



**Pennsylvania
Gaming Control Board**

P.O. Box 69060 Harrisburg, PA 17106-9060



REQUEST FOR PROPOSALS FOR

Background Screening Services

ISSUING OFFICE

Pennsylvania Gaming Control Board

RFP NUMBER

PGCB 2011-1

DATE OF ISSUANCE

January 14, 2011

**REQUEST FOR PROPOSALS FOR
Background Screening Services PGCB 2011-1**

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CALENDAR OF EVENTS

The Commonwealth will make every effort to adhere to the following schedule:

Activity	Responsibility	Date
Deadline to submit Questions via email to RFPQuestions@state.pa.us.	Potential Offerors	January 21, 2011
Answers to Potential Offeror questions posted to the PGCB website http://www.pgcb.state.pa.us/?p=125 no later than this date.	Issuing Office	January 28, 2011
Please monitor website for all communications regarding the RFP.	Potential Offerors	Ongoing
Sealed proposal must be received by the Issuing Office at: RFP PGCB2011-01 303 Walnut Street, Strawberry Square 5 th Floor Verizon Tower Harrisburg, PA 17101	Offerors	NLT 4:00 pm EST February 11, 2011

PART I

GENERAL INFORMATION

I-1. Purpose. This request for proposals (RFP) provides to those interested in submitting proposals for the subject procurement (“Offerors”) sufficient information to enable them to prepare and submit proposals for the **Pennsylvania Gaming Control Board’s** consideration on behalf of the Commonwealth of Pennsylvania (“Commonwealth”) to satisfy a need **for Background Screening Services** (“Project”).

I-2. Issuing Office. The **Pennsylvania Gaming Control Board (PGCB)** (“Issuing Office”) has issued this RFP on behalf of the Commonwealth. The sole point of contact in the Commonwealth for this RFP shall be:

Steven D. Wilson
303 Walnut Street, Strawberry Square
5th Floor Verizon Tower
Harrisburg, PA 17101
swilson@state.pa.us

The individual above is the Issuing Officer for this RFP. Please refer all inquiries to the Issuing Officer.

I-3. Scope. This RFP contains instructions governing the requested proposals, including the requirements for the information and material to be included; a description of the service to be provided; requirements which Offerors must meet to be eligible for consideration; general evaluation criteria; and other requirements specific to this RFP.

I-4. Problem Statement. The PGCB is responsible for ensuring the integrity of the Commonwealth’s gaming industry through background and suitability investigations of gaming operators and the individuals and entities associated with the casinos in Pennsylvania. In addition, the PGCB is responsible for ongoing evaluation and suitability determinations of all licensed individuals and entities through license renewals.

In 2008, the PGCB investigated over 800 companies, principals, and key employees related to casino operators, manufacturers, and suppliers; over 5,800 gaming and non-gaming employees; and over 1,600 companies and individuals associated with certified and registered vendors. Additional detail is provided in **Part IV** of this RFP.

I-5. Type of Contract. It is proposed that if the Issuing Office enters into a contract as a result of this RFP, it will be a **fixed-price deliverable** contract containing the Standard Contract Terms and Conditions as shown in **Appendix A** and available at http://www.dgsweb.state.pa.us/comod/CurrentForms/STD274_SAP.doc. The Issuing Office, in its sole discretion, may undertake negotiations with Offerors whose proposals, in the judgment of the Issuing Office, show them to be qualified, responsible and capable of performing the Project.

I-6. Rejection of Proposals. The Issuing Office reserves the right, in its sole and complete discretion, to reject any proposal received as a result of this RFP.

I-7. Incurring Costs. The Issuing Office is not liable for any costs the Offeror incurs in preparation and submission of its proposal, in participating in the RFP process or in anticipation of award of the contract.

I-8. There will be no preproposal conference for this RFP. If there are any questions, please forward them to the Issuing Officer in accordance with Section I-9.

I-9. Questions & Answers. If an Offeror has any questions regarding this RFP, the Offeror must submit the questions by email (**with the subject line “RFP PGCB 2011-2 Question”**) to the Issuing Officer named in **Part I, Section I-2** of the RFP. If the Offeror has questions, they must be submitted via email **no later than** the date indicated on the Calendar of Events. The Offeror shall not attempt to contact the Issuing Officer by any other means. The Issuing Officer shall post the answers to the questions on the PGCB website by the date stated on the Calendar of Events.

All questions and responses as posted on the PGCB website are considered as an addendum to, and part of, this RFP in accordance with RFP **Part I, Section I-10**. Each Offeror shall be responsible to monitor the DGS website for new or revised RFP information. The Issuing Office shall not be bound by any verbal information nor shall it be bound by any written information that is not either contained within the RFP or formally issued as an addendum by the Issuing Office. The Issuing Office does not consider questions to be a protest of the specifications or of the solicitation. The required protest process for Commonwealth procurements is described on the DGS website.

I-10. Addenda to the RFP. If the Issuing Office deems it necessary to revise any part of this RFP before the proposal response date, the Issuing Office will post an addendum to the PGCB website at <http://www.pgcb.state.pa.us/?p=125>. It is the Offeror’s responsibility to periodically check the website for any new information or addenda to the RFP. Answers to the questions asked during the Questions & Answers period also will be posted to the website as an addendum to the RFP.

I-11. Response Date. To be considered for selection, hard copies of proposals must arrive at the Issuing Office on or before the time and date specified in the RFP Calendar of Events. The Issuing Office will **not** accept proposals via email or facsimile transmission. Offerors who send proposals by mail or other delivery service should allow sufficient delivery time to ensure timely receipt of their proposals. If, due to inclement weather, natural disaster, or any other cause, the Commonwealth office location to which proposals are to be returned is closed on the proposal response date, the deadline for submission will be automatically extended until the next Commonwealth business day on which the office is open, unless the Issuing Office otherwise notifies Offerors. The hour for submission of proposals shall remain the same. The Issuing Office will reject, unopened, any late proposals.

I-12. Proposals. To be considered, Offerors should submit a complete response to this RFP to the Issuing Office, using the format provided in **Part II**, providing **seven (7) paper copies of the Technical Submittal and one (1) paper copy of the Cost Submittal and two (2) paper copies of the Disadvantaged Business Submittal**. In addition to the paper copies of the proposal, Offerors shall submit two **complete and exact** copies of the entire proposal (Technical, Cost and Disadvantaged Business Submittals, along with all requested documents) on Flash drives in Microsoft Office or Microsoft Office-compatible format. The electronic copy must be a mirror image of the paper copy and any spreadsheets must be in Microsoft Excel. The Offerors may not lock or protect any cells or tabs. Offerors should ensure that there is no costing information in the technical submittal. Offerors should not reiterate technical information in the cost submittal. The Flash drive should clearly identify the Offeror and include the name and version number of the virus scanning software that was used to scan the Flash drive before it was submitted. The Offeror shall make no other distribution of its proposal to any other Offeror or Commonwealth official or Commonwealth consultant. Each proposal page should be numbered for ease of reference. An official authorized to bind the Offeror to its provisions must sign the proposal. If the official signs the Proposal Cover Sheet (Appendix C to this RFP) and the Proposal Cover Sheet is attached to the Offeror's proposal, the requirement will be met. For this RFP, the proposal must remain valid for **120** days or until a contract is fully executed. If the Issuing Office selects the Offeror's proposal for award, the contents of the selected Offeror's proposal will become, except to the extent the contents are changed through Best and Final Offers or negotiations, contractual obligations.

Each Offeror submitting a proposal specifically waives any right to withdraw or modify it, except that the Offeror may withdraw its proposal by written notice received at the Issuing Office's address for proposal delivery prior to the exact hour and date specified for proposal receipt. An Offeror or its authorized representative may withdraw its proposal in person prior to the exact hour and date set for proposal receipt, provided the withdrawing person provides appropriate identification and signs a receipt for the proposal. An Offeror may modify its submitted proposal prior to the exact hour and date set for proposal receipt only by submitting a new sealed proposal or sealed modification which complies with the RFP requirements.

I-13. Disadvantaged Business Information. The Issuing Office encourages participation by small disadvantaged businesses as prime contractors, joint ventures and subcontractors/suppliers and by socially disadvantaged businesses as prime contractors.

Small Disadvantaged Businesses are small businesses that are owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages. The term includes:

- a. Department of General Services Bureau of Minority and Women Business Opportunities (BMWBO)-certified minority business enterprises (MBEs) and women business enterprises (WBEs) that qualify as small businesses; and
- b. United States Small Business Administration certified 8(a) small disadvantaged business concerns.

- c. Businesses that BMWBO determines meet the Small Business Administration criteria for designation as a small disadvantaged business.

