



**Request for Proposal (RFP)
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Section 1 - General Information:

1.1 Introduction to DASNY

The Dormitory Authority State of New York (DASNY) is a public benefit corporation of the State of New York empowered by Titles 4 and 4-B of the Public Authorities Law (the “Act”), to provide design and project management services to, and to issue its bonds, notes and other obligations, for a wide variety of public purposes. Under the Act, DASNY provides a multitude of services in various forms in connection with the design, construction and financing of capital facilities for State University of New York, including dormitories and educational facilities; City University of New York Senior Colleges; Community Colleges; Boards of Cooperative Educational Services; Cities and Counties with respect to Court Facilities and combined occupancy structures, as defined by law; the Department of Education of the State of New York with respect to certain facilities under its jurisdiction; other State and local governmental entities; independent colleges and universities; facilities for the aged; certain not-for-profit hospitals and nursing homes, as well as a wide variety of other not-for-profit organizations specifically described in the Act.

1.2 Purpose

DASNY seeks proposals from qualified firms to provide pre-employment and/or employee background checks, and screening services to verify information provided by job candidates.

1.3 Key Events and Dates

<u>Event</u>	<u>Date</u>
Issuance of RFP	9/13/17
Deadline for RFP Questions	9/21/17 (5:00 PM)
Post Responses to RFP Questions	10/3/17
Proposal Due Date	10/24/17 (5:00 PM)
Interviews/Presentations (not earlier than)	11/8/17
Notice of Award (not earlier than)	11/16/17

Section 2 - Engagement Requirements:

2.1 Scope of Services

DASNY seeks pre-employment and/or employee background checks and screening services including, but not limited to, the following:

- Employment verification including dates of employment, positions/titles held, salary, reason for leaving and re-hire eligibility. Employment verification shall consist of the last three (3) employers or a minimum of ten (10) years of employment history, whichever is greater. In some instances, employment verification may be more extensive.

- Educational verification (domestic and/or international) including confirmation of all degrees conferred including, but not limited to, High School diploma, GED, college and post graduate degrees. Verification shall include institution name, location, date degree received, type of degree awarded and major/minor as applicable. (International education verification and U.S. equivalency may be required on select candidates).
- Professional license and/or certification verification including status of license/certification, date of issuance, expiration date, state, licensing authority and disciplinary action, as applicable.
- Driving records/motor vehicle records including current driving record, state of issuance, restrictions or infractions (if applicable) and complete driving history on all licenses held in any jurisdiction for the past five (5) years including specific information on violations, suspensions and convictions (any alcohol and/or drug related convictions should be reported for the past ten (10) years).
- Multi-jurisdictional criminal conviction history records including, but not limited to, county criminal conviction history, state criminal conviction history and federal criminal conviction history records. In rare instances, International criminal conviction records search may be required. Search area determined by applicants current and previous residential and employment locations (additional searches may be required). Criminal history records are not limited to specified durations and all criminal records should be reported.
- Sex offender registry including state and/or national registry.
- Social security number verification and/or name/address verification including name, aliases, social security number, search against SSA death index and current and former addresses.
- Employment reference checks including 3-5 employment references and at least one (1) reference from a current/previous supervisor.
- Employment credit report as deemed applicable by DASNY.
- Military service verification including dates, position held, branch and discharge status.

2.2 Qualifications and Certification Requirements

- A minimum of 3 years experience conducting pre-employment and/or employee background checks.
- Demonstrated ability to perform accurate, timely and thorough background check services.

- Working knowledge of applicable federal and state laws affecting employment screening including, but not limited to, New York Correction Law Article 23-A, Fair Credit Reporting Act (FCRA) and all other applicable laws that govern employment screening.
- Currently licensed by the New York State Department of State as a Private Investigator and have working knowledge of the New York Correction Law Article 23-A, Fair Credit Reporting Act (FCRA) and other applicable laws that govern employment screening.
- Proficiency with PC applications and other applicable electronic sources.

Section 3 - Content of Technical Proposal:

3.1 Information to be Provided by Proposers

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that correspond with each of the numbered tabs below. Your technical proposal must contain sufficient information to assure DASNY of its accuracy.

Tab 1. Include a **cover letter** with the following items:

- a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
- b. The primary contacts name, title, telephone number, fax number and email address for each sub-consultant who will perform work under this contract.
- c. The identities of the primary staff proposed to provide services relating to this RFP.
- d. A statement to the effect that your firm is willing to perform all services identified in Section 2.1 above and will abide by the terms of the RFP, including all attachments.
- e. A statement that your firm understands selection does not guarantee that any services will be requested from your firm.
- f. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a technical proposal that contains an unsigned cover letter.

