BATTERY PARK CITY AUTHORITY

AND

BATTERY PARK CITY PARKS CONSERVANCY CORPORATION

REQUEST FOR PROPOSALS

FOR

HUMAN RESOURCE INFORMATION SYSTEM (HRIS) SOFTWARE

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I. SUMMARY

Battery Park City Authority d/b/a Hugh L. Carey Battery Park City Authority ("BPCA") and the Battery Park City Parks Conservancy Corporation ("BPCPC", and with BPCA, the "Organization") requests proposals (each individually, a "Proposal" or collectively, the "Proposals") from Human Resource Information System ("HRIS") software management program vendors (each individually, a "Proposer", "you" or "your" or collectively, the "Proposers") to provide HRIS services to the Organization. HRIS services shall include, but not be limited to: HRIS system implementation and maintenance, time & attendance, Human Resources and Benefits Administration, training, and payroll coordination.

The purpose of this RFP is to find one HRIS vendor to integrate/consolidate data and processes for BPCA and BPCPC into one HRIS system. At this time, BPCA and BPCPC: have respective payroll systems with ADP; use LATS and Enterprise E-time, respectively, for time and attendance; and Filemaker Pro and ABRA HRMS, respectively, to store their data.

Any HRIS system proposed in response to this RFP must be able to incorporate the following benefits offered by the Organization:

- NYSHIP
- CIRS/401K*
- NYSERS**
- BAI
- Lincoln STD/LTD
- TIAA-CREF**
- FSA
- Workers' Comp
- GHI Dental
- Davis Vision
- EAP
- Deferred Comp
- SunLife Insurance*
- M/C Life Insurance**
- NYPERL
- COBRA
- NYBEAS

*(*BPCPC Only; **BPCA Only)*

Minority-Owned Business Enterprises ("MBE") and Women-Owned Business Enterprises ("WBE") are encouraged to submit Proposals.

This request for proposals, the attachments and any additional information submitted herewith, (collectively, the "RFP") does not obligate the Organization to complete the selection and contract award process. The Organization reserves the right to: 1) accept or reject any and all Proposals; 2) request additional information from any or all Proposers to assist the Organization in its evaluation process; 3) amend or withdraw this RFP prior to the announcement of the selected firm; and 4) award the proposed services, in whole or in part, to one or more Proposers. In case of an amendment to the RFP, all Proposers will be provided with a copy of any such amendment(s) and will be afforded the opportunity to revise their Proposals in response to the RFP amendment.

II. DESCRIPTION OF THE ORGANIZATION

BPCA is a public benefit corporation created in 1968 under the laws of the State of New York for the purpose of financing, developing, constructing, maintaining, and operating a planned community development of the Battery Park City site as a mixed commercial and residential community.

Under the Battery Park City Authority Act (the "Act"), BPCA has the following powers, among others: to borrow money and to issue negotiable bonds, notes or other obligations and to provide for the rights of the holders thereof; to acquire, lease, hold, mortgage and dispose of real property and personal property or any interest therein for its corporate purposes; to construct, improve, enlarge, operate and maintain Battery Park City; to make bylaws for the management and regulation of its affairs, and, subject to agreements with bondholders, for the regulation of Battery Park City; to make contracts and to execute all necessary or convenient instruments, including leases and subleases; to accept grants, loans and contributions from the United States, or the State of New York or the City of New York (the "City"), or any agency or instrumentality of any of them, or from any other source and to expend the proceeds for any corporate purpose; to fix, establish and collect rates, rentals, fees and other charges; and to do all things necessary or convenient to carry out the powers expressly granted by the Act. BPCA has no taxing power.

Since its inception, BPCA has caused the staged development of Battery Park City, in individual parcels, creating a richly diversified mixed use community providing residential and commercial space, with related amenities such as parks, plazas, recreational areas and a waterfront esplanade. Most individual parcels of land in Battery Park City were developed into residential and commercial buildings by tenants ("Ground Lease Tenants") under long-term ground leases with BPCA. The Ground Lease Tenants are responsible for the maintenance, insurance and defense and indemnification of BPCA with regard to those leased parcels.

One of BPCA's key responsibilities under the Act is to operate, maintain and repair the parks and opens spaces in and around Battery Park City's residential and commercial areas. This function has been delegated by BPCA to BPCPC through a written Management Agreement. The BPCPC is a nonprofit organization and carries out its mission by maintaining 36 acres of parks, playgrounds and open spaces, including a mile-long waterfront esplanade. The BPCPC also develops programs and manages public events for the Battery Park City community. BPCA owns and has built out a commercial condominium unit in a residential building in Battery Park City, which serves as the BPCPC headquarters.

To obtain a copy of the Organization's most recently completed audited financial statements, please visit BPCA's official website at www.batteryparkcity.org. The audited financial statements and related reports found on BPCA's website will provide you with an overview of the operations for which BPCA is responsible and the areas of expertise in which the selected Proposer must be proficient. For an overview of BPCPC's operations, please visit its website at www.bpcparks.org.

III. SERVICES REQUIRED

A. The selected Proposer will be responsible for providing the Scope of Services set forth in Exhibit A of this RFP.

B. All work to be performed by the selected Proposer shall be completed under the supervision of such Proposer's President, Vice President or other Executive Officer in charge of this engagement (the "Lead Person"), who must ensure that the work completed for the Organization is performed competently and in a timely manner.