Small businesses are businesses in the United States which are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent employees, and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

Socially disadvantaged businesses are businesses in the United States that BMWBO determines are owned or controlled by a majority of persons, not limited to members of minority groups, who are subject to racial or ethnic prejudice or cultural bias, but which do not qualify as small businesses. In order for a business to qualify as “socially disadvantaged,” the offeror must include in its proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person’s color, ethnic origin or gender.

Questions regarding this Program can be directed to:

Department of General Services
Bureau of Minority and Women Business Opportunities
Room 611, North Office Building
Harrisburg, PA 17125
Phone: (717) 783-3119
Fax: (717) 787-7052
Email: gs-bmwbo@state.pa.us
Website: www.dgs.state.pa.us

A database of BMWBO-certified minority- and women-owned businesses can be accessed at <http://www.dgsweb.state.pa.us/mbewbe/VendorSearch.aspx>. The federal vendor database can be accessed at <http://www.ccr.gov> by clicking on *Dynamic Small Business Search* (certified companies are so indicated).

I-14. Information Concerning Small Businesses in Enterprise Zones. The Issuing Office encourages participation by small businesses, whose primary or headquarters facility is physically located in areas the Commonwealth has identified as *Designated Enterprise Zones*, as prime contractors, joint ventures and subcontractors/suppliers.

The definition of headquarters includes, but is not limited to, an office or location that is the administrative center of a business or enterprise where most of the important functions of the business are conducted or concentrated and location where employees are conducting the business of the company on a regular and routine basis so as to contribute to the economic development of the geographical area in which the office or business is geographically located.

Small businesses are businesses in the United States which are independently owned, are not dominant in their field of operation, employ no more than 100 full-time or full-time equivalent

employees, and earn less than \$20 million in gross annual revenues (\$25 million in gross annual revenues for those businesses in the information technology sales or service business).

There is no database or directory of small businesses located in Designated Enterprise Zones. Information on the location of *Designated Enterprise Zones* can be obtained by contacting:

Aldona M. Kartorie
Center for Community Building
PA Department of Community and Economic Development
4th Floor, Commonwealth Keystone Building
400 North Street
Harrisburg, PA 17120-0225
Phone: (717) 720-7409
Fax: (717) 787-4088
Email: akartorie@state.pa.us

I-15. Economy of Preparation. Offerors should prepare proposals simply and economically, providing a straightforward, concise description of the Offeror's ability to meet the requirements of the RFP.

I-16. Alternate Proposals. The Issuing Office has identified the basic approach to meeting its requirements, allowing Offerors to be creative and propose their best solution to meeting these requirements. The Issuing Office will not accept alternate proposals.

I-17. Discussions for Clarification. Offerors may be required to make an oral or written clarification of their proposals to the Issuing Office to ensure thorough mutual understanding and Offeror responsiveness to the solicitation requirements. The Issuing Office will initiate requests for clarification.

I-18. Prime Contractor Responsibilities. The contract will require the selected Offeror to assume responsibility for all services offered in its proposal whether it produces them itself or by subcontract. The Issuing Office will consider the selected Offeror to be the sole point of contact with regard to contractual matters.

I-19. Proposal Contents.

- a. Confidential Information. The Commonwealth is not requesting, and does not require, confidential proprietary information or trade secrets to be included as part of Offerors' submissions in order to evaluate proposals submitted in response to this RFP. Accordingly, except as provided herein, Offerors should not label proposal submissions as confidential or proprietary or trade secret protected. Any Offeror who determines that it must divulge such information as part of its proposal must submit the signed written statement described in subsection I-19.c. below and must additionally provide a redacted version of its proposal, which removes only the confidential proprietary information and trade secrets, for required public disclosure purposes.

- b. Commonwealth Use. All material submitted with the proposal shall be considered the property of the Commonwealth of Pennsylvania and may be returned only at the Issuing Office's option. The Commonwealth has the right to use any or all ideas not protected by intellectual property rights that are presented in any proposal regardless of whether the proposal becomes part of a contract. Notwithstanding any Offeror copyright designations contained on proposals, the Commonwealth shall have the right to make copies and distribute proposals internally and to comply with public record or other disclosure requirements under the provisions of any Commonwealth or United States statute or regulation, or rule or order of any court of competent jurisdiction.

- c. Public Disclosure. After the award of a contract pursuant to this RFP, all proposal submissions are subject to disclosure in response to a request for public records made under the Pennsylvania Right-to-Know-Law, 65 P.S. § 67.101, et seq. If a proposal submission contains confidential proprietary information or trade secrets, a signed written statement to this effect must be provided with the submission in accordance with 65 P.S. § 67.707(b) for the information to be considered exempt under 65 P.S. § 67.708(b)(11) from public records requests. Financial capability information submitted in response to Part II, Section II-7 of this RFP is exempt from public records disclosure under 65 P.S. § 67.708(b)(26).

I-20. Best and Final Offers. While not required, the Issuing Office reserves the right to conduct discussions with Offerors for the purpose of obtaining "best and final offers." To obtain best and final offers from Offerors, the Issuing Office may do one or more of the following, in combination and in any order:

- i) Schedule oral presentations;
- ii) Request revised proposals;
- iii) Conduct a reverse online auction; and
- iv) Enter into pre-selection negotiations.

The Issuing Office will limit any best and final offer opportunities to responsible Offerors (defined in Part III, Section III-4 of this RFP) whose proposals the Issuing Office has determined to be reasonably susceptible of being selected for award as being within the top competitive range of responsive proposals. The Evaluation Criteria found in Part III, Section III-3, shall also be used to evaluate the best and final offers. Price reductions offered through any reverse online auction shall have no effect upon the Offeror's Technical Submittal. Dollar commitments to Disadvantaged Businesses and Enterprise Zone Small Businesses can be reduced only in the same percentage as the percent reduction in the total price offered through any reverse online auction or negotiations.

I-21. News Releases. Offerors shall not issue news releases, Internet postings, advertisements or any other public communications pertaining to this Project without prior written approval of the Issuing Office, and then only in coordination with the Issuing Office.

I-22. Restriction of Contact. From the issue date of this RFP until the Issuing Office selects a proposal for award, the Issuing Officer is the sole point of contact concerning this RFP. Any violation of this condition may be cause for the Issuing Office to reject the offending Offeror's proposal. If the Issuing Office later discovers that the Offeror has engaged in any violations of this condition, the Issuing Office may reject the offending Offeror's proposal or rescind its contract award. Offerors must agree not to distribute any part of their proposals beyond the Issuing Office. An Offeror who shares information contained in its proposal with other Commonwealth personnel and/or competing Offeror personnel may be disqualified.

I-23. Debriefing Conferences. Offerors whose proposals are not selected will be notified of the name of the selected Offeror and given the opportunity to be debriefed. The Issuing Office will schedule the time and location of the debriefing. The debriefing will not compare the Offeror with other Offerors, other than the position of the Offeror's proposal in relation to all other Offeror proposals. An Offeror's exercise of the opportunity to be debriefed does not constitute the filing of a protest.

I-24. Issuing Office Participation. Offerors shall provide all services, supplies, facilities, and other support necessary to complete the identified work, except as otherwise provided in this **Part I, Section I-24**. The PGCB shall provide staff from the Office of Information Technology for the testing and support of the automated interface described herein. For staff that will be ordering and interpreting results of the background screening services, the PGCB shall make them available for training. It is preferred that such training is either web-based or presented at the three PGCB regional offices and the PGCB Harrisburg office.

I-25. Term of Contract. The term of the contract will commence on the Effective Date and will end **three (3) years from the effective date with two (2), one-year renewal terms which may be exercised at the PGCB's sole discretion**. The Issuing Office will fix the Effective Date after the contract has been fully executed by the selected Offeror and by the Commonwealth and all approvals required by Commonwealth contracting procedures have been obtained. The selected Offeror shall not start the performance of any work prior to the Effective Date of the contract and the Commonwealth shall not be liable to pay the selected Offeror for any service or work performed or expenses incurred before the Effective Date of the contract.

I-26. Offeror's Representations and Authorizations. By submitting its proposal, each Offeror understands, represents, and acknowledges that:

- a. All of the Offeror's information and representations in the proposal are material and important, and the Issuing Office may rely upon the contents of the proposal in awarding the contract(s). The Commonwealth shall treat any misstatement, omission or misrepresentation as fraudulent concealment of the true facts relating to the Proposal submission, punishable pursuant to 18 Pa. C.S. § 4904.

