services rendered during the previous period.

11.0 PERFORMANCE REQUIREMENTS SUMMARY

11.1 Subrecipient shall meet or exceed the following Performance Measures:

Performance Measures	Tasks Completed	Minimum Goal (%)
New Vendor submitted to State on behalf of the County for inclusion on ETPL	a. Date received b. Date processing completed c. Status (in process, approved Denied, reason denied)	100% to Complete Processing within 15 days of Submission
New Training Vendor Certification	Timeline for approval of new Training provider applications: a. Date received b. Date processing completed c. Status (in process, approved Denied, reason denied) d. Category (RTVD, PTVD, CTVD)	80% to Complete Processing within 15 days of Submission
Training Vendor Re-certification	Timeline for monitoring/recertification of current training providers to continue as an approved vendor once every 12 months. a. Dates recertifying scheduled, commenced and completed b. Status: in process, approved, denied, reason denied. c. Category (See d. above) d. Number of ITAs enrolled e. Number of ITAs completed for each training program	100%

	<ul style="list-style-type: none"> f. Number of ITAs placed in occupation for which they were trained g. Average wage 	
Complaints/Resolutions	<p>Attach detailed report describing:</p> <ul style="list-style-type: none"> a. Date complaint received b. Date investigation began c. Results of investigation, outcome and date resolution completed. 	100%
Quarterly Reports	<p>Submit detailed report including outcomes, such as:</p> <ul style="list-style-type: none"> a. Number of ITA participants enrolled for each training provider b. Number if ITA participants completing each training program c. Number of placements in the occupation for which participants were trained d. A list of newly reviewed and verified applications submitted for training provider for recommended inclusion on the ETPL on behalf of the County e. A list of new approved training providers for each category on the ETPL 	100% submission on a quarterly basis on the last day of each quarter

All listings of services used in the Performance Requirements Summary (PRS) are intended to be completely consistent with the Sample Subaward and the SOW, and are not meant in any case to create, extend, revise, or expand any obligation of Subrecipient beyond that defined in the Sample Subaward and the SOW. In any case of apparent inconsistency between services as stated in the Sample Subaward and the SOW and this PRS, the meaning apparent in the Sample Subaward and the SOW will prevail. If any service seems to be created in this PRS which is not clearly and forthrightly set forth in the Sample Subaward and the SOW, that apparent service will be null and void and place no requirement on Subrecipient.