

**THE CITY OF NEW YORK
DEPARTMENT OF CITYWIDE ADMINISTRATIVE SERVICES
HUMAN CAPITAL**

**REQUEST FOR PROPOSALS
TITLE: DCAS JOB ANALYSES AND CIVIL SERVICE EXAMINATIONS
EPIN 85625P0005**

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SECTION I - SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The Department of Citywide Administrative Services (“DCAS” or “Agency”) is an agency of the City of New York (“City”), a municipal corporation, with a broad mission that includes serving as the “municipal civil service commission” for the City and several other public entities. In this capacity, DCAS administers the provisions of the New York State Civil Service Law (Chapter 7 of the Consolidated Laws of New York) for approximately 180,000 municipal employees in over 750 competitive job titles. As the municipal civil service commission, DCAS is responsible for, among other things, the meaningful grouping of tasks into civil service titles and title series; determining how to most effectively evaluate the merit and fitness of candidates seeking municipal employment; and developing, administering, and scoring competitive civil service examinations, where it has been determined that merit and fitness can practicably be examined by competitive examination. These responsibilities must be performed in a manner consistent with New York State Civil Service Law, and all other applicable Federal, State, and local laws.

Civil service titles fall into one of four jurisdictional classifications: competitive, non-competitive, labor, and exempt. Under the New York State Constitution, competitive titles must be filled by competitive examinations, which are used to create lists of eligible candidates for competitive civil service jobs. Examination administration is an extensive process that involves the development of test questions with the assistance of subject matter experts, the scheduling of application periods and collection of applications and application fees, the administration and scoring of examinations, an appeal process for candidates, and the development of a list of qualified candidates in score order. The lists developed based on examination results expire after certain periods of time.

DCAS administers civil service examinations and creates new civil service lists to provide City agencies with a steady pool of qualified candidates for hiring consideration including titles that affect public safety. However, DCAS does not have sufficient staffing resources to develop and administer all of the examinations needed to fill all positions including those that are public safety titles, and to reduce to its desired level the number of provisional employees. A provisional employee is someone who works in a competitive-class position but is not a permanent employee of the City.

For the purposes of this RFP, “Contractor” shall mean an entity that is awarded a contract(s) as a result of this RFP, and “Proposer” shall mean an entity that submits a proposal in response to this RFP. DCAS anticipates awarding six (6) contracts as follow:

1. Service Option 1 - Three (3) appropriately qualified Contractor(s) to conduct job analyses that will provide the basis for examination development or a change in title classification action, as well as develop and score the examinations. This service option also includes creation of study guides for multiple-choice tests.

2. Service Option 2 - One (1) appropriately qualified Contractor for in-person computer-based testing.
3. Service Option 3 - Two (2) appropriately qualified Contractor(s) for computer-based testing with online proctoring services.

The selected Contractor(s) must adhere to the requirements of the 1978 Uniform Guidelines on Employee Selection Procedures, and to professional standards as described in the Standards for Educational and Psychological Testing (American Educational Research Association, American Psychological Association, National Council on Measurement in Education, 2014) and the Principles for the Validation and Use of Personnel Selection Procedures (Society for Industrial and Organizational Psychology, 2003) as they relate to the following: conducting job analyses; developing, scoring, and administering civil service examinations.

B. Service Options

There shall be three (3) service options as follows:

1. Service Option 1 – Job Analysis, Test Development, Scoring and Study Guides
2. Service Option 2 – In-person Computer-based Test Administration of Multiple-Choice Tests
3. Service Option 3 – Online Computer-based Multiple-Choice Test Administration with Online Proctoring Services

Service option requirements are explained in Section II D Scope of Services, below. For Service Option 1, a Proposer must specify the job categories (from Section II D Scope of Services) for which it is proposing to perform work and give the unit price/proposed rate for work associated with job titles in those job categories. A Proposer would only be required to submit one proposal for Service Option 1 regardless of the number of job categories for which it is proposing.

A Proposer may elect to submit proposals for one or more of the service options. However, Contractors must perform all the work activities (set forth in Section II D Scope of Services) of the service option proposed and must submit a separate and complete proposal for each service option proposed. If a Proposer is eligible for more than one contract award, DCAS reserves the right to determine, based on the Proposer's demonstrated organizational capability and the best interest of the City, the number and type of contract(s) to be awarded and for which area(s) the Proposer shall be awarded a contract. DCAS expects to award up to three (3) contracts for Service Option 1, one (1) contract for Service Option 2, and two (2) contracts for Service Option 3.

C. Anticipated Contract Term

It is anticipated that the term of any contract(s) awarded from this RFP shall be for three (3) years from the date of the written Notice to Commence. The Commissioner reserves the right, in his or her sole discretion, to renew each of the contract(s) for an additional term of three (3) years. Additionally, the Commissioner reserves the right, in his or her sole discretion, to extend the

contract(s) for an additional (365) calendar days in accordance with the Procurement Policy Board (PPB) Rules and to increase the contract amount(s) to the extent permitted by law, rule, or regulation.

D. Anticipated Available Funding

It is anticipated that the total available funding for the contracts awarded from this RFP will be three million dollars (\$3,000,000). As this is a three-year contract, the funding will be one million per year (\$1,000,000). The funding will be allocated among service areas as determined by DCAS.

E. Anticipated Payment Structure

It is anticipated that the payment structure of the contract(s) awarded from this RFP will be based on price per deliverable per the job category. However, DCAS will consider proposals to structure payments in a different manner and reserves the right to select any payment structure that is in the City's best interest.

SECTION II - SCOPE OF SERVICES AND M/WBE REQUIREMENTS

A. Agency Goals and Objectives for this RFP

DCAS's goals and objectives for this RFP are to provide City agencies with a steady pool of qualified candidates for hiring consideration into a variety of titles, including those that affect public safety, and to:

1. Establish eligible lists based on validated civil service examinations;
2. Change, as appropriate, based on thorough job analyses, the jurisdictional classification of job titles by broadbanding, consolidating or reclassifying from the competitive class to the non-competitive class;
3. Develop skill and competency-based assessments based on a thorough job analysis as another pathway for candidates to demonstrate they possess the skills or competencies for a civil service examination;
4. Administer large-scale computer-based multiple-choice tests within and external to DCAS facilities;
5. Administer computer-based multiple-choice tests through an online platform with the ability to provide online proctoring services; and
6. Create study guides for multiple-choice examinations.

B. Minimum Qualification Requirements

The following are the Minimum Qualification Requirements of this RFP. Proposals that fail to meet all of these requirements will be rejected.

1. At the time of proposal submission, Proposers shall submit the following below. Note that failure to provide the required documents will be grounds for being found non-responsive.
 - a. Proposers shall complete the current Price Proposal Form and upload it in the Financial Envelope Questionnaire in PASSPort.
2. At the time of proposal submission, Proposers shall submit the following below. Note that failure to provide the required documents will be grounds for being found non-responsive. In the event that DCAS Office of Citywide Procurement requires additional or supporting documentation, the Proposer shall provide the requested documents within seventy-two (72) hours of such demand.
 - a. Proposers shall complete and submit Bidder's Minimum Qualification Requirements Form to demonstrate that they have no less than five (5) years of successful relevant experience performing the work on which they are proposing. The form shall include description of project(s), project cost proposer was responsible for, and client reference contact information, including, but not limited to name, title, organization, address, telephone number, and email.
 - b. Proposers shall have a membership in at least one of the following: the American Psychological Association, American Educational Research Association, National Council on Measurement in Education, or the Society for Industrial and Organizational Psychology. A Proposer shall provide a copy of proof of membership.
 - c. Proposers shall complete and submit an acknowledgment form attesting to their knowledge of the 1978 Uniform Guidelines on Employee Selection Procedures; 2014 Standards for Educational and Psychological Testing; and the 2003 Society for Industrial and Organizational Psychology Principles for the Validation and Use of Personnel Selection Procedures; as well as an understanding of New York State Civil Service Law and public sector job classification.