- b. The Offeror has arrived at the price(s) and amounts in its proposal independently and without consultation, communication, or agreement with any other Offeror or potential offeror.
- c. The Offeror has not disclosed the price(s), the amount of the proposal, nor the approximate price(s) or amount(s) of its proposal to any other firm or person who is an Offeror or potential offeror for this RFP, and the Offeror shall not disclose any of these items on or before the proposal submission deadline specified in the Calendar of Events of this RFP.
- d. The Offeror has not attempted, nor will it attempt, to induce any firm or person to refrain from submitting a proposal on this contract, or to submit a proposal higher than this proposal, or to submit any intentionally high or noncompetitive proposal or other form of complementary proposal.
- e. The Offeror makes its proposal in good faith and not pursuant to any agreement or discussion with, or inducement from, any firm or person to submit a complementary or other noncompetitive proposal.
- f. To the best knowledge of the person signing the proposal for the Offeror, the Offeror, its affiliates, subsidiaries, officers, directors, and employees are not currently under investigation by any governmental agency and have not in the last **four** years been convicted or found liable for any act prohibited by State or Federal law in any jurisdiction, involving conspiracy or collusion with respect to bidding or proposing on any public contract, except as the Offeror has disclosed in its proposal.
- g. To the best of the knowledge of the person signing the proposal for the Offeror and except as the Offeror has otherwise disclosed in its proposal, the Offeror has no outstanding, delinquent obligations to the Commonwealth including, but not limited to, any state tax liability not being contested on appeal or other obligation of the Offeror that is owed to the Commonwealth.
- h. The Offeror is not currently under suspension or debarment by the Commonwealth, any other state or the federal government, and if the Offeror cannot so certify, then it shall submit along with its proposal a written explanation of why it cannot make such certification.
- i. The Offeror has not made, under separate contract with the Issuing Office, any recommendations to the Issuing Office concerning the need for the services described in its proposal or the specifications for the services described in the proposal.
- j. Each Offeror, by submitting its proposal, authorizes Commonwealth agencies to release to the Commonwealth information concerning the Offeror's Pennsylvania taxes, unemployment compensation and workers' compensation liabilities.

- k. Until the selected Offeror receives a fully executed and approved written contract from the Issuing Office, there is no legal and valid contract, in law or in equity, and the Offeror shall not begin to perform.

I-27. Notification of Selection. The Issuing Office will notify the selected Offeror in writing of its selection for negotiation after the Issuing Office has determined, taking into consideration all of the evaluation factors, the proposal that is the most advantageous to the Issuing Office.

I-28. RFP Protest Procedure. The RFP Protest Procedure is on the DGS website at <http://www.dgsweb.state.pa.us/comod/ProtestProcedures.doc> A protest by a party not submitting a proposal must be filed within **seven** days after the protesting party knew or should have known of the facts giving rise to the protest, but no later than the proposal submission deadline specified in the Calendar of Events of the RFP. Offerors may file a protest within **seven** days after the protesting Offeror knew or should have known of the facts giving rise to the protest, but in no event may an Offeror file a protest later than **seven** days after the date the notice of award of the contract is posted on the DGS website. The date of filing is the date of receipt of the protest. A protest must be filed in writing with the Issuing Office.

PART II

PROPOSAL REQUIREMENTS

Offerors must submit their proposals in the format, including heading descriptions, outlined below. To be considered, the proposal must respond to all requirements in this part of the RFP. Offerors should provide any other information thought to be relevant, but not applicable to the enumerated categories, as an appendix to the Proposal. All cost data relating to this proposal and all Disadvantaged Business cost data should be kept separate from and not included in the Technical Submittal. Each Proposal shall consist of the following **three** separately sealed submittals:

- a. Technical Submittal, which shall be a response to RFP **Part II, Sections II-1 through II-8**;
- b. Disadvantaged Business Submittal, in response to RFP **Part II, Section II-9**; and
- c. Cost Submittal, in response to RFP **Part II, Section II-10**.

The Issuing Office reserves the right to request additional information which, in the Issuing Office's opinion, is necessary to assure that the Offeror's competence, number of qualified employees, business organization, and financial resources are adequate to perform according to the RFP.

The Issuing Office may make investigations as deemed necessary to determine the ability of the Offeror to perform the Project, and the Offeror shall furnish to the Issuing Office all requested information and data. The Issuing Office reserves the right to reject any proposal if the evidence submitted by, or investigation of, such Offeror fails to satisfy the Issuing Office that such Offeror is properly qualified to carry out the obligations of the RFP and to complete the Project as specified.

II-1. Statement of the Problem. State in succinct terms your understanding of the problem presented or the service required by this RFP.

II-2. Management Summary. Include a narrative description of the proposed effort and a list of the items to be delivered or services to be provided.

II-3. Work Plan. Describe in narrative form your technical plan for accomplishing the work. Use the services described in **Part IV** of this RFP as your reference point. Modifications of the services are permitted; however, reasons for changes should be fully explained. Indicate the number of person hours allocated to each task. Include a Program Evaluation and Review Technique (PERT) or similar type display, time related, showing each event. If more than one approach is apparent, comment on why you chose this approach.

II-4. Prior Experience. Include experience in **background screening services**. Experience shown should be work done by individuals who will be assigned to this project as well as that of

your company. Studies or projects referred to must be identified and the name of the customer shown, including the name, address, and telephone number of the responsible official of the customer, company, or agency who may be contacted.

II-5. Personnel. Include the number of executive and professional personnel, analysts, auditors, researchers, programmers, consultants, etc., who will be engaged in the work. Show where these personnel will be physically located during the time they are engaged in the Project. For key personnel, include the employee's name and, through a resume or similar document, the Project personnel's education and experience in **background screening services**. Indicate the responsibilities each individual will have in this Project and how long each has been with your company. Identify by name any subcontractors you intend to use and the services they will perform.

II-6. Training. If appropriate, indicate recommended training of PGCB personnel. Include the PGCB personnel to be trained, the number to be trained, duration of the program, place of training, curricula, training materials to be used, number and frequency of sessions, and number and level of instructors.

II-7. Financial Capability. Describe your company's financial stability and economic capability to perform the contract requirements. If your company is a publicly traded company, please provide a link to your financial records on your company's website; otherwise, provide three (3) years of your company's financial documents such as audited financial statements or recent tax returns (e.g. Balance sheets, profit and loss statements).

II-8. Objections and Additions to Standard Contract Terms and Conditions. The Offeror will identify which, if any, of the terms and conditions (contained in **Appendix A**) it would like to negotiate and what additional terms and conditions the Offeror would like to add to the standard contract terms and conditions. The Offeror's failure to make a submission under this paragraph will result in its waiving its right to do so later, but the Issuing Office may consider late objections and requests for additions if to do so, in the Issuing Office's sole discretion, would be in the best interest of the Commonwealth. The Issuing Office may, in its sole discretion, accept or reject any requested changes to the standard contract terms and conditions. The Offeror shall not request changes to the other provisions of the RFP, nor shall the Offeror request to completely substitute its own terms and conditions for **Appendix A**. All terms and conditions must appear in one integrated contract. The Issuing Office will not accept references to the Offeror's, or any other, online guides or online terms and conditions contained in any proposal.

Regardless of any objections set out in its proposal, the Offeror must submit its proposal, including the cost proposal, on the basis of the terms and conditions set out in **Appendix A**. The Issuing Office will reject any proposal that is conditioned on the negotiation of the terms and conditions set out in **Appendix A or to other provisions of the RFP as specifically identified above.**

II-9. Disadvantaged Business Submittal.

a. Disadvantaged Business Information.

- i) To receive credit for being a Small Disadvantaged Business or a Socially Disadvantaged Business or for entering into a joint venture agreement with a Small Disadvantaged Business or for subcontracting with a Small Disadvantaged Business (including purchasing supplies and/or services through a purchase agreement), a Offeror must include proof of Disadvantaged Business qualification in the Disadvantaged Business Submittal of the proposal, as indicated below:
 - 1) A Small Disadvantaged Businesses certified by BMWBO as an MBE/WBE must provide a photocopy of their BMWBO certificate.
 - 2) Businesses certified by the U.S. Small Business Administration pursuant to Section 8(a) of the Small Business Act (15 U.S.C. § 636(a)) as an 8(a) Small Disadvantaged Businesses must submit proof of U.S. Small Business Administration certification. The owners of such businesses must also submit proof of United States citizenship.
 - 3) Businesses, which assert that they meet the U.S. Small Business Administration criteria for designation as a small disadvantaged business, must submit: a) self-certification that the business meets the Small Business Administration criteria and b) documentary proof to support the self-certification. The owners of such businesses must also submit proof of United States citizenship, and provide any relevant small disadvantaged business certifications by other certifying entities.
 - 4) All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification, or U.S. Small Business Administration certification as an 8(a) or self-certification as a U.S. Small Business Administration small disadvantaged business, must attest to the fact that the business has no more than 100 full-time or full-time equivalent employees.
 - 5) All businesses claiming Small Disadvantaged Business status, whether as a result of BMWBO certification, or U.S. Small Business Administration certification as an 8(a) or self-certification as a U.S. Small Business Administration small disadvantaged business, must submit proof that their gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business).

This can be accomplished by including a recent tax return or audited financial statement.

