



State of Florida
Agency for Persons with Disabilities
Request for Information
Criminal History Record Checks and
Electronic Fingerprinting (Livescan) Services

RFI# 19/20-008

Introduction:

The State of Florida, Agency for Persons with Disabilities (APD) is seeking responses from the vendor community as a result of this Request for Information (RFI). APD conducts criminal history record checks, including fingerprinting, on selected applicants.

This RFI is not a formal solicitation (or competitive procurement), and responses to this RFI are not offers that can or will be accepted by APD to form a binding contract. Vendors interested in this potential project will be notified by APD when and if a competitive procurement is conducted.

Objective:

The objective of APD is to determine if there are vendors who can provide electronic fingerprinting, state and national criminal history record checks, as well as new IRS requirements of checking local law enforcement agencies where the subject is currently residing per Statute requirements.

Background:

Currently, APD is contracted with a vendor that electronically submits the fingerprints and personal information of selected applicants to the Florida Department of Law Enforcement (FDLE) for a state and national criminal history record check. APD estimates criminal history record checks are conducted on approximately 906 individuals on a yearly basis. The results are reported back to APD within 72 hours of the initial electronic submission. The contract is for both statewide service and for out of state service, and locations at a minimum where the APD has offices. In selection of additional LiveScan sites, the Vendor shall take into consideration population density and easy access for applicants.

All employees of APD are required to undergo a Level II criminal history background check in accordance with Chapter 435, F.S. These records checks include a Level 2 background check plus a check of the local law enforcement agency where the subject is currently residing.

Level 1 and Level 2 Background Checks are terms used in Florida Statutes to convey the method of the criminal history record check and the extent of the data searched. However, the terms may also refer to certain disqualifying offenses if certain statutes are referenced. Level 1 and Level 2 are terms that pertain only to Florida and are not used by the FBI or other states. They are defined in Chapter 435, Florida Statutes (F.S.), but are used elsewhere in statute without definition and appear not to be associated with all of the provisions in Chapter 435, F.S.

- **Level 1** generally refers to a state only name based check AND an employment history check.



- **Level 2** generally refers to a state and national fingerprint based check and consideration of disqualifying offenses and applies to those employees designated by law as holding positions of responsibility or trust. Section 435.04, F.S., mandates Level 2 security background investigations be conducted on employees, defined as individuals required by law to be fingerprinted pursuant to Chapter 435, F.S.

Qualifications:

The following qualifications will be required of any respondent to any procurement of services that might be issued based on the responses to this RFI.

- Vendors must be registered with the State of Florida, Department of Management Services through the MyFloridaMarketPlace e-procurement system.
- Vendors must be registered with the State of Florida, Department of State, Division of Corporations to do business in Florida.
- Vendors must be on the list of Livescan Device Vendors and Service Providers who have voluntarily chosen to have their device (equipment) and electronic fingerprint data submissions evaluated by FDLE to verify compliance with both FDLE and Federal Bureau of Investigation regulations and standards.

WORK REQUIREMENTS

Technical Requirements

The following represents, at a minimum, APD's requirements of a vendors about the establishment, implementation and operation of electronic fingerprinting (livescan) services.

Services

- 1) Understand the overall need for and purpose of establishing and implementing livescan services and have the organizational and professional capability and experience to assume responsibility for administering the services on a statewide and occasionally on an out-of-state basis;
- 2) Be on the list of Service Providers (<http://www.fdle.state.fl.us/Criminal-History-Records/Documents/ApplicantLivescanService-ProvidersVendors.aspx>) who have established submission approval from FDLE. Contact FDLE at 850-410-8161 for details;
- 3) Process selected applicant fingerprints retrieve data and electronically transmit fingerprints and applicant data to FDLE. Contact FDLE at 850-410-8161 for details;
- 4) Remit the payment of fees to FDLE for criminal history record checks (currently \$36.00 for state and federal electronic fee);
- 5) Electronically transmit applicant data to local law enforcement agencies where the selected applicants reside for details requesting a criminal history check;
- 6) Collect results of the local law enforcement criminal history check remit the results to APD;
- 7) Invoice transactions for selected applicants to APD to include fees to FDLE, fees for local law enforcement agencies, and transaction fees for the services provided;
- 8) Maintain an error rate for electronically transmitted livescan fingerprints that shall not exceed 5 percent. The system must verify the quality of fingerprints and be able to resubmit rejected, incomplete, or inaccurate prints. The following are considered incomplete or inaccurate fingerprint records as mentioned above:
 - Fingerprint records that do not include the applicant's social security number;
 - Fingerprint records not sent to FDLE;
 - Fingerprint results not sent to the Agency but received by an entity not covered under this contract.



