Affirmative Action Software

March 5, 2013
I. GENERAL INFORMATION

Request for Proposal (RFP) Name: Affirmative Action Software

RFP Number: #KF030513

Issue Date: March 5, 2013

Brief Description: The University of Virginia ("University") is requesting proposals to acquire a software program to prepare federally compliant affirmative action programs. The Selected Firm must have a robust software solution as well as offer industry leading analysis and business process support and consultation.

Preproposal Questions: Any questions concerning this RFP must be sent via email to the buyer listed below no later than Tuesday, March 12, 2013, 12:00 p.m., Eastern Standard Time (EST) in order to guarantee a timely response prior to the proposal due date.

Proposal Due Date: April 2, 2013, 3:00 p.m., EST.
Firms must submit an original proposal that will be received by the University by the proposal deadline. The original proposal must be submitted by email to kaf4b@virginia.edu. All proposal documents, whether originals or copies, should be formatted as Microsoft Word documents and attached to email.

Any trade secrets or proprietary information submitted with a proposal (original or copy) for which the firm seeks protection from public disclosure must be clearly identified by the specific page and section number in the proposal and accompanied by a suitable justification requesting non-disclosure.

Negotiations: Firms may expect negotiations on the week of April 23, 2013.

Expected Award Date: May 14, 2013

Term of Agreement: The term of a resulting Agreement or Purchase Order will be for five years, with the ability to renew on the same or similar terms and conditions, for two additional one-year periods if mutually agreeable to the University and the Selected Firm. The Selected Firm and the University will mutually agree at least 180 days prior to each renewal period whether to renew the terms of the Agreement.

REFER ALL QUESTIONS TO THE ISSUING OFFICE:

UNIVERSITY OF VIRGINIA
Department of Procurement and Supplier Diversity Services
Attention: Kristin Floyd
Phone: (434) 982-2636
Fax: (434) 982-2690
Email: kaf4b@virginia.edu

NOTE 1: During the RFP process, all communication must be directed to the buyer listed above, with the exception of issues directly related to SWAM business and SWAM subcontracting opportunities. Such SWAM issues may be alternately directed to Les Haughton, Director Supplier Diversity, at (434) 924-7174 or SWAM@virginia.edu. Any failure to adhere to this requirement may result in the rejection of the firm’s proposal or cancellation of the RFP.
This Request for Proposal (RFP) has been posted on Procurement and Supplier Diversity Services web site for your convenience. Addenda and attachments are posted if issued. The RFP can be downloaded at this web site: [http://www.procurement.virginia.edu/pagerfp](http://www.procurement.virginia.edu/pagerfp). It is the firm’s responsibility to ensure that the latest version of the entire RFP and related links are reviewed prior to submission of a proposal. We encourage you to check the web site frequently for any changes prior to the due date. Call (434) 924-1346 if you have trouble accessing the RFP from the web. For questions about the content of the RFP, contact the buyer listed above. Additional information can be found on Procurement and Supplier Diversity Services web site: [http://www.procurement.virginia.edu](http://www.procurement.virginia.edu).

For ease of reference, each firm or individual receiving this RFP is referred to as a “firm” and the firm or individual selected to provide services for the University is referred to as the “Selected Firm.” This RFP states the instructions for submitting proposals and the procedure and criteria by which a firm may be selected.

### II. SCOPE OF GOODS & SERVICES

The University and its Office of Equal Opportunity Programs, seek a qualified firm to provide a Software Solution/Application for generating Affirmative Action Plans/Programs covering approximately 20,000 employees.

**A. General Goods, Software Solution/Application:**

1. Available reports must comply with Title 41, part 60 of the Code of Federal Regulations (‘CFR’).
2. Prepare additional reports and analysis that include:
   a. Workforce Analysis
   b. Incumbency v. Availability Analysis
   c. Placement Goal Establishment
   d. Job Group Roster
   e. Compensation Analysis
   f. Adverse Impact Analysis
3. Provide supplementary pre-established reports necessary to implement effective Affirmative Action plans for women, minorities, protected veterans, and persons with disabilities.
4. Produce and export data and reports in multiple electronic file formats including, but not limited to, Microsoft Excel, Microsoft Word, and Portable Document Format.
5. Allow data importation of employment data through Microsoft Excel or Comma Separated Value files.
6. Achieve multiple levels of organizational reporting through a single data import and the ability to report aggregate data using multiple units/categories.
7. Provide flexibility in selection and use of federally accepted statistical testing including the Standard Deviation, Fisher’s Exact Test, Means Test, and other statistical and practical significance tests which are or may become industry appropriate.
8. Provide access to occupational data from the Census/American Community Survey as well as the National Opinion Research Center Survey of Earned Doctorates.

9. Allow for importation of custom industry data sets and custom statistical labor areas to use in preparing labor market availability analyses.

10. Provide the ability to archive up to three years of previous Affirmative Action planning information with continued reporting access.

11. Provide access for two or more users/administrators.

B. Customer Service:

1. Provide technical and general consultation services related to plan establishment, regulatory updates, training and software use. Provide comprehensive training on use of the software on a regular basis, bi-annual training preferred. Initial training of multiple employees as requested, followed by training for updates.

C. Quality Control:

1. Updates for software will occur on a regular basis (within six months) of changes to Federal Affirmative Action reporting regulations.

2. Compatibility with a Windows operating system and ability to provide updates as necessary to remain compatible with future releases of the Window operating system (within one year of the new Windows release).

3. Software must have the ability to check for errors in data integrity and reconcile transactional, roster and applicant data.

4. Meet industry standard data security levels and provide for a strong continuation of operations program/disaster planning.

III. BASIS OF SELECTION

Proposals will be evaluated based upon the overall merits/value of the proposal including, but not limited to, price. The University will evaluate proposals, and if a firm is to be selected, select the firm on the basis of:

A. The firm's plan to provide the University with the products as described in the Scope of Good and Services section;

B. The firm’s experience in providing Goods and Services similar to those described in this RFP, to include the firm’s references from clients;

C. The firm’s price proposal; and

D. The firm’s Small, Woman-owned and Minority-owned (SWAM) business status and/or the firm’s plan for utilization of SWAM businesses. For more information about SWAM and the University’s SWAM plan, please see the letter in Attachment 1 and refer to the following site: www.procurement.virginia.edu/main/publicpostings/rfp/SWAMplan.pdf

Note 1: A 10% minimum weight will be given to this criterion in evaluating proposals.
Note 2: Any questions related to SWAM business and SWAM subcontracting opportunities can be directed to Les Haughton, Director Supplier Diversity, at (434) 924-7174 or lh7sn@virginia.edu.

IV. CONTENTS OF PROPOSAL

Proposals will be prepared simply and economically, providing a straightforward, concise description of capabilities to satisfy the requirements of the RFP. Emphasis will be on completeness and clarity of content, and will be organized in the order in which the requirements are presented in the RFP.

Unnecessarily elaborate brochures and other presentations beyond that sufficient to present a complete and effective proposal are not desired and may be construed as an indication of the firms’ lack of cost consciousness. Elaborate artwork, expensive paper and bindings, and expensive visual and other presentation aids are neither necessary nor desired.

Firms will provide the following information:

1. A detailed description and the full specifications of the product/equipment proposed. Each firm will indicate in its proposal the firm’s ability to achieve/comply with each specification. In the event that the firm wishes to propose an alternate specification that, in any way, differs from the above specifications, the firm will detail the proposed change(s) and how the proposed change would compare to the listed specification. Proposals will be formatted in such a way to address each of the above specifications in a line-by-line process.
2. A brief history of the firm and its experience, qualifications and success in providing the type of product requested.
3. The estimated implementation date of the product from the time of the order (i.e., 10 wks after order).
4. Information on the warranty associated with the product the firm is proposing and any extended warranty (include the price) that might be available.
5. The firm’s proposed price / fee for providing the Goods and Services, to include shipping charges (the University’s shipping terms are FOB Destination).
6. At least three references where similar goods and/or services have been provided. Include the name of the firm / organization, the complete mailing address, and the name of the contact person and telephone number.
7. Demonstrate how the firm is recognized by its industry of Equal Employment Opportunity and Affirmative Action plan providers as a leader and content expert.
8. The firm’s Small, Woman-owned and Minority-owned (SWAM) businesses status and/or how the firm intends to utilize SWAM firms in regards to this particular procurement.
9. Provide a list of institutions of higher education with which the firm has signed a term contract.
10. Provide the amount of annual sales the firm has with each VASCUPP Member Institution. A list of the VASCUPP Members can be found at [https://vascupp.org](https://vascupp.org)
11. A demo of the software.
12. Complete and return the information requested in Attachment 2, Firm Information.
NOTE: Virginia Freedom of Information Act
Except as provided, once an award is announced, all proposals submitted in response to this RFP will be open to inspection by any citizen, or interested person, firm or corporation, in accordance with the Virginia Freedom of Information Act. Trade secrets or proprietary information submitted by a firm prior to or as part of its proposal will not be subject to public disclosure under the Virginia Freedom of Information Act only under the following circumstances: (1) the appropriate information is clearly identified by some distinct method such as highlighting or underlining; (2) only the specific words, figures, or paragraphs that constitute trade secrets or proprietary information are identified; and (3) a summary page is supplied immediately following the proposal title page that includes (a) the information to be protected, (b) the section(s)/page number(s) where this information is found in the proposal, and (c) a statement why protection is necessary for each section listed. The firm must also provide a separate electronic copy of the proposal (CD, etc.) with the trade secrets and/or proprietary information redacted. If all of these requirements are not met, then the firm’s entire proposal will be available for public inspection.

IMPORTANT: A firm may not request that its entire proposal be treated as a trade secret or proprietary information, nor may a firm request that its pricing/fees be treated as a trade secret or proprietary information, or otherwise be deemed confidential.

V. TERMS AND CONDITIONS

This solicitation and any subsequent award will be subject to:

- The Selected Firm registering as a vendor with the University.  
  [https://www.procurement.virginia.edu/pagevendorregistrationform]
- Unless otherwise deemed appropriate by the University, the Selected Firm(s) will enroll in one of the University approved methods for receipt of electronic payments.  Accordingly, the Selected Firm agrees to accept Bank of America’s (“BoA”) ePayables® method of electronic payment or BoA’s PayMode® method of electronic payment.
- The Selected Firm registering and accepting eVA Terms and Conditions prior to award.  
  [http://www.eva.virginia.gov/]
- The University’s Mandatory Contractual Provisions:
- The University’s Preferred Contractual Provisions:

**Note:** Unless a firm *expressly and specifically states its exception* to any of the Preferred Provisions in its written proposal, then the proposal from the firm will automatically be deemed to include those Provisions.

- The University's Procedure for Resolution of Contractual Claims:
• The University’s Data Protection Addendum: [http://www.procurement.virginia.edu/pagedataprotaddin]

• Insurance:
Listed below is the insurance the Selected Firm must maintain under any Agreement resulting from this RFP. In no event should the Selected Firm construe these minimum required limits to be its limit of liability to the University. The Selected Firm will maintain insurance which meets or exceeds the requirements of the University with insurance companies that hold at least an A- financial rating with A.M. Best Company. No Agreement will be executed by the University until the Selected Firm satisfies the insurance requirements of the University. The Selected Firm may be required to provide the University with a valid Certificate of Insurance before providing any goods or services to the University. The University reserves the right to approve any insurance proposed by the Selected Firm.

*Commercial General Liability:* 
The Selected Firm and any Subcontractor will maintain a minimum combined single Limit of Liability for bodily injury and property damage of $1,000,000 per occurrence, with coverage for: premises/operations and products/completed operations.

*Cyber Risk Insurance:* 
The selected Firm and any Subcontractor will maintain a minimum of $1,000,000 per occurrence of Cyber Risk insurance to include privacy injury liability as well as data breach exposures.

*Additional Insured:* 
The University will be named as an Additional Insured on the Cyber Risk Insurance, and the proper name is: "The Commonwealth of Virginia, and the Rector and Visitors of the University of Virginia, its officers, employees and agents.

• Formation of the Agreement with the Selected Firm:
All proposals received will first be carefully evaluated by the University, and then the University intends to conduct negotiations with two or more firms. After negotiations have been conducted, if the University chooses to make award, the University will select the firm which, in its opinion, best meets the needs of the University. Alternately, if the University determines in writing and in its sole discretion that only one firm is fully qualified, or that one firm is clearly more highly qualified than the others under consideration, it may decide to negotiate and award an agreement to that single firm. In either event, the University intends to execute a mutually satisfactory written agreement which will reflect and largely incorporate this RFP as reconciled with any pertinent documents, such as the proposal submitted and relevant negotiation correspondence.

Because the University may choose to negotiate and award to a single firm as discussed above, each firm must include in its written proposal all requirements, terms or conditions it may have, and should not assume that an opportunity will exist to add such matters after the proposal is submitted.

Any firm(s) invited to negotiations should note that the University reserves the right to begin negotiations by combining the best aspects of submitted proposals from all
responding firms as the basis for subsequent formation of any Agreement resulting from this RFP.

Firms should also note that, as described above, certain matters will automatically be deemed part of the proposal.
Greetings:

The quality of service the University of Virginia is able to deliver to its customers is directly related to the excellent support we receive from you and many other outstanding suppliers of goods and services. Without you, we would not be able to fulfill our educational, health care and research missions. An important part of our procurement program involves our commitment to doing business with small, women- and minority-owned (SWaM) businesses. As one of our most important vendors, we look to you to help us achieve this objective.

We conduct substantial business with small firms. We have a particular institutional focus on developing long-term business relationships with minority-and women-owned businesses. We count on our majority firms to help us achieve our goal.

I seek your assistance in two areas. First, to the extent practical, I ask that you involve small, women-and minority-owned businesses in the delivery of services you provide to UVa. The office of Procurement and Supplier Diversity Services is ready to assist you in identifying qualified diverse business partners. Second, I seek your help in reporting your results through our quarterly subcontracting reports. The terms and conditions previously provided to your organization outlined this process.

This effort is important to us. We depend on you in so many ways – this is another way that we can partner with your company to make things better.

Sincerely,

Colette Sheehy
Vice President for Management and Budget
Firm Information

Full Legal Name (*Company name as it appears with its Federal Taxpayer Number*):

Address:

Telephone Number:
FAX Number:
Web Address:
Email Address:

DUNS Number:

*SWAM Information:*
Is the firm certified with the Commonwealth of Virginia’s Department of Minority Business Enterprises (DMBE): [ ] Yes [ ] No
Minority-Owned Business: [ ] Yes [ ] No
Women-Owned Business: [ ] Yes [ ] No
Small-Owned Business: [ ] Yes [ ] No

Is the firm registered as a vendor in the Commonwealth of Virginia’s e-procurement system (eVA)? [ ] Yes [ ] No