

Date Issued: 03/20/2023

**BOARD OF ELECTIONS IN THE CITY OF NEW YORK
REQUEST FOR PROPOSALS**

TITLE: Poll worker online learning management system and training platform

EPIN #: 0032023007

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AUTHORIZED AGENCY/Department CONTACT PERSON

Proposers are advised that the Authorized Agency Contact Person for all matters concerning this Request for Proposals is:

Name:	Sherwin Suss (ACCO)
Title:	Agency Chief Contracting Officer
Mailing Address:	32 Broadway, 7th Floor, New York, NY 10004
E-Mail Address:	Ssuss@boe.nyc

SECTION I - TIMETABLE

A. Release Date of this Request for Proposals:

All questions and requests for additional information concerning this RFP must be made by email and should be directed to Sherwin Suss, the Authorized Agency Contact Person, at:

E-Mail Address: Ssuss@boe.nyc

Proposers should submit questions no later than (5) five days prior to the proposal due date since the Agency may be unable to respond to questions received after then date.

Proposal Due Date and Time and Location:

Date: **April 24th, 2023**

Time: **3:00PM**

Location: Proposals shall be submitted to Sherwin Suss located at:
32 Broadway, 7th Floor, New York. NY 10004_

E-mailed proposals will be accepted by the Board of Elections @ bidresponse@boe.nyc

Proposals received at this Location or by email after the Proposal Due Date and Time are late and shall not be accepted by the Agency, except as provided under New York City's Procurement Policy Board Rules.

The Agency will consider requests made to the Authorized Agency Contact Person to extend the Proposal Due Date and Time prescribed above. However, unless the Agency 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.

Anticipated Contract Start Date: **08/30/2023**

SECTION II - SUMMARY OF THE REQUEST FOR PROPOSALS

A. Purpose of RFP

The Agency/Department is seeking an appropriately qualified vendor to provide the platform for online learning management system for poll worker training classes as well as provide maintenance and support of the platform to the Board of Election in the city of New York

Anticipated Contract Term

It is anticipated that the term of the contract awarded from this RFP will be from the Agency's Election Day Operation Department (EDO) notice to proceed for (two) 2 years. The contract may include a two (2) year option to renew at the Board's discretion. The Agency reserves the right prior to contract award, to determine the length of the initial contract term and each option to renew, if any.

Anticipated Payment Structure

A flat fixed fee, which could include a flat fixed yearly amount for renewal options, fixed unit prices, hourly fees, line-item reimbursements, performance/ outcome based payments based on classes and worker participation.

However, the Agency 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 III - SCOPE OF (SERVICES)

A. Agency Goals and Objectives for this RFP -

- I. The Board of Elections in the City of New York is responsible to conduct elections in the 5 boroughs of the City of New York for all Federal, State, and local elected offices. The Board conducts annual training of 55,000 poll workers to fill the positions needed to work the poll sites for early voting and Election Day. The Board uses a combination of classroom and online training programs. The Board is looking for a vendor to assist it in hosting and creating online learning management for training classes.

B. Agency Assumptions Regarding Contractor Approach

- II. The vendor will be working under the direction of the Board's Election Day Operation Manager and will be responsible for working with Board to upload content and manage classes for train poll workers for early voting and Election Day. This will consist of hosting cloud based platform classes including but not limited to entry level classes of basic poll worker training, Accessibility training, line management training, interpreter classes and a like number of refresher classes.

This would include but not limited to the following:

Provide full narration and open caption services for ADA compliance for all received course content from agency

Convert the received course content (Microsoft Powerpoint or Google Slides files) into whatever format the platform uses

Proofread the converted course content to ensure text migration is correct, without display or layout errors

Proof the narration and open captions added by vendor, match the received course content placement and timing

Course content must be compatible on a desktop computer, smartphone, or tablet

Send emails to poll workers with course information

Allow poll workers to sign into course with assigned poll worker number

Allow confirmation that course work was completed

Reporting capabilities to monitor what courses are sent
Online testing of poll workers
Ability to send grades to the Board in CSV format for auto loading of grades in Board's system.
Provide dedicated system moderator/team to manage user account creation, labeling, and reporting to match the user data received from agency
Provide trained help desk coverage to troubleshoot user login or course content issues
Vendor platform may have to be tested and approved by NYC Cyber Command

Learning Management System Interface for the Board of Elections in the City of New York's Election Management System

Existing Systems

The Board of Elections in the City of New York (BoE) is searching for an online Learning Management System (LMS) that will easily integrate with their existing Election Management System (EMS) for managing Poll Workers. This EMS features two main platforms – ElectionDayWorker.com (EDW) an online portal for recruiting and communicating to workers and a back-office system, System-elect (S-elect), for assigning and recording attendance for training. Each Poll Worker is assigned a unique ***Poll Worker Id*** number by S-elect before assignment to class.

In S-elect courses called "Class Types" are defined. Each Class Type has a unique number called a ***Class Type Id***. These Class Types are put on a Class Schedule for each of the five Boroughs in NYC. These dates are given unique ***Class Id*** numbers. The specific date and times for online training define the last possible date and time to make the course available online for students. After the classes are scheduled for each type and each borough assignment for the roughly 55,000 students are made in S-elect. These assignments are uploaded to EDW and alerts are sent to each user.

Class Assignment URL Requirements

The LMS must support URLs that are able to identify a course based on the S-elect ***Class Type Id*** and pass through the worker's ***Poll Worker Id*** and specific ***Class Id*** with the expectation that those two pieces of data are returned via a configurable web hook when the worker completes the course. There will be no requirement for a student to authenticate beyond providing this custom URL.

Class Completion Event Web Hook

The LMS must support a configurable HTTPs web hook for each student course completion that passes back the ***Poll Worker Id*** and ***Class Id*** provided as a parameter in the assignment URL as well as any testing score if applicable. It is important that a student is only able to submit one course completion per minute. This transmission must be secured against unauthorized calls to the configured end point.

Batch Flat File Class Completion Alternative Option

- III. In addition to the web hook the LMS must provide the ability to download course completions as a flat file by each Class instance. This file must contain at minimum the S-elect ***Class Id*** and ***Poll Worker Ids*** as well as the Class Completion date and time in the appropriate time zone format for NYC. If the class has a test the score must be included in the file as well. Upon downloading this file a summary record count must be displayed.

They will also have a strong project management team and process in place, enabling them to deliver assets and meet tight deadlines while delivering detail-oriented work with accuracy.

C. Agency Assumptions Regarding Payment Structure

The Agency's assumptions regarding the performance-based payment structure that will most likely assure that the selected proposer(s) will perform the work under the contract awarded from this RFP in a manner that is cost-effective for the Agency/Department and most likely to achieve the Agency's goals and objectives set out above, is as follows:

Flat fixed unit prices flat fix hourly amount and or hourly rates.

D. Compliance with Local Law 34 of 2007

Pursuant to Local Law 34 of 2007, amending the City's Campaign Finance Law, the City established a computerized database containing the names of any "person" that has "business dealings with the city" as such terms are defined in the Local Law. For the purposes of the database, proposers are required to complete the attached Doing Business Data Form and return it with this proposal and should do so in a separate envelope. If the City determines that a proposer has failed to submit a Data Form or has submitted a Data Form that is not complete, the proposer will be notified by the Agency and will be given four (4) calendar days from receipt of notification to cure the specified deficiencies and return a complete Data Form to the Agency. Failure to do so will result in a determination that the proposal is non-responsive. Receipt of notification is defined as the day notice is e-mailed or faxed (if the proposer has provided an e-mail address or fax number), or no later than five (5) days from the date of mailing or upon delivery, if delivered.

E. 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 Attachment the Whistleblower Protection Expansion Act Rider, carefully.

F. 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 proposers 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 takings steps to cease its investments in Iran or where the proposer is a necessary sole source. Please refer to Attachment_ for information on the Iran Divestment Act required for this solicitation and instructions on how to complete the required form and to <http://www.ogs.ny.gov/About/regs/ida.asp> for additional information concerning the list of entities.

G. 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 Attachment __, the subcontractor compliance notice as it relates to competitive solicitations. The City's new web based subcontractor reporting system will be located on line at the Payee Information Portal at: <https://a127-pip.nyc.gov/webapp/PRDPCW/SelfService>.

SECTION IV - FORMAT AND CONTENT OF THE PROPOSAL

Instructions: Proposers should provide all information required in the format below. The proposal should be typed on both sides of 8 ½" X 11" paper. The City requests that all proposals be submitted on paper with no less than 30% postconsumer material content, i.e., the minimum recovered fiber content level for reprographic papers recommended by the United States Environmental Protection Agency (for any changes to that standard please consult: <http://www.epa.gov/cpg/products/printing.htm>). Pages should be paginated. The proposal will be evaluated on the basis of its content, not length. Failure to comply with any of these instructions will not make the proposal non-responsive.

Proposer Costs

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

A. Proposal Format

1. 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.

2. Proposal

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

a. 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 III of this RFP. (Specifically address the following:

The Vendor and their Team must have at least three years of experience lusting and setup and online training classes in the following areas:

1. Provide a brief overview of the firm's activities and history.

What is the largest number of individuals did your company have to train during one time period?

Do you have any experience specifically with election and poll worker training?

If yes provide a list of all jurisdictions.

In addition:

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

b. Organizational Capability

Demonstrate the proposer's organizational, managerial and financial capability to provide the work described in Section III.

In addition:

- Attach a chart showing where, or an explanation of how, the proposed services will fit into the proposer's organization.
- 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.

c. Proposed Approach

Describe in detail how the proposer will provide the work described in Section III of this RFP and demonstrate that the proposer's proposed approach will fulfill the Agency's/Department's goals and objectives.

1. Outline the process you would follow for completing the scope of work described in scope of work in section III.
2. Describe in detail the time, personnel, and other resources you will commit to the project.
3. Describe the roles of each key member of the team to be assigned to this project (including subcontractors, if any).

The Agency's assumptions regarding contractor approach represent what the Agency believes to be most likely to achieve its goals and objectives. However, proposers are encouraged to propose an approach that they believe will most likely achieve the Agency's goals and objectives. Proposers may also propose more than one approach. However, if an alternative approach affects other areas of the proposal such as experience, organizational capability or price, that alternative approach should be submitted as a complete and separate proposal providing all the information specified in Section IV of this RFP.

d. Proposed Pricing

Provide a fee proposal including the following elements:

1. A complete list of rates for all services you will bill for over the life of this contract, including any expenses for which you will seek reimbursement. (Invoices or other documentation will be required for expenses.) These rates will be the rates applicable over the entire term of the contract, unless otherwise specified. No expenses will be reimbursed unless the Board provides prior written approval. The Fee Proposal must be separate from the responding proposal.

4. Acknowledgment of Addenda

Appendix A Doing Business Data Form

SECTION V - PROPOSAL EVALUATION AND CONTRACT AWARD PROCEDURES

A. Evaluation Procedures

All proposals accepted by the Agency will be reviewed to determine whether they are responsive or non-responsive to the requisites of this RFP. Proposals that are determined by the Agency to be non-responsive will be rejected. The Agency's Evaluation Committee will evaluate and rate all remaining proposals based on the Evaluation Criteria prescribed below. The Agency reserves the right to conduct site visits and/or interviews and/or to request that proposers make presentations and/or demonstrations, as the Agency deems applicable and appropriate. Although discussions may be conducted with proposers submitting acceptable proposals, 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 price terms.

A contract will be awarded to the responsible proposer whose proposal is determined to be the but value to the City, taking into consideration the price and such other factors or criteria which are set forth in this RFP Contract award and shall be subject to the timely completion of contract negotiations between the Agency and the selected proposer.

Since the award is based on best value, a vendor that is M/WBE certified will be given a price preference of 10% and will be evaluated as if the bid price is 10% lower. If you are an M/WBE company and submitting a proposal please include a copy of your current M/WBE certification certificate.

- Demonstrated quantity and quality of successful relevant experience. **[40%]**
- Demonstrated level of organizational capability. **[10%]**
- Quality of proposed approach including processed, resources necessary to create competent accessible campaigns. **[30%]**
- Price **[20%]**

Prior to entering into a written agreement approved by the New York City Corporation Counsel (Corporation Counsel) and registered with the New York City Comptroller's Office (Comptroller), the Board reserves the right to terminate discussions with a tentatively selected proposer at any time and for any reason whatsoever in its sole discretion without incurring any liability.

SECTION VI - 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 Fees. Pursuant to PPB Rule 2-08(f)(2), the contractor will be charged a fee for the administration of the Vendex 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 (less than or equal to \$1million) (above \$1million).

ATTACHMENT A

PROPOSAL COVER LETTER

RFP TITLE: _____

PIN #: _____

Proposer:

Name: _____

Address: _____

Tax Identification #: _____

Proposer's Contact Person:

Name: _____

Title: _____

Telephone #: _____

(Service Option)(Program Option)(Service Area)(Facility Site)(Other) Proposed: [IF APPLICABLE]

[☐ _____ ☐ _____ ☐ _____]

Certification of Compliance with Minimum Qualification Requirement(s) [IF APPLICABLE] [MOC APPROVAL REQUIRED]

Proposer's Authorized Representative:

Name: _____

Title: _____

Signature: _____

Date: _____

Is the response printed on both sides, on recycled paper containing the minimum percentage of recovered fiber content as requested by the City in the instructions to this solicitation?

☐

Yes

☐

No