Tab 2. Provide a description of your firm's organization, team makeup including sub-consultants and the resumes of partners, principals, associates and other key staff proposed to provide services to DASNY, with particular emphasis on background check services.

- Tab 3. Provide a description of your firm's experience providing background check services including recent relevant project experience to the public and private sector. Include the names, titles and phone numbers of at least three (3) references excluding DASNY employees and a summary of the services provided.
- Tab 4. Provide a detailed description of your firm's approach to providing the requested scope of services including the following:
- a. The average turnaround time for final reports and how delays, exceptions and search complications are handled.
 - b. The method used for providing status reports and the transmission of final reports. Include any technology or software required for compatibility with your firm's software.
 - c. A sample background check report.
 - d. The methods used in obtaining information for credit reports and criminal conviction searches for all levels (i.e. Federal, State, County, Sex Offenders registries, etc.).
 - e. The security measures your firm has in place to protect data and ensure data integrity including any third party certifications. Also, provide the measures taken to protect sensitive, personal and/or private information and policies regarding the proper maintenance and disposal of such information. Explain how your firm would address a breach of such information.
 - f. The policies and procedures your firm has in place to audit employment screening searches for regulatory compliance, accuracy and to ensure legal compliance.
- Tab 5. Provide license numbers or copies of registration certificates, as appropriate.
- Tab 6. Additional Information - The proposer must also provide statements regarding the following:
- a. The proposer must agree to provide DASNY with pre- and post-audit access to documents, personnel and other information necessary to conduct audits on request during the term of the Contract and for six years thereafter.
 - b. The proposal submitted must contain a representation that the proposer is willing and ready to provide any services requested or required in a timely manner.
 - c. Disclose any potential conflicts of interest (refer to the "Code of Business Ethics - Certification" attached).

Section 4 - Content of Cost Proposal:

4.1 Information to be Provided by Proposers

The following is a list of required information that must be provided by the proposer. Provide your response in the same order in which it is requested using numbered side tabs that

correspond with each of the numbered tabs below. Your cost proposal must contain sufficient information to assure DASNY of its accuracy.

- Tab 1. Include a **cover letter** with the following items:
- a. The name, title, telephone number, fax number and email address of the individual within your firm who will be DASNY's primary contact concerning this RFP.
 - b. A statement to the effect that the price quoted is an irrevocable offer good for 120 days.
 - c. The cover letter must be signed by the individual(s) authorized to bind your firm contractually. Indicate the title or position that the signer holds within your firm. DASNY reserves the right to reject a cost proposal that contains an unsigned cover letter.
- Tab 2. Complete the Cost Proposal Specification Form included in this RFP as an attachment. Provide the cost for each service item, any packages that might be available as well as any other services. The cost provided should be inclusive of all fees, expenses and profit.
- Tab 3. Provide a statement indicating your firm is able to obtain the required insurances as listed in the attached Sample Contract if selected.

Provide the following form loosely. Do not include this form in your technical or cost proposal.

A completed Procurement Lobbying Law – Certification included in this RFP as an attachment.

Section 5 - Evaluation of Proposals:

The selection process will begin with the review and evaluation of each of the written proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP; (2) to identify the complying firms that have the highest probability of satisfactorily performing the scope of services. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation will be conducted as set forth herein.

5.1 Preliminary Review

DASNY reserves the right to reject and return to the proposer all proposals received after the RFP due date and time. All proposals will be reviewed to determine if they contain all required submittals specified in Sections 3 and 4. Incomplete proposals may be rejected.

5.2 Evaluation

Proposals will undergo an evaluation process conducted by a Committee selected by DASNY. The Committee will evaluate the proposals based upon the criteria for selection set forth below.

5.3 Criteria for Selection

The criteria for selection shall be the qualifications required by Section 2 and Section 3.

5.4 Interviews

DASNY reserves the right to determine whether interviews will be necessary. The purpose of the interview is to further document the proposer's ability to provide the required services and to impart to the Committee an understanding of how specific services will be furnished. The proposed lead principal, as well all other key personnel proposed to provide the services must be present and participate in the interview. The interview will be evaluated on the basis of whether it substantiates the characteristics and attributes claimed by the proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

Section 6 - Submission of Proposals:

6.1 Submission of Technical and Cost Proposal

Firms are encouraged to submit environmentally-friendly proposals. The following is a list of suggestions:

- use reusable binders;
- reduce the use of plastic dividers,
- reduce margins in page layouts,
- print in black and white only,
- use recycled paper; and
- use your firms own creative ideas.