C. Agency Assumptions Regarding Contractor Approach:

The selected Contractor(s) shall adhere to the 1978 Uniform Guidelines on Employee Selection Procedures; 2014 Standards for Educational and Psychological Testing; and the 2003 Society for Industrial and Organizational Psychology Principles for the Validation

and Use of Personnel Selection Procedures, as well as New York State Civil Service Law and DCAS Examination Regulations (which can be viewed online at the DCAS website: [Personnel Rules and Regulations of the City of New York - Department of Citywide Administrative Services \(nyc.gov\)](http://www.nyc.gov/PersonnelRulesandRegulations))

Contractor(s) shall work on a day-to-day basis with the DCAS Contract and Operations Management Unit, a work unit within the DCAS Human Capital Line of Service, Bureau of Examinations, which will serve as a liaison between Contractor and the City in the implementation and handling of contract work throughout the term of the contract.

DCAS's assumptions regarding what the Contractor(s) would provide to achieve the Agency's goals and objectives are set forth in further detail in the Scope of Services.

D. Scope of Services:

1. **File Transfers:** All electronic files to and from DCAS and the Contractor shall be sent via Secure File Transfer Protocol (SFTP) and all personnel involved or who can see the examination material shall sign a non-disclosure agreement.
2. **Service Option 1 - Job Analysis, Test Development, Scoring and Study Guides**

A). Job Analysis

The selected Contractor(s) shall perform an analysis of a job title(s) by: reviewing relevant background information and work documents; interviewing and observing City incumbents in the job title(s) and their immediate supervisors ("City subject matter experts" or "City SMEs"); holding meetings with panels of City SMEs; and administering in-person or virtual survey questionnaires to an appropriate number and type of City SMEs. This analysis requires working directly with one or more City agencies. It may also involve the analysis of more than one title in a job progression or of several titles in different job progressions that might have similar duties and/or requirements. The composition of City incumbents used for job analysis requires the following:

- a. For demographics on Job Analysis Questionnaires ("JAQs")/Linking Panels oversample on protected classes.
- b. Title makeup of JAQ/Linking Panel participants shall have majority of those in the title and minority of those in the title that is one rank higher than the incumbent title.
- c. Use of Technical Conferences shall follow this same requirement and include a diverse representation.

Based on the results of the job analysis, the Contractor(s) shall prepare a detailed, written Job Analysis Report that contains one or a combination of the following:

- a. a job-related basis for DCAS to proceed with its plan to broadband or consolidate the job title(s) or to reclassify it from the competitive to the non-competitive class; and/or
- b. a job-related basis for DCAS to determine that a different job classification action is appropriate; and/or
- c. a job-related plan for test development that describes the test format(s) to be used, job content areas to be assessed (important/first-day knowledge, skills and/or abilities), subtest weights, minimum qualification requirements (if appropriate), etc.

The Job Analysis Report shall be submitted to the DCAS Contract and Operations Management Unit within one (1) month of completion of the job analysis and will become the property of DCAS.

B). Test Development

The selected Contractor(s) shall develop test items and answer keys/methodology that reflect the requirements of the test development plan, and professional practice for assuring reliability, validity, and fairness of test items. The Contractor(s) shall utilize in-person item writing and test review panels comprised of City SMEs; Contractor(s) shall work with City SMEs and other appropriate personnel from City agencies. The parameters of item writing and test review panels are as follows:

- a. Panels shall be comprised of three (3) to five (5) incumbents in the title and up to two (2) incumbents in a title no more than one rank higher than the title of the examination being developed.
- b. The demographic makeup of the panels shall match the demographic makeup of the City of New York (where possible).
- c. Incumbents requested for participation are derived from incumbent demographics for proper sampling to include the following:
 - i) Incumbents employed at all user agencies with diverse representation.

Contractor(s) shall prepare a detailed written Test Development Report which addresses all relevant professional guidelines regarding substantiation of content validity, including item linkages to important, first-day job requirements. All test items, answer keys, and the Test Development Report shall be submitted to the DCAS Contract and Operations Management Unit for approval within one (1) month of completion of test item writing and review and will become the property of DCAS.

Upon issuance of a Work Order by the DCAS Contract and Operations Management Unit, the Contractor(s) will be instructed to produce and forward test booklets/documents and test administration instructions to DCAS or its designated

test administration contractor. The test materials shall be delivered no later than six (6) weeks prior to the test date and the materials shall be sufficient for DCAS to administer the test to the minimum number of applicants expected for the examination, in accordance with professional standards as described in Section II(C). Candidate populations for the test administrations usually total between several hundred to several thousand candidates. Therefore, DCAS may request up to five (5) comparable versions of a test for a single administration to be administered as individual exams or to be item banked. Versions prepared for DCAS's use shall contain unique, but comparable, items and different in sequence from each other. Items prepared for DCAS's use for item banked exams shall be of sufficient quantity to test the number of applicants and meet the criteria determined by the test plan.

The DCAS Contract and Operations Management Unit will discuss with the Contractor(s) an estimate of the candidate population expected at the time of project assignment (based on past experience with the job title or similar job titles) and will provide a more accurate estimate of the candidate population within one (1) month after the close of exam filing (based on the number of applications received).

The DCAS Contract and Operations Management Unit may consider Contractor recommendations for the development of test items in formats other than written, multiple-choice. In each case, the Contractor shall obtain prior approval from DCAS before developing the test items.

C). Post-Test Analysis

The Contractor shall analyze all administered written examinations for evidence of item validity, measures of test reliability, and evidence that there is the absence of adverse impact for all protected group members of a gender, educational, and/or ethnic group.

- a. Item validity analysis shall include a complete item analysis of each test item, including level of difficulty, number of candidates selecting each option, selection percentage for each option, and point-biserial correlation coefficient or acceptable statistically equivalent statistic for each option. All items shall be analyzed. However, further analysis shall be performed for those items that are not in the moderately difficult range (from .35 - .85), lacking an option with a point-biserial correlation coefficient that is not in the moderate or better range (at least +0.15), and had one or more distractors that were selected by less than 5% of the candidates. A report detailing the item validity analysis of each test item, including recommendations for possible re-working of poor performing items, shall be submitted to the DCAS Contract and Operations Management Unit within two (2) months after the test administration date.

