



**REQUEST FOR PROPOSALS (RFP)
Diversity & Inclusion Consulting Services**

Release Date: September 21, 2020

The following is a list of responses to questions submitted by prospective respondents to the Diversity & Inclusion Consulting Services Request for Proposals. A copy of the RFP is available at: <https://esd.ny.gov/doing-business-ny/requests-proposals/diversity-inclusion-consulting-services>.

Diversity & Inclusion Consulting Services – Q&A

No.	Question	Answer
1	<p>Will there be a pre-bid conference call? Pre-bid conferences (even virtually) offer a wonderful opportunity for M/WBE’s to network and make connections with vendors that may prime opportunity responses.</p>	<p>Unfortunately, there will not be a pre-bid conference for this RFP. Due to the schedule, it will not be possible.</p>
2	<p>If a prime respondent is a WMBE certified by NYS and listed as such, what is the best way to fill out the forms asking about WMBE participation.</p> <p>I am referring to page 4 as well as page 6 under ii. Administrative Proposal</p> <p>iv. Non-Discrimination and Contractor & Supplier Diversity Requirements</p> <p>OCSD1 OCSD2 OSCD4</p>	<p>On all forms, please complete all company and contact information as requested. Please include the MWBE and SDVOB goals to be met, per the RFP (for forms OCSD-1 and OCSD-4).</p> <p>On Form OCSD-4: Utilization Plan, identify how the MBE, WBE and SDVOB goals would be met. If the respondent is a NYS-certified MWBEs, the respondent will still need to identify how they will meet the split and SDVOB goals.</p> <p>Form OCSD-2: Staffing Plan should include the work force anticipated to be utilized in the performance of the State contract.</p>



No.	Question	Answer
3	<p>Please confirm that the following details are true for the Diversity & Inclusion Consulting RFP:</p> <p>Review of ESD's Culture & Policies Service-Disabled Veteran-Owned Set Aside: No Minority Owned Sub-Contracting Goal: 15% Women Owned Sub-Contracting Goal: 15% Service-Disabled Veteran-Owned Business Contracting Goal: 3% Due date:10/20/2020 2:00 PM Late Proposal Will Not Be Accepted Contract term: TBD County(ies): New York</p>	<p>The requirements are correct, except for the due date, which has since been extended to 11/20/2020.</p>
4	<p>We have a few questions related to the Request for Proposal - page 5, section i - technical proposal:</p> <p>What is the size of the agency and subsidiaries that will be part of the review and assessment process? For example, what is the approximate headcount/FTEs that would be covered under the study? What is the number of distinct units, e.g., number of subsidiaries, size of the core agency?</p>	<p>The total headcount of the agency is 374.</p>
5	<p>What is the preferred format that ESD would like to review the pricing? For example, do you prefer a project fee or daily rate? Do you wish to see a per consultant or the total consultants hourly rate?</p>	<p>ESD would prefer a two-step approach. It would be best to provide total estimated cost followed by a breakdown by hourly rates.</p>
6	<p>Have there been inappropriate comments, actions, or incidents that indicate the need to address diversity, equity, and inclusion at ESD at this time?</p>	<p>ESD is taking this initiative in order to make sure that its policies, culture, and methods for promotion throughout the firm is adequate and fair. Past events/incidents could be discussed as well if it helps in the selected firm providing ESD with a remedy to any existing issues that might be found.</p>



No.	Question	Answer
7	Have there been any previous pay equity audits conducted by ESD?	No, ESD has not conducted an audit like this before.
8	In addition to pay information, what other information will be provided (e.g., ethnicity, gender, etc.)?	As personal/demographics profile information is requested by consultants, reports can be generated inclusive of information maintained in the HR database. We would expect that some confidentiality agreement will be incorporated into consultant agreement for protection of the information provided to the consultant. There is some information that will not be provided to consultants such as social security number, home address (except town/city/county/state), health-related data and any other protected information for which we are prohibited from releasing.
9	When was the Mentoring Program implemented and what have been the results to date?	ESD launched the mentoring program in late September 2020 and it will run for 6 months.
10	Does ESD currently utilize Key Performance Indicators (KPIs) or other metrics staff are held accountable for?	Yes. 14 Performance Factors/Competencies are assessed in the annual performance review in addition attainment of pre-set goals are also assessed in the annual performance review process. There are also Management Competencies that are additionally used in the assessment of managers.