- ii) All businesses claiming status as a Socially Disadvantaged Business must include in the Disadvantaged Business Submittal of the proposal clear and convincing evidence to establish that the business has personally suffered racial or ethnic prejudice or cultural bias stemming from the business person's color, ethnic origin or gender. The submitted evidence of prejudice or bias must:
 - 1) Be rooted in treatment that the business person has experienced in American society, not in other countries.
 - 2) Show prejudice or bias that is chronic and substantial, not fleeting or insignificant.
 - 3) Indicate that the business person's experience with the racial or ethnic prejudice or cultural bias has negatively impacted his or her entry into and/or advancement in the business world.

BMWBO shall determine whether the Offeror has established that a business is socially disadvantaged by clear and convincing evidence.

- iii) In addition to the above verifications, the Offeror must include in the Disadvantaged Business Submittal of the proposal the following information:
 - 1) Those Small Disadvantaged Businesses submitting a proposal as the Offeror, must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Offeror and not by subcontractors and suppliers.
 - 2) Those Small Disadvantaged Businesses submitting a proposal as a part of a joint venture partnership, must include a numerical percentage which represents the total percentage of the work (as a percentage of the total cost in the Cost Submittal) to be performed by the Small Disadvantaged Business joint venture partner and not by subcontractors and suppliers or by joint venture partners who are not Small Disadvantaged Businesses. Offeror must also provide:
 - a) The amount of capital, if any, each Small Disadvantaged Business joint venture partner will be expected to provide.

- b) A copy of the joint venture agreement signed by all parties.
 - c) The business name, address, name and telephone number of the primary contact person for the Small Disadvantaged Business joint venture partner.
- 3) *All* Offerors must include a numerical percentage which represents the total percentage of the total cost in the Cost Submittal that the Offeror commits to paying to Small Disadvantaged Businesses as subcontractors. To support its total percentage DB subcontractor commitment, Offeror must also include:
- a) The dollar amount of each subcontract commitment to a Small Disadvantaged Business;
 - b) The name of each Small Disadvantaged Business. The Offeror will not receive credit for stating that after the contract is awarded it will find a Small Disadvantaged Business.
 - c) The services or supplies each Small Disadvantaged Business will provide, including the timeframe for providing the services or supplies.
 - d) The location where each Small Disadvantaged Business will perform services.
 - e) The timeframe for each Small Disadvantaged Business to provide or deliver the goods or services.
 - f) A signed subcontract or letter of intent for each Small Disadvantaged Business. The subcontract or letter of intent must identify the specific work, goods or services the Small Disadvantaged Business will perform and how the work, goods or services relates to the project.
 - g) The name, address and telephone number of the primary contact person for each Small Disadvantaged Business.
- 4) The total percentages and each subcontractor commitment will become contractual obligations once the contract is fully executed.
- 5) The name and telephone number of the Offeror's project (contact) person for the Small Disadvantaged Business information.
- iv) The Offeror is required to submit **two** copies of its Disadvantaged Business Submittal. The submittal shall be clearly identified as Disadvantaged Business information and sealed in its own envelope, separate from the remainder of the proposal.
 - v) A Small Disadvantaged Business can be included as a subcontractor with as many prime contractors as it chooses in separate proposals.

- vi) An Offeror that qualifies as a Small Disadvantaged Business and submits a proposal as a prime contractor is not prohibited from being included as a subcontractor in separate proposals submitted by other Offerors.

b. Enterprise Zone Small Business Participation.

- i) To receive credit for being an enterprise zone small business or entering into a joint venture agreement with an enterprise zone small business or subcontracting with an enterprise zone small business, an Offeror must include the following information in the Disadvantaged Business Submittal of the proposal:

- 1) Proof of the location of the business' headquarters (such as a lease or deed or Department of State corporate registration), including a description of those activities that occur at the site to support the other businesses in the enterprise zone.
- 2) Confirmation of the enterprise zone in which it is located (obtained from the local enterprise zone office).
- 3) Proof of United States citizenship of the owners of the business.
- 4) Certification that the business employs no more than 100 full-time or full-time equivalent employees.
- 5) Proof that the business' gross annual revenues are less than \$20,000,000 (\$25,000,000 for those businesses in the information technology sales or service business). This can be accomplished by including a recent tax return or audited financial statement.
- 6) Documentation of business organization, if applicable, such as articles of incorporation, partnership agreement or other documents of organization.

- ii) In addition to the above verifications, the Offeror must include in the Disadvantaged Business Submittal of the proposal the following information:

- 1) The name and telephone number of the Offeror's project (contact) person for the Enterprise Zone Small Business.
- 2) The business name, address, name and telephone number of the primary contact person for each Enterprise Zone Small Business included in the proposal. The Offeror must specify each Enterprise Zone Small Business to which it is making commitments. The Offeror will not receive credit for stating that it will find an

Enterprise Zone Small Business after the contract is awarded or for listing several businesses and stating that one will be selected later.

- 3) The specific work, goods or services each Enterprise Zone Small Business will perform or provide.
 - 4) The total cost amount submitted in the Offeror's cost proposal and the estimated dollar value of the contract to each Enterprise Zone Small Business.
 - 5) Of the estimated dollar value of the contract to each Enterprise Zone Small Business, the percent of the total value of services or products purchased or subcontracted that each Enterprise Zone Small Business will provide.
 - 6) The location where each Enterprise Zone Small Business will perform these services.
 - 7) The timeframe for each Enterprise Zone Small Business to provide or deliver the goods or services.
 - 8) The amount of capital, if any, each Enterprise Zone Small Business will be expected to provide.
 - 9) The form and amount of compensation each Enterprise Zone Small Business will receive.
 - 10) For a joint venture agreement, a copy of the agreement, signed by all parties.
 - 11) For a subcontract, a signed subcontract or letter of intent.
- iii) The dollar value of the commitment to each Enterprise Zone Small Business must be included in the same sealed envelope with the Disadvantaged Business Submittal of the proposal. The following will become a contractual obligation once the contract is fully executed:
- 1) The amount of the selected Offeror's Enterprise Zone Small Business commitment;
 - 2) The name of each Enterprise Zone Small Business; and
 - 3) The services each Enterprise Zone Small Business will provide, including the timeframe for performing the services.

II-10. Cost Submittal. The information requested in this **Part II, Section II-10** shall constitute the Cost Submittal. The Cost Submittal shall be placed in a separate sealed envelope within the sealed proposal, separated from the technical submittal. Offerors must complete the costing matrix attached as **Appendix D**, which will constitute their entire cost proposal. Offerors should **not** include any assumptions in their cost submittals. If the Offeror includes assumptions in its cost submittal, the Issuing Office may reject the proposal. Offerors should direct in writing to the Issuing Office pursuant to **Part I, Section I-9**, of this RFP any questions about whether a cost or other component is included or applies. All Offerors will then have the benefit of the Issuing Office's written answer so that all proposals are submitted on the same basis.

During the term of the contract, The Gaming Board, at its sole discretion, may add or delete background screening searches, package screening packages, and individual screening services or change/alter the searches offered in any or all of the package screening services.

The Issuing Office will reimburse the selected Offeror for work satisfactorily performed after execution of a written contract and the start of the contract term, in accordance with contract requirements, and only after the Issuing Office has issued a notice to proceed.

II-11. Domestic Workforce Utilization Certification. Complete and sign the Domestic Workforce Utilization Certification contained in **Appendix B** of this RFP. Offerors who seek consideration for this criterion must submit in hardcopy the signed Domestic Workforce Utilization Certification Form in the same sealed envelope with the Technical Submittal.

PART III

CRITERIA FOR SELECTION

III-1. Mandatory Responsiveness Requirements. To be eligible for selection, a proposal must be:

- a. Timely received from an Offeror;
- b. Properly signed by the Offeror.

III-2. Technical Nonconforming Proposals. The Issuing Office reserves the right, in its sole discretion, to waive technical or immaterial nonconformities in an Offeror’s proposal.

III-3. Evaluation Criteria. The following criteria will be used in evaluating each proposal. In order for a proposal to be considered for selection for best and final offers or selection for contract negotiations, the total score for the technical submittal of the proposal must be greater than or equal to 70% of the highest scoring technical submittal.

- a. **Technical:** The Issuing Office has established the weight for the Technical criterion for this RFP as **55%** of the total points. Evaluation will be based upon the following in order of importance: comprehensive quality of screening services; timeliness of results reporting; customer service and ongoing support; accurate and complete invoices; and a proven track record.
- b. **Cost:** The Issuing Office has established the weight for the Cost criterion for this RFP as **20%** of the total points.
- c. **Disadvantaged Business Participation:** BMWBO has established the weight for the Disadvantaged Business Participation criterion for this RFP as **25%** of the total points. Evaluation will be based upon the following in order of priority:

Priority Rank 1	Proposals submitted by Small Disadvantaged Businesses.
Priority Rank 2	Proposals submitted from a joint venture with a Small Disadvantaged Business as a joint venture partner.
Priority Rank 3	Proposals submitted with subcontracting commitments to Small Disadvantaged Businesses.
Priority Rank 4	Proposals submitted by Socially Disadvantaged Businesses.