- b. Test reliability analysis shall utilize current professional practice and shall include statistical measures of test reliability [i.e., Standard Error of Measurement and KR-20 (Kuder Richardson Formula 20)]. Additionally, a summary item difficulty ranges (extremely difficult, moderately difficult, minimal difficulty) and the number and percentage of items in the range, correct option point-biserial ranges based on established professional practice, and the number and percentage of items in each range shall be included. A report detailing said analyses shall be submitted to the DCAS Contract and Operations Management Unit within two (2) months after the test administration date.
- c. Detailed adverse impact analysis shall utilize current professional practice. The analysis shall include Statistical Analysis Methods such as the Fisher Exact Test and Non-Statistical Analysis Methods, in particular the 80% Rule Test, which are employed to measure whether a test has adverse impact on one or more of the participating focal groups. Differential performance of protected groups on individual test items shall also be studied. This analysis shall be done with all test items to clearly demonstrate whether any items, in fact, had an adverse impact on any of the participating protected group members. The analysis shall be by race, gender, ethnic group, and all combinations thereof. A remedy, which maintains the utility and validity of the examination, shall then be considered and implemented. A report detailing said analysis and, if applicable, all remedies implemented, shall be submitted to the DCAS Contract and Operations Management Unit within two (2) months after the test administration date.

D). Scoring/Rescoring

Scoring

- a. DCAS may request that the Contractor(s) score the examination and provide results by performing all of the following actions under the supervision of the DCAS Contract and Operations Management Unit, as requested:
 - 1) Receive the electronic file of applicants.
 - 2) Within two (2) weeks of the receipt of the electronic file of applicants, Contractor(s) shall score each subtest of the examination based on the "Proposed Answer Key" as determined by test item construction and Contractor's review of test results/statistics and give the "Proposed Answer Key" to DCAS as a Microsoft Word format document.
 - 3) If protests are submitted by candidates against the "Proposed Answer Key," then Contractor(s) shall review protests by participating in a Test Validation Board in accordance with Section 50-a of the New York State Civil Service Law. The determinations of the Test Validation Board will result in a "Final Answer Key" and, if answer key changes are made, the

Contractor(s) shall rescore all candidates based on the then “Final Answer Key.” Any test items determined to have a change in the key answer from the Test Validation Board shall be replaced by a new or updated test item. The Contractor shall submit to DCAS a written Test Validation Board Report within two (2) weeks following the completion of the protest review, and the report will become the property of DCAS.

- 4) Produce an Item Analysis and submit to DCAS within two (2) weeks following the date of test administration based on the “Proposed Answer Key,” and again within two (2) weeks following the determinations of the Test Validation Board based on the “Final Answer Key” resulting from the review of candidate protests (or as a result of no candidate protests received). The Item Analyses shall summarize candidate group performance on the test as a whole and on individual test items, by candidate ethnic and gender self-identification and by total population.
- 5) Forward to DCAS an Excel or CSV file of all candidates who took the test, including name, social security number, test date, and final test score (truncated at 3rd decimal place) on each subtest.
- 6) In situations where the Contractor is administering the test, either in-person or online, the Contractor shall submit to DCAS no later than two (2) weeks from the administration of the test a file of all test takers and a count of the number of questions they answered correctly out of the total number of questions on the test.

Rescoring (Appeals)

- a. If the Contractor(s) has scored the examinations, the Contractor(s) shall rescore the examination and provide results by performing all of the following actions, as requested by the Contract and Operations Management Unit:
 - 1) **Committee on Manifest Errors**
Upon request, the Contractor shall manually rescore the candidate examinations and compare the original result to the manually scored result and issue a report confirming the accuracy of the original score or a correction, where appropriate. The Contractor shall submit to DCAS the manually scored result and report within thirty (30) days from DCAS’s request.
 - 2) **Civil Service Commission Hearings**
The Contractor shall attend hearings to explain the results of a candidate’s examination as needed.

E). Job Categories

Throughout the term of the contract(s), and any renewals and extensions thereof, DCAS will evaluate the priority of job titles for job analysis and possible test development and scoring in order to achieve its goals and objectives. At certain

times, DCAS may determine that it requires job analysis data to support a planned title classification action; while at other times it may determine that a job analysis leading to a civil service examination is required. Contractor(s) shall perform a job analysis without further test development and scoring, or perform all job analysis, test development, and scoring activities described above, at the direction of the DCAS Contract and Operations Management Unit, in accordance with DCAS's priority at that given time.

Job titles fall into the following job categories (titles listed under each category are for example purposes only and not intended to be inclusive):

- a. **Applied Sciences** – Titles which require education and training in the sciences with applied experience in specific areas. Examples include: Forensic Laboratory Maintainer, Geologist, Laboratory and Microbiologist.
- b. **Correction and Enforcement Titles** – Examples include: Correction Officer, Sanitation Worker, Probation Officer, Juvenile Counselor, and Sanitation Enforcement series.
- c. **Design** – Titles which require creativity and certain levels and types of education, experience, and/or skill. Examples include: Film Editor, Film Manager, Graphic Artist, and Motion Picture Operator.
- d. **Fire Titles** – Examples include: Firefighter, Fire Alarm Dispatcher and Fire Protection Inspector series, and Wiper (Uniformed).
- e. **Green Construction** – Titles which require education and training in green technology along with knowledge of various codes and regulations.
- f. **Health Titles** – Titles which deal with a broad range of health issues and services, including public health. Examples include: Comprehensive Health Coordinator, Nutritionist, Occupational Therapist, Physical Therapist, Audiologist series, Fitness Instructor, Supervising Therapist, and Consultant (Public Health Nurse).
- g. **Information Technology** – Titles which require general information technology knowledge along with applied experience in the field. Examples include: Computer Specialist, Computer Programmer Analyst, and Computer Associate.
- h. **Inspector Titles** – Titles which ensure compliance with various codes and regulations. Examples include: Inspector (Construction), Inspector (Electrical), Highway and Sewers Inspector series, Air Pollution Inspector, Market Agent, Inspector (Housing Construction), and Inspector (Low Pressure Boilers).

- i. **Law Enforcement Titles** – Examples include: Police Officer, Fire Marshal (Uniformed), and School Safety series.
- j. **Managerial Titles** – Highest level titles in a broad range of occupational groups. Examples include: Administrative Public Health Nurse, Administrative Public Health Sanitarian, Administrative Actuary, Administrative Assessor, Administrative Psychologist, Administrative Consultant (Early Childhood Education), Administrative Borough Superintendent, and Manager of Radio Repair Operations.
- k. **Personal/Health Care** – Titles which require a focus on caring for others with a specialized skillset and education. Examples include: Dietitian, Dietitian Technician, Audiologist (Health), Dental Assistant, Health Services Manager, Housekeeper, Nutritionist, and Staff Audiologist.
- l. **Professional Titles** – Titles which require analytical ability and certain levels and types of education and/or skill. Examples include: Quality Assurance Specialist Series, Engineers, Architects, Project Management and Marine titles, Labor Relations Analyst, Investment Analyst, Senior Photographer, and X-Ray Technician and Scientist (Radiation Control).
- m. **Sciences Titles** – Titles which require education and training in the physical, biological, or environmental sciences. Examples include: Chemist, Physicist, and Forensic Mortuary titles.
- n. **Social Services Titles** – Titles which provide social services to the public. Examples include: Counselor (Addiction Treatment), Youth Services titles, Consultant (Public Health Social Work), Supervisor of Child Care, and Community Liaison Trainee.
- o. **Technical and Skilled Trades Titles** – Examples include: Plumber, Carpenter, Welder, Electrician, Machinery Mechanic, Metal Worker, Surveyor, Painter, Deckhand, Mason, and Automotive Specialist.

There are over 750 competitive job titles, each of which can be classified into one of the above fifteen (15) job categories.

