



ADMINISTRATIVE OFFICE OF THE COURTS

MARYLAND JUDICIAL CENTER
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Questions/Responses No. 1 RFP Project No. K15-0010-25E Recruitment – Pre-Employment Background Screening September 19, 2014

Ladies and Gentlemen:

The following questions for the above referenced RFP were received and are answered and posted for all prospective Offerors who received the RFP. The statements and interpretations contained in the following responses to questions are not binding on the Judiciary unless the RFP is expressly amended. Nothing in the Judiciary's response to these questions is to be construed as agreement to or acceptance by the Judiciary of any statement or interpretation on the part of the Offeror asking the question.

Question 1. Subsection 2.2.1 - *Criminal Background History Search – including the following: state (local & county) and federal (national crime file data base) level convictions for felonies and misdemeanors, and/or arrest with prosecution pending, as in compliance with applicable federal and state laws and statutes.* – How many years back should the criminal research be conducted based on the area of research? In the meeting it was indicated 7 years. Please confirm.

Response: Yes

Question 2. Subsection 2.2.1 - *Criminal Background History Search – including the following: state (local & county) and federal (national crime file data base) level convictions for felonies and misdemeanors, and/or arrest with prosecution pending, as in compliance with applicable federal and state laws and statutes.* – If the criminal and civil searches (Subsection 2.2.2) are based on the applicants place of residence for the past 7 years, will reporting **STATEWIDE Federal** criminal searches be acceptable (referring to section highlighted in red above) in the areas the individual has resided in?

Response: Yes

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Question 3. Subsection 2.2.2 - *Civil Litigation Record Search – federal and State* - How many years back should the civil research be conducted based on the area of research? In the meeting it was indicated 7 years. Please confirm.

Response: Yes

Question 4. In Subsection 2.2.3 Social Security Number Verification (Trace) – This search has the ability to provide an address history of the applicant for the past 7 years. Does AOC want the contractor to use the address history to identify where the applicant has lived in the 7 years and base our investigation on those areas?

Response: Please only verify the Social Security # to ensure that there isn't any fraud or misuse of the reported SS#. We thought that this section only pertained to the SS#.

Question 5. In Subsection 2.2.6 Child Abuse Registry – Nationwide – There is no existence of a Nationwide Child Abuse Registry. Each state has their own central system, which may not be available to the public. Should this search be considered a statewide search (where applicable and available) based on the applicants place of residence for the past 7 years?

Response: Contractor shall review applicable State Child Abuse Registry of the applicant and where the applicant has resided.

Question 6. In Subsection 2.3.1 *Contractor shall provide reports, via email...* To clarify, the email is not how the actual report should be delivered. You are requiring a secure online system that has the ability to send an AOC Authorized User an email notification that a report is available for accessing on the secured system, correct?

Response: Yes

Question 7. In Subsection 2.3.1 and on Attachment D – Price Proposal Form, it indicates a 48 hour time period is given. Typical turnaround time in the industry is 72 hours. Due to possible delays such as court issues, weather delays, holidays, etc. would AOC reconsider the 48 hour time period as long as proper communication with the Human Resources Staff Member Point of Contact has been made to identify the reason for the delays?

Response: See Addendum No. 2 dated September 19, 2014.

Question 8. In Subsection 2.3.2 *Contractor shall be fully compliant with the provisions of the Fair Credit Reporting Act, including steps to verify the accuracy of the background information, adverse action notification, and the opportunity for the candidate to dispute negative findings that may result in non-hire.* – Just to confirm that AOC is not looking for the contractor to provide the Adverse Action Notifications to the Applicants when adverse action is necessary?

Response: Confirmed. Contractor will provide information as requested by an individual as per the federal guidelines.

Question 9. In Section 3.2 Proposal – In Subsection 3.2.2 can you define what is meant by the term “unbound original”? This does not refer to any copies, correct?

Response: An unbound original is the complete technical and financial proposal submitted without being bound. Just paper clip or put a rubber band around the proposal.

Question 10. In Section 3.5 Volume II – Financial Proposal – In Subsection 3.5.1, the last sentence, *This is a fixed price Contract; prices are all inclusive and shall encompass all requirements in the RFP.* – *In some states court access fees may apply as well as state driving record fees.* Will AOC consider in addition to the fixed price a pass through of the court and state access fees? These fees are typically charged by courts and state agencies to access information for completion of a report. Fees vary throughout the US.

Response: Yes

Question 11. In Attachment D – Price Proposal Form – Will AOC consider removing the “Fee if reports exceed the 48 hour time period” if the contractor provides proper communication with Human Resources Staff Member Point of Contact in regards to any delays and can provide a status and ETA.

Response: See Addendum No. 2 dated September 19, 2014.

Question 12. Our primary concern is around the product “Child Abuse Registry – Nationwide”. We do not currently offer this product and would like to know if this product is critical to the selection or if we would be considered without this product.

Response: Contractor shall review applicable State Child Abuse Registry of the applicant and where the applicant has resided.

Question 13. Do you currently background screen your candidates or is this a new process?

Response: Maryland Judiciary Human Resources department currently conducts background checks.

Question 14. What is the reasoning for the opening of the RFP?

Response: An assessment of Human Resources practices has determined that this function be outsourced.

Question 15. Are there other capabilities that will be considered other than Technology and Price? (Such as customer service and/or quality of screen) Contractor listing of some current clients.

Response: See Section 4 of the RFP.

Question 16. Will there be a need for drug screening to be incorporated with background screening?

Response: Not currently, but maybe in the future.

Question 17. Would the AOC like the vendor to provide pricing on drug screening? Would the AOC allow vendors to submit additional price schedules of services that would be available to the AOC outside of the just packages requested?

Response: No.

Question 18. While there are no MDOT requirements on this contract, will any additional weight be given to an MDOT certified company submitting?

Response: See Section 4 of the RFP.

Question 19. Can you confirm that you are looking for the contractor to provide the following services for the Criminal Background History Search:

- a. County Criminal History Check utilizing information directly from the courts (all counties of residence in which the applicant has resided for the past 7 years)
- b. Nationwide Criminal Database Check

Response: Yes to both

Question 20. Can you confirm that for item 2.2.2, you are only looking for the contractor to conduct Upper Civil court searches, from the courthouse, for all counties in which the applicant has resided in the past 7 years?

Response: Yes

Question 21. Would it be acceptable for the contractor to provide all notifications (status updates for any records that will take more than 2 business days and all results) to the website as well as allow that as a means for the AOC to submit requests?

Response: See Addendum No. 2 dated September 19, 2014.

Question 22. As most times for a delay to hold a record back from being returned in the 48 hours (2 business days), it is outside of the control of the vendor. Would the AOC consider removing the line in Attachment D stating a fee for reports exceeding the 48 hour mark?

Response: See Addendum No. 2 dated September 19, 2014.

Question 23. Motor Vehicle, Some courts, etc. require a fee to access the information. In order to keep the costs down to the clients and not roll unnecessary costs into each search, most clients allow vendors to pass on those fees without marking them up as long as they are clearly notated on the invoice. Would the AOC allow 'pass thru' fees?

Response: Yes

Question 24. Child abuse registries are kept at the state level and all have very different guidelines and requirements for access such. Could you confirm if a state abuse registry check is being required for the current state of residence or for all states in which the applicant has resided in the past 7 years?

Response: All states in which the applicant has resided in the past 7 years.

Question 25. What is your anticipated start date?

Response: Once a contract has been executed and the applicable procurement procedures and processes have been met.

Question 26. Are vendors permitted to attach a separate cost sheet with package recommendations and a la carte suggestions they believe will benefit the Maryland Judiciary, in addition to Attachment D – Price Proposal Form?

Response: No.

Question 27. Please clarify "Fee if reports exceed the 48 hour time period" in Attachment D – Price Proposal Form.

Response: See Addendum No. 2 dated September 19, 2014.

Question 28. Please define the source of information the Maryland Judiciary wishes to utilize for nationwide child abuse registry results.

Response: For source of information relative to Child Abuse Registry - the source should be the applicable State Child Abuse Registry.

Question 29. Section 2.2.2 requests a civil litigation record search for federal and state records. However, states do not maintain civil litigation records. Would the Maryland Judiciary like to see results from federal and county civil litigation record searches?

Response: Yes

Question 30. Does the Maryland Judiciary wish to see county civil litigation records only from the applicant's current county of residence?

Response: No. The AOC requests information on applicants going back 7 years, to include the applicant's place of residence for that time period.

Question 31. Each state charges a different fee for accessing motor vehicle record reports. Does the Maryland Judiciary wish to see motor vehicle record reports only from the state of Maryland?

Response: We request information on applicants going back 7 years, which should include the applicant's place of residence for that time period.

Question 32. 10.) For local and county criminal background history searches, as described in section 2.2.1, does the Maryland Judiciary wish to run only a Maryland statewide search (all counties in the state report to the Maryland State Repository)?

Response: We request information on applicants going back 7 years, which should include the applicants place of residence for that time period.

Question 33. Which searches should include results for maiden and alias names?

Response: All of them.

Question 34. Where will the "kickoff meeting" identified in section 2.3.8 take place? Will this meeting take place after a vendor has been selected as a finalist?

Response: After a vendor has been selected and awarded the contract.

Question 35. Are vendors permitted to include a letter from their banking institution attesting to their financial strength in lieu of profit and lost statements and balance sheets?

Response: No

Question 36. Are vendors permitted to include a sample pre-employment background screening report with their response?

Response: Yes.

Question 37. Section 2.2.1 (A) states that contractor shall not rely on or use CaseSearch and shall not expect Maryland Judiciary to provide access to the Criminal Justice Information Services. Could you confirm what information should be checked for a Maryland resident as far as the criminal check goes? Most courts within the state refuse to conduct a county check and refer background screening companies back to the use of CaseSearch.

Response: We expect a vendor to utilize all applicable databases to provide the Maryland Judiciary with the requested information.

Question 38. You do not specify how many years of criminal history you are seeking. Usually the criminal history is either 7 or 10 years back based on addresses found on the Social Security Trace. The question is how many years of criminal history will you be requesting. This is important information to know in order to determine the cost.

Response: The AOC is requesting 7 years.

Question 39. There is no separate line item for court access fees, (some counties charge as much as \$65.00 to access the court records, these fees would apply to all vendors) which would be passed along to the client. Since we can't predict which counties you will be searching it is impossible to include the fees into the pricing. How would you like us to represent the out of pocket expenses that are charged to us as court access fees in the cost proposal?

Response: The AOC will accept a pass through of the court and state access fees.