Each proposal will be rated for its approach to enhancing the utilization of Small Disadvantaged Businesses and/or Socially Disadvantaged Businesses. Each approach will be evaluated, with Priority Rank 1 receiving the highest score and the succeeding options receiving scores in accordance with the above-listed priority ranking

To the extent that an Offeror qualifies as a Small Disadvantaged Business or a Socially Disadvantaged Business, the Small Disadvantaged Business or Socially Disadvantaged Business cannot enter into subcontract arrangements for more than **40%** of the total estimated dollar amount of the contract. If a Small Disadvantaged Business or a Socially Disadvantaged Business subcontracts more than **40%** of the total estimated dollar amount of the contract to other contractors, the Disadvantaged Business Participation scoring shall be proportionally lower for that proposal.

- d. **Enterprise Zone Small Business Participation:** In accordance with the priority ranks listed below, bonus points in addition to the total points for this RFP, will be given for the Enterprise Zone Small Business Participation criterion. The maximum bonus points for this criterion is 3% of the total points for this RFP. The following options will be considered as part of the final criteria for selection:

Priority Rank 1	Proposals submitted by an Enterprise Zone Small Business will receive three percent bonus for this criterion.
Priority Rank 2	Proposals submitted by a joint venture with an Enterprise Zone Small Business as a joint venture partner will receive two percent bonus for this criterion.
Priority Rank 3	Proposals submitted with a subcontracting commitment to an Enterprise Zone Small Business will receive the one percent bonus for this criterion.
Priority Rank 4	Proposals with no Enterprise Zone Small Business Utilization shall receive no points under this criterion.

To the extent that an Offeror is an Enterprise Zone Small Business, the Offeror cannot enter into contract or subcontract arrangements for more than **40%** of the total estimated dollar amount of the contract in order to qualify as an Enterprise Zone Small Business for purposes of this RFP.

- e. **Domestic Workforce Utilization:** Any points received for the Domestic Workforce Utilization criterion are bonus points in addition to the total points for this RFP. The maximum bonus points for this criterion are 3% of the total points for this RFP. To the extent permitted by the laws and treaties of the United States, each proposal will be scored for its commitment to use domestic workforce in the fulfillment of the contract. Maximum consideration will be given to those Offerors who will perform the contracted direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. Offerors who seek consideration for this criterion must submit in hardcopy the signed Domestic Workforce Utilization Certification Form in the same sealed envelope with the Technical Submittal. The certification will be included as a contractual obligation when the contract is executed.

III-4. Offeror Responsibility. To be responsible, an Offeror must submit a responsive proposal and possess the capability to fully perform the contract requirements in all respects and the integrity and reliability to assure good faith performance of the contract.

In order for an Offeror to be considered responsible for this RFP and therefore eligible for selection for best and final offers or selection for contract negotiations:

- a. the total score for the technical submittal of the Offeror's proposal must be greater than or equal to 70% of the highest scoring technical submittal; and
- b. the Offeror's financial information must demonstrate that the Offeror possesses the financial capability to assure good faith performance of the contract. The Issuing Office will assess each Offeror's financial capacity based on industry standard analysis of the Offeror's financial statements requested with the Technical Questionnaire. This may include:
 - ratio, horizontal or vertical analysis;
 - industry comparison using Dun & Bradstreet's Key Business Ratios to measure Offerors' solvency, efficiency and profitability;
 - the ratio of the Offeror's annual sales revenue to the expected annual spend for this contract;
 - the percentage of the Offeror's annual sales revenue attributed to the Commonwealth; and
 - the Offeror's sustainable growth rate.

The Issuing Office reserves the right, in its sole discretion, not to consider for best and final offers or selection for contract negotiation, any Offeror who fails to achieve acceptable scores on the Dun & Bradstreet's Key Business Ratios; has annual sales revenue less than twice the

expected annual spend for this contract; with the award of this contract would receive more than half of its annual sales revenue from the Commonwealth; or has a sustainable growth rate which does not support the addition of the expected annual spend for this contract. Offerors who fail to demonstrate sufficient financial capability to assure good faith performance of the contract as specified herein may be considered by the Issuing Office for best and final offers or contract negotiation contingent upon such Offerors providing contract performance security for the expected annual contract amount in a form acceptable to the Issuing Office.

Further, the Issuing Office will award a contract only to an Offeror determined to be responsible in accordance with the most current version of Commonwealth Management Directive 215.9, Contractor Responsibility Program.

III-5. Evaluation. The Issuing Office has selected a committee of qualified personnel to review and evaluate timely submitted proposals. Independent of the committee, BMWBO will evaluate the Disadvantaged Business Submittal and provide the Issuing Office with a rating for this component of each proposal. The Issuing Office will notify in writing of its selection for negotiation the responsible Offeror whose proposal is determined to be the most advantageous to the Commonwealth as determined by the Issuing Office after taking into consideration all of the evaluation factors.

PART IV
WORK STATEMENT

IV-1. Objectives.

a). **General.**

The PGCB is responsible for ensuring the integrity of the Commonwealth's gaming industry through background and suitability investigations of gaming operators and the individuals and entities associated with the casinos in Pennsylvania. In addition, the PGCB is responsible for ongoing evaluation and suitability determinations of all licensed individuals and entities through license renewals.

In 2008, the PGCB investigated over 800 companies, principals, and key employees related to casino operators, manufacturers, and suppliers; over 5,800 gaming and non-gaming employees; and over 1,600 companies and individuals associated with certified and registered vendors. Due to the dynamic nature of this emerging gaming industry in the state of Pennsylvania, it is difficult to project the future requests for background screening services.

It is the PGCB's intent to select the offer which is most favorable in all respects, including scope, availability of services, quality of services, reputation, customer support, and price. The successful offeror will be expected to work closely with PGCB representatives to administer an effective and efficient applicant screening program.

b) **Specific.**

Background screening services for individuals shall include, at a minimum:

- Social Security Number Verification and Validation – trace or name
Address Verification
- Multi-Jurisdictional Criminal History Searches
- County Criminal History Court House Searches
- County Civil History Court House Searches
- Federal Criminal History Searches
- Federal Civil History Searches
- Sex Offender Registry Searches
- Credit Reports
- Professional License/Certification Verification
- Gaming License Verification
- Driver's License Verification/Motor Vehicle Records
- Education Verification
- Employment Verification
- International Background Screening Services

Background screening services for entities shall include, at a minimum:

- Employer Identification Number (EIN) Verification and Validation – trace or name Address Verification
- County Civil History Court House Searches
- Dun & Bradstreet Report
- Business Credit Reports
- Business Bankruptcies, Liens, Judgments Searches
- Business License Verification
- International Background Screening Services

The PGCB requires the ability to order background screening services as standardized packages of screening services as well as requesting a single screening service. Proposals shall contain a price for the following screening packages and the price for individual components of each package. Proposals shall identify the number of searches included with each component of the package, e.g. three employment verifications, two education searches, four name searches for each county search, etc. Also, include the price of add-on searches if PGCB exceeds the maximum allowable searches for each component of the package.

Package #1

Social Security Number Validation

Social Security Number Verification

County Seat Felony and Misdemeanor (10 year) – 15 Year Residence History

Federal Criminal (10 year) – 15 Year Residence History

Credit Report

Employment Verification – 15 Year History

Package #2

Social Security Number Validation

Social Security Number Verification

County Seat Felony and Misdemeanor (10 year) – 15 Year Residence History

Federal Criminal (10 year) – 15 Year Residence History

Credit Report

County Civil – Upper (7 year) – 15 Year Residence History

Employment Verification – 15 Year History

Package #3

Social Security Number Validation

Social Security Number Verification

County Seat Felony and Misdemeanor (10 year) – 15 Year Residence History

Federal Criminal (10 year) – 15 Year Residence History

Credit Report
County Civil – Upper (7 year) – 15 Year Residence History

Package #4

Social Security Number Validation
Social Security Number Verification
County Seat Felony and Misdemeanor (10 year) – 15 Year Residence History
Federal Criminal (10 year) – 15 Year Residence History
Credit Report
County Civil – Upper (7 year) – 15 Year Residence History
Education – Highest Degree
Employment Verification – Standard – Last 3

There are times when a particular screening service needs to be re-run to provide updated information. Prices for the initial request and to re-run the background screening services shall be included in the proposals.

Proposals shall identify the data elements required from the PGCB for each background screening service to complete that screening. This list of data elements shall be listed for each background screening service.

IV-2. Technical Requirements.

The PGCB desires to have the ordering of background screening services, the results reported, and the invoicing all electronically processed. This shall be provided through two processes; online using a secure web site and using an automated interface.