Note: A Proposer shall specify the job categories (from Section II D 5) for which it is proposing to perform work and only give the unit price/proposed rate for work associated with the deliverable job titles in those job categories. A Proposer shall

only be required to submit one proposal regardless of the number of job categories included in its proposal.

F) Study Guides

Develop comprehensive, user-friendly study guides that will assist candidates in preparing for multiple-choice tests associated with civil service examinations (see job categories on price sheet).

- a. Collaborate with subject matter experts to gather relevant content and ensure alignment with examination content.
- b. Develop clear, concise, and structured study guides covering key topics, sample questions, and test-taking strategies.
- c. Ensure that the study guides are accessible and understandable to a diverse candidate pool, including considerations for different learning styles.
- d. Design visually appealing and professionally formatted study guides for both digital and print distribution.
- e. Regularly update the study guides based on changes in examination content and feedback from DCAS.
- f. Adhere to professional standards in educational and instructional material development.
- g. Ensure that all study materials are consistent with the civil service examination framework and guidelines.

3. Service Option 2 - In-person Computer-based Test Administration of Multiple-choice Tests

The Contractor shall oversee all aspects of administration of multiple-choice examinations by performing all of the following actions:

- a. Arrange for, at Contractor's expense, a test site(s) within New York City that meets professional standards for uniformity of testing environment, provides reasonable accommodation of candidates by American with Disabilities Act (ADA) compliance, is accessible by public transportation, and provides test security. Test sites shall comfortably accommodate, at minimum, the number of candidates who applied for the examination, and shall be approved by the Contract and Operations Management Unit prior to use for the examination administration. The Contractor shall, at Contractor's expense, provide and secure all equipment necessary for administering examinations, including, but not limited to, desks, chairs, partitions, monitors, CPUs, and computer hardware equipment. The Contractor shall provide test taking software.
- b. Under the supervision of the DCAS Contract and Operations Management Unit, four (4) weeks prior to the scheduled test date, the Contractor(s) shall utilize an electronic (txt-formatted) file of all applicant data, including fields for all information included on DCAS's Application for Examination, to summon by

mail the candidates for testing. DCAS will provide said electronic file to Contractor(s).

i) Note: DCAS typically has test populations that range from several hundred to several thousand candidates. On occasion, candidate populations may reach approximately 30,000 (Firefighter) or more than 40,000 (Sanitation Worker).

- c. Exams shall be administered any day from Monday – Saturday between the hours of 8am – 8pm. Each exam will range from 2 hours – 6 hours.
- d. DCAS will verify applicant Admission Notices and proper documentation, and fingerprint applicants prior to the start of the exams. DCAS will provide fingerprint cards and other test materials two (2) business days prior to the event.
- e. Administer computer-based multiple-choice test in the least amount of sessions possible to each of the following candidate ranges:
 - 100 – 999
 - 1,000 – 4,999
 - 5,000 – 9,999
 - 10,000 or more candidates
- f. Administer the computer-based multiple-choice test to candidates in a controlled/secure environment, using trained monitorial and supervisory staff, and adhering to professional testing standards. Additionally, Contractor(s) shall adhere to all relevant DCAS General Examination Regulations, including those relating to special test accommodations, retesting, and makeup test sessions. All candidates shall be fingerprinted immediately prior to or at the start of testing and identified by name and social security number.
- g. The Contractor shall train DCAS personnel who will serve as additional proctors for the exam administration at least one (1) business day prior to the start of the exam.
- h. Provide technical support throughout the examination process.
- i. Provide appropriate security to prevent cheating at all test locations and adhere to internal DCAS security protocols, including DCAS IT security protocols set forth in Article O below.
- j. Summarize the test administration in a written report to include all relevant information about the buildings and rooms utilized for testing, total number of candidates tested at each location, identification of individual candidates assigned to each room, test start and end times, and a thorough description of any unusual occurrences. If there were no unusual occurrences, the written report shall be submitted to DCAS within one (1) week of test administration. If an incident occurs involving candidate health and safety, police/fire emergency, or a breach of test security, a telephone notification shall be made to DCAS immediately and a written report of the incident shall be submitted to DCAS on the following business day.
- k. Under the direction of the DCAS Contract and Operations Management Unit, and no later than two (2) weeks following test administration, forward to DCAS all documents/materials/electronic files required for scoring the test.

- l. Unless otherwise directed by the Contract and Operations Management Unit, two (2) months after the administration of the test, destroy all confidential test documents not required in order to score the test. Satisfactory documentation of the destruction of materials shall be provided to DCAS.
- m. The Contractor shall oversee the setup and breakdown of the testing location, including the location of tables and placement of computer equipment.
- n. The Contractor shall provide, collect, and store scrap paper and other test materials after the exams for one (1) business day and shred within two (2) business days.
- o. The Contractor shall return completed fingerprint cards, completed admission notices, and other completed documents with personally identifying information to DCAS at 1 Centre Street.
- p. The Contractor shall provide DCAS with the results file which includes applicant name, email, exam title, and response options no later than five (5) business days after final exam administration.
- q. The Contractor shall not use any material provided by DCAS for any other municipality and shall delete all of said material from its system after two (2) months from receipt.

4. **Service Option 3 - Online Computer-based Multiple-choice Test Administration with Online Proctoring Services**

A) Pre-test Administration

- a. The Contractor shall provide DCAS with an electronic file containing essential contact information for applicants including test date.
- b. DCAS will provide the final digital versions of the examination to be entered into the Contractor's testing system no later than thirty (30) business days prior to the date of the exam.
- c. The Contractor shall upload exams into the Contractor's testing system and conduct quality assurance reviews in preparation for the administration.
- d. The Contractor shall provide any necessary changes, system modifications or support of the Contractor's testing system and the data provided by DCAS. The City is not responsible for making any changes to current software.
- e. The Contractor shall provide DCAS with access to its system to perform its own quality assurance review of the exams in the Contractor's testing system to ensure all items appear as expected at least fifteen (15) business days before the test administration.
- f. DCAS will send out admission notices inviting all applicants to take the exams at least ten (10) business days prior to the exam date.

B) Software and Support.

- a. The Contractor shall provide an online testing platform that meets professional standards for uniformity of testing environment and test security. Online testing platform shall be capable of hosting up to 5,000 simultaneous users with an option to scale to 10,000 simultaneous users.
- b. The online testing platform must meet all DCAS IT security requirements in Article O below.
- c. The online testing platform shall have the capacity to sync with existing testing and related platforms/systems.
- d. The online testing platform shall connect to the DCAS existing in-person testing system or DCAS must have the capability to author into the testing platform.
- e. The Contractor must be able to connect its online testing platform to any successor testing systems developed or otherwise deployed or put into use by DCAS during the term of the Agreement.
- f. The Contractor shall publish the exams and make them available in Computer Based Testing (CBT) format to applicants.
- g. DCAS will provide the Contractor with an electronic file of all approved applicants for the CBT, including essential contact information. The Contractor shall use this file to load applicants into its test administration environment. The Contractor shall provide operational support to accompany this process.
- h. The Contractor shall provide support for all software and hardware issues arising at any point before, during, and after the dates of administration.