No.	Question	Answer
11	<p>Page 3, Section V. Selection Criteria indicates ESD will award up to 5 percentage point to respondents who are NY State Certified MWBEs or SDVOBs.</p>	<p>This is correct. To be awarded the 5 percentage points, the respondent to the RFP must identify itself as an MWBE or SDVOB and be registered with the NYS Department of State as an entity authorized to conduct business in New York State.</p> <p>Respondents identifying themselves as MWBEs must be listed in the directory of New York State-certified MWBEs (“MWBE Directory”) as of the closing of the period for responses to this RFP. The MWBE Directory is available at: https://ny.newnycontracts.com/. Respondents identifying themselves as SDVOBs must be listed in the directory of New York State-certified SDVOBs (“SDVOB Directory”) as of the closing of the period for responses to this RFP. The SDVOB Directory is available https://online.ogs.ny.gov/SDVOB/search</p>
12	<p>Page 12, Section IX. Contractual Requirements, item vi. Non-Discrimination and Contractor & Supplier Diversity Requirements states there is a 15 percent MBE participation requirement and a 15 percent WBE participation requirement, as well as a 3 percent SDVOB requirement. Will respondents who are non-MWBEs or non-SDVOBs utilizing certified MWBEs and SDVOB subcontractors be eligible for up to 5 percentage points for meeting the participation goals?</p>	<p>No. Quantitative factors will only be applicable to respondents who are themselves NYS-certified MWBEs and/or SDVOBs.</p>
13	<p>If respondents meet the MWBE and SDVOB participation goals, is the Good Faith Effort required to be included in the proposal?</p>	<p>If the MWBE and SDVOB goals are both met, Good Faith Efforts are not required to be submitted.</p>



No.	Question	Answer
14	The link (http://www.empire.state.ny.us/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf) for the State Finance Law §§139-j and 139-k forms isn't working. Will you please provide the forms?	https://esd.ny.gov/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf
15	What is the desired timeframe for completion of the Scope of Work?	As this is a new territory for ESD, it is relying on the vendors to indicate the proper time frame. That will probably be discussed during future interviews as well.
16	What is the proposed budget for the project?	ESD does not have a set amount. We will rely on the market to indicate where the budget should be for this project. This is a serious endeavor and the Corporation is fully vested.
17	How many employees does ESD and its subsidiaries have?	Please see answer to Question #4
18	What role or actor will be the project lead for ESD?	The Executive Vice President, Division of Small Business and Technology Development will be leading this project with support from various executive leaders.
19	Has there been an assessment of this type or something similar of ESD? If so, will the vendor have access to them?	This is the first time that ESD is engaging in this type of assessment.



No.	Question	Answer
20	Will the vendor have access to interview employees during work hours (union and non-union)?	Yes, ESD will avail its employees for interviews if deemed necessary by the preferred bidder. However, due to COVID-19, interview will have to be conducted remotely.
21	<p>Will the vendor have access to all employee records (salaries, performance evaluations and assessments, training records, promotional history)?</p> <p>How will this data be accessed?</p>	When selected consultant requests specific reports, based on existing information in HR database, reports can be run. Written performance reviews are available in personnel files which can be viewed in person in NYC midtown office. Personnel Files also include information on training taken plus reports can be generated that show the annual State mandatory training courses taken online plus other online training done through the State Learning Management System.
22	Is there a compensation system such as the Hay Model or similar?	Hay model is the foundation. The last promotion and merit increase cycle was done by each supervisor and then presented to their respective Executive Vice President (EVP). The EVP made recommendations to a panel which made the final decision in consultation with CEO & President. Due to the state’s budget deficit, there was no promotion or merit increase cycle done as of yet for the last annual review period but expect to complete by year-end via newly created online routing version created due to COVID that lead to the remote status of staff and management.
23	Will the vendor have access to EEO data and reports of ESD and its subsidiaries, current and historical?	Yes, via reports that can be run on employee demographics maintained in the HR database. In addition, ESD files the federal EEO-4 biannual reports containing EEO data.