The majority of the ordering shall be through a web services for the data communications. The PGCB shall contact the background screening service provider's web service to place orders for screening services and obtain results. The background screening service provider shall contact the PGCB web service to provide results when they are available. This will ensure the most efficient process to exchange information between the two organizations.

The PGCB also needs the ability to place orders through a secured web site for special and urgent requests. The secured web site shall also provide PGCB staff with the ability to review results of both in process and completed background screening requests.

a. Ordering Background Screening Services.

PGCB staff will place orders for background screening services electronically either using an automated interface or online using a secure web site. This ordering process includes the initial order for screening services packages, orders to re-run previously ordered screening services, and orders for selected screening services.

The automated interface shall be an XML file in the format described in Exhibit A, Background Screening Services Order Interface File Specifications, attached herein. A confirmation shall be provided to the PGCB indicating that the background screening service has been ordered successfully. If the request was not successful, the PGCB shall be notified with the data that requires corrections. The PGCB shall have the ability to resubmit the requested background screening once the data has been corrected.

When requesting screening services through a secure web site, the online order processing shall require the following PGCB data fields:

- Gaming ID
- Application ID
- Date ordered
- Screening service package or specific screening service requested
- PGCB staff user ID that placed the order

Immediate feedback is needed to provide the PGCB staff the ability to correct the data when submitting the requested background screening. Results from online screening requests must be available electronically as described below in section IV-2 b., Results Reporting.

The PGCB shall have the ability to cancel a case that is in process for situations when an applicant withdraws. All background work shall be terminated and no additional charges incurred. Cancellation of background screening shall be handled through the same process to order services using the online or automated interfaces.

b. Results Reporting.

Results of the background screening services shall be forwarded electronically to the PGCB in a secure XML file in the format described in Exhibit B, Background Screening Services Results Interface File Specifications, attached herein.

Any immediate and all interim results shall be provided to the PGCB prior to the availability of the final results. If one or more checks take longer to complete, such as an employment check, all other results should be available to the PGCB through real time updates. Those updates would indicate that this case has not been closed with final results but shall identify all other items in the case that have been completed and results have been returned.

These results shall include, but are not limited to:

- Background screening services group ID
- Name of individual or entity being screened
- Unique Gaming ID and Application ID number as provided by PGCB
- Tax ID number (EIN or Social Security Number)
- For individuals, date of birth

- Date background screening service ordered
- Date background screening service request completed
- Name of requesting PGCB personnel
- Summary results
- Specific results for each screening service ordered

The PGCB should have the ability to look up an existing case by our identifier, the Gaming ID and the Application ID, through our system using a web service which returns information on that case in real time. Proposals shall describe how this process shall work including any development required by the PGCB.

IV-3. Data Security.

The PGCB considers all data transmitted to and from the background screening service provider to be confidential. Such information shall be encrypted during transmission between the PGCB and the selected provider. At a minimum, the interfaces shall use a 128-bit encryption for all inbound and outbound file transfers. The selected provider's web site for orders shall have a valid SSL certificate.

Proposals shall describe in detail the approach to secure data transmitted to and from the PGCB to protect the confidential information. The proposals should also include the confidentiality provisions that govern their employees that will work with the PGCB background screening requests.

IV-4. Billing and Invoicing Requirements.

Itemized billing invoices are required and each charge must be accompanied by the following information:

- Screening service provided
- Unique Gaming ID number and Application ID number as provided by PGCB
- Name and SSN/EIN of individual/entity being screened
- Date background screening service ordered
- Date background screening service request completed
- Name of requesting PGCB personnel
- Fee for the screening service

Invoices must be provided monthly and in duplicate. An itemized invoice must be provided directly to the PGCB. A second hard copy of a summarized invoice must be provided directly to the Comptroller's Office at the following address:

Commonwealth of Pennsylvania – PO invoice
 65GCB
 PO Box 69180
 Harrisburg, PA 17106

Invoice must be itemized by expense category and include quantity, unit price, line total and grand total. Invoice must also identify vendor name and address, FEIN and purchase order number.

Invoice data must also be submitted electronically in a secured XML file as specified in Exhibit C, Background Screening Services Invoicing Interface File Specifications, attached herein. This electronic file shall be provided to the PGCB within forty eight hours from the time the paper invoices have been prepared as described above. Any amended invoices or interim invoices shall also be provided in this same electronic format. Proposals shall include a description how your company will secure these files during transmission to the PGCB.

IV-5. Questions

The following questions must be addressed in proposals for this RFP:

a. **Vendor Qualifications:**

- 1) Provide Qualifications and Experience – Corporate History, Management Summary, Experience with similar projects, and Experience in gaming industry.
- 2) What is your client retention rate for the last three years?
- 3) What makes your company unique among other companies providing background screening services?
- 4) How many employees, who conduct screening services, does your company employ? Describe their level of expertise.
- 5) Are screening services performed in person or electronically? Describe which services are completed personally or electronically.

b) **Screening Services:**

- 6) Provide a detailed timeline for entire process of background screening requests from date of request, to date of results, to date of invoicing.
- 7) What sources of information are searched? Describe each service you provide and how you go about obtaining that information.
- 8) How far back do the criminal history searches go?
- 9) Do you charge more for searches beyond 10 years?
- 10) How do you conduct county courthouse searches?

- 11) How many attempts are made to verify employment and education?
 - 12) Describe how your services allow the PGCB the ability to select searches by groups of background screening services or individual screening searches, or both?
 - 13) How do you handle additional names or aliases? Is there an additional charge for additional names?
 - 14) Are you able to search by more than just name, i.e. can results be more specific to a name AND date of birth or a name AND social security number?
 - 15) What type of management reports do you provide?
 - 16) Describe in detail your company's process for background screening of International applicants.
 - a) Does your company utilize a third party to conduct International background screening?
 - b) Describe what information is available in each country and what requirements are needed to obtain that information.
 - 17) Are there any locations for which your company is unable to provide information?
 - 18) Describe how your company safeguards confidential information provided by the PGCB to conduct the background?
 - 19) Describe how your company deals with incorrect or outdated information? How does your company ensure information is correct?
 - 20) Submit a copy/example of background report sent to client.
 - 21) Describe the process in which you request additional documentation from the PGCB concerning applicants, such as release authorizations. How do you communicate your need for the additional documentation and how does the PGCB send the additional documentation, via fax, email, etc. Who receives this information and how is it logged?
- c) **Customer Service:**
- 22) What is your approach to customer service?

- 23) Describe the training and educational material you provide to your clients, including pre and post-implementation.
- 24) How will you service the PGCB account? Describe how your account management team will handle the PGCB contract, including location, number of team members, and bios.
- 25) What are your hours of operation and when will key account personnel be available to the PGCB?
- 26) Describe the tools that you provide to answer common questions clients may have about a background screening.
- 27) How do you respond to customer complaints and service issues? Give an example of how you resolved a customer problem successfully.
- 28) How do you assess customer satisfaction?

d) **Compliance:**

- 29) Describe your company's measures to ensure legal compliance pertaining to employment screening (i.e. FCRA, EEOC, etc).
- 30) Do you offer adverse action letter fulfillment solutions to clients?
- 31) What is your company's policy in resolving consumer disputes?
- 32) How would you keep the PGCB updated on state and federal laws regarding background screening?
- 33) What policies and procedures does your company have in place to audit background screening services for regulatory compliance and accuracy?

IV-6. Contract Requirements—Disadvantaged Business Participation and Enterprise Zone Small Business Participation.

All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must also include a provision requiring the selected contractor to meet and maintain those commitments made to Disadvantaged Businesses and/or Enterprise Zone Small Businesses at the time of proposal submittal or contract negotiation, unless a change in the commitment is approved by the BMWBO. All contracts containing Disadvantaged Business participation and/or Enterprise Zone Small Business participation must include a provision requiring Small Disadvantaged Business subcontractors, Enterprise Zone Small Business subcontractors and Small Disadvantaged Businesses or Enterprise Zone Small Businesses in a

joint venture to perform at least **50%** of the subcontract or Small Disadvantaged Business/Enterprise Zone Small Business participation portion of the joint venture.

The selected contractor's commitments to Disadvantaged Businesses and/or Enterprise Zone Small Businesses made at the time of proposal submittal or contract negotiation shall be maintained throughout the term of the contract and through any renewal or extension of the contract. Any proposed change must be submitted to BMWBO, which will make a recommendation to the Contracting Officer regarding a course of action.

If a contract is assigned to another contractor, the new contractor must maintain the Disadvantaged Business participation and/or Enterprise Zone Small Business participation of the original contract.