C) Online Test Admin and online Proctoring Services

- a. The Contractor shall administer the test to candidates online through a controlled/secure browser, using trained proctors, adhering to professional testing standards. Additionally, the Contractor shall adhere to all relevant DCAS General Examination Regulations, including those relating to retesting and make-up test sessions. All candidates shall provide proof of identity immediately prior to or at the start of testing by name and state issued photo identification. An image capture of the candidate's face, and photo identification shall be collected and maintained.
- b. The Contractor shall provide live proctoring service unless DCAS, in its sole discretion, directs that remote proctoring service be provided..
- c. The online testing platform shall have a system check that can be used by scheduled candidates one-month prior to first test session with a listing of

those who failed the system check sent to DCAS. The online platform shall conduct another system check one-hour prior to the start of testing to ensure that the testing platform is compatible with the user's technology. A listing of those who fail the one-hour system check shall be provided to DCAS. The platform shall also be used with computers at the City's Computer-based Testing and Applications Centers for those candidates who do not have access to appropriate devices or to the internet. It is desired that the online platform work within DCAS's existing technology.

- d. The Contractor shall provide security checks of the candidate testing environment to ensure that it is free of disturbances and potential cheating hazards.
- e. The Contractor shall summarize the test administration in a report which includes all relevant information about the total number of candidates tested, test start and end times, and a thorough description of any unusual occurrences. If there were no unusual occurrences, the written report shall be submitted to DCAS within one (1) week of test administration. If an incident occurs involving an emergency or a breach of test security, the test must be stopped for the offending candidate, and the Contractor shall notify DCAS by telephone and electronic notification immediately. A written report of the incident shall be submitted to DCAS on the following business day via email.
- f. Under DCAS's direction, and no later than two (2) business days following the administration of the last test session, the Contractor shall forward to DCAS all documents/materials/electronic files required for scoring the test.
- g. Exams shall be administered any day from Monday – Saturday between the hours of 8am – 8pm. Each exam will range from 2 hours – 6 hours.
- h. Pricing shall be broken down hourly per candidate per test administration and include live proctor pricing for the following proctor to candidates' ratios:
 - 1 to 1
 - 1 to 5
 - 1 to 10
 - 1 to 15
 - 1 to 20
 - 1 to 25

Pricing should also be provided for the above proctor to candidate ratio for remote proctoring.

Proposals shall include a report of the online testing platform, overall cost estimate, and a demonstration that displays all aspects of the online testing platform and proctoring functions.

E. Storage, Delivery, and Disposal of Confidential Material

1. For purposes of this Section E, the term “Confidential Material” shall mean all examination applications, test content and answer keys, test administration manuals, candidate answer sheets, test scores and results, and any other documents containing personal information about examination applicants, candidates, or test administration personnel, such as names, addresses, telephone numbers, social security numbers, and any other documents that DCAS labels or otherwise designates as Confidential Material.
2. Hard Copies. The Contractor shall store all hard copies of Confidential Material under a system of double-locks while in the possession of the Contractor(s). Except for the reporting of individual candidate test results, all delivery of physical material of a confidential nature shall be made by a method which permits the shipment(s) to be traced from point of shipment to point of receipt/inside delivery. All packages shall be clearly addressed to the person responsible for receipt, marked “Confidential,” and records of transmission and receipt kept. At the direction of the DCAS Contract and Operations Management Unit, all hard copies of Confidential Material which are no longer required to be kept or delivered under Contract resulting from this RFP shall be burned, shredded, or otherwise destroyed under monitored, secure conditions, and a record of such destroying kept.
3. Electronic Copies. The Contractor shall store all electronic copies of Confidential Material in accordance with City’s requirements set forth in Section O below. Electronic copies of Confidential Material shall be destroyed in accordance with Section M below.

F. Work Orders

All work assignments shall be set forth in the form of emailed Work Orders. The Work Orders shall indicate the specific services from the Scope of Services herein to be provided and timeframe(s) for the completion of the services.

Assignment of Work

Contractor(s) selected from this RFP will receive assignments from the DCAS Contract and Operations Management Unit.

If more than one contract is awarded for a given job category, work order assignments to the awarded Contractors will be made on a rotational basis beginning with the highest ranked Contractor. Ranking will be based on RFP evaluation scores, with the highest evaluation score getting the highest rank. Notwithstanding the above, DCAS, in its sole discretion, reserves the right to skip a Contractor in a rotation and issue a work assignment to the next highest-ranking Contractor if DCAS determines that the highest-ranked Contractor will not have the capacity to complete the assignment in a timely manner due to an overburden with other DCAS work assignment(s).

When a Contractor is assigned a Work Order, the Contractor shall provide and complete all the tasks associated with that assignment within a timeframe agreed upon, in writing, by the Contractor and the DCAS Contract and Operations Management Unit at the time that work is assigned. Application filing periods are usually of three (3) weeks duration (although they may be extended or reopened) and test dates usually occur between two (2) and three (3) months following the last day of the application filing period. A Proposer shall have the organizational capability to perform all the tasks associated with a job category for which it is proposing, with consideration of the number of potential examination applicants and candidates typically experienced by DCAS and the schedules and time frames described in Section II D Scope of Services above. A Proposer shall establish a standalone price for the job category for which it is proposing, as indicated in Attachment B, Price Proposal, with the understanding that it may be assigned work for any given number of examinations or job titles. A Proposer shall not assume that DCAS will include every or any particular examination or job title in any contract awarded as a result of this RFP, and a Proposer shall be prepared to complete all tasks in a timely manner for the assignments it is given, without change in the Proposer's offered prices.

All deliverables shall be provided by selected Contractor(s) to the DCAS Contract and Operations Management Unit, or under the direction of the DCAS Contract and Operations Management Unit, directly to another contractor providing services to DCAS. All initial contact with representatives of City agencies and schedules of activities to be performed under a contract awarded from this RFP must be approved in advance by the DCAS Contract and Operations Management Unit. If the assigned work of one Contractor providing services to DCAS is dependent on a deliverable of another contractor providing services to DCAS, the Contractor who is waiting for the deliverable shall not be responsible for any delays in receiving the deliverable, unless, at its own discretion, the DCAS Contract and Operations Management Unit determines that the waiting Contractor's own actions or lack of response has significantly affected its ability to provide the deliverables. All Contractors are expected to adhere to the schedules that are specified in the work assignments. If a Contractor is unable to adhere to any schedule set forth in the work assignments, the Contractor shall notify the DCAS Contract and Operations Management Unit in writing by e-mail at least one (1) business day prior to the scheduled deadline date. The DCAS Contract and Operations Management Unit, at its own discretion, may adjust the schedules set forth in the work assignments and notify the Contractor in writing of any adjustment(s) in schedule.

G. Agency Assumptions Regarding Payment Structure

1. Payment Structure

Payment will be based on Contractor's completion of and DCAS's acceptance of the work detailed in each Work Order.

2. Liquidated Damages

Upon the direction of the DCAS Contract and Operations Management Unit, the Contractor shall produce and forward, either to DCAS or its designated test administration contractor, a minimum quantity of test contents/documents, answer sheets, and test administration instructions sufficient to administer the test to the total number of applicants for the specified examination. If the required materials are not delivered by the deadline of two (2) weeks prior to the test date, DCAS may assess liquidated damages of \$167.79 per calendar day for each day the Contractor fails to deliver the required materials. Failure to meet the above deadline may result in DCAS issuing an “unsatisfactory” contractor performance evaluation and the Contractor not receiving future work assignments.