Six (6) double-sided copies of your technical proposal and three (3) double-sided copies of your cost proposal should be submitted on or before 5:00 p.m. on October 24, 2017 to:

Nicole White
RFP Coordinator
DASNY
515 Broadway
Albany, New York 12207-2964

Section 7 - Important Information Affecting Proposers:

7.1 Proposal Requirements

1. All inquiries regarding this RFP should be addressed to the following individual:

Nicole White
Email: RFPCoordinator@dasny.org

All questions must be submitted in writing to the RFP Coordinator by email, citing the particular proposal section and paragraph number. Proposers should note that all clarifications and exceptions, including those related to the terms and conditions of the contract are to be resolved prior to the submission of a proposal. A list of all substantive inquires received with relevant responses will be posted on DASNY's website, www.dasny.org.

2. A proposer may withdraw a proposal anytime prior to the final due date and time by written notification, signed by an authorized agent, to the contact person identified in Section 7.1.1 above. The proposal may thereafter be resubmitted, but not after the final due date and time. Modifications offered in any other manner, oral or written, will not be considered.
3. If a proposer discovers an ambiguity, conflict, discrepancy, omission or other error in this RFP, the proposer should immediately notify the contact person identified in Section 7.1.1 above. Notice of such error or omission should be submitted prior to the final due date and time for submission of proposals. Modifications shall be made by addenda to this RFP. Such clarifications will be given by written notice to all parties who have received this RFP.
4. If a proposer fails, prior to the final due date and time for submission of proposals, to notify DASNY of a known error or an error that reasonably should have been known, the proposer shall assume the risk of proposing. If awarded the contract, the proposer shall not be entitled to additional compensation or time by reason of the error or its late correction.
5. A proposer indicates its acceptance of the provisions and conditions enumerated in this RFP by submitting a proposal.

7.2 DASNY Requirements

1. By submitting a proposal, the proposer covenants that the proposer will not make any claims for or have any right to damages because of any misinterpretation or misunderstanding of the specifications or because of lack of information.
2. DASNY shall not be liable for any cost incurred by the proposer in proposal preparation or in activities related to the review of this RFP or any interview costs.
3. Other than the contact person identified in Section 7.1.1 above, or their designee(s), prospective proposers shall not approach DASNY employees during the period of this RFP process about any matters related to this RFP or any proposals submitted pursuant thereto.

7.3 DASNY Rights and Prerogatives

DASNY reserves the right to exercise the following prerogatives:

1. To accept or reject any or all proposals and amend, modify or withdraw this RFP.
2. To correct any arithmetic errors in the proposals.
3. To change the final due date and time for proposals.
4. To accept or reject any of the firm's employees or proposed sub-consultants assigned to provide services on this project and to require their replacement at any time. The proposer shall obtain the written approval of DASNY of changes to the technical proposal after it is submitted, including any changes with respect to sub-consultants. DASNY shall have the right to reject any proposed change to the proposer's technical proposal.
5. To waive or modify any irregularities in proposals received after prior notification to the proposer. This will in no way modify the RFP documents or excuse the proposer from full compliance with its requirements.
6. To consider modifications to proposals at any time before the award is made, if such action is in the best interest of DASNY.
7. To request a revised cost proposal from firms selected as finalists.
8. To accept a proposal for the engagement containing other than the lowest cost proposal.
9. To interview proposers prior to selection.
10. To reject any proposal containing false or misleading statements or that provides references that do not support an attribute or condition claimed by the proposer.
11. To begin negotiations with the next most responsive proposer to this RFP should DASNY be unsuccessful in negotiating a contract with the selected proposer within a reasonable time frame.
12. To contract with more than one firm.

7.4 Contractual Requirements

1. Contract
 - a. By submitting a proposal, the successful proposer agrees to reference the RFP as part of the resulting contract.
 - b. DASNY may award a contract for any or all parts of a proposal and may negotiate contract terms and conditions to meet client program requirements consistent with the RFP.
 - c. Award of a contract is subject to contract negotiation and approval of such contract by the appropriate DASNY authorities.

2. Modification of Contract

- a. Any modification to the original contract signed between the successful proposer and DASNY will require the mutual consent of the successful proposer and DASNY.
- b. Any contract or amendments thereto will be considered effective only after approval by the appropriate DASNY authorities.

3. Interpretation

The contract shall be construed and interpreted in accordance with the laws of New York State. New York State shall be the forum for disputes.

4. Public Announcements

Upon selection of the successful proposer and contract execution, public announcements or news releases pertaining to the contract shall not be made without prior written consent of DASNY.

Section 8 - Negotiation

After completion of the selection process, DASNY will commence finalization of the project scope and fee negotiations, if deemed necessary, with the selected firm(s).

Section 9 - Notification

Upon completion of the selection process, DASNY will notify all firms of its decision. Notification will be sent to the primary contact only. Shortly after notification the selected firm(s) will be posted on DASNY's website.