The selected contractor shall complete the Prime Contractor's Quarterly Utilization Report (or similar type document containing the same information) and submit it to the contracting officer of the Issuing Office and BMWBO within **10** workdays at the end of each quarter the contract is in force. This information will be used to determine the actual dollar amount paid to Small Disadvantaged Business and/or Enterprise Zone Small Business subcontractors and suppliers, and Small Disadvantaged Business and/or Enterprise Zone Small Business participants involved in joint ventures. Also, this information will serve as a record of fulfillment of the commitment the selected contractor made and for which it received Disadvantaged Business and Enterprise Zone Small Business points. If there was no activity during the quarter then the form must be completed by stating "No activity in this quarter."

NOTE: EQUAL EMPLOYMENT OPPORTUNITY AND CONTRACT COMPLIANCE STATEMENTS REFERRING TO COMPANY EQUAL EMPLOYMENT OPPORTUNITY POLICIES OR PAST CONTRACT COMPLIANCE PRACTICES DO NOT CONSTITUTE PROOF OF DISADVANTAGED BUSINESSES STATUS OR ENTITLE AN OFFEROR TO RECEIVE CREDIT FOR DISADVANTAGED BUSINESSES UTILIZATION.

EXHIBIT A

BACKGROUND SCREENING SERVICES ORDER INTERFACE FILE SPECIFICATIONS

The background screening services file layout may be modified upon the prior written approval of the PGCB Office of Information Technology due to the background screening services or package ordered and the information available from the selected organization.

The following information is the recommended format:

```
<?xml version="1.0" encoding="UTF-8" standalone="yes" ?>
<BackgroundRequest count="nnn">

<RequestType type="INDIVIDUAL">
  <ScreeningServicesProvider>xxxxxxxxxx</ScreeningServicesProvider>
  <ScreeningServicesID>xxxnnn</ScreeningServicesID> – individual or package
    screening services ID

  <References>
    <GamingID>nnnnn</GamingID>
    <ApplicationID>nn</ApplicationID>
    <TargetID>nnnnn</TargetID> – an internal PGCB database ID
    <AppSysID>n</AppSysID> – default is 0 unless provided by the PGCB
  </References >

  <PersonalData>
    <PersonName type="SUBJECT">
      <FirstName>xxxxxxxxxx</FirstName>
      <MiddleName>xxxxxxxxxx</MiddleName>
      <LastName>xxxxxxxxxx</LastName>
      <MaidenName>xxxxxxxxxx</MaidenName>
    </PersonName>

    <PersonName type="ALIAS">
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      <MiddleName>xxxxxxxxxx</MiddleName>
      <LastName>xxxxxxxxxx</ LastName >
    </PersonName>

    <DemographicDetail>
      <TaxId>nnnnnnnnnn</TaxId>
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      <DateOfBirth>yyyy-mm-dd</DateOfBirth>
    </DemographicDetail>

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      validTo="yyyy-mm-dd">
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      <Region>xx</Region>
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    <Municipality>xxxxxxxxxx</Municipality>
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  <PostalAddress type="PRIOR" validFrom="yyyy-mm-dd" validTo="yyyy-
mm-dd">
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    <Region>xx</Region>
    <Municipality>xxxxxxxxxx</Municipality>
    <MailingAddress>
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      <AddressLine>xxxxxxxxxx</AddressLine>
    </MailingAddress>
  </PostalAddress>

```

NOTE: Multiply Prior Addresses may be attached to a background screening request.

```

<ContactMethod>
  <EmailAddress>xxxxxxxxxx@xxxxxxxxxx.com</EmailAddress>
  <Telephone type="WORK">
    <Number>nnn-nnn-nnnn</Number>
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  <Telephone type="HOME">
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  </Telephone>
  <Telephone type="CELL">
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  </Telephone>
  <Telephone type="FAX">
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  </Telephone>
</ContactMethod>

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      <Region>xx</Region>
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        <AddressLine>xxxxxxxxxx</AddressLine>
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  </Employer>
</EmploymentHistory>

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    </DatesOfEmployment>
    <ContactInfo>
      <PersonName>xxxxxxxxxx</PersonName>
      <Telephone>nnn-nnn-nnnn</Telephone>
    </ContactInfo>
  </Employer>

  <Employer employerType="PRIOR">
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    <ReasonForLeaving>xxxxxxxxxx</ReasonForLeaving>
    <EmployerName>xxxxxxxxxxxxxxxx</EmployerName>
    <Compensation intervalType="YEARLY"
      currency="US">nnnnnn</Compensation>
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      <Region>xx</Region>
      <Municipality>xxxxxxxxxx</Municipality>
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        <Unit>nnnnn</Unit>
        <AddressLine>xxxxxxxxxx</AddressLine>
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    </EmployerAddress>
    <DatesOfEmployment>
      <StartDate>yyyy-mm-dd</StartDate>
      <EndDate>yyyy-mm-dd</EndDate>
    </DatesOfEmployment>
    <ContactInfo>
      <PersonName>xxxxxxxxxx</PersonName>
      <Telephone>nnn-nnn-nnnn</Telephone>
    </ContactInfo>
  </Employer>

```

NOTE: Multiply Prior Addresses may be attached to a background screening request.

```

  </EmploymentHistory>

</PersonalData>

</RequestType>

<RequestType type="ENTITY">
  <ScreeningServicesProvider>xxxxxxxxxx</ScreeningServicesProvider>
  <ScreeningServicesID>xxxnnn</ScreeningServicesID> – individual or package
  screening services ID

  <References>
    <GamingID>nnnnn</GamingID>
    <ApplicationID>nn</ApplicationID>
    <TargetID>nnnnn</TargetID> – an internal PGCB database ID

```

```

    <AppSysID>n</AppSysID> – default is 0 unless provided by the PGCB
</References >

<EntityData>
  <EntityType type="XXXXXXXXXX">
    <EntityName>XXXXXXXXXX</EntityName >
    <TaxId>nnnnnnnnn</TaxId>
  </EntityData>

<PostalAddress type="MAILING" >
  <PostalCode>xxxxx</PostalCode>
  <Region>xx</Region>
  <Municipality>XXXXXXXXXX</Municipality>
  <MailingAddress>
    <Unit>nnnn</Unit>
    <AddressLine>XXXXXXXXXX</AddressLine>
  </MailingAddress>
</PostalAddress>

<PostalAddress type="PHYSICAL">
  <PostalCode>xxxxx</PostalCode>
  <Region>xx</Region>
  <Municipality>XXXXXXXXXX</Municipality>
  <MailingAddress>
    <Unit>nnnn</Unit>
    <AddressLine>XXXXXXXXXX</AddressLine>
  </MailingAddress>
</PostalAddress>

<ContactMethod>
  <EmailAddress>XXXXXXXXXX@XXXXXXXXXX.com</EmailAddress>
  <Telephone type="WORK">
    <Number>nnn-nnn-nnnn</Number>
  </Telephone>
  <Telephone type="FAX">
    <Number>nnn-nnn-nnnn</Number>
  </Telephone>
</ContactMethod>

</RequestType>

</BackgroundRequest>

```

EXHIBIT B

BACKGROUND SCREENING SERVICES RESULTS INTERFACE FILE SPECIFICATIONS

The results return file layout may be modified upon the prior written approval of the PGCB Office of Information Technology due to the background screening services or package ordered and the information available from the selected organization.

The following information is the recommended format:

```
<?xml version="1.0" encoding="UTF-8" standalone="yes" ?>
<BackgroundReports count="nnn">

<BackgroundResults type="INDIVIDUAL">
  <ScreeningServicesProvider>xxxxxxxxxx</ScreeningServicesProvider>
  <ScreeningServicesID>xxxnnn</ScreeningServicesID> - individual or package
    screening services ID

  <References>
    <GamingID>nnnnn</GamingID>
    <ApplicationID>nn</ApplicationID>
    <TargetID>nnnnn</TargetID> - an internal PGCB database ID
    <AppSysID>n</AppSysID> - default is 0 unless provided by the PGCB
  </References>

  <DateInformation>
    <DateOrdered>yyyy-mm-dd</DateOrdered>
    <DateCompleted>yyyy-mm-dd</DateCompleted>
  </DateInformation>

  <OrderedBy>xxxxxxxxxx</OrderedBy> - PGCB staff ID

  <PersonalData>
    <PersonName>
      <FirstName>xxxxxxxxxx</FirstName>
      <MiddleName>xxxxxxxxxx</MiddleName>
      <LastName>xxxxxxxxxx</LastName>
    </PersonName>

    <DemographicDetail>
      <TaxId>nnnnnnnnnn</TaxId>
      <DateOfBirth>yyyy-mm-dd</DateOfBirth>
    </DemographicDetail>
  </PersonalData>

  <ScreeningResults>
    <SummaryResultsReport mediaType="html">xxxxxxxxxxxxxxxxxxxxxxxx
      xxxxxxxxxxxxxxxxxxxxxxxxxxx</SummaryResultsReport>
    <Screenings> - for results from specific screenings
      <Screening type="xxxxxxx" subtype="xxxxxx">
```

```

        <ScreeningStatus>XXXXXXXXXX</ScreeningStatus>
        <ScreeningResultsReport    mediaType="html">XXXXXXXXXXXXXXXXXXXX
            XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX</ScreeningResultsReport>
    </Screenings>
</ScreeningResults>

</BackgroundResults>

<BackgroundResults type="ENTITY">
    <ScreeningServiceProvider>XXXXXXXXXX</ScreeningServiceProvider>
    <ScreeningServicesID>xxxnnn</ScreeningServicesID> - individual or package
        screening services ID

    <References>
        <GamingID>nnnnn</GamingID>
        <ApplicationID>nn</ApplicationID>
        <TargetID>nnnnn</TargetID> - an internal PGCB database ID
        <AppSysID>n</AppSysID> - default is 0 unless provided by the PGCB
    </References >

    <DateInformation>
        <DateOrdered>yyyy-mm-dd</DateOrdered>
        <DateRequested>yyyy-mm-dd</DateRequested>
    </DateInformation>

    <OrderedBy>XXXXXXXXXX</OrderedBy> - PGCB staff ID

    <EntityData>
        <EntityName>XXXXXXXXXX</EntityName>
        <TaxId>nnnnnnnnnn</TaxId>
    </EntityData>

    <ScreeningResults>
        <SummaryResultsReport    mediaType="html">XXXXXXXXXXXXXXXXXXXX
            XXXXXXXXXXXXXXXXXXXXXXX</SummaryResultsReport>
        <Screenings> - for results from specific screenings
            <Screening type="XXXXXXXXXX" subtype="XXXXXXXX">
                <ScreeningStatus>XXXXXXXXXX</ScreeningStatus>
                <ScreeningResultsReport    mediaType="html">XXXXXXXXXXXXXXXXXXXX
                    XXXXXXXXXXXXXXXXXXXXXXX</ScreeningResultsReport>
            </Screenings>
    </ScreeningResults>

</BackgroundResults>

</BackgroundReports>

```

EXHIBIT C

BACKGROUND SCREENING SERVICES INVOICING INTERFACE FILE SPECIFICATIONS

The invoicing file layout may be modified upon the prior written approval of the PGCB Office of Information Technology due to the background screening services or package ordered and the information available from the selected organization.

The following information is the recommended format:

```
<?xml version="1.0" encoding="UTF-8" ?>
<BackgroundCheck>
```

```
<Charge type="INDIVIDUAL">
```

```
<ScreeningServicesProvider>xxxxxxxxxx</ScreeningServicesProvider>
```

```
<InvoiceNumber>xxxxnnnn</InvoiceNumber>
```

```
<InvoiceDate>yyyy-mm-dd</InvoiceDate>
```

```
<DateOrdered>yyyy-mm-dd</DateOrdered>
```

```
<DateCompleted>yyyy-mm-dd</DateCompleted>
```

```
<OrderedBy>xxxxxxxxxx</OrderedBy> - PGCB staff ID
```

```
<GamingID>nnnnn</GamingID>
```

```
<ApplicationID>nn</ApplicationID>
```

```
<TargetID>nnnnn</TargetID> – an internal PGCB database ID
```

```
<AppSysID>n</AppSysID> – default is 0 unless provided by the PGCB
```

```
<FirstName>xxxxxx</FirstName>
```

```
<MiddleName>xxxxxx</MiddleName>
```

```
<LastName>xxxxxxxxxx</LastName>
```

```
<TaxId>xxxxxxxxxx</TaxId>
```

```
<DateOfBirth>yyyy-mm-dd</DateOfBirth>
```

```
<ScreeningServicesID>xxxnnn</ScreeningServicesID> – individual or package  
screening services ID
```

```
<Charge>nnnnn.nn</Charge>
```

```
<ChargeDescription>xxxxxxxxxxxxxxxxxxxxxxxxxx</ChargeDescription>
```

```
</Charge>
```

```
<Charge type="ENTITY">
```

```
<ScreeningServicesProvider>xxxxxxxxxx</ScreeningServicesProvider>
```

```
<InvoiceNumber>xxxxnnnn</InvoiceNumber>
```

```
<InvoiceDate>yyyy-mm-dd</InvoiceDate>
```

```
<DateOrdered>yyyy-mm-dd</DateOrdered>
```

```
<DateCompleted>yyyy-mm-dd</DateCompleted>
```

```
<OrderedBy>xxxxxxxxxx</OrderedBy> - PGCB staff ID
```


<GamingID>**nnnnn**</GamingID>
<ApplicationID>**nn**</ApplicationID>
<TargetID>**nnnnn**</TargetID> – *an internal PGCB database ID*
<AppSysID>**n**</AppSysID> – *default is 0 unless provided by the PGCB*

<EntityName>**xxxxxxxxxx**</EntityName>
<TaxId>**xxxxxxxx**</TaxId>

<ScreeningServicesID>**xxxnnn**</ScreeningServicesID> – *individual or package
screening services ID*

<Charge>**nnnnn.nn**</Charge>

<ChargeDescription>**xxxxxxxxxxxxxxxxxxxxxxxx**</ChargeDescription>

</Charge>

</BackgroundCheck>

APPENDIX A

STANDARD CONTRACT TERMS AND CONDITIONS

Please refer to the Department of General Services web address shown below to download or print the Standard Contract Terms and Conditions.

http://www.dgsweb.state.pa.us/comod/CurrentForms/STD274_SAP.doc

APPENDIX B
DOMESTIC WORKFORCE UTILIZATION CERTIFICATION

To the extent permitted by the laws and treaties of the United States, each proposal will be scored for its commitment to use the domestic workforce in the fulfillment of the contract. Maximum consideration will be given to those offerors who will perform the contracted direct labor exclusively within the geographical boundaries of the United States or within the geographical boundaries of a country that is a party to the World Trade Organization Government Procurement Agreement. Those who propose to perform a portion of the direct labor outside of the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement will receive a correspondingly smaller score for this criterion. In order to be eligible for any consideration for this criterion, offerors must complete and sign the following certification. This certification will be included as a contractual obligation when the contract is executed. Failure to complete and sign this certification will result in no consideration being given to the offeror for this criterion.

I, _____ [title] of _____ [name of Contractor] a _____ [place of incorporation] corporation or other legal entity, ("Contractor") located at _____ [address], having a Social Security or Federal Identification Number of _____, do hereby certify and represent to the Commonwealth of Pennsylvania ("Commonwealth") (Check **one** of the boxes below):

All of the direct labor performed within the scope of services under the contract will be performed exclusively within the geographical boundaries of the United States or one of the following countries that is a party to the World Trade Organization Government Procurement Agreement: Aruba, Austria, Belgium, Bulgaria, Canada, Chinese Taipei, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hong Kong, Hungary, Iceland, Ireland, Israel, Italy, Japan, Korea, Latvia, Liechtenstein, Lithuania, Luxemburg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Singapore, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, and the United Kingdom

OR

_____ percent (____ %) [Contractor must specify the percentage] of the direct labor performed within the scope of services under the contract will be performed within the geographical boundaries of the United States or within the geographical boundaries of one of the countries listed above that is a party to the World Trade Organization Government Procurement Agreement. Please identify the direct labor performed under the contract that will be performed outside the United States and not within the geographical boundaries of a party to the World Trade Organization Government Procurement Agreement and identify the country where the direct labor will be performed:

[Use additional sheets if necessary]

The Department of General Services [or other purchasing agency] shall treat any misstatement as fraudulent concealment of the true facts punishable under Section 4904 of the *Pennsylvania Crimes Code*, Title 18, of Pa. Consolidated Statutes.

Attest or Witness:

Corporate or Legal Entity's Name

Signature/Date

Signature/Date

Printed Name/Title

Printed Name/Title

**APPENDIX C - PROPOSAL COVER SHEET
COMMONWEALTH OF PENNSYLVANIA
PA Gaming Control Board
RFP# PGCB2011 - 01**

Enclosed in three separately sealed submittals is the proposal of the Offeror identified below for the above-referenced RFP:

Offeror Information:	
Offeror Name	
Offeror Mailing Address	
Offeror Website	
Offeror Contact Person	
Contact Person's Phone Number	
Contact Person's Facsimile Number	
Contact Person's E-Mail Address	
Offeror Federal ID Number	

Submittals Enclosed and Separately Sealed:	
	Technical Submittal
	Disadvantaged Business Submittal
	Cost Submittal

<i>Signature</i>	
Signature of an official authorized to bind the Offeror to the provisions contained in the Offeror's proposal:	
Printed Name	
Title	

FAILURE TO COMPLETE, SIGN AND RETURN THIS FORM WITH THE OFFEROR'S PROPOSAL MAY RESULT IN THE REJECTION OF THE OFFEROR'S PROPOSAL

APPENDIX D – COST MATRIX

Use the PGCB Cost Matrix provided as a separate file in an Excel format.