IV. KEY DATES, CONTRACT TERM AND MINIMUM QUALIFICATIONS

A. Key Dates

The following is a list of key dates, up to and including the date Proposals are due to be submitted, which is subject to change at the Organization's discretion:

- Request for Proposals issued: **Thursday, April 17th, 2014**
- Deadline to submit questions to the Organization: **Thursday, April 24th, 2014** by 4:00 p.m. (by email only)

  All questions regarding this RFP should be submitted in writing via email to the "Designated Contact", Angela Whitehead, HR Generalist, Battery Park City Authority, 200 Liberty Street, New York, New York 10281, angela.whitehead@bpca.ny.gov.

- Deadline for the Organization's response to substantive questions: **Thursday, May 1st, 2014** (by email)
- **DUE DATE FOR RESPONSES TO RFP: Thursday, May 8th, 2014 by 3:00 p.m. (the "Due Date")**
- Selection and notification of successful Proposer: To be determined.

- Contract start date: To be determined.

B. Anticipated Contract Term

It is anticipated that the term of the contract awarded pursuant to this RFP (the "Contract") will be for a period of five (5) years. The Organization reserves the right to terminate the Contract at any time, with or without cause, upon thirty (30) days' written notice. The Organization reserves the right to terminate the Contract at any time, without prior notice, if the selected Proposer's President, Vice President or Executive Officer identified in the Proposal as the Lead Person for this engagement ceases to be employed by the selected Proposer.

C. Minimum Qualification Requirements

The following are the Minimum Qualification Requirements for this RFP. **Proposals that fail to comply with these requirements will be rejected.**

1) The Proposer must be licensed to do business in the State of New York; and
2) The ability to perform all services described in Section III of this RFP "Services Required".

V. GENERAL REQUIREMENTS

A. Questions regarding MBE/WBE participation, joint ventures and sub-contracting goals

Please see Exhibit B (attached) for contractor requirements and procedures for business participation opportunities for New York State certified MBEs/WBEs and equal employment opportunities for minority group members and women.

For questions relating to MBE/WBE participation, joint ventures and sub-contracting goals ONLY, please contact "MBE/WBE Designated Contact" Mr. Anthony Peterson at 212.417.2337.

B. Restricted Period

Applicants are restricted from making contact with anyone other than the Designated Contact or MBE/WBE Designated Contact specified above during the period from the date of publication of the notice of this RFP in the New York State Contract Reporter through approval of the Contract by the Organization (the "Restricted Period"). Employees of the Organization are required to record certain contacts during the Restricted Period, including, but not limited to, any oral, written or electronic communication with a governmental entity under circumstances where a reasonable person would infer that the communication was intended to influence the Organization's conduct or decision regarding the governmental procurement, and to make a determination of responsibility based, in part, upon any such contact. Failure to abide by this process may result in a finding that the firm is a non-responsive Proposer.

C. Submission of Proposals

Proposals are due no later than 3:00 p.m. on Thursday, May 8th, 2014

Proposers must submit eighteen (18) copies of their Proposals (seventeen (17) paper copies and one (1) electronic copy, including Exhibit C's "Product Functionality" excel spreadsheet, on CD-Rom or a flash drive) in a sealed package clearly marked "**Proposal Enclosed – HRIS Software**" to the Designated Contact **by messenger, overnight courier or certified mail** to the following address:

Angela Whitehead
HR Generalist

Battery Park City Authority
200 Liberty Street, 24th Floor
New York, New York 10281
angela.whitehead@bpca.ny.gov

For clarity, the printed Proposals must include a hard copy Exhibit C's completed excel spreadsheet and the electronic copy of the Proposal must include the actual Exhibit C completed excel spreadsheet.

The Organization is not responsible for any internal or external delivery delays which may cause any Proposal to arrive beyond the stated Due Date. To be considered, Proposals must arrive at the time and place specified herein and be time stamped by BPCA's time stamp prior to the Due Date. Please leave ample time for building security, as late Proposals will not be accepted. Proposals submitted by fax or electronic transmission will NOT be accepted. A Proposer may, after submitting a Proposal, amend its Proposal by submitting a second, amended Proposal, clearly labeled "**Amended Proposal Enclosed – HRIS Software**," as long as the amended Proposal is submitted by the Due Date.

Public access to Proposals shall be governed by the relevant provisions of the Freedom of Information Law, Article 6 of the New York State Public Officers Law, and regulations adopted pursuant thereto.

D. Mandatory Forms

Proposers must complete and include with their Proposal all "Mandatory Forms," which can be found at the following URL address: http://www.batteryparkcity.org/pdf_n/Mandatory_Forms_Packet.pdf, by the Due Date.

These Mandatory Forms include the following:

1) NYS Standard Vendor Responsibility Questionnaire – **Submit with the Cost Proposal (as described below), one (1) original unbound set of a completed NYS Standard Vendor Responsibility Questionnaire with original ink signatures. Do not include the Standard Vendor Responsibility Questionnaire in the bound copies of the Cost Proposal.** The NYS Standard Vendor Responsibility Questionnaire must be notarized and signed by the individual(s) authorized to bind the firm contractually. Indicate the title or position that the signer holds within the firm.

2) State Finance Law § 139 Form 1 – **one original unbound completed SFL 139 Form 1: Professional's Certifications Pursuant to SFL § 139-j and § 139-k with original signature**. State Finance Law § 139 Forms 1 must be signed by the individual(s) authorized to bind the firm contractually.

3) W-9 form.

4) Please provide a copy of your firm's most recent Audited Financial Statements (within the last year).

5) Statement of Non-Collusion.

6) Diversity Forms.

VI. PROPOSAL FORMAT AND CONTENTS

A. Proposal Format

The Proposal must be printed on 8½" x 11" paper. Pages should be numbered. The Proposal must also be saved electronically on CD-Rom or a flash drive. The Proposal will be evaluated on the basis of its content, not length. Concise proposals are requested. The Organization reserves the right to disqualify Proposals that fail to comply with any of these instructions.

B. Proposal Content

A Proposal in response to this RFP must include the following sections in the order listed:

1) Transmittal Letter, as follows:

The Proposal must include a signed Transmittal Letter from a person within the Proposer who is authorized to bind it, preferably the Lead Person. **Transmittal Letters must be signed. Proposals with unsigned Transmittal Letters will be rejected.**

The Transmittal Letter must include a representation by the Proposer that, except as disclosed in the Proposal, no officer or employee of the Proposer is directly or indirectly a party to or in any other manner interested financially or otherwise in this RFP.

2) Executive Summary.
3) Proposer's discussion of its understanding of the Services Required (see Section III).
4) Proposer's responses to the questions in Section VI (C) and Exhibit C of this RFP.
5) Cost Proposal, as described below.
6) Proposer's response to the question regarding the use of New York State businesses set forth in Section X of the RFP.
7) Description of proposed solution. Provide a description of your proposed solution to accomplish the specified Scope of Service requirements set forth in Exhibit A. Describe the proposed approach to providing the Organization with desired functionality as outlined in the Scope of Services. The proposed approach shall include a description of:
    a) A Project Plan to include tasks, milestones, deliverables and timeline for completion.
    b) Project management methodology.
    c) Summary of the functional requirements of the proposed HRIS/Payroll solution.
    d) Security and controls.
    e) Hardware and software requirements (if any).
    f) Any necessary interfaces.
    g) Internet based processes.
    h) Implementation plan, including conversion of existing data; role of the Organization's staff and estimated time required by them.
    i) Training to be provided.
    j) Maintenance.
    k) Technical support.

Each proposal shall answer all questions and provide all information requested in Section VI (C) and Exhibit C of this RFP. If a Proposer is unclear about a question or request for information, such Proposer should respond, indicating any assumptions made in developing the submitted information. If no response is provided, the Organization will assume that the Proposer does not desire to provide the related services.

All responses should be sufficiently detailed to demonstrate your expertise and capabilities to provide the Services Required.

C. RFP Questions

Proposer's Overview

1) Briefly describe your background, size, and history as it may be relevant to the Services Required, with an emphasis on categories of questions in this Section C. If your offices are located in more than one city, indicate which office will provide the services.
2) How many HRIS clients with 300 or less active employees do you currently have?
3) Describe the relevant special services you provides, particularly those that may not be offered by other Proposers.
4) Describe your experience and methodology for your HRIS system.
5) Please describe your experience handling HRIS services previously administered manually.
6) Within the past three (3) years, have you experienced any significant developments such as changes in ownership or restructuring? Do you anticipate any significant changes in the near future? If so, please describe.
7) Describe the on-line services, publications, training/seminars and other resources maintained by you that would be available to the Organization.
8) How do you identify and manage conflicts of interest?
9) Have you or any of your partners/employees been disciplined or censured by any regulatory body within the last five (5) years? If so, please describe the relevant facts.
10) Within the last five (5) years, have you, or a partner or your employee, been involved in litigation or other legal proceedings relating to the provision of payroll services? If so, please provide an explanation and the current status or disposition of the matter.
11) Are there any potential conflict of interest issues in representing the Organization?
12) List any professional or personal relationships your employees may have with the Organization's Board and/or staff members of the Organization.
13) List all the employees you intend to assign to this engagement and the area(s) of specialization for each employee. Describe the role of each employee who will be assigned to this engagement.
14) Identify the Lead Person who will be the primary contact and lead employee in providing services to the Organization, and who will be listed as a "key person" in any contract with the Organization.
15) Describe your proposed team's experience with similar work for other public agencies and authorities, with a particular emphasis on New York State agencies and authorities.
16) Describe your "backup plan" in the event one or more of the employees assigned to this engagement leave your employ.
17) In the past five (5) years, have any public sector clients terminated their working relationship with you? If so, please provide a brief statement of the reasons. Provide the name of the client and each such client's in-house counsel's name, address and telephone number.
18) Please provide any additional information which would serve to distinguish you from other Proposers and that you believe may be relevant to this RFP and your capability to perform the Required Services.

Financial

1) What is your annual sales/revenue?
2) What percentage of your revenue comes from HRIS customers?
3) What percentage of your revenue do you invest in Research and Development ("R&D")?
4) What percentage of R&D is specific to your HRIS product?

Technology

General

1) Provide an overview of your system architecture as well as hardware, and "other" software requirements.
2) Do you have a mobile application that allows for clock-in and clock-out functionality? Can this functionality be geo-fenced based on where an employee needs to clock-in and clock-out?
3) Can you provide managers with mobile alerts regarding employees who have not clocked-in?
4) Describe your workflow services.
5) Describe your customization and extensibility capabilities.
6) Who are your technical partners?
7) Provide a brief description of your disaster recovery options.
8) Describe how you provide periodic system performance evaluations for all installed applications. Identify ways to improve system utilization and improve overall performance. How frequently are these evaluations done, and what is the cost?
9) How do you stay current with technology?
10) What are your technology plans for the next three (3) years?

Architecture

1) How many concurrent users can your product support?
2) Provide a schematic diagram of the proposed system architecture.
3) Does your application provide for server side processes? If so, describe these processes.
4) What language was used to write your payroll-processing engine? And is it compatible with ADP?
5) How is system auditing implemented in the application? Is this server side or client side?
6) Describe how the application supports page linking and custom ASP pages.
7) Please provide the methods supported for disaster recovery and data achieving.

Database

1) Describe your responsibility in maintaining and managing the database(s).
2) What databases does your application support?
3) Does your system allow backups with no downtime? Does it allow for backups to be unattended?
4) Describe the ease and flexibility for extrapolating data, and creating and maintaining sub-files and macro-processes.
5) Do you provide your clients with a data dictionary?
6) How does your application handle multi-user contention or concurrency?

Security

1) Describe the proposed system's application level security.
2) Does the proposed application support single sign on?
3) Is your security roles based or user based?
4) How are the users and security roles administered?
5) What is the application authentication process? What methods are used to authorize users?
6) Can users have more than one security profile?
7) Does your application allow for customer defined ID and password methodologies?
8) Does your application allow for global security policies (e.g., number of invalid attempts before reset, time outs)?

Customization

1) Describe the delivered tools and methods required to customize your application. Can the Organization perform these customizations or do you need to modify the system? Is there a charge associated with using the tools?

2) Can the Organization customize the look and feel (e.g., logos and colors) in your application?
3) How are customizations preserved during product updates?

Product Deployment

1) Do you offer your products as license, in a hosted environment, or both?
2) If you offer a hosting model, what is your target market?
3) If you offer a hosting model, why should it be selected?
4) If you offer a hosting solution, what is the data center and network infrastructure?
5) If you host the application, what types of technical resources are required?
6) Provide a brief description of the security measures you provide in your hosting environment.
7) If data centers are physically secured, explain the method/technology used.
8) Does your hosting solution include a guaranteed level of system performance, such as sub-second response time?
9) Describe your customer support process for application hosting customers.
10) If hosted, what control would we have with making application modifications – screens, tables and fields?

Product Overview

1) Provide a brief overview of the products you offer.
2) How do you differentiate yourself from your competition?
3) Who are your product partners?
4) How do you stay current with changes in human resources?
5) What enhancements are planned for your product over the next three (3) years?

Name and Version of HRIS System

1) Provide the name of your HRIS system.
2) What is the version you are proposing as a solution?
3) Is the version you are proposing as a solution the latest version of your HRIS system?

Enterprise Structure

1) How does your HRIS system support multiple corporations?
2) Describe employee transfers between and/or within companies.

Human Resources

1) Describe your system's HRIS functionality.
2) Is the system integrated with the payroll system? Will this system integrate with ADP payroll, Enterprise E-Time and LATS?
3) Was this application developed in-house or purchased?
4) Are there duplicate fields in HR, Payroll and Time & Attendance that can be updated and modified?

Compliance

1) As human resource regulations change, how do you ensure your clients stay in compliance?
2) Explain how your system maintains OSHA logs.
3) Describe how the software facilitates the creation and maintenance of employee data and history.

Time and Attendance

1) Please describe your time and attendance feature.
2) What scheduling capabilities are included with your time and attendance feature?
3) Does your system include a leave management feature?

Benefits

1) Describe the integration between benefits and payroll.
2) How does your system handle benefits administration?
3) Explain how your system facilitates reporting to third party vendors such as benefit providers.
4) Does the benefit data automatically populate in payroll? Is it real-time or a batch process?

Open Enrollment

1) Describe the system capabilities for online benefits enrollment (e.g., eligibility rules, tenure or grade level based premiums, plan dates).
2) Describe how your self-service solution can be used to guide employees through benefits enrollment.
3) What tools do you have available for benefit administrators to monitor and provide a smooth enrollment process for the Organization and its employees?
4) Describe how life events are accommodated in your system.
5) Is workflow associated with benefit enrollment and life event changes?

Performance Appraisal

1) Please describe your performance appraisal feature.
2) Describe how the system can provide real-time monitoring of performance appraisals.
3) Can completed performance reviews be attached to an employee record?

Compensation

1) How is the compensation model handled in your system?
2) Describe how mid-period salary change is processed.
3) Explain how increases are entered into the system.

Budget

1) Please describe how your budget administration tool will assist the Organization with effective decisions regarding future compensation.
2) What are the steps involved in creating a budget worksheet for managers?

Employee Relations

1) Please describe how disciplinary actions are accommodated.

Employee Development

1) Please describe how employee development and succession planning are accommodated in your system.
2) Describe how the employee development feature is used by employees.

Learning Management

1) Do you offer on-site training for your clients?
2) What features does learning management provide to training administrators and managers?
3) Describe your internet capabilities for learning management.
4) Is learning management integrated with performance management?

Paid Time Off ("PTO") and Leave Administration

1) Can employees request PTO?
2) Is workflow initiated by employee PTO requests?

Position Management

1) How are position statuses maintained in the system?
2) How does a user find positions in your system?
3) What information associated with the employee is controlled by the position?
4) Will the system enable us to track positions historically, budgeted now, and in the future?
5) Can the system track any and all work-related supplies that have been given to employees throughout their employment, i.e. uniforms, boots, mobile phones, etc.?

Recruiting and Applicant Management

1) Provide a brief description of your recruiting and applicant management system.
2) Describe your candidate pre-screening or qualification process.
3) What job boards are supported with your product? Describe how jobs are posted to internet job boards. Can additional job boards be added?
4) Does your system allow for an automatic e-mail response to applicants and candidates? If so, please describe the communication types included in the application. Can we customize the responses?
5) How is an applicant transitioned to an employee in your system? If the systems are integrated, describe the file transfer process and the technology applied.
6) How does an applicant apply for a job online?

Deductions

1) Describe the integration between benefits and payroll. When a change is made to an employee's benefit election (e.g., single to family coverage), how does the deduction amount get changed in payroll?
2) How does your product recover deduction amounts that have not been withheld from an employee's pay?
3) Does your system calculate garnishments based on the state and federal calculation rulings?

History

1) Explain the kinds of historical information your system maintains.
2) What accumulators are standard? Please provide examples.

Manager Self-Service

1) Describe your application's manager self-service functionality.
2) Describe the integration between your manager self-service application and your HRMS/payroll software.

3) Does the application provide managers access to the entire employee self-service functionality? Please explain.
4) What employee data is a manager NOT able to access?
5) Are managers able to run reports from self-service? How is this performed?
6) Can you set the need for administrator approval when it comes to changes?

System Administration

1) Explain the delivered capabilities for a system administrator to manager self-service?
2) What limitations would a system administrator have in managing self-service in a hosted environment?

Employee Self-Service

1) Does your system allow for employees to choose the language they are most fluent in?
2) Describe your application's employee self-service functionality.
3) Is this application integrated with the main HRIS application?
4) When was this product developed?
5) Was this application developed in-house or purchased?
6) Please explain how your employee self-service feature will assist in the communication between the Organization and employees. What types of information can be made available to the Organization's employees, reducing the amount of calls to human resources and payroll?
7) Can pictures be embedded in an employee record? What are the file types?
8) Can employees perform paycheck modeling? Is the data automatically populated or does the employee have to enter it manually?

Reporting and Business Intelligence Tools

1) Describe the ad-hoc report writer that is delivered with your software.
2) Describe the difference between internet and client reporting functionality.
3) Describe your ability to provide on-line analytical processing ("OLAP") in order to view data from multiple angles.
4) How many analytical reports do you provide?
5) Describe your point-in-time reporting capabilities.
6) Describe your ability to create workforce alerts (e.g. e-mail reminders, reports).
7) Describe any limitations creating on-line web reports? (E.g. formatting, fields, tables)
8) Do hosted clients and non-hosted clients have the same ad-hoc and web reporting capabilities?

Implementation

1) What is your process for effectively managing the implementation process?
2) What is your implementation cost average?
3) How long is a typical product implementation?
4) Describe the typical implementation project team. Who is the primary point of contact during implementation?
5) Describe your approach to identifying, managing, mitigating, and tracking of project risks. Provide a sample risk mitigation plan.
6) Describe your ability to leverage and reuse knowledge capital from prior engagements of a similar nature.
7) Describe your issues management approach and plan. Provide a sample issues management plan and log.
8) Describe your change management approach and plan. Provide sample change control process and procedures, change control log, and change request form.

9) How do you recommend converting existing data from our existing systems to your product?
10) How many employees are dedicated to support, implementation, and development of the proposed system?
11) What is the feedback or re-evaluation process during implementation when a problem has been identified?
12) What is your process for moving from implementation to customer maintenance?

Knowledge Management

1) Provide an overview of your training programs and delivery methods.
2) Where are your training facilities located?
3) What ongoing customer training is available?
4) What training materials do you provide?
5) Do you offer course accreditation?
6) How do you see your training program changing in the next two (2) years?
7) Provide a list of the manuals/documentation delivered with the system.

Customer Service

1) Provide an overview of your customer support and maintenance services.
2) What is the cost of your annual maintenance plan?
3) Do you use your website as a mechanism to provide support to your clients? How is the internet part of your support strategy? Please explain.
4) What is the experience level of your service and support staff? What is the average length of service in your support area?
5) What is your average client retention rate?
6) How do you educate and train your service and support staff?
7) What technologies do you take advantage of to run your support organization?
8) During what hours are service and support provided daily?
9) How many support centers do you have?
10) How often do you release new versions of your software?
11) What is the migration process and cost associated with upgrading to new versions?
12) Is there a cost for upgrading to a new version?

D. <u>RFP Additional Information Request</u>

1) <u>Insurance:</u>

a. Do you impose any limitations on liability through your contracts?
b. Describe the levels of coverage for any professional liability insurance you carry. List the insurance carrier(s) or provide an insurance certificate showing your coverage in accordance with the following:

- Commercial General Liability Insurance limits shall not be less than **$2,000,000** per each occurrence (of which **$1,000,000** shall be primary and the additional **$1,000,000** to be provided by the Umbrella insurance) and **$5,000,000** in the aggregate, with Products/Completed Operations limits of not less than **$1,000,000**;
- Umbrella Liability limits shall not be less than **$5,000,000**;
- Automobile liability (Combined Single Injury, Bodily Injury and Property Damage) limits shall not be less than **$500,000**;
- Workman's Compensation shall not be less than statutory limits;
- Employers Liability shall not be less than **$2,000,000** (of which **$1,000,000** shall be primary and the additional **$1,000,000** to be provided by the Umbrella insurance);

- Disability Insurance as required by applicable provisions of law; and

The costs of the insurance shall be included in the Proposal. BPCA, BPCPC and the State of New York shall be listed as Additional Insured parties on CG 2010 (11/85) or similar form and should be included as such on all subcontracts. Policies should contain no limitations/exclusions for Labor Law claims.

2) Appendices:

a. Include professional biographies for all employees listed in your Proposal.
b. Attach a sample contract or retainer agreement you use for the provision of services to governmental clients.

3) References:

Please provide at least three client (3) references for whom you have performed similar work to that requested in this RFP. For each client, please provide the name, address and telephone number for the client's Senior Human Resources and Senior Financial associates.