H. Compliance with Local Law 34 of 2007

Pursuant Local Law 34 of 2007, Contractor shall complete the Local Law 34 Compliance tab in PASSPort.

I. Whistleblower Protection Expansion Act Rider

Local Law Nos. 30 and 33 of 2012, codified at sections 6-132 and 12-113 of the New York City Administrative Code, the Whistleblower Protection Expansion Act, protect employees of certain City contractors from adverse personnel action based on whistleblower activity relating to a City contract and require contractors to post a notice informing employees of their rights. Please read Section 4.07 “Whistle Blower Expansion Act” of Appendix A, carefully

J. Compliance with the Iran Divestment Act

Pursuant to State Finance Law Section 165-a and General Municipal Law Section 103-g, the City is prohibited from entering into contracts with persons engaged in investment activities in the energy sector of Iran. Each Proposer is required to complete the attached Bidders Certification of Compliance with the Iran Divestment Act, certifying that it is not on a list of entities engaged in investments activities in Iran created by the Commissioner of the NYS Office of General Services. If a Proposer appears on that list, the Agency / Department will be able to award a contract to such Proposer only in situations where the Proposer is taking steps to cease its investments in Iran or where the Proposer is a necessary sole source. Please refer to Attachment H for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <https://ogs.ny.gov/iran-divestment-act-2012> additional information concerning the list of entities.

K. Subcontractor Compliance Notice

The selected vendor will be required to utilize the City’s web-based system to identify all subcontractors in order to obtain subcontractor approval pursuant to PPB Rule

section 4-13, and will also be required to enter all subcontractor payment information and other related information in such system during the contract term. Please read Section 3.02 “Subcontracting” of Appendix A as it relates to competitive solicitations.

L. Participation by Minority Owned and Women Owned Business Enterprises in City Procurement

If the contract resulting from this RFP will be subject to M/WBE participation requirements under Section 6-129 of the Administrative Code of the City of New York, as indicated by the inclusion of Schedule B – M/WBE Utilization Plan (Attachment D) and the Participation Goals indicated in Part I thereof, Proposers must complete the Schedule B – M/WBE Utilization Plan and submit it with their proposal. Please refer to the Schedule B – M/WBE Utilization Plan and the Notice to All Prospective Contractors (Attachment C) for information on the M/WBE requirements established for this solicitation and instructions on how to complete the required forms. If the Proposer intends to seek a full or partial waiver of the Participation Goals on the grounds described in Section 10 of the Notice to All Prospective Contractors, including but not limited to, Proposer’s intention to use its own forces to perform any or all of the required contract work would result in a failure to attain the Participation Goals, the Proposer must request and obtain from the Agency a full or partial waiver of the Participation Goals (M/WBE Utilization Plan, Part III) in advance of proposal submission and submit the waiver determination with the proposal. Please note that if a partial waiver is obtained, the Proposer is required to submit a completed Schedule B-M/WBE Utilization Plan based on the revised Participation Goals in order to be found responsive.

M. Ownership of Data

1. The City retains sole ownership and intellectual property rights in and to all data, databases, data compilations, reports, charts, graphs, diagrams, or other information created, generated, maintained or made accessible by the City to the Contractor pursuant to the contract (“City Data”). City Data shall also include all documents referenced in Section E above, in both digital and physical format. The Contractor does not have the right to retain any City Data.
2. Within thirty (30) days of the City’s request at any time during the contract term or after expiration or early termination of the contract, the Contractor shall, at no cost to the City, perform the following actions as instructed by the City:
 - a) Transmit the City Data to the City or its designee in a format that is easily usable by the City or its designee and does not contain any proprietary software or other materials of the Contractor or third parties; or
 - b) Destroy the City Data and any copies, extracts, descriptions, and summaries thereof contained in the Contractors’ records or systems; and provide the City with a written certification of such destruction.

3. If the Contractor is required to create, generate, or maintain City Data pursuant to the contract and the City Data is held by the Contractor outside of the City's information technology infrastructure, the Contractor shall provide the City or its designee with regular, automated delivery of the City Data in the manner, format and at the frequency prescribed by the City.

N. Ownership of Materials

Any material created and/or customized specifically for the City pursuant to the contract will be owned by the City and cannot be used by the Contractor without written permission of the City. This customized material is defined in law as "work-made-for-hire."

However, any material owned by the Contractor and provided pursuant to the contract, which is not customized for the City or altered in any way from its original form, will remain the property of the Contractor. No permission from the City is required for materials remaining the property of the Contractor.

The provisions of this Section will be construed as additional to and not in substitution of the provisions of Section 6.01 of Appendix A.

O. IT and Security Requirements

1. In the event that the Contractor's proposal includes the use of a Cloud Service (as defined in Section 1.4 of the Cloud Services Agreement ("CSA")) solution, the Contractor shall (or shall ensure that any third-party provider of a Cloud Service) complete a cloud review as directed by the City, comply with all City policies and procedures set forth in the Cloud Services Agreement, execute the Cloud Services Agreement in its current form and provide a Service Level Agreement acceptable to the City.
2. The Contractor shall comply with Attachment SCY Security Requirements Rider and the Identifying Information Rider.
3. The Contractor shall comply with all Citywide and agency-specific policies and procedures relating to local and remote network access and connectivity.
4. The Contractor shall ensure the successful completion of any security accreditation tasks and processes relevant to the Contract and/or deliverables it provides. The Contractor shall ensure that all coding follows a City-approved, secure coding framework.
5. If the Contractor proposes that any Work be performed at a facility outside of the United States, then the Contractor shall provide external security audit information for review and approval by the City's Chief Information Security Officer.

SECTION III - FORMAT AND CONTENT OF THE PROPOSAL

Instructions:

All Interested proposers must respond to all questions, complete all required documents and upload them into the Document Submission Tab in PASSPort in order for their proposals to be reviewed by the DCAS's evaluation committee and consequently be eligible for award consideration.

Proposals received after the Proposal Due Date and Time are late and shall not be accepted by DCAS, except as provided under the PPB Rules.

DCAS will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless DCAS issues a written addendum to this RFP which extends the Proposal Due Date and Time for all Proposers, the Proposal Due Date and Time prescribed above shall remain in effect.

The proposer may not reference pricing anywhere in their proposals other than Financial Envelope Questionnaire section in PASSPort. Disclosing pricing in these sections may be grounds for disqualification.

A. Proposal Cover Letter

The Proposal Cover Letter form (Attachment A) transmits the Proposer's Proposal Package to the Agency. It should be completed, signed, and dated by an authorized representative of the Proposer.

B. Technical Proposal

The Technical Proposal is a clear, concise narrative which addresses the following:

1. Experience

Describe the successful relevant experience of the Proposer, each proposed sub-contractor, if any, and the proposed key staff in providing the work described in Section II -Scope of Services and MWBE Requirements of this RFP.

- Attach a listing of at least two (2) relevant references, including the name of the referenced entity, a brief statement describing the relationship between the Proposer or proposed sub-contractor, as applicable, and the referenced entity, and the name, title, and telephone number of a contact person at the referenced entity, for the Proposer and each proposed sub-contractor, if any.

- Attach for each key staff position a resume and/or description of the qualifications that shall be required.

Additionally:

For Job Analysis, Test Development, Post-Test Analysis, Scoring and Study Guides, In-Person and Online Test Administration, proposer qualifications must include experience performing job analyses and developing valid employment tests (preferably including public sector civil service examinations). Also, if the Proposer's methodology and test content have ever come under federal administrative review or court challenge, the Proposer must have successfully defended the test's validity. Proposers shall include work performed for the public sector, if applicable, and, if the Proposer came under federal administrative review or court challenge, describe the successful defense of Proposer's methodology and test content. Also, specifically address the following:

- Job titles and government jurisdictions, companies or industries for which job analyses were conducted for the purpose of job classification.
- Job titles and government jurisdictions, companies or industries for which job analyses were conducted for the purpose of employment selection test development and validation.
- Methods and procedures used to support the validity of the selection test.
- Methods and procedures used to minimize possible adverse impact on protected groups and actual adverse impact encountered.
- Job titles, test formats (e.g., written multiple-choice, structured interview, training, and education evaluation, etc.) and government jurisdictions, companies or industries for which selection tests were developed.

2. Organizational Capability

Demonstrate the Proposer's organizational (i.e., programmatic, technical, managerial, and financial) capability to provide the work described in Section II Scope of Services and MWBE Requirements of this RFP for which you are proposing. Additionally, please address the following:

- Active related professional memberships in at least one of the following: American Psychological Association, American Educational Research Association, National Council on Measurement in Education, and the Society for Industrial and Organizational Psychology.
- Knowledge of the 1978 Uniform Guidelines on Employee Selection Procedures, 2014 Standards for Educational and Psychological Testing, and the 2003 Society for Industrial and Organizational Psychology Principles for the Validation and Use of Personnel Selection Procedures; as well as an understanding of New York State Civil Service Law and public sector job classification.

- Identification of key staff to be assigned to each set of activities. Specifically address the following:

- (i) Clearly describe all staff responsibilities in detailed, bulleted format.
- (ii) Indicate the number of full-time employees for each position/function.

In addition:

- Attach a chart showing where, or an explanation of how, the proposed services shall fit into the Proposer's organization.
- Attach a resume and/or description of the qualifications for Key Staff Positions that will be assigned to each set of activities.
- Attach a copy of the Proposer's latest audit report or certified financial statement, or a statement as to why no report or statement is available.

3. Proposed Approach

- Describe in detail how the Proposer shall provide the work described in Section II Scope of Services and MWBE Requirements of this RFP for which you are proposing and demonstrate that the Proposer's proposed approach shall fulfill DCAS's goals and objectives.
- Describe the method by which material/data of a confidential nature would be stored, delivered, and/or disposed of, as it applies to the job categories for which you are proposing.
- Provide an outline to DCAS that serves as an example of how the Proposer would develop a timeline for a job analysis, including a description of meetings you would hold with subject matter experts, surveys you would administer, and methods for compiling the job analysis data into a test plan that would be used. Also, consider a title that the Proposer has extensive knowledge of assessing and discuss (pending results of the job analysis) some initial thoughts about your projections for possible test content areas, item format, and possible adjustments to the current minimum qualification requirements.

C. Price Proposal

Proposers are encouraged to propose innovative payment structures. The Agency reserves the right to select any payment structure that is in the City's best interest. Proposers are required to submit the Price Proposal Form for the service option(s) they are proposing. For the purposes of comparison, Proposers should submit a Price Proposal Form (Attachment B) as follows:

1. Service Option 1: Proposers shall only provide price(s) for those jobs categories that they have the capacity to deliver. Proposer shall provide the rate and the appeals rate

- of multiple-choice tests, hourly billable rate and the total price in the Price Proposal Form.
2. Service Option 2: Proposers shall provide all prices and total price in the Price Proposal Form.
 3. Service Option 3: Proposers shall provide all prices and total price in the Price Proposal Form.

SECTION IV - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All proposals accepted by the Agency shall be reviewed to determine whether they are responsive or nonresponsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive shall be rejected.

The Agency's Evaluation Committee shall evaluate and rate all responsive proposals based on the Evaluation Criteria prescribed below. The proposals will be ranked in order of highest to lowest technical score and the agency will establish a shortlist by establishing a minimum threshold score for technically viable proposals.

The minimum threshold for technically viable proposals is 70 points. Proposals submitted by New York State or City certified M/WBEs that meet or surpass the minimum threshold will then be given a 10% quantitative point preference of the total technical points earned in the evaluation of the proposal. The Agency reserves the right to conduct site visits and/or interviews and/or to request that Proposers make presentations and/or demonstrations for Proposers who have been shortlisted. The City shall not reimburse costs for Proposer participation in an interview. The Agency reserves the right to award contracts on the basis of initial proposals received, without discussions; therefore, the Proposer's initial proposal should contain its best technical and price terms. Pursuant to PPB Rule Section 3-03(g)(2), DCAS also reserves the right to revise the original scores. Although discussions may be conducted with Proposers submitting acceptable proposals, the Agency reserves the right to award contracts based on initial proposals received, without discussions; therefore, the Proposer's initial proposal should contain its best programmatic price terms. The price proposals of the short-listed vendors will then be opened and reviewed by the evaluation committee.

B. Evaluation Criteria

- | | |
|---|-----|
| 1. Demonstrated quantity and quality of successful relevant experience. | 40% |
| 2. Demonstrated level of organizational capability. | 20% |
| 3. Quality of proposed approach. | 40% |

C. Basis for Contract Award

Any contract(s) awarded shall be awarded to the responsible Proposer(s) whose proposal(s) is/are determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP.

Proposals shall be ranked based on the technical proposals and a short list will be created within a service option. Based on the final technical scores of the proposals, after any oral presentations, discussions and/or technical Best and Final Offers, if applicable, have been held, the Agency will establish a shortlist through a technically-viable cutoff score, which is 70. Then those proposals still under consideration for award will be ranked in order of lowest price per technical point, which shall be calculated by dividing the proposed price (or Best and Final Offer price, if applicable) by the final technical score.

DCAS anticipates awarding up to 6 awards for this RFP. Award of the resulting contract is subject to successful negotiation of terms as provided in the NYC Procurement Policy Board Rules (“PPB Rules”). A contract must be awarded to the responsible Proposer whose proposal represents the best value to the City by optimizing quality, cost and efficiency and therefore is determined to be the most advantageous to the City, taking into consideration the price and such other factors or criteria that are set forth in this RFP. Contract award shall be subject to the timely completion of contract negotiations between DCAS and the selected Proposer(s).

SECTION V - GENERAL INFORMATION TO PROPOSERS

A. Complaints. The New York City Comptroller is charged with the audit of contracts in New York City. Any Proposer who believes that there has been unfairness, favoritism or impropriety in the proposal process should inform the Comptroller, Office of Contract Administration, 1 Centre Street, Room 1005, New York, NY 10007; contract@comptroller.nyc.gov, or at (212) 669-2323. In addition, the New York City Department of Investigation should be informed of such complaints at its Investigations Division, 80 Maiden Lane, New York, NY 10038; the telephone number is (212) 825-5959.

B. Applicable Laws. This Request for Proposals and the resulting contract award(s), if any, unless otherwise stated, are subject to all applicable provisions of New York State Law, the New York City Administrative Code, New York City Charter and New York City Procurement Policy Board (PPB) Rules. A copy of the PPB Rules may be obtained by contacting the PPB at (212) 788-0010 or at: <http://www.nyc.gov/html/mocs/ppb/html/home/home.shtml>.

C. General Contract Provisions. Contracts shall be subject to New York City’s general contract provisions, in substantially the form that they appear in Appendix A (General Provisions Governing Contracts for Consultants, Professional and Technical Services) or, if the Agency utilizes other than the formal Appendix A, in substantially the form that they appear in the Agency’s general contract provisions. A copy of the applicable document is available through the Authorized Agency Contact Person.

D. Contract Award. Contract award is subject to each of the following applicable conditions and any others that may apply: New York City Fair Share Criteria; New York City MacBride Principles Law; submission by the Proposer of the requisite New York City Department of Business Services/Division of Labor Services Employment Report and certification by that office; submission by the Proposer of the requisite VENDEX Questionnaires/Affidavits of No Change and review of the information contained therein by the New York City Department of Investigation; all other required oversight approvals; applicable provisions of federal, state and local laws and executive orders requiring affirmative action and equal employment opportunity; and Section 6-108.1 of the New York City Administrative Code relating to the Local Based Enterprises program and its implementation rules.

E. Proposer Appeal Rights. Pursuant to New York City's Procurement Policy Board Rules, Proposers have the right to appeal Agency non-responsiveness determinations and Agency non-responsibility determinations and to protest an Agency's determination regarding the solicitation or award of a contract.

F. Multi-Year Contracts. Multi-year contracts are subject to modification or cancellation if adequate funds are not appropriated to the Agency to support continuation of performance in any City fiscal year succeeding the first fiscal year and/or if the Contractor's performance is not satisfactory. The Agency will notify the Contractor as soon as is practicable that the funds are, or are not, available for the continuation of the multi-year contract for each succeeding City fiscal year. In the event of cancellation, the Contractor will be reimbursed for those costs, if any, which are so provided for in the contract.

G. Prompt Payment Policy. Pursuant to the New York City's Procurement Policy Board Rules, it is the policy of the City to process contract payments efficiently and expeditiously.

H. Prices Irrevocable. Prices proposed by the Proposer shall be irrevocable until contract award, unless the proposal is withdrawn. Proposals may only be withdrawn by submitting a written request to the Agency prior to contract award but after the expiration of 90 days after the opening of proposals. This shall not limit the discretion of the Agency to request Proposers to revise proposed prices through the submission of best and final offers and/or the conduct of negotiations.

I. Confidential, Proprietary Information or Trade Secrets. Proposers should give specific attention to the identification of those portions of their proposals that they deem to be confidential, proprietary information or trade secrets and provide any justification of why such materials, upon request, should not be disclosed by the City. Such information must be easily separable from the non-confidential sections of the proposal. All information not so identified may be disclosed by the City.

J. RFP Postponement/Cancellation. The Agency reserves the right to postpone or cancel this RFP, in whole or in part, and to reject all proposals.

K. Proposer Costs. Proposers will not be reimbursed for any costs incurred to prepare proposals.

L. VENDEX/PASSPort Fees. Pursuant to PPB Rule 2-08(f)(2), the Contractor will be charged a fee for the administration of the VENDEX/PASSPort system, including the Vendor Name Check Process, if a Vendor Name Check review is required to be conducted by the Department of Investigation. The Contractor shall also be required to pay the applicable fees for any of its subcontractors for which Vendor Name Check reviews are required. The fee(s) will be deducted from payments made to the Contractor under the contract. For contracts with an estimated value of less than or equal to \$1,000,000, the fee will be \$175. For contracts with an estimated value of greater than \$1,000,000, the fee will be \$350. The estimated value for each contract resulting from this RFP is estimated to be above \$1million.

M. Charter Section 312(a) Certification.

_____ The Agency has determined that the contract(s) to be awarded through this Request for Proposals will not result in the displacement of any New York City employee within this Agency. See attached Displacement Determination Form.

_____ The Agency has determined that the contract(s) to be awarded through this Request for Proposals will result in the displacement of New York City employee(s) within this Agency. See attached Displacement Determination Form.

_____ The contract to be awarded through this Request for Proposals is a task order contract that does not simultaneously result in the award of a first task order; a displacement determination will be made in conjunction with the issuance of each task order pursuant to such task order contract. Determinations for any subsequent task orders will be made in conjunction with such subsequent task orders.

(Commissioner) (Agency Chief Contracting Officer)

Date

Message from New York City's Department of Small Business Services

The Department of Small Business Services (SBS) offers One-on-One Technical Assistance to businesses that are interested in bidding on City contracts for the following goods and services: construction, construction related, standardized and architectural and engineering. If you plan on bidding on this or any other City contract, contact SBS to schedule an appointment. The Department of Small Business Services will meet with you to review your particular proposal or

submission, and provide feedback and guidance to help you submit the best proposal possible.

To schedule One-on-One Technical Assistance, email techassist@sbs.nyc.gov and an SBS representative will contact you.

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ATTACHMENT A

PROPOSAL COVER LETTER

TITLE: DCAS JOB ANALYSES AND CIVIL SERVICE EXAMINATIONS

EPIN #: 85625P0005

Proposer:

Name: _____

Address: _____

Tax Identification #: _____

Proposer's Contact Person:

Name: _____

Title: _____

Telephone #: _____ **E-mail:** _____

Proposer(s) may submit proposals for any service option. In the event a proposer elects to propose more than one service option, a separate and complete proposal must be submitted for each service option.

Service Option Proposed:

- ☐ Service Option 1: Job Analysis, Test Development, Scoring and Study Guides
- ☐ Service Option 2: In-person Computer-based Test Administration of Multiple-choice Tests
- ☐ Service Option 3: Online Computer-based Multiple-choice Test Administration with Online

Proctoring Services

Job Categories (for Service Option 1): (Check proposed titles)

- ☐ Applied Sciences
- ☐ Correction and Enforcement Titles
- ☐ Design
- ☐ Fire Titles

- ☐ Green Construction
- ☐ Health Titles
- ☐ Information Technology Titles
- ☐ Inspector Titles
- ☐ Law Enforcement Titles
- ☐ Managerial Titles
- ☐ Personal/Health Care
- ☐ Professional Titles
- ☐ Sciences Titles
- ☐ Social Services Titles
- ☐ Technical and Skilled Trades Titles

Proposer's Authorized Representative:

Name: _____

Title: _____

Signature: _____

Date: _____

ATTACHMENT B
PRICE PROPOSAL FORM

ATTACHMENT C

NOTICE TO ALL PROSPECTIVE CONTRACTORS

ATTACHMENT D

SCHEDULE B: SUBCONTRACTOR UTILIZATION PLAN/WAIVER APPLICATION

ATTACHMENT E
CLOUD SERVICES AGREEMENT

ATTACHMENT F
SECURITY REQUIREMENT RIDER

ATTACHMENT G

**IRAN DIVESTMENT ACT COMPLIANCE RIDER FOR NEW YORK CITY
CONTRACTORS**

ATTACHMENT H
SUB-CONTRACTING COMPLIANCE NOTICE

ATTACHMENT I
COMMUNITY HIRING RIDER

ATTACHMENT J

NYC EARNED SAFE AND SICK TIME ACT CONTRACT RIDER

ATTACHMENT K
TAX AFFIRMATION

ATTACHMENT L

WHISTLEBLOWER PROTECTION EXPANSION ACT RIDER