



REQUEST FOR EXPRESSIONS OF INTEREST

Temporary NYS Certification Processing Center

New York

Issued: March 21, 2022

Designated Contacts for this Procurement:

Primary Contact: Ralph Volcy

Secondary Contact: John Discolo

All contacts/inquiries shall be made by email to the following address: CertCenterRFEI@esd.ny.gov

EXPRESSION OF INTEREST DUE DATE AND TIME:

On or before 3:00 PM on Tuesday, April 12, 2022

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1. INTRODUCTION

On January 5, 2022, Governor Hochul announced that New York State will build support for minority- and women-owned business enterprises (“MWBEs”). As part of a multi-pronged strategy to ensure that MWBEs have a meaningful opportunity to participate in state contracting, New York State will leverage resources to rapidly address MWBE certification applications.

The New York State Department of Economic Development and New York State Urban Development Corporation d/b/a Empire State Development (“ESD”), on behalf of the State of New York (“NYS” or “State”), is issuing this Request for Expressions of Interest (“RFEI”) to determine and identify options available to the State in connection with its anticipated procurement of third party services to establish a Temporary NYS Certification Processing Center.

This RFEI is not a solicitation or Request for Proposals (“RFP”). No contract can or will be awarded based upon submissions. The RFEI is exploratory and will be issued by ESD solely for planning and gathering information.

2. PURPOSE

The purpose of this RFEI is to solicit information about potential options, approaches and strategies for establishing and staffing a Temporary NYS Certification Processing Center that is capable of:

- a. Managing the review process for certification applications submitted by NYS MWBE applicants; and*
- b. Review and process certification applications based on the New York State Executive Law Article 15-A eligibility criteria; and*
- c. Co-leading the development and deployment of training curriculum to project staff who will assist in reviewing M/WBE applications; and*
- d. Performing rigorous quality checks to ensure the applicant’s compliance with Article 15-A; and*
- e. Collecting data and providing program analysis.*
- f. Working with commodity codes and technology capable of assigning and mapping codes to businesses*

The RFEI includes questions regarding each respondent’s current capabilities, demographics and past experiences working with other states and large municipalities and how those experiences may inform or impact work with New York State as it relates to operating models, leading practices, pricing structures and process improvements.

The Temporary Processing Center is anticipated to launch in the second quarter of 2022 and may operate up to a year or more as necessary.

3. BACKGROUND

In 1988, New York State adopted its first M/WBE Program to address significant underrepresentation of M/WBEs doing business with the State. The Program, as set forth in New York State Executive Law Article 15-A, promotes the participation of minority group members and women and M/WBEs in state contracting. On July 15, 2019, former New York State Governor Andrew Cuomo signed into law the

expanded reauthorization of Article 15-A of the Executive Law. As per the reauthorized Article 15-A, the Division of Minority and Women-owned Business Development (the “Division” or “DMWBD”) is authorized to maintain a statewide M/WBE certification program.

DMWBD’s key objectives are:

- i. To assist State agencies and authorities in providing equal opportunities to MWBEs seeking to participate on State contracts;
- ii. To review applications by businesses seeking certification as an MWBE, and to maintain a directory of certified MWBEs; and,
- iii. To promote the business development of MWBEs through education and outreach to MWBEs, prime contractors, and NYS agencies and authorities.

4. PROJECT OBJECTIVES

Expressions of interest should strive to address the following project objectives:

- Recruit experienced and knowledgeable candidates to review and guide certification applications through the entire process;
- Provide training to candidates on the certification process on a rolling basis;
- Provide comprehensive technical support and assistance to applicants before and after submission of application to ensure that the applicant has submitted the complete application package;
- Deploy a quality management system to ensure every adjudication decision has met the high standards of Article 15-A and the MWBE Regulations (5 NYCRR 140-147);
- Detail experience working with commodity codes and technology capable of assigning and mapping codes to businesses;
- Document the process to track project progress and compliance with applicable rules and regulations;
- Provide detailed reporting, metrics on activities and progress on set intervals.

5. REQUIRED EXPRESSION OF INTEREST CONTENTS

Respondents to this RFEI must submit an Expression of Interest which include the following information:

Respondent Description

Contact information including name, address, telephone number, and email of the individual who will be authorized to act on behalf of the Respondent as the primary contact and who is available to answer questions or requests for additional information. Background information on Respondent’s organizational structure, including all members of the Respondent team, and the relevant experience of all principal members, should also be provided.

Do you provide processing center consultant services? (Please respond Yes or No)

Do you partner with any other business, person or entity to perform a portion of the necessary consultant work associated with conducting and publishing studies? (Please respond Yes or No)

If you do partner, please list past, present and prospective partners/relationships, and outline the scope of services those groups or individuals have previously or could potentially provide in concert with your organization in order to implement a Temporary Certification Processing Center for New York.

Are you a NYS certified minority-owned business enterprise? (Please respond Yes or No)

Are you a NYS certified woman-owned business enterprise? (Please respond Yes or No)

Project Description

The Expression of Interest should include a detailed narrative describing all relevant aspects of the project. The description should address:

- The Temporary Processing Center
 - The Center's Function, including but not limited to:
 - Providing technical assistance to current and potential applicants
 - Working with commodity codes and technology capable of assigning and mapping codes to businesses
 - Answering questions from applicants regarding application process or status
 - In-person or remote delivery of all mandated services
 - The Center's Infrastructure, including but not limited to:
 - Procuring physical or virtual infrastructure to support the application review process
 - Deploying IT systems for project management and data analysis
 - IT systems for sharing knowledge and information horizontally and vertically
- Staffing models or plans such as the following:
 - Supervisory and managerial structure chart
 - Organizational chart
 - Job descriptions and recruitment flyers
 - Recruitment timeline
 - Skills and competencies narrative
- Training curriculum covering MWBE program rules and regulations, commonly used documents, customer service skills, etc.
- Detailed, optimal application process minimizing unnecessary steps to reach a final decision promptly with accuracy that meets customer expectations and satisfies Article 15-A requirements;

Financial Information

Respondents must describe the general approach for financing, including funding sources and a breakdown of total project costs.

6. REFERENCE MATERIALS

Respondents may want to familiarize themselves with the following sources:

- a. New York State Executive Law Article 15-A - Primary statute that covers the State M/WBE programs and Title 5.
- b. New York State Finance Law – Statute that covers State purchasing.

c. NYS Directory of Certified Firms and Commodity Codes.

7. PERTINENT DATES

Milestone	Date and Time
RFEI Release Date	March 21, 2022
Deadline to Submit Questions	March 30, 2022
RFEI Response Due Date	April 12, 2022

Questions on the RFEI

Submit all questions regarding this RFEI by email to: CertCenterRFEI@esd.ny.gov

Questions will be accepted until March 30, 2022 at 5 PM. ESD will make questions and responses regarding this RFEI publicly available on ESD’s webpage at:

<http://www.esd.ny.gov/CorporateInformation/RFPs.html>.

8. OBJECTIVES OF THIS RFEI

Gain a more comprehensive understanding of vendor business models and industry best practices as well as address location, technology and staffing necessary for a Temporary NYS Certification Processing Center.

9. CONTENT AND FORMAT

Digital files identified as “Temporary NYS Certification Processing Center RFEI Response” must be received prior to 3:00 p.m. local time on April 12, 2022 at the following electronic mail (email) address: CertCenterRFEI@esd.ny.gov. Any submission received after that deadline may be deemed late and disqualified from consideration.

At the discretion of the Division, requests for deadline extensions may be considered prior to the deadline and, if granted, announced on the Division’s website.

The Division will accept written questions via email from prospective Respondents no later than March 30, 2022. Questions should be submitted via email to CertCenterRFEI@esd.ny.gov.

Questions must include the requestor’s name, e-mail address and the Respondent represented. Responses to all timely and appropriate questions will be distributed to all prospective Respondents.

Contact with the Division staff in relation to this RFEI, other than emails to the designated email address related to this solicitation, will not be allowed by Respondents or employed representatives of the

Respondent during the procurement period of this RFEI. Any such contact by a Respondent will be grounds for disqualification.