4) Financial Statements

Please provide a copy of your most recent audited financial statements (within the last year).

E. Cost Proposal

Each "Cost Proposal" must state rates and/or fees for the Services Required, an implementation guarantee, and any multiple year (3-5 years) guarantees.

VII. THE EVALUATION PROCESS

A. Objectives

The primary objective of the evaluation process is to select a Proposer that:

- Demonstrates a thorough understanding of the scope of the engagement and the specific responsibilities which it entails;
- Possesses adequate resources to handle assigned responsibilities and to handle unforeseen circumstances that may arise;
- Assigns highly skilled, experienced, diligent, responsible and professional personnel to perform the Services Required;
- Maintains high ethical standards and has an unblemished reputation;
- Has no conflict of interest between its representation of the Organization and that of other clients.

The selection process will begin with the review and evaluation of each of the written Proposals. The purpose of this evaluation process is twofold: (1) to examine the responses for compliance with this RFP and (2) to identify the complying Proposers that have the highest probability of satisfactorily performing the Services Required at a reasonable cost to the Organization. The evaluation process will be conducted in a comprehensive and impartial manner. The evaluation process will be conducted by a committee of the Organization's employees selected by Organization (the "Committee"). **The Committee will evaluate the Proposals based upon the evaluation criteria for selection set forth below.**

The Organization reserves the right to reject and return unopened to the Proposer any Proposal received after the RFP Due Date. All timely submitted Proposals will be reviewed to determine if they contain all required submittals specified herein. Incomplete Proposals may be rejected.

B. Interviews

The Organization reserves the right to determine whether interviews will be necessary for any or all of the Proposers. The purpose of the interview is to further document a Proposer's ability to provide the Services Required, and to impart to the Committee an understanding of how specific services will be furnished. The proposed Lead Person, as well all other key personnel proposed to provide the services must be present and participate in the interview. The Proposer will be evaluated on the basis of whether the interview substantiates the characteristics and attributes claimed by the Proposer in its written response to this RFP and any other information requested by the Committee prior to the interview.

C. Evaluation Criteria for Selection

Selection will be based upon the following criteria:

1) Proposed HRIS solution: 30%
2) Proposer's Resources/Organizational Capability/Interview Feedback/Staff Assigned: 25%
3) Fees: 25%
4) Knowledge/Relevant experience with clients of a similar size: 10%
5) Proposed MBE/WBE utilization plan (the "Utilization Plan") and/or Proposer's MBE/WBE status: 10%

D. Basis for Contract Award

The Contract will be awarded to the highest technically rated Proposer whose Proposal is determined to be responsive and in the best interests of the Organization, subject to a determination that the Cost Proposal is fair and reasonable.

VIII. NON-COLLUSION

By submitting a Proposal, Proposers hereby warrant and represent that any ensuing Contract has not been solicited or secured directly or indirectly in a manner contrary to the laws of the State of New York, and that said laws have not been violated and shall not be violated as they relate to the procurement or the performance of the Contract by any conduct, including the paying or giving of any fee, commission, compensation, gift, or gratuity or consideration of any kind, directly or indirectly, to any member of the board of directors, employee, officer or official of the Organization.

IX. IRAN DISINVESTMENT ACT

By submitting a Proposal or by assuming the responsibility of any Contract awarded hereunder, Proposers hereby certify that they are not on the "Entities Determined To Be Non-Responsive Bidders/Offerers Pursuant to The New York State Iran Divestment Act of 2012" list ("Prohibited Entities List") posted on the New York State Office of General Services website at: http://www.ogs.ny.gov/about/regs/docs/ListofEntities.pdf and further certify that they will not utilize any subconsultant that is identified on the Prohibited Entities List on this Contract. The selected Proposer agrees that should it seek to renew or extend any Contract awarded hereunder, it must provide the same certification at the time the Contract is renewed or extended. The selected Proposer also agrees that any proposed assignee of the

Contract will be required to certify that it is not on the Prohibited Entities List before BPCA may approve a request for assignment of the Contract.

During the term of any Contract awarded hereunder, should BPCA receive information that a person (as defined in State Finance Law §165-a) is in violation of the above-referenced certifications, BPCA will review such information and offer the person an opportunity to respond. If the person fails to demonstrate that it has ceased its engagement in the investment activity which is in violation of the New York State Iran Divestment Act of 2012 within 90 days after the determination of such violation, then BPCA shall take such action as may be appropriate and provided for by law, rule, or contract, including, but not limited to, seeking compliance, recovering damages, or declaring the selected Proposer in default of the awarded Contract.

BPCA reserves the right to reject any request for renewal, extension, or assignment for an entity that appears on the Prohibited Entities List prior to the renewal, extension, or assignment of the Contract, and to pursue a responsibility review with the selected Proposer should it appear on the Prohibited Entities List hereafter.

X. ENCOURAGING USE OF NEW YORK STATE BUSINESSES IN CONTRACT PERFORMANCE

New York State businesses have a substantial presence in State contracts and strongly contribute to the economies of the state and the nation. In recognition of their economic activity and leadership in doing business in New York State, Proposers for this Contract for commodities, services or technology are strongly encouraged and expected to consider New York State businesses in the fulfillment of the requirements of the Contract. Such partnering may be as subcontractors, suppliers, protégés or other supporting roles.

Proposers need to be aware that all authorized users of this Contract will be strongly encouraged, to the maximum extent practical and consistent with legal requirements, to use responsible and responsive New York State businesses in purchasing commodities that are of equal quality and functionality and in utilizing services and technology. Furthermore, Proposers are reminded that they must continue to utilize small, minority and women-owned businesses, consistent with current State law.

Utilizing New York State businesses in State contracts will help create more private sector jobs, rebuild New York's infrastructure, and maximize economic activity to the mutual benefit of the contractor and its New York State business partners. New York State businesses will promote the contractor's optimal performance under the Contract, thereby fully benefiting the public sector programs that are supported by associated procurements.

Public procurements can drive and improve the State's economic engine through promotion of the use of New York businesses by its contractors. The State therefore expects bidders/proposers to provide maximum assistance to New York businesses in their contracts. The potential participation by all kinds of New York businesses will deliver great value to the State and its taxpayers.

Proposers can demonstrate their commitment to the use of New York State businesses by responding to the question below:

Will New York State businesses be used in the performance of this contract? _____Yes _____No

If yes, identify New York State businesses that will be used and attach identifying information.

EXHIBIT A

SCOPE OF SERVICES

The Scope of Services set forth by this Request for Proposal ("RFP") shall include, but not be limited, to the following:

Overview
The selected Proposer shall provide a web-based, hosted solution for processing the Organization's payroll and providing the Organization's HRIS software. Overall, the Organization desires a comprehensive and integrated HRIS/payroll solution to manage all aspects of the Organization's human resources functions without the need for duplicate data-entry.

The HRIS system proposed in response to this RFP must incorporate the following benefits offered by the Organization:

- NYSHIP
- CIRS/401K*
- NYSERS
- BAI
- Lincoln STD/LTD
- TIAA-CREF**
- FSA
- Workers' Comp
- GHI Dental
- Davis Vision
- EAP
- Deferred Comp
- SunLife Insurance*
- M/C Life Insurance
- NYPERL
- COBRA
- NYBEAS

*(*BPCPC Only; **BPCA Only)*

Payroll Processing Services
The following payroll services and capabilities are required by the Organization:
• Bi-weekly, quarterly, and annual reports on payroll information (i.e., check register, labor
• distribution, etc.) in an electronic format.
• Preparation of direct deposit files and checks for each payroll.
• Checks to be delivered to the Organization by 3:00 p.m. on Wednesday prior to payday.
• Submission of tax payments electronically on behalf of the Organization.
• Completion of all quarterly tax returns on behalf of the Organization.
• Preparation of all W-2s on behalf of the Organization.
• Provide external online access for employees to access pay statements.
• Provide custom reporting capability.

Time & Attendance
• Provide integrated time and attendance
• Ability to track time by multiple codes
• Provide the ability to earn and use comp time
• Provide reporting capabilities for supervisors
• Leave accounting and reporting (vacation, sick, holiday, FLMA, military, disability, etc.).

HRIS Functionality
The HRIS software should include the following capabilities:
• Maintenance of employee information.
• Recruitment, applicant tracking and onboarding.
• Ability to transfer employment applications into employee records.

• Benefit open enrollment and interface with outside vendors.
• Legal compliance (i.e., Healthcare Reform, ADA Compliance-Web, EEO-4, COBRA, FMLA, etc.).
• Maintenance of benefits information.
• Web-based employee and manager self-service.
• Maintenance of discipline and grievance information.
• Implementation of mass changes to employee information and/or benefits (i.e., health insurance premium changes as part of open enrollment, across-the-board pay increases).
• Automatic notifications and alerts via e-mail (for example, alerts to supervisors prior to performance evaluation due dates).
• Work history, performance management, and competency management tools.
• Training and certification tracking.
• Workforce/Succession planning and organizational charting capabilities.
• Reporting tools.
• Salary and forecasting tools.
• Integration with payroll processing.
• Ability to produce benefit statements annually.

Technical Requirements
The payroll/HRIS software should meet the following requirements:
• Web-based, hosted solution that can be accessed using Internet Explorer 6.0 or higher. System should not require additional web application or add ons (ie Active X, JAVA).
• Ability to establish security to designated personnel records and different areas by authorized personnel only; secure encryption in order to reduce security risks.
Audit log that tracks changes to key data files and contains, at a minimum: original data, new data, date of change, identity of changer, and all changes to security access.
• Availability of detailed documentation and technical specifications including user manuals.
• Maintenance and technical support for both installation and on-going user support available between 8:00 a.m. and 5:00 p.m. Eastern Time, Monday-Friday, via toll-free telephone number. Dedicated support team is preferred.
• Documented business continuity plan to provide system and processing availability in the event of a disaster or other unforeseen event.
• Conversion of data from the Organization’s existing payroll/HRIS systems to the proposed solution.
• Export and import data function.

EXHIBIT B

CONTRACTOR REQUIREMENTS AND PROCEDURES FOR BUSINESS PARTICIPATION OPPORTUNITIES FOR NEW YORK STATE CERTIFIED MBEs/WBEs AND EQUAL EMPLOYMENT OPPORTUNITIES FOR MINORITY GROUP MEMBERS AND WOMEN

Pursuant to New York State Executive Law Article 15-A, BPCA recognizes its obligation under the law to promote opportunities for maximum feasible participation of certified MBE/WBEs and the employment of minority group members and women in the performance of BPCA contracts.

In 2006, the State of New York commissioned a disparity study to evaluate whether minority and women-owned business enterprises had a full and fair opportunity to participate in state contracting. The findings of the study were published on April 29, 2010, under the title "The State of Minority and Women-Owned Business Enterprises: Evidence from New York" (the "Disparity Study"). The report found evidence of statistically significant disparities between the level of participation of minority-and women-owned business enterprises in state procurement contracting versus the number of minority-and women-owned business enterprises that were ready, willing and able to participate in state procurements. As a result of these findings, the Disparity Study made recommendations concerning the implementation and operation of the statewide certified minority- and women-owned business enterprises program. The recommendations from the Disparity Study culminated in the enactment and the implementation of New York State Executive Law Article 15-A, which requires, among other things, that BPCA establish goals for maximum feasible participation of New York State Certified MBEs/WBEs and the employment of minority groups members and women in the performance of New York State contracts.

Business Participation Opportunities for MBE/WBEs

For purposes of this solicitation, BPCA hereby establishes an overall goal of **20**% for MBE/WBE participation, **10**% for MBE participation and **10**% for WBE participation (based on the current availability of qualified MBEs and WBEs). A contractor ("Contractor") on the Contract must document good faith efforts to provide meaningful participation by MBE/WBEs as subcontractors or suppliers in the performance of the Contract and Contractor agrees that BPCA may withhold payment pending receipt of the required MBE/WBE documentation. The directory of New York State Certified MBE/WBEs can be viewed at: http://www.esd.ny.gov/mwbe.html.

For guidance on how BPCA will determine a Contractor's "good faith efforts," refer to 5 NYCRR §142.8.

In accordance with 5 NYCRR §142.13, Contractor acknowledges that if it is found to have willfully and intentionally failed to comply with the MBE/WBE participation goals set forth in the Contract, such finding constitutes a breach of Contract and BPCA may withhold payment from the Contractor as liquidated damages.

Such liquidated damages shall be calculated as an amount equaling the difference between: (1) all sums identified for payment to MBE/WBEs had the Contractor achieved the contractual MBE/WBE goals; and (2) all sums actually paid to MBEs/WBEs for work performed or materials supplied under the Contract.

By submitting a bid or Proposal, a Proposer agrees to submit the following documents and information as evidence of compliance with the foregoing:

A. Proposers are required to submit a Utilization Plan with their bid or Proposal. Any modifications or changes to the Utilization Plan after the Contract award and during the term of the Contract must be reported on a revised Utilization Plan and submitted to BPCA.

B. BPCA will review the submitted Utilization Plan and advise the Proposer of BPCA's acceptance or issue a notice of deficiency within 30 days of receipt.

C. If a notice of deficiency is issued, Proposer agrees that it shall respond to the notice of deficiency within seven (7) business days of receipt by submitting to BPCA, at the address specified in this RFP, or by facsimile at 212-417-2279 a written remedy in response to the notice of deficiency. If the written remedy that is submitted is not timely or is found by BPCA to be inadequate, BPCA shall notify the Proposer and direct the Proposer to submit, within five (5) business days, a request for a partial or total waiver of MBE/WBE participation goals. Failure to file the waiver form in a timely manner may be grounds for disqualification of the bid or Proposal.

D. BPCA may disqualify a Proposer as being non-responsive under the following circumstances:

1) If a Proposer fails to submit a Utilization Plan;

2) If a Proposer fails to submit a written remedy to a notice of deficiency;

3) If a Proposer fails to submit a request for waiver; or

4) If BPCA determines that the Proposer has failed to document good faith efforts.

Contractors shall attempt to utilize, in good faith, any MBE/WBE identified within its Utilization Plan, during the performance of the Contract. Requests for a partial or total waiver of established goal requirements made subsequent to the Contract award may be made at any time during the term of the Contract to BPCA, but must be made no later than prior to the submission of a request for final payment on the Contract.

Contractors are required to submit a Contractor's MBE/WBE Contractor Compliance & Payment Report to BPCA on a monthly basis over the term of the Contract documenting the progress made toward achievement of the MBE/WBE goals of the Contract.

Equal Employment Opportunity Requirements

The Contractor is required to ensure that it shall undertake or continue programs to ensure that minority group members and women are afforded equal employment opportunities without discrimination because of race, creed, color, national origin, sex, age, disability or marital status. For these purposes, equal opportunity shall apply in the areas of recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff, termination, and rates of pay or other forms of compensation. This requirement does not apply to: (i) work, goods, or services unrelated to the Contract or (ii) employment outside New York State.

Proposer further agrees, where applicable, to submit with the Proposal, a staffing plan identifying the anticipated work force to be utilized on the Contract and if awarded a Contract, will, upon request, submit to the Organization a workforce utilization report identifying the workforce actually utilized on the Contract, if known.

Further, pursuant to Article 15 of the Executive Law (the "Human Rights Law"), all other New York State and Federal statutory and constitutional non-discrimination provisions, the Contractor and sub-contractors will not discriminate against any employee or applicant for employment because of race, creed (religion), color, sex, national origin, sexual orientation, military status, age, disability, predisposing genetic characteristic, marital status or domestic violence victim status, and shall also follow the requirements of the Human Rights Law with regard to non-discrimination on the basis of prior criminal conviction and prior arrest.

Please Note: Failure to comply with the foregoing requirements may result in a finding of non-responsiveness, non-responsibility and/or a breach of the Contract, leading to the withholding of funds, suspension or termination of the Contract or such other actions or enforcement proceedings as are allowed by the Contract.

For questions on MBE/WBE participation, joint ventures and sub-contracting goals ONLY, please contact Mr. Anthony Peterson at 212.417.2337.

EXHIBIT C

PRODUCT FUNCTIONALITY

Proposers must complete the "Product Functionality" questionnaire (an excel spreadsheet) and submit it in accordance with Section VI of the RFP by the Due Date. The questionnaire can be found at the following URL address: http://www.batteryparkcity.org/Who-We-Are/Opportunities_2.php

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