- 9) Resubmit prints/information to FDLE or any local law enforcement agency, using the same Transaction Control number;
- 10) Ensure timely submission of fingerprint capture in real or near real time. Store and forward is allowed if vendor utilizes a central system for transferring to FDLE or any local law enforcement agency;
- 11) In the event of any equipment failure or an occurrence that prohibits the capture of an applicant's fingerprints, a notification process for applicants to reschedule a capture time at no additional cost to APD;
- 12) Provide a report and invoice of system usage and transactions by location to include the information as follows:
 - Name of Approved applicant
 - Date of service
 - Transaction Control Number
 - Program Code
- 13) Provide APD with the ability to see appointment statuses (appointment made, appointment canceled, etc.)
- 14) Comply with all confidentiality and security requirements of APD including background screening and training protocols to employees;
- 15) Do not share, sell or distribute any applicant information to any person, company or entity;
- 16) The successful respondent must maintain open lines of communication with APD always regarding any changes in the operation of the livescan services being provided. This includes but is not limited to the following:
 - Addition of Sites
 - Closing of Sites
 - Changing of Site Hours
 - Changing of Call Center Hours
 - Web-site technical errors, complaints, etc.
 - Billing Complaints

Sites

Provide geographically disbursed statewide and/or out-of-state, with fingerprint service sites not to exceed a travel distance of 35 miles of most office locations. Current APD county office locations are:

- Alachua
- Bay
- Broward
- Charlotte
- Dade
- Duval
- Escambia
- Hillsborough
- Jackson
- Lee
- Leon
- Orange
- Palm Beach
- Polk
- Sumter
- Volusia



- Provide secure fingerprinting sites at which fingerprinting services will be provided during normal business hours (8:00 A.M. – 5:00 P.M., Monday through Friday). A flexible schedule that includes evenings and weekend hours is desirable, but not required.
- Sites to be accessible in accordance with Americans with Disabilities Act.

Equipment/Software

- Provide connectivity to FDLE in accordance with FDLE transmission protocols (contact FDLE at 850-410-8161 for details);
- At no cost to the Agency, maintain hardware, equipment, and software to original performance specifications and provide updates and/or upgrades as new technology become available and/or FDLE requirements change;
- At no cost to the Agency, provide all preventative maintenance of all system equipment;
- Use approved livescan equipment; and electronic transmittal of fingerprints to the FDLE using the real-time store and forward system.

Staff

- Employ trained individuals who have passed state and national criminal history records check;
- Employ individuals with the knowledge of and the capability to reference a selected applicant's identification and verify proper ID to the biographic information entered into the livescan system at time of appointment;
- Ensure call-center operators are appropriately trained to assist all selected applicant's in scheduling of appointments.

Technical Support/Customer Service

- Develop or have a process for applicants to schedule an initial appointment and/or for any questions regarding fingerprint services;
- Develop or have and maintain a website and toll-free telephone line for appointment, registration, and customer support for use by selected applicants and the Agency;
- Have a website that is available 24 hours a day, 7 days a week, except for time offline for technical updates;
- Maintain a secure and up-to-date website and call center having the capability to capture all biographic and demographic information needed to obtain fingerprinting at the time of service and meet all Agency, State of Florida, and federal confidentiality standards;
- Have a website that is easily usable to assist selected applicants in finding the nearest physical fingerprinting sites within proximity to their residence and/or business location;
- Have customer service phone lines opened a minimum of Monday-Friday 8:00 A.M.- 5:00 P.M.

MyFloridaMarketPlace Transaction Fee:

If the Agency issues a formal solicitation at a future date for the services described herein, vendors will be subject to the MFMP Transaction Fee requirements as follows:

The State of Florida, through the Department of Management Services (DMS), has instituted MyFloridaMarketPlace, a statewide eProcurement system.

Pursuant to section 287.057(22), Florida Statutes payments issued by agencies or eligible users to vendors for purchases of commodities of contractual services are subject to the transaction fees, as prescribed by Rule 60A-1.031, Florida Administrative Code, or as may otherwise be established by law. Vendors shall submit monthly reports



required by the rule. All reports shall be subject to audit. Failure to submit the transaction fees or submit reports shall constitute grounds for default and exclusion from business with the State of Florida.