10. SUBMISSION OF RESPONSES

In order to facilitate the review of the responses, please provide the information in the exact order as dictated in the RFEI. You may enter responses within this document (Section 5) and Appendix A directly below each question, maintaining the original formatting of this document and Appendix A. Respondents should answer all questions. If a question cannot be answered, provide a brief explanation as to why the question cannot be answered (e.g., N/A - outside the scope of available business offering). Respondents may also submit any existing material or material prepared specifically in response to the RFEI, which they believe may be of interest or use to the State.

Please rename this document with the following naming convention: Temporary NYS Certification Processing Center RFEI Respondent Name.doc (.docx format is also acceptable) and submit according to the directions below. ESD reserves the right to have follow-up communications with Respondents to the RFEI.

Please submit your RFEI response electronically via email no later than 3:00 p.m. EST on April 12, 2022 to Empire State Development: CertCenterRFEI@esd.ny.gov

11. GENERAL TERMS

1. The State will not be liable for any costs of work performed in the preparation and production of any RFEI response. By submitting a response to the RFEI, vendor agrees not to make any claims for, or have any right to, damages because of any misunderstanding or misrepresentation of the information, or because of any misinformation or lack of information in the RFEI. The responses to the RFEI shall become the property of the State of New York. The State has the right to adopt, modify, or reject any or all ideas presented in any material submitted in response to the RFEI.

2. Vendors are requested to respond to all questions included in Appendix A. This RFEI is issued as a means for collecting market research; solely for information and planning purposes. A response does not bind or obligate the responder or Empire State Development to any agreement of provision or procurement of services referenced. No contract can or will be awarded based on submissions.

3. Since this RFEI is designed as a tool to collect information and will not result in a procurement contract for a Temporary NYS Certification Processing Center, it does not fall under the requirements of State Finance Law §§139-j and 139-k (the Procurement Lobbying Law) and there is no restricted period.

4. Freedom of Information Law and Responses

a) The purpose of New York State's Freedom of Information Law ("FOIL") requirement, which is contained in Public Officers Law Sections 84-90, is to promote the public's right to know the process of governmental decision-making and to grant maximum public access to governmental records.

b) Thus, a member of the public may submit a FOIL request for disclosure of the contents of the responses submitted to the State in response to this RFEI. The responses of respondents are subject to disclosure under FOIL. However, pursuant to Section 87(2)(d) of FOIL, a State agency may deny access

to those portions of responses which "are trade secrets or submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise." Mark clearly in your RFEI response, any information you claim as proprietary, copyrighted or rights reserved which may be protected from disclosure under FOIL.

c) If there is information in your response, which you claim meets the definition set forth in Section 87(2)(d), you must so inform us in a letter, by email, accompanying your response.

5. The State reserves the right to:

a) Postpone or cancel this RFEI upon notification to all RFEI respondents.

b) Amend the specifications after their release with appropriate notice to all RFEI respondents.

c) Request RFEI respondents to present supplemental information clarifying their responses, either in writing or in formal presentation.

APPENDIX A

I. PAST EXPERIENCE

1. Provide your company's current assessment of the Division's phased certification process. Would you suggest a methodology that may impact cost or timeliness of certification review?
2. Provide an overview of your company's business model as it relates to the staffing a temporary processing center. DO NOT include sales or marketing-related materials unless it includes pertinent information for the State.
3. Has your company developed or staffed a processing center for a state, federal government agency, municipality or county? If yes, please identify each governmental entity or entities and briefly describe (a) the amount of procurement or contracting activity conducted by said entity or entities and (b) the extent to which M/WBE and/or Workforce Diversity (i.e. the employment of minorities and women) requirements applied to said entity or entities' purchasing activity.
4. Describe what challenges your company has encountered in establishing a temporary certification processing center.
5. What is the typical project timeframe required to establish a temporary certification processing center? Be specific as to the various stages.

II. MISCELANEOUS

1. The State is interested to learn the range of costs associated with establishing a temporary certification processing center. Please identify such costs relative to the extent to which such components are required in order to achieve the objectives stated in Section 4 above.
2. Identify any IT resources, space options or enhancements, which might be necessary to establish a temporary certification processing center.
3. Provide any additional concerns, suggestions and/or comments related to establishing a temporary certification processing center not addressed above. Please DO NOT include sales or marketing information.