No.	Question	Answer
24	<p>All questions refer to section III, SCOPE OF WORK page 2.</p> <p>Will the project benefit from clear executive sponsorship, including board member support?</p> <p>During COVID, is the expectation all work will be performed virtually/remotely?</p>	<p>Currently, NYS office are open but due to social distancing guidelines, much of the work will be done remotely and virtually. For information that is only available in hard copy format, there may be a need to visit an office.</p> <p>This effort is being supported by the President & CEO of the ESD as well as the Executive Leadership Team.</p>
25	<p>Has ESD been the subject of any civil litigation involving any employment issues in the past five years?</p> <p>a. If yes, what are the outcomes?</p>	No.
26	<p>What existing or recent D&I efforts (e.g., training, analysis) does this work build upon?</p>	<p>I. January 2019 – Acceptance of Diversity Team Recommendations to Senior Management: Outside Speakers, Mentoring Program, College Campus Recruitment</p> <p>II. June 2019 – Agency wide presentation from Michael Washington (Office of Diversity & Inclusion Management)</p> <p>III. July and August 2019– two online TED Talk video’s - facilitated conversations</p> <p>IV. December 2019 – Diversity team attend thank you luncheon with CEO and Executive Team at NYC HQ</p> <p>V. Aug 2020 – Panel Discussion on Film Selma</p> <p>VI. Sept 2020 – Launch of Pilot Mentoring Program</p>



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27	<p>Does ESD want proposals to include analysis of any external equity of ESD (e.g., M/WBE spending, investment location)?</p> <p>Or is the scope contained to analysis of only internal policies, practices, and procedures (e.g., recruitment, on-boarding, professional development, annual evaluations, promotions)?</p>	<p>The current scope is to review internal organization and its policy. This will not be a review of any grant of external funded projects.</p>
28	<p>Is the Mentoring Program mentioned an internal, staff development program?</p> <p>Or is it an external program (e.g., NYS M/WBE Mentor-Protégé Program)?</p>	<p>The mentoring program is an internal staff development initiative. It is to allow staff members to gain access to in-house coaches.</p>
29	<p>What is the estimated budget for this work?</p>	<p>Please see answer to Question #16.</p>
30	<p>Is there an expected timeline for this work to be completed?</p> <p>Or any external timing requirements that project milestones need to meet?</p>	<p>Please see answer to Question #16.</p>
31	<p>How many employees are part of ESD and its subsidiaries?</p>	<p>Please see answer to Question #4.</p>
32	<p>Will the vendor be required to use their own survey tool or does ESD require the vendor to use the agency’s platform?</p>	<p>The agency does not have standard survey tool. In consultation with ESD IT, a tool can be developed or supplied by the vendor.</p>



No.	Question	Answer
33	Will the vendor have access to all ESD human resources policies and procedures?	Yes.
34	Will the vendor have access to all employee disciplinary actions and involuntary terminations?	Yes.
35	Has ESD in the past five years been the subject of any administrative employment claims resulting in an investigation? If yes, will the vendor have access to the findings?	No.
36	How many employees will be served under the scope of work? How many subsidiaries does ESD have?	Please see answer to Question #4.
37	On page 10, within the “State Finance Law Sections 139-j and 139-k forms” Section, the link provided to download copies of the Offerer Disclosure of Prior Non-Responsibility Determinations and the Offerer’s Affirmation of Understanding and Agreement Pursuant to State Finance Law does not work. Once loaded, it indicates that the requested source is not found. Please, provide required forms or updated link.	Please see answer to Question #14.
38	On page 6, the “Technical Proposal” section indicates that the “Bidders should provide a detailed summary of anticipated cost”. What information must be included within a Bidder’s Estimated Cost for it to be considered “detailed”?	Please see answer to Question #5.

No.	Question	Answer
39	On page 2, the “Scope of Work” section does not indicate any specific deliverables required as part of the scope. Aside from any assessments made during the selected bidder’s review/audit listed within the scope, will ESD be expecting specific deliverables/reports to be submitted to ESD in a timely manner?	Yes, the expectation is to have an assessment and report with outcomes and actions.
40	On page 2, under the “Scope of Work” section, is ESD seeking quantitative data, qualitative data, or both as deliverables from the consultant under this RFP?	Yes, it is seeking both types of data.
41	On page 2, the “Scope of Work” section indicates that the full organizational culture assessment will include “climate survey, focus groups and interviews.” Taking current health and safety practices into consideration, are there any requirements for the method in which these assessments are made, i.e. in-person or via virtual platform?	Due to current COVID-19 protocols, the expectations are to do the assessments via virtual platforms.
42	On page 2, in reference to the full “Scope of Work”, is there available information about the project budget or cost proposal such as a not-to-exceed amount or fee schedule?	There is no fixed budget as of yet. Project cost will be determined by the market.
43	On page 2, in reference to number 4 under the “Scope of Work” section, is the Mentoring Program related to business mentorship, employee mentorship, or both?	This is related to the employee mentorship program. This is an internal mentoring program.
44	On page 2, in reference to number 5 under the “Scope of Work” section, is ESD anticipating that the consultant will assist with the implementation of the proposed D&I roadmap?	At this time, the plan is for the assessment and proposal of an implementation plan.



No.	Question	Answer
45	Do you have a budget range for this assignment?	Please see answer to question #16.
46	What is the timeframe for conducting this program?	Please see answer to question #15.
47	Does ESD have specific definitions for diversity, equity and inclusion and goals to determine what success looks like or are you expecting the consultant to define the terminology?	<p>We use NYS definitions, but we do not have a formal definition of equity.:</p> <p>NEW YORK STATE’S DEFINITION OF DIVERSITY Diversity describes a mixture of individuals with unique characteristics that combine to support agencies to meet and exceed their organizational objectives.</p> <p>NEW YORK STATE’S DEFINITION OF INCLUSION Inclusion is a process that cultivates an environment that values collaboration, flexibility, and equity. Inclusive behaviors leverage diversity throughout the organization in a manner that encourages all individuals to contribute to their full potential.</p> <p>We are expecting the consultant to help us determine what SUCCESS looks like.</p>
48	Do you have data collected on all of the standard metrics in all of the areas of interest (hiring/recruiting, promoting, assessments, pay equity, mentoring) that will be shared upon rewarding of the contract?	No. However, when selected consultant requests specific reports, based on existing information in HR database, reports can be run. The mentoring program has only just been created; assessments such as written performance reviews are available in personnel files.
49	Is there a particular impetus for this program or is it part of a long-running effort?	This is part of an effort by ESD to better define and understand the dynamics of the Agency. The CEO & President has renewed the focus on this effort.



No.	Question	Answer
50	Will you be able to share current and past efforts to improve on diversity and inclusion practices?	Yes.
51	The last one is a comment: this link to this law and forms isn't working: Top of page 6: i. State Finance Law §§139-j and 139-k forms, submit with proposal http://www.empire.state.ny.us/CorporateInformation/Data/RFPs/RequiredForms/SF_Law139_JK.pdf .	Please see answer to Question #14