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Calendar of Events

Listed below are the important actions and dates/times by which the actions must be taken or completed. If the Agency finds it necessary to change any of these dates/times, it will be accomplished by addendum. All listed times are local time in Tallahassee, Florida.

<u>Date</u>	<u>Time</u>	<u>Action</u>
5/29/2019	2PM	Release of RFI on the Vendor Bid System
6/12/2019	2PM	Last day for Vendor written questions and inquiries
6/18/2019	2PM	Anticipated date that written responses to written questions and inquiries will be posted to the VBS
6/21/2019	2PM	Response due date

Written Questions/Inquiries

Questions will only be accepted if submitted in writing and received on or before the date and time specified in the Calendar of Events. Verbal questions will NOT be accepted. Responses will be made in writing and posted on the Vendor Bid System, on or about the anticipated date referenced in the Calendar of Events.

Vendors shall examine this RFI to determine if the Agency's requirements and/or specifications are clearly stated. If there are any requirements and/or specifications which restrict competition, vendors are encouraged to notify the Agency in writing what requirements and/or specifications are believed to be restrictive and how they recommend they be changed. Vendors who request changes to the Agency's requirements and/or specifications must identify and describe the difficulty in meeting the Agency's requirements and/or specifications, must provide a detailed justification for a change, and must specify recommended changes to the requirements and/or specifications. Requests for changes to the Agency's requirements and/or specifications must be received by the Agency no later than the date shown for written inquiries in the Calendar of Events. The Agency shall determine what changes to the requirements are acceptable. If required, the Agency shall incorporate acceptable changes to a formal solicitation that may be released at a future date. Any solicitation will be posted on the Vendors Bid System in order that all vendors will be given the same opportunity based on the same requirements and specifications.

Written questions/inquiries concerning this RFI shall be submitted in writing by Email to the individual identified below and must be received no later than the date and time specified in Calendar of Events.

Response Requirements

Responses are due no later than the date and time indicate in the Calendar of Events. You may send your response via email, or by overnight carrier, or by hand delivery.

Send Responses to:
Eddie Kay Harris
Purchasing Administrator
4030 Esplanade Way, Suite 215
Tallahassee, FL 32399
eddie.harris@apdcares.org



Responses:

Respondents to this RFI are requested to answer the following questions and submit them with their response. Please ensure that yes or no questions are answered with a yes or a no. You may provide additional narrative for explanation or clarification if desired. If you have answered no to any of these questions, please elaborate as to why. Elaborate bindings, colorful displays, and promotional material are not desired.

- 1) Is your company currently registered with the Florida Department of Management Services and the Department of State in order to do business in the state of Florida or willing to do so?
Yes _____ No _____
- 2) Is your company currently on the Florida Department of Law Enforcement's list of Livescan Device Vendors and Service Providers or willing to do so?
Yes _____ No _____
- 3) Would your company be able to comply with the service terms as outlined under the work requirements?
Yes _____ No _____
- 4) Would your company be able to comply with the equipment/software terms as outlined under the work requirements?
Yes _____ No _____
- 5) Would your company be able to comply with the staff terms as outlined under the work requirements?
Yes _____ No _____
- 6) Would your company be able to comply with the technical support/customer service terms as outlined under the work requirements?
Yes _____ No _____
- 7) Would your company be able to comply with the sites terms as outlined under the work requirements?
Yes _____ No _____
- 8) Would your company be able to separately bill APD?
Yes _____ No _____
- 9) Does your company have the ability to perform international criminal history record checks?
Yes _____ No _____
- 10) Does your company have the ability to perform a check of all local law enforcement agencies where the subject has lived, worked, and/or attended school within the last 5 years, and if applicable, of



the appropriate agency for any identified arrests.

Yes _____ No _____

11) What would be the **estimated** cost for the services to the agency per applicant. This cost would be for the Livescan services, the FDLE payment and the cost of the local background check. This costing will not be binding but will be used by the agency to determine an estimated overall budget needed for these services.

Per applicant _____

12) Would your company be willing to submit references from customers who you have provided the same or similar services?

Yes _____ No _____

Please include the following information in your response.

VENDOR NAME

ADDRESS:

CONTACT PERSON:

TELEPHONE NUMBER:

E-MAIL ADDRESS:

FEI NUMBER:
